

Pursuant to due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Municipal Building Council Chambers on May 20, 2019. Mayor Dehen called the meeting to order at 7:00 p.m. asking that everyone join in the Pledge of Allegiance. The following were present for roll call: Council Member Whitlock, Steiner, Norland, and Oachs, City Administrator Harrenstein, City Attorney Kennedy, Community Development Director Fischer, Public Works Director Host, and City Clerk Van Genderen. Absent: Finance Director McCann.

Approval of Agenda

Council Member Steiner moved, seconded by Council Member Norland, to approve the agenda. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.

Approval of Council Meeting Minutes May 6, 2019

Council Member Norland moved, seconded by Council Member Oachs, to approve the minutes of the Council meeting of May 6, 2019. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.

Approval of Council Work Session Minutes May 13, 2019

Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council Work Session of May 13, 2019. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.

Public Hearing, 7 pm Ordinance No. 115, Amending North Mankato City Code, Small Cell Wireless Equipment Installation Ordinance

Community Development Director Fischer reported the City received a request from Verizon Wireless regarding the City's process for installing Small Cell Wireless Facilities within the right of way. At the time of the request, the City did not have a process in place. The City hired special counsel with experience in Small Cell Ordinances out of Denver, worked with Attorney Kennedy and consulted with the League of Minnesota Cities. The process created a new chapter in the City Code to address the permitting and installation of Small Cell equipment. In addition to the new chapter, a Master Permit Agreement, permitted process guidelines and application was prepared. The Small Cell equipment goes on utility poles and works with larger cell towers to cover gaps in cell coverage. The Planning Commission reviewed the proposed Ordinance and recommended approval. With no one appearing before Council, Mayor Dehen closed the Public Hearing.

Consent Agenda

Council Member Norland moved, seconded by Council Member Steiner, to approve the Consent Agenda.

- A. Bills and Appropriations.
- B. Res. No. 43-19 Approving Donations/Contributions/Grants.
- C. Approved North Mankato Civic and Commerce Application for Temporary 3.2 Permit for July 10-14, 2019, at Wheeler Park.
- D. Res. No. 44-19 Approving Consent Assessment Agreement-507 Garfield Avenue.
- E. Res. No. 45-19 Adopting Part 1 and Part 4 of the Mankato/North Mankato Area Planning Organization (MAPO) Americans with Disabilities Act (ADA) Transition Plan and Inventory for Public Rights-of-Way.

Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.

Public Comments Concerning Business Items on the Agenda

Barb Church, 102 Wheeler Avenue, appeared before Council and stated she believed granting the V-1-19 Variance request from Holy Rosary would be illegal based on her study of information from the League of Minnesota Cities. She suggested the City consult the League of Minnesota Cities or the City Attorney.

Paul van de Cromment, Holy Rosary's pastor, appeared before Council concerning the V-1-19 variance request and stated the Church has been in North Mankato since 1925 and is in the process of a major remodel which will improve the property value of those that live near the church. He reported the church wants to be a good neighbor and the sign will be black and white, backlit and will be turned off 1 hour after sundown. He reported the goal of the sign is to improve the overall appearance of the property and is a part of the continued church improvements.

Business Items

Ordinance No. 115, Small Cell Wireless Equipment Installation Ordinance.

Council Member Whitlock requested clarification on cost/fee to the wireless company. Community Development Director Fischer reported there would be an application fee, but State Statute limits how much a City can charge per pole. Council Member Whitlock requested clarification on if the Small Cell Wireless enhances the LTE network and Mayor Dehen requested clarification on if the Small Cell Facilities would eventually be used for 5G networks. Community Development Director Fischer reported that it would enhance current LTE networks and would be used for the 5G networks. Attorney Kennedy reported during the discussion at the Minnesota legislature concerning the Small Cell Facilities the wireless companies had good representation and were able to minimize the cost for installation of facilities. Council Member Oachs requested clarification on if there could be two installations on one light pole. Community Development Director Fischer reported there could only be one per pole. **Council Member Norland moved, seconded by Council Member Steiner to Adopt Ordinance No. 115, Small Cell Wireless Equipment Installation Ordinance. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.**

V-1-19 Variance Request to Allow Dynamic Display Sign: A Request from Holy Rosary Church.

Community Development Director Fischer reported the request from Holy Rosary is a part of a larger improvement project. The Church would like a programmable sign and according to City Code, this type of sign falls under dynamic display sign which is not permitted in residential neighborhoods, and the Church is in a residential neighborhood. The Planning Commission reviewed the request and recommended approval with certain conditions. The Planning Commission recommended the following conditions:

1. The sign shall have a black and white display only.
2. The sign message will change no more than one time for every three hours.
3. The brightness of the sign is reasonable.
4. The sign be turned off 1-hour after sunset each night.

Attorney Kennedy reported the City has consulted with the City Attorney concerning the variance and the request has been researched. He noted freedom of speech comes into play during the consideration of the variance request, which is closer to a conditional use permit as conditions have been placed on

the variance request by the Planning Commission. **Council Member Norland moved, seconded by Council Member Whitlock to Accept V-1-19 Variance Request to Allow Dynamic Display sign with the Conditions recommended by the Planning Commission. Vote on the motion: Whitlock, Norland, and Oachs, aye; Steiner nay; Dehen abstain. Motion carried.**

Consider Request to Amend City Code Section 152.20 (F) Separation of Mobile Homes.

Community Development Director Fischer reported Cal-Am, the new owners of Camelot and Avalon Mobile Home Parks, are making some improvements to the property by removing single-wide homes and replacing them with newer double-wide homes. He reported the applicant requests the reduction of the minimum building separation in Camelot and Avalon parks from 20 feet to 10 feet. Community Development Director Fischer reported accessory buildings have not been built at the minimum building separation of 20 feet and reported the Planning Commission would return to City Council with an amendment to City Code concerning the placement of accessory buildings. The Planning Commission recommended denial of Cal-Am's request to Amend City Code Section 152.20 (F) Separation of Mobile Homes. **Council Member Norland moved, seconded by Council Member Steiner to Deny the Request to Amend City Code Section 152.20 (F) Separation of Mobile Homes. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.**

Open Forum

Tom Hagen, 927 Lake Street, appeared before Council and reported slumping on/by Bluff Park.

City Administrator and Staff Comments

City Administrator Harrenstein reported he walked through the slump and the Parks Department will be addressing the issue.

City Administrator Harrenstein congratulated Business on Belgrade and the Taylor Library for another successful Bookin' on Belgrade event.

City Administrator Harrenstein reported the Aussie Peppers have begun practicing at Caswell Park and he saw an advertisement for the Aussie Peppers featuring Caswell Park on ESPN.

Public Works Director Host reported road work is being completed around town. He also reported the swim facility liner should be going in soon and the bathhouse interior will be painted this week.

City Clerk Van Genderen encouraged everyone to vote for Spring Lake Park basketball courts as they are a finalist in the Timberwolves, Our Courts, Our Future grant program.

Mayor and Council Comments

Council Member Oachs mentioned that on June 1st a barbecue would be held at the Mankato Brewery.

Council Member Steiner thanked everyone involved with Bookin' on Belgrade.

Mayor Dehen reported he received an invitation to Arn Kind’s D-Day Commemoration on Tuesday, June 6, 2019, starting at 6 pm at the St. Peter High School Performing Arts Center and encouraged everyone to attend.

At 7:45 p.m. on a motion by Council Member Steiner, seconded by Council Member Norland the Council Meeting was adjourned.

Mayor

City Clerk