

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 4, 2020. City Administrator Harrenstein on March 31, 2020, under MN Statute Section 13D.021, declared the use of electronic meetings due to the COVID-19 pandemic. Mayor Dehen called the meeting to order at 7:00 pm, asking that everyone join in the Pledge of Allegiance. The following were present remotely through Zoom for roll call: Council Members Oachs, Whitlock, Steiner, City Attorney Kennedy, Finance Director McCann, Community Development Director Fischer, Public Works Director Host, and Police Chief Gullickson, present in the Council Chambers for roll call: Council Member Norland, Mayor Dehen, City Administrator Harrenstein, and City Clerk Van Genderen. Citizen participation was available through teleconference and live stream of the meeting.

### **Approval of Agenda**

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

### **Approval of Council Meeting Minutes April 20, 2020.**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council meeting of April 20, 2020. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

### **Public Hearing, 7 p.m. Assessment Hearing Monroe Avenue Street & Utility Project No. 19-06 ABCDEF**

City Engineer Sarff appeared before Council and reviewed the project timeline. The project was included in the City's Capital Improvement Plan for 2020, and the Preliminary Engineering Report was authorized by the council on November 4<sup>th</sup> and presented on January 6<sup>th</sup>. A neighborhood meeting was held on January 13, 2020. The improvement hearing was held on January 20, 2020, and bids were opened on March 31, 2020. Assessments for the project will be considered tonight, along with the acceptance of the bid. The project includes sanitary sewer improvements, watermain improvements, street improvements, and storm sewer improvements. The total estimated cost for the project is \$1,133,300, with \$450,00 being paid from Municipal State Aid Funds and \$683,300 the City's cost.

City Engineer Sarff reviewed the assessment policy and proposed an assessment cap. Sanitary sewer and water services are considered 100% assessable to homeowners while street reconstruction, watermain, and storm sewers are 40% assessable to property owners. The calculated residential assessments using the policy were between \$12,203 to \$16,995, St. Paul's Lutheran Church and Jesus Loves Me Learning Center & Parking Lot assessment would be \$139,395, and ISD #77 Monroe Elementary School assessment would be \$167,394. In the past, an assessment cap has been utilized, and the proposed cap for the Monroe Avenue project is \$7,000 for residential, \$86,437 for St. Paul's Lutheran, and \$97,958 for ISD #77. City Engineer Sarff reminded residents they can prepay the assessment before November 15, 2020, and no interest will be charged. If the assessment is not prepaid, it will be added to property tax statements beginning in 2021 and spread in equal payments over 15 years at a 4% interest rate.

City Engineer Sarff reported the project could begin earlier than first anticipated due to school being out for the COVID-19 Pandemic. The project should be completed in late August.

It was noted that no one had requested to speak live during the assessment hearing. Still, the City did receive two emails, one from Amanda Rettke at 402 Monroe Avenue and Paul Jensen at 424

Monroe Avenue, both individuals indicated they objected to the proposed project and assessment. The phone lines were opened, but no one chose to speak.

Mayor Dehen requested clarification on if private properties could coordinate with the project to have their private lines replaced. City Engineer Sarff reported property owners could work with their plumbers/contractors to coordinate the work, and their private line project could be added to the assessment.

City Attorney Kennedy requested clarification on if the property's fair market value would increase by the amount of the assessment. City Engineer Sarff reported the property values should reflect the improvement.

With no one else appearing, 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. 39-20 Waiving waiting Period for Exemption from Lawful Gambling License for Feeding our Communities Partners.
- C. Accepted the Traffic and Safety Committee Recommendations found in the Traffic and Safety Minutes.
- D. Approved Circle Inn North Mankato Public Art Agreement.

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

### **Public Comments Concerning Business Items on the Agenda**

None.

### **Business Items**

**Res. No. 40-20 Adopting Assessment for Monroe Avenue Street & Utility Project No. 19-06 ABCDEF.**

Council Member Oachs commented that the emails from the concerned residents were received, and she hopes they will be able to see how the benefits outweigh the cost.

**Council Member Norland moved, seconded by Council Member Steiner, to adopt Res. No. 40-20 Adopting Assessment for Monroe Avenue Street & Utility Project No. 19-06 ABCDEF. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

**Res. No. 41-20 Accepting Bid Project No. 19-06 ABCDEF Monroe Avenue Street and Utility Improvement Project.**

City Engineer Sarff reported bids were opened on March 31, 2020. Four bids were received with W. Lorentz and Sons Construction submitting the low bid of \$878,576.82. The low bid was approximately 5% below the Engineer's estimate of \$964,000. W. Lorentz and Sons Construction is a qualified bidder, and it was recommended to accept the bid.

**Council Member Steiner moved, seconded by Council Member Norland, to Adopt Res. No. 41-20 Accepting Bid Project No. 19-06 ABCDEF Monroe Avenue Street and Utility Improvement Project. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

**Res. No. 42-20 Setting Public Hearing for Project No. 20-03 ABCDEF Countryside Drive Improvement Project.**

City Engineer Sarff reported the public hearing would be an improvement hearing on the Countryside Drive Improvement Project on May 18, 2020.

**Council Member Norland moved, seconded by Council Member Steiner, to adopt Res. No. 42-20 Setting Public Hearing for Project No. 20-03 ABCDEF Countryside Drive Improvement Project. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

**Res. No. 43-20 Approving Mn/DOT Contract No. 1036716 Cooperative Landscaping Agreement.**

Community Development Director Fischer reported the City applied for MnDOT Cooperative Landscaping Funds. The City was approved for a \$10,000 grant to plant vegetation in the Pleasantview area to provide relief from road noise. The vegetation will be planted in three phases beginning in the spring of 2020. The attached resolution and agreement allows the City to proceed with planting the vegetation screen.

**Council Member Norland moved, seconded by Council Member Steiner, to Adopt Res. No. 43-20 Approving Mn/DOT Contract No. 1036716 Cooperative Landscaping Agreement. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

**Res. No. 44-20 Creating Outdoor Seating During Declared Local Emergency for COVID-19.**

City Administrator Harrenstein reported the proposed resolution is in anticipation of the reopening of local bars and restaurants. He said there is some indication that when the governor reopens bars and restaurants, a limited number of people will be admitted. The proposed resolution would allow bars and restaurants to increase seating capacity by utilizing outside space up to but not including the setbacks. The goal would be to maintain the required social distancing by providing additional seating opportunities. Community Development Director Fischer reported the resolution allowed the zoning administrator to reduce the off-street parking regulations following a review of the application. The extra seating and reduction in off-street parking requirements will expire at the end of the governor's order or when the local emergency ends. A discussion was held concerning the use of the word opaque in describing the required fencing, and staff indicated the word would be changed. Additional discussion was held concerning the need for restaurants and bars to review the extension of their premises with their insurance companies and the possibility to continue the extension following the end of the emergency declaration.

**Council Member Norland moved, seconded by Council Member Whitlock, to Adopt Res. No. 44-20 Creating Outdoor Seating During Declared Local Emergency for COVID-19. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

**Res. No. 45-20 Related to the Proposed Bylaw Amendments and Organization of the Mankato/North Mankato Metropolitan Planning Organization.**

City Administrator Harrenstein reported the joint powers agreement that organized the Mankato/North Mankato Metropolitan Planning Organization (MAPO) was adopted in 2012 in response to the designation of the area as an urbanized area. MAPO includes a Policy Board of elected officials and a Technical Advisory Board (TAC) of various staff members from organizations throughout the urbanized area. Both the Policy Board and the TAC Board have bylaws that have been

regularly updated since the inception of the organizations. MAPO is currently developing the Highway 169 corridor study. In response to the proposed Highway 169 corridor study, the North Mankato City Council adopted resolution 53-19 in 2019, providing local consent for the study and the conditions of North Mankato's local consent. The proposed resolution requests that a committee of the policy board is created to discuss the proposed bylaw amendments presented to the Policy Board from the TAC and that a North Mankato representative be named to the committee. The resolution also requests that the committee also provide the Policy Board recommendations on governance and administrative structure of MAPO and refers resolution 53-19 to the Policy Board, TAC, MnDOT, and the project management team as work begins on the Highway 169 corridor study.

Mayor Dehen requested clarification on what was included in Resolution 53-19. City Administrator Harrenstein reported the resolution asked the 169 corridor study includes the continued full access at Webster Avenue and Highway 169. The City met with local businesses on Webster Avenue who were adamant that the corridor should remain open for the viability of their businesses. Council Member Whitlock reported he sits on the Policy Board, and he said the Policy Board and the TAC have continued to update their bylaws but believes the Policy Board should have more significant input on the governance issues for MAPO. He also indicated he wanted to remind the Policy Board and TAC about Resolution 53-19 passed by City Council. Community Development Director Fischer, who sits on the TAC committee, reported the bylaw changes were not made available to the TAC committee early enough for the City to review and consider the changes before they were voted on at the April meeting. He indicated a request was made to table the changes, but it was denied.

Council Member Oachs requested clarification on if the main concern is that the request in Resolution 53-19 is not being considered. Council Member Whitlock indicated that plans to maintain the Webster/Highway 169 access are not being considered in the preliminary plan. Mayor Dehen commented that the City needs to make sure the business owners on Webster are heard. Council Member Oachs asked if all other avenues of dissent have been completed, she indicated she did not want too strong-arm MAPO if there were alternate ways to make the City's point. City Administrator Harrenstein reported the City had exhausted all other avenues, and the City must make a stand to clarify its position on the needs of its businesses and residents.

**Council Member Norland, seconded by Council Member Whitlock, to adopt Res. No. 45-20 Related to the Proposed Bylaw Amendments and Organization of the Mankato/North Mankato Metropolitan Planning Organization. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

### **Open Forum**

None.

### **City Administrator and Staff Comments**

#### **A. Consider Alternate Dates, Times, and Ideas for Spring Cleanup.**

Public Works Director Host indicated staff in consultation with West Central Sanitation is proposing a Spring drop-off on May 27-31, at 610 Webster. The event would be from 7 am to 5 pm daily, and six residents at a time will be allowed in the yard to drop off their junk in the public works yard. Residents must be able to offload their own items, and there will not be an appliance pickup or sharing tent. City Administrator Harrenstein commented that staff had been consulted and safety measures discussed to ensure the team remains well. He also indicated proof of North Mankato residency would be required, and masks must be worn by the public. Public Works Director Host also indicated individuals with hazardous waste could call the Blue Earth Hazardous Waste site to set up a time to drop off materials.

B. Receive the 2019 Annual Police Report.

Chief of Police Gullickson appeared before Council and provided a summary of the 2019 Police Report. He indicated calls for service were up slightly from 2018, with 8,750 calls in 2019 compared to 8,440 calls in 2018. A 17% decrease in Part 1 criminal offenses mainly due to fewer thefts, burglaries, and motor vehicle theft. Part 2 criminal offenses were decreased by 21%. In part, this is due to changes in how crimes Against Family/Children were recorded in the management system. Chief Gullickson reported Police Officer Sandra Howe retired in 2019, and Officers McGuire and Mueller resigned to move to different agencies. The Police Department has hired additional officers to replace those who have moved on. He reported staff continues to train and improve their knowledge. He thanked the administrative staff for all of the work that they continue to do, including managing all of the records requests. He thanked the Police Reserves for their continued support of the community as they are out serving at multiple City and regional events. Police Chief Gullickson commented that staff continues to participate in local community outreach and educational events. He indicated the goal is for the residents to know the police officers and for the police department to have a positive impact on the community. Police Chief Gullickson did comment that the Police Officers will be directed to increase traffic stops to help ensure the community streets remain safe.

Finance Director McCann reported the audit continues remotely, and it appears to be moving along smoothly.

Public Works Director Host reported the mill & overlay program continues, and crews are out working on the streets.

### **Mayor and Council Comments**

Council Member Norland thanked District 77 for providing bagged lunches for students during the pandemic.

Council Member Norland thanked Detective Gangelhoff for following up on a phone scam that involved someone using her name.

Council Member Oachs indicated that the Council had heard Mr. Jensen and Mrs. Rettke's concerns about the financial burden the Monroe project is placing on them. Still, she hopes they can see the value not only for themselves but for the whole community.

Council Member Oachs reported Erin Simmons from Mankato Youth Place is working on ways to connect local kids to activities and others during the COVID-19 pandemic.

Council Member Whitlock thanked the Council for standing with him and passing the resolution regarding the MAPO bylaws.

Mayor Dehen commented that an intergovernmental meeting would be conducted on Zoom on Wednesday, and they would discuss the MAPO resolution.

At 8:45 pm on a motion by Council Member Norland, seconded by Council Member Steiner, the Council Meeting was adjourned.

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Mayor

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City Clerk