

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 November 6, 2017. 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: Mayor Dehen, Council Members Norland, Freyberg, Whitlock, and Steiner, City Administrator Harrenstein, Finance Director McCann, City Attorney Kennedy, Community Development Director Fischer, Public Works Director Swanson and City Clerk Van Genderen.

**Approval of Agenda**

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

**Approval of Council Meeting Minutes**

**Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of October 16, 2017. Vote on the motion: Norland, Whitlock, Steiner, and Dehen aye; Freyberg abstain. Motion carried.**

**Proclamation Declaring November 25, 2017, as “Small Business Saturday.”**

**WHEREAS**, Mankato and North Mankato, Minnesota celebrates local small businesses and the contributions they make to our economy and community; and

**WHEREAS**, small businesses employ more than 49 percent of all businesses with employees in the United States; and

**WHEREAS**, 93 percent of consumers in the United States agree it is important for people to support small businesses they value in the community; and

**WHEREAS**, Mankato and North Mankato, Minnesota supports our local businesses that create jobs, boost our local economy and preserve neighborhoods; and

**WHEREAS**, advocacy groups and public and private organization across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday; and

**NOW, THEREFORE**, we, Eric Anderson, Mayor of the City of Mankato, and Mark Dehen, Mayor of the City of North Mankato, in the State of Minnesota hereby proclaim Saturday, November 25, 2017 as “Small Business Saturday.”

Megan Flanagan from the City Center Partnership appeared before Council and thanked the City for the proclamation and encouraged citizens to shop small and shop locally on Saturday, November 25, 2017.

**Public Hearing-Review the Sidewalks on the 300 Block of Jefferson Avenue.**

Administrator Harrenstein reported the City adopted a sidewalk maintenance program in 2016 that provides a 50/50 cost split between property owners and the City when sidewalks need to be repaired. The City relies on citizen complaints to inform the City that sections of sidewalk need to be fixed. The City received a complaint about the sidewalks on the 300 block of Jefferson Avenue. Inspection of the sidewalks confirmed that much of the sidewalk on both sides of the street within this block are

deficient and in need of repair. Administrator Harrenstein noted the 300 Block of Jefferson has been on the CIP for some years, and the road and infrastructure are 65 years old. Staff would like Council direction on whether the City should proceed to abate the sidewalk nuisances or complete a feasibility study and consider a complete reconstruction project.

City Engineer Sarff appeared before Council and reported staff began reviewing the sidewalks on the 300 Block of Jefferson following citizen complaints. Due to the severity and extent of the deficiencies, it is recommended that the sidewalk on both sides of the street be removed and replaced. The City has a cost-sharing policy for a project involving only sidewalk replacements and repair that results in 50% of the cost being paid by the property owner and 50% of the cost being paid by the City. Based on preliminary estimates the cost to reconstruct the sidewalks would be between \$2,500 and \$5,500 per property. City Engineer Sarff reported the reconstruction of the 300 block of Jefferson has been on the CIP for some years. The street and underground utilities are approximately 65 years old. The existing curb is in poor condition along with the bituminous. The sewer is clay pipe and records show the pipe was constructed using a less than minimum slope which may contribute to backup, along with roots in the pipe which have been seen when televised. City Engineer Sarff indicated that since Jefferson Avenue has been on the CIP a more comprehensive approach would be to complete a comprehensive reconstruction project, preliminary estimates project a cost of \$450,000 to \$550,000. The City's assessment policy for reconstruction projects includes an assessment cap that limits the assessments on each property to a pre-determined amount established by the City Council. City Engineer Sarff laid out three options for City Council:

1. Allow or require the individual property owners to remove and replace the segments of sidewalk that are deficient and share the cost 50% property owner and 50% City.
2. Implement a sidewalk reconstruction project to remove and replace all of the deficient sidewalks, under one construction project and assess the property owner using the cost sharing of 50% property owner and 50% City.
3. Implement a project that would include complete reconstruction of the 300 block of Jefferson Avenue and assess the adjacent property owners according to the City's assessment policy, utilizing an assessment cap established by Council.

Administrator Harrenstein indicated Council could listen to the information and the property owners who came to speak and make a decision on how to proceed at the November 20, 2017, Council Meeting.

Council Member Norland requested clarification on if there could be the possibility of lead in the pipes. City Engineer Sarff indicated the water main would not contain lead.

Mayor Dehen requested clarification on if more than the 300 block of Jefferson Avenue would need to be reconstructed. City Engineer Sarff indicated the rest of the Avenue had already been improved.

Alison Bluhm, 334 Jefferson Avenue, appeared before Council and requested the City maintain contact with residents to prevent confusion during the process. Ms. Bluhm stated there is currently some confusion concerning how to proceed with the sidewalks. Administrator Harrenstein indicated that the Council would decide if they were going to proceed with a feasibility study at the November 20, 2017, Council Meeting. Public Works Director Swanson stated he would be in contact with Ms. Bluhm on November 7, 2017, to answer questions.

Nancy Goodwin, 923 Range Street, at the Corner of Range Street and the 300 block of Jefferson Avenue, appeared before Council and reported she believes it would be smart to do the complete reconstruction as it would add value to property values.

**Public Hearing-Consider Purchase of 850 Nicollet Avenue**

City Administrator Harrenstein indicated the property at 850 Nicollet Avenue, which abuts Water Plant #1, became available for purchase with an asking price of \$114,900. He invited City Engineer Herman Dharmarajah to the podium to discuss why it would be beneficial for the City to purchase the property. City Engineer Dharmarajah stated it might become necessary to expand the water plant to build a radium removal processing addition. He indicated Wells #5 and #6 draw from two aquifers, the bottom aquifer has radium, and the uppermost aquifer does not. If the City only drew from the uppermost aquifer, it would not have the capacity to supply for the City. Since Wells #5 and #6 draw from the bottom aquifer, there is radium. At some point the amount of radium in the water may need to be processed and purchasing 850 Nicollet Avenue would be beneficial to allow for a water plant expansion.

Kim Spears, 916 South Avenue, appeared before Council and stated there might be mitigating circumstances for the purchase of the property, but it is still removed from the tax role.

Denny Savick, 810 Belgrade Avenue, appeared before Council and requested clarification on renovations at Water Plant #1 during the summer.

City Engineer Herman Dharmarajah reported work was completed to refurbish the plant and maintain the quality of the plant.

Barb Church, 102 Wheeler Avenue, appeared before Council and stated she did not like that affordable housing was being destroyed and she wanted to know what the City was planning to do with the house.

Alayna Osborne, 838 Nicollet Avenue, appeared before Council and requested clarification on if Storybook Park was going to be destroyed. Administrator Harrenstein reported the City would not remove the park.

**Consent Agenda**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the Consent Agenda which included:**

- A. Bills and Appropriations.
- B. Res. No. 75-17 Approving Donations/Contributions/Grants.
- C. Set Public Hearing for 7 p.m. on December 4, 2017, to Consider the Annexation of 20.75 Acres by BCD Properties, LLC.
- D. Set Public Hearing for 7 p.m. on November 20, 2017, to Consider Proposed Improvement to the Sidewalk at 613 Lyndale Street.
- E. Set Public Hearing for 7 p.m. on November 20, 2017, to Consider Proposed Improvement to the Sidewalk at 540 Belgrade Avenue.
- F. Set Public Hearing for 7 p.m. on November 20, 2017, to Consider Proposed Improvement to the Sidewalk at 409 Sherman Street.
- G. Res. No. 76-17 Declaring Surplus Vehicles and Equipment.

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

**Discuss League of Minnesota Cities Workshop on Meeting Management.**

Mayor Dehen apologized to the City Council, City staff, and the citizens of North Mankato for not maintaining better order during the October 16, 2017, Council Meeting. He stated the Council are public servants, who do their very best job for this great community. He reported this could only be achieved with open, respectful input from citizens; input that allows for productive, relevant and germane discussion.

Mayor Dehen said this is a two-way street. The City Council is committed to holding up its end of that agreement, and are sincere in their desire to receive and respond to citizen input. He reported the Council has reached out to the League of Minnesota Cities, which has agreed to hold a workshop for the City Council on best practices of meeting management, collaborative decision making and gathering public input. That workshop will be held on a date and time yet to be determined. Mayor Dehen stated this would be a good use of time for the Council to discover ways to improve as elected officials.

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

Mayor Dehen stated if anyone would like to address the Council concerning the Public Comment Process to do so now.

Tricia Lee, 720 Cornelia Street, appeared before Council and stated she understood the job of an elected official was difficult. She stated the right to be heard is a fundamental right of democracy. Ms. Lee expressed concerns that division seemed to be growing in the City. She stated she believed some well-intended citizens have taken that fundamental right and appear to be exploiting it and have turned it into borderline harassment. Ms. Lee stated civil discourse was a better option. She requested the Council return to the old rules while admonishing the citizens to act responsibly and to avoid harassing the Council.

Tom Hagen, 927 Lake Street, appeared before Council and stated he did not believe the policy had allowed greater public participation. Mr. Hagen indicated he did not think the League of Minnesota Cities should be involved in the discussion. He stated he wanted the policy to be removed and to return to the former management of Public Comments.

Kim Spears, 916 South Avenue, appeared before Council and stated he believes the policy did not enhance communication.

Phil Henry, 1300 Noretta Drive, appeared before Council and stated he would like to see two comment periods.

**Business Items**

**Public Works Director Swanson reviewed the Soil Gas Investigation Work Plan.**

Public Works Director Swanson stated the current Public Works compound is built on a landfill that was closed in the early 1960s. The Street Department was built with a soil gas mitigation system. Recent testing indicates high methane readings and the site needs to be mitigated for methane. The estimated cost is between \$100,000 and \$200,000, the City is working with the MPCA and will provide the Council with a report as soon as one becomes available. Administrator Harrenstein

indicated this issue along with the condition of the yard buildings should be considered at the budget workshop. Public Works Director Swanson reported it would be a few months before a report will be ready.

### **Adopt Federal Grants Policy and Procedures.**

Finance Director McCann reported that last year during the audit, the auditors discovered the City does not have a Federal Grants Policy. The City staff reviewed sample policies and modified the policy to meet the City's needs. Council Member Norland stated department heads would need to work with the Finance Director to manage any federal grants. **Council Member Norland moved, seconded by Council Member Whitlock, to approve Federal Grants Policy and Procedures. Vote on the motion: Norland, Freyberg, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

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

City Administrator Harrenstein stated a report was included on the Tapestry Project. The City has set aside money to support the program in 2018.

City Administrator Harrenstein reported Caswell Park received the James Farrell Award of Excellence today from the USA Softball Association. The host city must maintain a 95 percent rating from ASA Representatives, Umpire-In-Chief, and the National Office on overall tournament organization, quality of the facility, playing field conditions, quality of officials, and responsiveness of staff. Administrator Harrenstein reported two additional international tournaments would be hosted at Caswell in 2019.

City Administrator Harrenstein reported in September the City met its building permit goals. He stated to date there are 16 new single-family homes, 70 new multifamily units including townhomes priced as workforce housing, a substantial addition to Peace Lutheran along with other construction.

Finance Director McCann stated Council consensus for the Budget Workshop is November 20<sup>th</sup> beginning at 5:00 p.m.

Public Works Director Swanson reported fall leaf pick-up continues. The trucks are running 7-days a week and will continue until the snow flies or all the leaves are picked up.

Public Works Director Swanson stated the compost yard is open and to continue to bring pumpkins to the compost site or the Zero Waste Organics dumpster at 600 Webster Avenue.

### **Mayor and Council Comments**

Council Member Whitlock reminded citizens to get out and vote on November 7, 2017, at the School Board Elections and referendum.

Council Member Whitlock stated Bells on Belgrade would be held on December 2, 2017.

Council Member Steiner stated the Council should review the Public Comment Policy and he encouraged the Council to return to the way it had been done in the past. Mayor Dehen stated the meeting with the League of Minnesota Cities would help address the issue.

Council Member Norland thanked City staff for the leaf pick-up but also encouraged citizens to mulch the leaves into the lawn as natural fertilizer.

Mayor Dehen stated there were several positions open on various boards, commissions and committees and to contact City Hall if you were interested in serving. The information would be going out in the E-Newsletter.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Steiner, the meeting adjourned at 7:58 p.m.

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Mayor

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City Clerk