

Pursuant to due call and notice thereof, a Council Work Session of the North Mankato City Council was held in the Municipal Building Council Chambers on July 17, 2017. Mayor Dehen called the meeting to order at 12:03 p.m. The following were present for the meeting: Council Members Freyberg, Whitlock, Steiner, and Norland, Mayor Dehen, City Administrator Harrenstein, City Attorney Kennedy and City Clerk Van Genderen. Absent: Finance Director McCann, Community Development Director Fischer, and Public Works Director Swanson

Discuss Ordinance No. 93, Fourth Series Increasing the Age to Purchase Tobacco and Tobacco Products to 21.

Mayor Dehen stated he introduced the discussion due to health and welfare concerns for those that begin tobacco use before the age of 21. He stated the ordinance would not criminalize the use of tobacco products for those under the age of 21. Mayor Dehen reported he met with Senator Nelson and Senator Eaton who introduced a similar bill during the 2017 Minnesota legislative session, the bill was introduced late in the legislative session and no action was taken, indicating there is support for increasing the purchasing age to 21.

Council Member Norland stated that she has worked in the addiction field and supports the proposed ordinance. She stated she received a letter from the neighborhood retailers and she understands their concerns, but a business' first priority along with the tobacco company's first priority is to make money not the welfare of the community.

Council Member Freyberg stated his question is when is a person considered an adult? He indicated an individual could be trained for war at the age of 18, does the City have the right to say that same person cannot purchase cigarettes? Council Member Freyberg indicated he did not agree with local government deciding when a person can smoke.

Council Member Steiner stated the overwhelming response he has been receiving from constituents is to raise the tobacco purchasing age to 21. Personally, he does not agree with legislating morality, if a person can fight in a war they should be allowed to smoke.

Council Member Whitlock reported he is a former smoker and supports the legislation. If Edina, Mankato and North Mankato unite state legislation may follow.

Mayor Dehen stated he would like to see the topic brought before Council to set a public hearing. Attorney Kennedy indicated the Council should consider coordinating the process with Mankato. Mayor Dehen reported the topic would be brought before the Intergovernmental Meeting on August 2, 2017. It was determined to bring the topic before Council after the August 2nd Intergovernmental Meeting.

Discuss Resolution Clarifying Public Comments

Administrator Harrenstein reviewed the history of public comments preceding the proposed resolution which included: the three minute rule, public safety (presence of law enforcement), speakers not addressing individual council members, comments directed at Agenda Items and now the consideration of limiting repetitive comments. Administrator Harrenstein reported developing a policy for public comments does not impede free speech or violate first amendment rights. He stated the goal is to increase the effectiveness of public comments. He stated the goal of the public comments time is to provide productive dialogue, provide a time for citizens to be heard while recognizing the limits of the public forum as the Council has limited ability to act on non-agenda items and the dialogue is restricted to the confines of the business meeting. Administrator Harrenstein indicated the only change to current practice in the proposed resolution is Item #7 which reads "The same citizen may not repeat a comment, question or concern if they have previously addressed the City Council on the same matter at a previous Public Comment opportunity." Administrator Harrenstein provided three revision options and a blended option.

Council Member Norland stated she liked the option to allow public comments on business items and plan public comment forums. Council Member Freyberg opposed the addition of a work session due to Council Members work load. He proposed issues are better solved when citizens communicate directly with the Council and problems are discussed face to face. Council Member Whitlock agreed with the proposal to have citizens' direct public comments to the City Clerk for inclusion on the agenda. Council Member Steiner proposed just maintaining a strict 3-minute rule and not limiting what can be discussed. Council Member Freyberg reported two individuals made directed implications at City staff, the Council should be prepared to call Point of Order to prevent citizens from facing lawsuits. Additional concerns and ideas were discussed concerning amendments to the resolution. After continued discussion Council decided to bring the resolution forward at the July 24, 2017 Council Meeting. The Council recommended maintaining the first public comment period ensuring the comments are on the business agenda items and removing the second public comment period but allowing citizens to submit questions or comments to the City Clerk for review by the City Administrator, City Attorney and Mayor. Items that are reviewed may be placed on the agenda or a written response to the citizen will be provided.

Discuss Public Arts Idea Plan

Administrator Harrenstein stated the plan did not contain action items as it is a coordinated effort with Twin Rivers Council for the Arts to help identify opportunities to include art in the community planning process. Mayor Dehen requested clarification on if a Public Arts Committee was in place. Executive Director Lawton reported there was a committee in place. Administrator Harrenstein stated the goal is to have Twin Rivers Council for the Arts and the Art Committee come alongside the development process. Mayor Dehen asked if ideas for art could be directed to the Art Committee. Executive Director Lawton reported individual artists can bring ideas to the committee and the committee will review the ideas, gather information and funding and recommend projects. Administrator Harrenstein clarified that the Greenway Committee would be included in any conversation that involved art in the green spaces. Discussion was held concerning final say over art installations. Administrator Harrenstein assured City Council that all projects and concepts would be approved by Council. Council directed the city staff to present a resolution approving the Public Arts Idea Plan on July 24, 2017.

Discuss Allowing Dogs on Leashes in Spring Lake Park

Council Member Freyberg stated he approved of allowing dogs on leashes in Spring Lake Park. Council Member Norland stated she would approve of allowing dogs on a trial basis. Council Member Steiner stated he approved of allowing dogs on leashes in Spring Lake Park, but would like to require strict leash laws, ensuring no extendable leashes are allowed. Mayor Dehen directed staff to bring the item before Council on July 24, 2017.

Discuss Green Initiative Committee Ideas

Administrator Harrenstein reviewed the items discussed at the Green Initiative Meeting on May 31, 2017. Items included the continued conversion of street lights to LED's. Mayor Dehen stated the continued conversion is good, but the City does not own all of the street lights, rather Xcel and Benco own light poles. The City should be in conversation with Xcel and Benco and work with them to convert lights to LED's. Administrator Harrenstein reported the City is looking into an RFP to perform an energy audit on City owned buildings and ensuring that all new City buildings are energy efficient. Additional ideas included researching Green Steps City Process and researching what other cities of a similar size do for energy conservation.

There being no further business the meeting adjourned at 1:35 pm.

Mayor

City Clerk