

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 5, 2014. 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 the meeting, Mayor Dehen, Council Members Steiner, Norland and Freyberg, City Administrator Harrenstein, Finance Director Thorne, Attorney Kennedy, City Clerk Gehrke, Planner Fischer and Public Works Director Swanson. Absent: Council Member Spears.

Approval of Agenda

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

Approval of Minutes

Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council meeting of April 21, 2014. Vote on the motion: Steiner, Norland, Freyberg and Dehen, aye; no nays. Motion carried.

Public Hearing, 7 p.m. – Consider Amending City Code Chapter 155, Subdivision Regulations

The Mayor opened the public hearing to consider amending City Code Chapter 155, Subdivision Regulations. A copy of the Notice of Public Hearing and Affidavit of Publication were included in the packet. Administrator Harrenstein reported changes to Chapter 155.46 of the City Code which would allow a developer to use either “B-style” or driveover/mountable style (“M-style”) curbs for new private streets. He reported the current City Code language does not address the type of curb to be used for new public streets. The proposed Code changes create a new paragraph addressing curb design for public streets in new subdivisions and guidelines for public streets as to when each type of curb design is to be considered. The City Engineer reported the use of M-style curb in residential developments will avoid having to remove and replace the curb and gutter within each driveway. He also reported since there are invariably situations where specific project details create some uncertainty as to the type of curb to be used, the proposed language allows for variations and interpretations to be made by the City Council based on recommendations from City staff. With no one appearing, the Mayor closed this portion of the meeting.

Public Hearing, 7 p.m. – Consider Amending HUD Consolidated Plan

The Mayor opened the public hearing to consider amending the HUD Consolidated Plan. A copy of the Notice of Public Hearing and Affidavit of Publication were included in the packet. Barb Church, 102 E. Wheeler Avenue, appeared before the Council and stated her opposition to using CDBG funds for items that do not benefit low-income residents. Phil Henry, 1300 Noretta Drive, appeared before the Council and stated he is not in favor of changing the HUD Consolidated Plan and stated the City should do a better job of advertising funds available for low-income housing. Planner Fischer reported that all funds earmarked for low- to moderate-income housing purposes have been expended. Advertising was done on the City website, the newspaper and inserts in the utility bills. He also reported that the proposed doors are an eligible expense. With no one else appearing, the Mayor closed this portion of the meeting. **Council Member Norland moved, seconded by Council Member Steiner to approve amending the**

HUD Consolidated Plan. Vote on the motion: Steiner, Norland and Dehen, aye; Freyberg, nay. Motion carried.

Public Hearing, 7 p.m. – Consider Approving 2014-2015 Community Development Block Grant Program (CDBG) Action Plan

The Mayor opened the public hearing to consider approval of the 2014-2015 Community Development Block Grant Program (CDBG) Action Plan. A copy of the Notice of Public Hearing and Affidavit of Publication were included in the packet. With no one appearing before the Council, the Mayor closed this portion of the meeting. **Council Member Norland moved, seconded by Council Member Steiner, to approve the 2014-2015 Community Development Block Grant Program (CDBG) Action Plan. Vote on the motion: Steiner, Norland, Dehen, aye; Freyberg, nay. Motion carried.**

Consent Agenda

Council Member Freyberg moved, seconded by Council Member Steiner, to approve the Consent Agenda as presented:

- A. Bills and Appropriations.
- B. Res. No. 23-14 Approving Donations/Contributions/Grants.
- C. League of Minnesota Cities Insurance Trust Liability Coverage Waiver.
- D. Res. No. 24-14 Waiving Waiting Period for Exemption from Lawful Gambling License for Knights of Columbus to Conduct Bingo on July 9-13, 2014 at Wheeler Park.
- E. Application for On-Sale Intoxicating Liquor, Sunday On-Sale Liquor, Soft Drink, Mechanical Amusement Devices and Cabaret Licenses for Steinmeyer, Inc. d/b/a Benderz, 503 Belgrade Avenue.
- F. Large Group Permit for Golden Heart Fun Run/Walk, Benson Park, Saturday, May 17, 2014 from 7 a.m. to 1 p.m.
- G. Parade Permit for Golden Heart Fun Run/Walk, Benson Park, Saturday, May 17, 2014 from 7 a.m. to 1 p.m.

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

Public Comments

The Mayor opened the meeting for public comment with no one appearing.

Business Items

Ord. No. 57, Fourth Series, Amending North Mankato City Code, Title XV, Land Usage, Chapter 155, Subdivision Regulations

Council Member Freyberg moved, seconded by Council Member Norland, to adopt Ord. No. 57, Fourth Series, Amending North Mankato City Code, Title XV, Land Usage, Chapter 155, Subdivision Regulations. Vote on the Ordinance: Steiner, Norland, Freyberg and Dehen, aye; no nays. Motion carried.

Res. No. 25-14 Adopting Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Project No. 13-02AC, Roe Crest-Noretta-Belgrade Ravine and Old Belgrade Avenue Improvements.

City Engineer Sarff reported a second neighborhood meeting was held for the residents adjacent to the Old Belgrade Avenue improvements. He reported that as requested by the neighbors, the sidewalk was deleted from the plans and specifications for this project. Council Member Steiner reported that he heard from two property owners with concerns about the proposed trail. The City Administrator reported that contact was made regarding these concerns and plantings to obscure the vision of the trail will be included in the project. The City Attorney reported that some roadway will need to be dedicated to the City for this project and he will prepare the necessary resolution to be brought before the Council at the May 19, 2014 Council meeting. Council Member Norland specified the Park & Green Spaces Committee defined this trail as multi-use to include both walkers and bikers. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Res. No. 25-14 Approving Plans and Specifications and Ordering Advertisement for Bids for Project No. 13-02AC, Roe Crest-Noretta-Belgrade Ravine and Old Belgrade Avenue Improvements. Vote on the Resolution: Steiner, Norland, Freyberg and Dehen, aye; no nays. Motion carried.**

City Administrator and Staff Comments**E-Cigarette Ordinance**

Administrator Harrenstein reported the City Attorney has drafted a revision to Ord. No. 110.22 Tobacco to include electronic delivery devices. After some discussion, the Council will delay setting a public hearing on this matter until after the Minnesota Legislature has adjourned since Senator Kathy Sheran has authored a bill regarding this subject. Attorney Kennedy reported the City has moratorium on e-cigarettes in place until August 2014.

Mayor and Council Comments**Council Member Steiner**

Council Member Steiner stated that with the work of former City Administrator Sande, City Planner Michael Fischer and City staff, Benson Park would not be a reality.

Council Member Norland

Council Member Norland read a rebuttal to a recent *Free Press* article about Benson Park reporting the Park & Green Spaces Committee spent years gathering information, plans have been adopted by the City Council and information is available on the City's website at www.northmankato.com.

Mayor

The Mayor reported Coffee with the Council will be held from 10-11 a.m. on Saturday, May 10, 2014 at Shell on LorRay. He welcomed Troy Freyberg of Shell on LorRay to the City of North Mankato.

The Mayor reported Bicycle Week is May 11-17, 2014. He reported the Mayors' bike ride will be held at 5:30 p.m. on Thursday, May 15, 2014 starting at Jackson Park, Mankato. As part of Bicycle Week, new bike racks will be installed in both Cities.

The Mayor reported he received notice from Peddle Past Poverty that 46 teams participated in this year's event and approximately \$82,000 was raised in net profits.

The Mayor received notice of an open house on Friday, May 16, 2014 from 4:30 p.m. to 6:30 p.m. for the expansion of Pediatric Therapy Services at 150 St. Andrews Court, Suite 310, Mankato.

Public Comments

Barb Church, 102 E. Wheeler

Barb Church, 102 E. Wheeler, appeared before the Council and asked the times for the Coffee with the Council. The Mayor repeated that Coffee with the Council will be held from 10-11 a.m. on Saturday, May 10, 2014.

Phil Henry, 1300 Noretta Drive

Phil Henry, 1300 Noretta Drive, appeared before the Council and stated his objection to the City purchasing dilapidated mobile homes.

There being no further business, on a motion by Council Member Steiner, seconded by Council Member Norland, the meeting was adjourned at 7:44 p.m.

Mayor

City Clerk