

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 18, 2015. 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, Spears and Steiner, City Administrator Harrenstein, Finance Director Thorne, Attorney Kennedy, City Clerk Van Genderen, City Planner Fischer and Public Works Director Swanson.

Approval of Agenda

Item 8G V-1-15, Variance Request to Increase the Maximum Height of a Fence in a Front Yard Setback from 3 feet to 4 feet, a Request from Kerry and Jennifer Walls was removed from the Agenda because the item was tabled at the Planning Commission. **Council Member Steiner moved, seconded by Council Member Norland, to approve the amended agenda. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen aye; no nays. Motion carried.**

Approval of Minutes

Council Member Freyberg moved, seconded by Council Member Norland to approve the minutes of the Council meeting of May 4, 2015. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen aye; no nays. Motion carried.

Public Hearing, 7 p.m., Amend City Code, Title V, Public Works, Chapter 50, General Utilities.

Finance Director Thorne indicated the Ordinance reaffirms that property owners are responsible for any unpaid utility bills should a tenant leave a property. With no one appearing before the Council, Mayor Dehen closed this portion of the meeting.

Consent Agenda

Council Member Norland moved, seconded by Council Member Steiner, to approve the amended Consent Agenda which includes:

- A. Bills and Appropriations.
- B. Res. No. 39-15 Approving Donations/Contributions/Grants.
- C. Audio and Large Group Permit for Mankato Teacher's Association Fall Picnic in Wheeler Park, Friday, August 28, 2015 from 3:00 p.m. to 7:00 p.m.
- D. Large Group Permit and Street Closure for Newberry Graduation on Lake Street, Saturday, June 6, 2015 from 1:00 p.m. to 6:00 p.m.
- E. Large Group and Audio Permit for American Cancer Society, Making Strides Against Breast Cancer walk, Saturday, October 10, 2015 from 6:00 a.m. to 1:00 p.m. with music from 8:00 a.m. to 11:00 a.m.
- F. Set Public Hearing for Monday, June 1, 2015 at 7:00 p.m. to Amend City Code, Title XI, Business Regulations, Chapter 111, Alcoholic Beverages.
- H. Res. No. 40-15 City of North Mankato and Mankato Joint Resolution Regarding Operations of Public Access, Education and Government Cable Services.
- I. Res. No. 41-15 Entering Into MnDOT Agreement No. 1000440 and Authorizing Mayor and City Administrator to Execute Agreement.

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

Public Comments

Library Director Lucy Lowry and Beth Christensen, appeared before Council to report on the success of the 2015 Community Read. Director Lowry reported the library gave away 500 books within 5 weeks and doubled attendance over last year to Community Read events. Lowry stated the

success of the Community Read was due to the financial support of the City Council, Civic and Commerce and a grant from the Traverse de Sioux Arts and Cultural Heritage Foundation. She also thanked Dino's Pizzeria, Mark's Barber Shop, South Central College Library, Frandsen Bank & Trust, Lor Ray Drive Salon & Spa, Y Barbers and Garden of Eat'n for supporting the read by being a book pick-up location.

Director Lowry stated this year's "Bookin' on Belgrade" nearly 5k run/walk would occur on Saturday, June 6, 2015, contact the North Mankato Taylor Library at 507-345-5120 for more information concerning the event.

Heidi and Jeff Pengilly, 102 Cleveland Avenue, appeared before Council to express interest in the red garage for sale and removal located at 231 Wheeler Avenue. The Pengilly's stated if the bid on the property was not accepted later in the evening they would like the City to consider moving the garage to their property.

John Hurd, 732 Garfield Avenue, appeared before Council and requested the flier for the Friends of North Mankato be included in May's utility billing. Attorney Kennedy remarked that the provided flier was confusing and wanted assurance that the City's logo was not placed on the flier. Attorney Kennedy also noted potential donors may be concerned with the small processing fee on returned donations.

Barb Church, 102 Wheeler Avenue, appeared before Council and stated the refund processing fee for donations would be \$1.00 to \$2.00 per donation if the Friends of North Mankato were unsuccessful in raising enough funds to purchase the Tschohl property.

Doug and Tammy Krueger, 1612 Sherwood Drive, appeared before Council and reported the house located behind their property at 205 Queens Court appears to be vacant and is in need of upkeep. Administrator Harrenstein directed staff to review the property at 205 Queens Court and take the necessary steps to eliminate the problem.

Business Items

Ordinance No. 66, Fourth Series, Amending North Mankato City Code, Title V, Public Works, Chapter 50, General Utilities. Finance Director Thorne stated the Ordinance reinforces the responsibility of the property owner for all utility bills. Administrator Harrenstein reported the implementation of the Code Change would occur slowly allowing time for property owners to make arrangements with their tenants. Council Member Spears requested information on the reason for the addition to the Code. Finance Director Thorne stated tenants will leave a property with unpaid utilities and property owners will not pay the late charges. Administrator Harrenstein indicated the request came from the utility clerk and would help her process bills and receive final payment. Attorney Kennedy remarked the best way to collect on unpaid bills is to assess them to the property and this will help in the process. **Council Member Freyberg moved, seconded by Council Member Norland to adopt Ordinance No. 66, Fourth Series, Amending North Mankato City Code, Title V, Public Works, Chapter 50, General Utilities. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen aye; no nays. Motion carried.**

Res. No. 42-15 Awarding Bid for Project No. 15-02D 2015 Street Improvements. Public Works Director Swanson reported the project includes the construction of the bituminous wearing course on Coventry Lane, Coventry Place, Coventry Court, Howard Drive, Howard Court, Deerwood

Drive, Deerwood Court, Newcastle Drive and Newcastle Court. Bids were opened at City Hall on Tuesday, May 5, 2015 at 11:00 a.m. The engineer's estimate for the project was \$190,300.00 with OMG Midwest, Inc. bidding \$186,920.00 and W.W. Blacktopping, Inc. bidding \$164,569.50. Public Works Director Swanson reported Bolton & Menk recommended awarding the project to W.W. Blacktopping, Inc. as the lowest responsible bidder. **Council Member Steiner moved, seconded by Council Member Spears to adopt Res. No. 42-15 Awarding Bid for Project No. 15-02D 2015 Street Improvements. Vote on the motion: Norland, Freyberg, Spears, Steiner and Dehen aye; no nays. Motion carried.**

Consider Accepting Construction Recommendations for Parking in the Downtown.

Administrator Harrenstein stated with the approval of River's Edge townhomes last year the downtown lost 65 unpaved parking stalls. Administrator Harrenstein indicated in response to the loss of parking the City purchased 231 and 233 Wheeler Avenue and will later purchase 235 Wheeler Avenue to provide additional parking. Administrator Harrenstein stated Council direction should be provided on whether a Business Improvement District (BID) should be implemented. Administrator Harrenstein reported once the homes and garages were removed from the property construction could begin, and if a BID district is not implemented, funds for construction could come from bond proceeds. Public Works Director Swanson reported a 42 stall parking lot at 231 and 233 Wheeler Avenue could be constructed for \$42,000 and a 13 stall parking lot at 410 Range Street could be constructed for \$25,000. Council Member Freyberg stated he supports the project but indicated additional discussion should have occurred concerning a BID or Common Area Maintenance (CAM) district. Council Member Spears suggested another option could be to not pave the lots, instead leave the lots gravel. Public Works Director Swanson responded that curb and gutter would still need to be installed and once that is completed the project is over half-way to a permanent installation. Administrator Harrenstein stated that because the City has invested so much into the downtown he encouraged the Council to ensure the investment was well spent. Council Member Spears cautioned the downtown businesses that they need to stop looking for City incentives and funds to operate their businesses. **Council Member Steiner moved, seconded by Council Member Norland to Accept Construction Recommendations for Parking in the Downtown. Vote on the motion: Norland, Spears, Steiner, Freyberg and Dehen aye; no nays. Motion carried.**

Consider Awarding Bid for the Purchase and Removal of the Garages on 231 and 233 Wheeler Avenue. Mayor Dehen noted the late arrival of interest in the garage at 231 Wheeler Avenue, by Heidi and Jeff Pengilly who spoke during public comments. Administrator Harrenstein requested direction from Council concerning the structures located at 231 and 233 Wheeler Avenue. Attorney Kennedy requested clarification on Heidi and Jeff Pengilly's request to move the garage located at 231 Wheeler Avenue to their property. Ms. Pengilly reported they were requesting the City move the garage, which would cost \$8,000-\$10,000, to their property so the City could still receive taxes on the structure. Ms. Pengilly noted that if Council accepted the proposed bid and the structures were not moved in 30-days their proposal could be another option for the City. Council Member Spears stated the houses should be destroyed or used for fire department training. **Council Member Spears moved, seconded by Council Member Norland to Award the Bid for the Purchase and Removal of the Garages on 231 and 233 Wheeler Avenue and Demolish the Houses. Vote on the motion: Norland, Spears, Steiner, Freyberg and Dehen aye; no nays. Motion carried.**

City Administrator and Staff Comments

Public Works Director Swanson reported the Old Belgrade Ravine project is close to completion.

Mayor and Council Comments

Mayor Dehen stated he was informed by City Clerk Van Genderen that the name reported as the Friends of North Mankato fiduciary agency in the May 4, 2015 Minutes was changed from Region 9 Development Commission to Region 9 Area Inc.

Council Member Spears made a motion to Direct Staff to Allow the Friends of North Mankato Flier in May's Utility Bill. Council Member Norland stated allowing the flier in as a utility stuffer is not meant to discourage developers. Attorney Kennedy indicated the City needs to develop a set of criteria for utility stuffers. Mayor Dehen requested the Friends make the Friends of North Mankato more visible to help eliminate the perception that the request for donations may be coming from the City. **Council Member Spears moved, seconded by Council Member Steiner to Direct Staff to Allow the Friends of North Mankato Flier in May's Utility Bill. Vote on the motion: Norland, Spears, Steiner, Freyberg and Dehen aye; no nays. Motion carried.**

Public Comments

Mathias Leyrer, 632 Belgrade Avenue, appeared before Council and requested the opportunity to scavenge the houses located at 231 and 233 Wheeler Avenue for materials prior to their destruction.

Jim Whitlock, 332 Belgrade Avenue, thanked the Council for approving the construction of the parking structures.

There being no further business, on a motion by Council Member Steiner, seconded by Council Member Freyberg, the meeting adjourned at 8:05 p.m.

Mayor

City Clerk