

MINUTES OF THE MANKATO CITY COUNCIL

REGULAR MEETING, JUNE 22, 1992

RIVERFRONT 2000 PRESENTATION

Prior to the Council Meeting at 6:30 p.m., David Bennett and Mark Swanson from BRW (architects for the Riverfront 2000 Project), presented and discussed with members of the Council and the Implementation Committee the space program for the facility, the site plan, and the proposed architectural design of the building. A discussion was held relative to conducting a public forum. Mr. McLaughlin suggested there be an extended work session of the Council and the Implementation Committee before the public forum is held. Mr. Krepsiekies stated he will schedule a work session and will contact the Council Members and the Implementation Committee members.

Mayor Christ adjourned the meeting at 7:05 p.m.

ROLL CALL

A Regular Meeting of the Mankato City Council was held commencing at 7:15 p.m. on the 22nd day of June with Mayor Stan T. Christ presiding. Council Members Jack Nawrocki, Robert Richter, Tom McLaughlin, Tony Knapp, Michael Kennedy, Kathleen Sheran, City Manager William A. Bassett, Assistant City Manager Paulette Owens-Holmes, City Attorney Eileen M. Wells, and Secretary of the Council Sandra R. Paulson were present.

The City Council presented a Certificate of Recognition from the League of Minnesota Cities to Mr. Bassett.

AMBASSADOR AWARDS PRESENTATION

The City Council presented Ambassador Awards to members of the Mankato West High School's Boys' Baseball Team, Girls' Softball Team, Boys' Tennis Team, Girls' and Boys' Golf Teams, and to Andy Kolars from Mankato Loyola High School for participating in the state tournaments/meets.

APPROVAL OF AGENDA

Mayor Christ asked if there were any corrections or additions to be made to the agenda.

Mr. McLaughlin stated he had a report to make under Reports of Council Members. Ms. Sheran stated she would like to make a report regarding the Mankato Coalition of Affordable Housing under Miscellaneous Business. Ms. Paulson requested to add under the Consent Calendar, setting July 13, 1992 as date of hearing for Variance requests of Randy Turbes, 124 Sylvia Street, to reduce the side yard setback to four and one-half feet to build an addition to a garage, and of Kim and Annette Frederick, 930 North Seventh Street, to reduce the front yard setback to 12 feet for an addition to their home.

There being no further corrections or additions, Mr. Nawrocki moved and Mr. Kennedy seconded a motion to approve the amended agenda. With all members voting in favor, the motion carried.

APPROVAL OF MINUTES

Mayor Christ asked if there were any corrections or additions to be made to the minutes of the Regular Meeting of June 8, 1992.

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There being no corrections or changes, Mr. Knapp moved and Ms. Sheran seconded a motion to approve the minutes. With all members voting in favor, the motion carried.

CONSENT CALENDAR

(5.1-5.4) Mayor Christ asked if there were any corrections or additions to be made to the Consent Calendar.

There being no corrections or changes, Ms. Sheran moved and Mr. Knapp seconded a motion to approve the Consent Calendar which included notice of openings on the Human Rights Commission and the Mass Transit Advisory Committee, application of the Old Fashioned Independence Day, Inc. for a Temporary Non-Intoxicating Malt Liquor License for the Fourth of July celebration at Blakeslee Field, application of SS Peter and Paul's Church for a Lawful Gambling License for Herbfest on September 12-13, 1993, and setting July 13, 1992 as date of hearing by request of Randy Turbes, 124 Sylvia Street, for a Variance to reduce the side yard setback to four and one-half feet to build an addition to a garage, and Kim and Annette Frederick, 930 North Seventh Street, for a Variance to reduce the front yard setback to 12 feet for an addition to their home. With all members voting in favor, the motion carried.

CITY MANAGER'S REPORT

(6.1) Mr. Bassett reported on a Resolution Authorizing Transfer of Three Acres of Land in Summit Industrial Park to Blue Earth County for Household

Hazardous Waste Collection Site.

Following Council discussion, Mr. Richter moved and Mr. Knapp seconded a motion to adopt the Resolution. With all members voting in favor, the motion carried.

(6.2) Mr. Bassett reported on a Resolution Ordering Preparation of Report, and Calling for Hearing on Proposed Improvement No. 92010, Without Petition, sidewalk construction along the west side of Raintree Road and Sioux Road from Madison Avenue to Adams Street.

There being no discussion, Ms. Sheran moved and Mr. Knapp seconded a motion to adopt the Resolution. With all members voting in favor, the motion carried.

(6.3) Mr. Bassett reported on the Mankato Area Skateboard Association's request for the Council to donate the City owned parcel of land on Glenwood Avenue to the association for their skateboard park. He explained they had previously been located off North Riverfront Drive, but several area businesses submitted a petition to the City to improve the parking lot. He stated if the Council grants their request for the donation, the deed for the land would include a "reverter" clause should the land cease to be used as a skateboard park through the non-profit association and an unlimited roadway easement should the land be needed for road improvements.

Mr. Nawrocki asked Mr. Bassett if the association will be losing any space if Glenwood Avenue is widened. Mr. Bassett replied the association will construct the facility to accommodate any potential problem, and they realize Glenwood Avenue is proposed to be reconstructed in the future.

Following Council discussion, it was unanimously agreed upon that it
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would be better to lease this site to the association rather than selling because of the reconstruction of Glenwood Avenue. Therefore, Mr. Knapp moved and Mr. McLaughlin seconded a motion to direct staff to prepare a resolution leasing the property to the association. With all members voting in favor, the motion carried.

(6.4) Mr. Bassett stated he misplaced the material for this item (Mankato Parking Corporation's request of \$23,985.77 for replacement of lights), therefore, he requested this item be tabled until July 13, 1992. There being no discussion, Mr. Kennedy moved and Mr. Richter seconded a motion to table this item until July 13, 1992. With all members voting in favor, the motion carried.

Ms. Sheran requested that the Council receive a report from the Mankato Parking Corporation for the first 30 days of the free parking situation downtown.

(6.5) Mr. Bassett reported on a Resolution Authorizing the City Manager to Enter into Supplemental Agreement No. 5 for Airfield Signing and Design. He stated this supplemental agreement is for new Part 139 mandated items, and the total costs of this project will be funded by the FAA in the amount of 90 percent of the cost.

There being no discussion, Mr. Nawrocki moved and Mr. McLaughlin seconded a motion to adopt the Resolution. With all members voting in favor, the motion carried.

(6.6) Mr. Bassett reported on Mick Montag's request for the City to sell Lot

1, Block 1, Kensington Hill Subdivision at a reduced price in order to expand the F.A. Buscher Park. He explained the Real Estate Committee recommends denial of this request, and the Parks Director does not feel there is a need for additional park land in that location at this time.

Mr. McLaughlin discussed with Mr. Bassett the appearance of the blockade between Kensington Hills and Mayan Way.

Following Council discussion, Mr. Knapp moved and Ms. Sheran seconded a motion to take no action on Mr. Montag's request. With all members voting in favor, the motion carried.

(6.7) Mr. Bassett stated staff is recommending the Council donate \$2,150 to August River Festival which is the amount remaining in the budget for this activity.

There being no discussion, Ms. Sheran moved and Mr. Richter seconded a motion to approve this donation. With all members voting in favor, the motion carried.

(6.8) Mr. Bassett reported on staff's recommendation to withdraw the request for the acquisition of Chicago and Northwestern's Transportation Company's 10,000 square feet of property south of the depot and HyVee.

Following Council discussion, Mr. Kennedy moved and Mr. Knapp seconded a motion to withdraw the request. With all members voting in favor, the motion carried.

(6.9) Mr. Bassett reported that Drum Beauty, Inc. has submitted an application for a Temporary Non-Intoxicating Malt Liquor License for the City Council Meeting - June 22, 1992

1992 airshow. However, he stated staff has been notified by the Department of Revenue that there are delinquent taxes which need to be paid before the City license can be granted.

Kevin Shoeberg, attorney representing Fort Point, stated they question the delinquent taxes, and they have contacted the Attorney General's office. The Attorney General didn't feel Drum Beauty, Inc. was a part of it. He requested the City Council grant the license subject to this matter being cleared up.

Mr. Bassett stated it is his understanding that the second request of Fort Point, Inc. is to lease the airport for a rock and roll concert on Friday evening, July 10, 1992. Therefore, Fort Point would like to expand the contract to allow them to conduct a concert that evening. He explained the present contract provides that Fort Point can conduct an airshow and entertainment on Saturday and Sunday, July 11-12, 1992.

Mr. Shoeberg stated they would like to withdraw that request as they were unsuccessful in locating entertainment. Therefore, they will be conducting concerts following the airshow performances on Saturday and Sunday. He explained they have already signed contracts with Conway Twitty, Ricky Skaags, Shenadoah, and Sweethearts of the Rodeo for the concert on Sunday evening. He explained Saturday's airshow will be from 2:00 p.m. until 5:00 p.m. with a country concert from 6:00 p.m. until 10:00 p.m. Sunday's airshow would last approximately two hours with the concert following. He stated they have obtained options for parking with the nearby property owners and have hired Asia Security, from Minneapolis, for the concerts. He explained they have provided the two million dollar liability insurance coverage which the City requested. He also stated they will be working with Imperial Parking and the local law enforcement as well.

Mr. Bassett stated staff does not feel the concerts were authorized, and the proposal has changed dramatically. Mr. Shoeberg stated the City of Mankato entered into a 1992 airshow contract with Fort Point Production Company, Inc., on March 12, 1992 which states, "Fort Point shall plan, produce and promote the airshow including all aspects of an airshow event, including but not limited to entertainment, at the Mankato Municipal Airport on July 11 & 12, 1992 and shall have sole control of the manner and means of conducting and performing its obligations under this agreement." He stated, therefore, Fort Point Production Company has entered into contract with the entertainers and has spent a substantial amount of money. He explained a letter was sent to Mr. Bassett on June 4, 1992 notifying him of the concerts, and the City never responded with any concerns. Mr. Bassett stated staff didn't have adequate information to respond to as they haven't seen any agreement with Asia Security or the option agreements with the adjacent property owners for parking.

Dick Beerling, representing Hubbard Milling Company, stated their company is very concerned if the airport is an appropriate location for a concert. There are other facilities in Mankato or Sibley Park in which these concerts could be held. He explained the concert stage will only be 50 yards away from their hangar. They are also very concerned about the security, and if there is any damage to their aircraft, Fort Point's two million dollar liability insurance coverage would not cover the damages.

Don Anderson, representing Southwest Aviation, stated his business is located only 25 yards away from the stage, and his business cannot stand a loss.

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Wayne Anderson, representing North Star Aviation, stated they have a concern regarding what type of security there will be, and if security will be able to keep people off the primary runway.

Mr. Richter stated staff does not have a copy of the dram shop insurance coverage. Mr. Shoeberg explained that will be provided once the liquor license is granted by the Council. Mr. Richter stated from what he can tell, the insurance coverage only applies to the airshow, not the concert. Therefore, the insurance underwriters should be notified of the concerts. Mr. Shoeberg explained to the Council that Fort Point Production Company strongly believes they are doing what they are permitted to do under the contract with the City. He explained they will "iron" out the insurance certificate and provide the security layout. They will have a minimum number of 50 security guards.

Mr. Knapp commented he feels there is more concert time than there is airshow time, therefore, the airshow appears to be an incidental type of activity. Mr. Nawrocki reported an Airport Commission meeting was held last week in which only six members of the commission were present, and even though there wasn't a quorum present, those in attendance were opposed to the concerts.

There being no further discussion, Mr. Nawrocki moved and Mr. Knapp seconded a motion to deny the concerts. Mayor Christ asked if there was any discussion to be made on the motion. Mr. Shoeberg stated Fort Point Production Company hasn't heard from staff until tonight's meeting regarding their position relative to the concerts. Mr. Kennedy reminded the Council that if they vote against the concerts this evening, the City will lose the opportunity to somewhat control what may happen and turn it over to the courts to determine what types of concerts will be allowed. Mr. Bassett stated staff didn't feel the concerts were part of the contract. Mr.

Shoeberg reminded Mr. Bassett that concerts would be defined as entertainment, and the City never discussed with Fort Point Production Company that entertainment was limited to certain types of activities. He also stated the insurance was in place before any entertainment was decided upon as they provided the two million dollar insurance policy which the Council requested when they entered into contract. There being no further discussion regarding the motion, roll call was taken on the motion to deny the concerts. With Nawrocki, Richter, Knapp, and Christ voting yes, and McLaughlin, Kennedy, and Sheran voting no, the motion carried.

Ms. Sheran then moved and Mr. Kennedy seconded a motion to approve the application for the Non-Intoxicating Malt Liquor License subject to liquor liability insurance being provided and taxes being paid with the Minnesota Department of Revenue. With all members voting in favor, the motion carried.

REPORTS OF COUNCIL MEMBERS

(7.3) Mr. McLaughlin stated some people are moving into 1208 North Fourth Street, and due to the street reconstruction, they are having a difficult time in trying to move into that residence. Therefore, he requested that on a temporary basis, they improve the grade so they can move into their home.

(7.1) Mayor Christ recommended the appointment of Christopher Eng to the Housing and Redevelopment Authority. There being no discussion, Ms. Sheran moved and Mr. Richter seconded a motion to approve the appointment. With all members voting in favor, the motion carried.

(7.2) Mayor Christ recommended the appointments of Jerral Parrish and Betty Lindsay to the Regional Library Board. There being no discussion, Ms. Sheran moved and Mr. Knapp seconded a motion to approve the appointments. With all members voting in favor, the motion carried.

APPEARANCES

(8.1) Julie Anderson, President, and Jeff Lunde, Vice President, of the Mankato State Student Senate Association, introduced themselves to the City Council, and explained they are trying to improve the channels of communication with the City. Among some of the topics they will be discussing this year are establishing a renters association, cultural diversity, and sexual assault. Mayor Christ thanked them for appearing before the Council.

(8.2) Max Tjaden, owner of the T.J. Hallmark Stores located in Mankato, addressed the Council with his concerns regarding downtown, and more specific, the Mankato Mall. He stated the Mankato Mall will be an eyesore once the arena/civic center is operating in 1994. He asked the Council to take action on the following items:

1. Tax arrears must be corrected.
Keep business base by negotiations.
3. Possibly rename the mall.
4. Make the entrances attractive.
5. Make parking ramps user friendly and eliminate parking meters.
6. Decide the purpose of the facility.

He commented the floors are only being cleaned once a week, and there is no visible security and maintenance. He feels it's the City's responsibility to take ownership of the mall and lease out the managing portion. Mayor Christ stated he agrees with Mr. Tjaden that something needs to be done, and the Council is very concerned about the downtown area and is working on it. However, it takes time, but it should also be noted there are new activities occurring downtown which is a boost to the area. Mr. Kennedy reported there have been recent meetings with neutral parties, bankers, Valley Industrial Development Corporation, local lenders, mall management, and other people who are concerned about the Mankato Mall. Therefore, the Council is working on it.

(8.3) Darryle L. Powers, of Mankato Stone, appeared before the Council to request a variance from the Ordinance to drill a well within the City limits. He explained it would be more cost effective to drill their own well rather than hooking into the City's system as that would cost approximately \$10,000 in compared to \$2,500 to drill their own well. He stated they would only be using the well from April through October.

Mr. Bassett reported to the Council staff is recommending denial of this request due to it being a public health issue and setting a precedence.

Following Council discussion, Ms. Sheran moved and Mr. Kennedy seconded a motion to deny the request. With all members voting in favor, the motion carried. Ms. Sheran commented perhaps the assessment schedule could be over a longer period of time.

HEARINGS

(9.1) Mr. Bassett stated this is the date of hearing by request of Kato Light Corporation and Bonnie Murray for a Resolution Vacating the Public Right-of-Way (Second Avenue).

Mayor Christ opened the public hearing for testimony.

There being no one wishing to appear before the Council to give testimony, Mayor Christ declared the public hearing closed.

There being no discussion, Mr. Knapp moved and Mr. Richter seconded a motion to adopt a Resolution of the City of Mankato Vacating the Right-of-Way, Second Avenue. With all members voting in favor, the motion carried.

BIDS

(10.1) Mr. Bassett reported on Resolutions Accepting Award of Bids for Concrete and Bituminous Rehabilitation Projects. He explained these would be projects around Mankato State University.

There being no discussion, Mr. Knapp moved and Mr. Nawrocki seconded a motion to adopt the Resolutions. With all members voting in favor except Richter, the motion carried.

(10.2) Mr. Bassett reported on the low bids received for the construction of three new detached garages, concrete driveways, sidewalks, and patios at three separate public housing units located in Southeast Village. He stated staff is recommending the low bid of Kiecker Construction in the amount of \$27,948.

There being no discussion, Mr. Richter moved and Mr. McLaughlin seconded

a motion to approve the low bid. With all members voting in favor, the motion carried.

(10.3) Mr. Bassett reported on the hazardous condition of the former Coast to Coast building and stated bids have been obtained for this evening's meeting if the Council declares an emergency situation. If the Council is not in agreement with that process, then bids would be obtained through the normal process, and it would be the end of July before staff would have the bids.

Dave Ramy, 64 Skyline Drive, owner of the Some Place Else Bar, stated his building is adjacent to this building. He requested the Council to take immediate action as he is experiencing water damage to his building.

Following Council discussion, Mr. Nawrocki moved and Mr. Richter seconded a motion to state the "City Council for the City of Mankato finds that:

1. Based on a structural examination by Robert L. Sprengeler, P.E., the building located on South Front Street, known as the 'Coast-to-Coast' building, has deteriorated to the point where it has become a safety hazard.
2. An immediate and actual threat to the safety of the public and personal property exists as long as the building stands in its existing condition.
3. The protection of the community is served by waiving the notice requirements in this instance."

With all members voting in favor, the motion carried.

Ms. Wells and Ms. Owens-Holmes opened the bids, and returned later in the meeting with the results. Mr. Bassett stated the low bidder was Diamond Wrecking in the amount of \$77,500. Following a brief discussion, Ms. Sheran moved and Mr. Nawrocki seconded a motion to approve the low bid subject to the City Engineer's review. With all members voting in favor, the motion carried.

VARIANCES

(11.1) Mr. Bassett stated this is the date of hearing by request of Stacy and Tina Svir, 201 Van Brunt Street, for a Variance to reduce the side yard setback one foot, rear yard setback to seven feet, and to increase the lot coverage to 32 percent for the purpose of constructing a 20'x22' attached garage.

Mayor Christ opened the public hearing for testimony.

There being no one wishing to appear before the Council to give testimony, Mayor Christ declared the public hearing closed.

There being no discussion, Ms. Sheran moved and Mr. Richter seconded a motion to adopt a Resolution Granting a Variance under the Mankato Zoning Ordinance. With all members voting in favor, the motion carried.

(11.2) Mr. Bassett stated this is the date of hearing by request of Joe Klann, 1403 North Fourth Street, for a Variance to reduce the side yard setback to three feet, the rear yard setback to three feet, and to increase the lot coverage to 32.5 percent for the purpose of constructing a 20'x30' attached garage.

Mayor Christ opened the public hearing for testimony.

There being no one wishing to appear before the Council to give testimony, Mayor Christ declared the public hearing closed.

There being no discussion, Mr. Kennedy moved and Mr. Knapp seconded a motion to adopt a Resolution Granting a Variance under the Mankato Zoning Ordinance. With all members voting in favor, the motion carried.

(11.3) Mr. Bassett stated this is the date of hearing by request of Steve Schutz, 1028 North Fourth Street, for a Variance to reduce the front yard setback to 18 feet and increase the lot coverage to 47.7 percent for the purpose of replacing a single car garage with a 28'x36' detached garage.

Mayor Christ opened the public hearing for testimony.

There being no one wishing to appear before the Council to give testimony, Mayor Christ declared the public hearing closed.

There being no discussion, Mr. Knapp moved and Mr. McLaughlin seconded a motion to adopt a Resolution Granting a Variance under the Mankato Zoning Ordinance. With all members voting in favor, the motion carried.

MISCELLANEOUS BUSINESS

(12.1) Larry Kaduce, 1058 Marsh Street, representing Lloyd/LaGow Development, requested the Council to proceed with the purchase of the depot property. He commented the project involving the depot property could possibly be tied in with the Red Jacket trail.

Mark Dehen, exalted ruler of the Elks Lodge, stated approximately two-third's of the portion they are trying to raise through donations from City Council Meeting - June 22, 1992

their membership has been collected.

Mr. Kennedy commented the Council never wanted to be in the position of owning the building as what would happen if the project fell through. He stated tax increment financing would be used, and there is a lot of demand for those funds. He suggested staff request another 30 day extension. Therefore, he moved and Ms. Sheran seconded a motion to request another 30 day extension, and the Council would call a special meeting if the Elks Lodge or Lloyd/LaGow Development present a proposal. With all members voting in favor, the motion carried.

Ms. Sheran discussed with the Council the bidding process for the purchase of the Stahl House. She stated the Mankato Area Coalition of Affordable Housing (MACAH) would like to submit a bid for the purchase of the Stahl House, however, they will not be able to meet the 30 day closing period. Mr. Bassett stated bids will be opened the first part of July. After Council discussion, the Council unanimously decided to complete the current bidding process and then look at other alternatives for the next bid letting.

ADJOURNMENT

There being no further business to come before the Council, Mayor Christ declared the meeting adjourned at 10:35 p.m.

Minutes Approved.

Stan T. Christ, Mayor

ATTEST:

Sandra R. Paulson
Secretary of the Council

For more information about the City Council, contact the Executive Assistant at 507-387-8690

MINUTES OF THE MANKATO CITY COUNCIL

REGULAR MEETING, JUNE 8, 1992

CALL TO ORDER

A Regular Meeting of the Mankato City Council was held commencing at 7:00 p.m. on the 8th day of June with Mayor Stan T. Christ presiding. Council Members Kathleen Sheran, Jack Nawrocki, Robert Richter, Tom McLaughlin, Tony Knapp, Michael Kennedy, City Manager William A. Bassett, Assistant City Manager Paulette Owens-Holmes, Assistant City Attorney Gregory Anderson, and Secretary of the Council Sandra R. Paulson were present.

APPROVAL OF AGENDA

Mayor Christ asked if there were any corrections or additions to be made

to the agenda.

Ms. Sheran, Mr. Nawrocki, and Mr. Kennedy stated they each had reports to make under Reports of Council Members.

There being no further corrections or additions, Mr. Kennedy moved and Mr. Nawrocki seconded a motion to approve the amended agenda. With all members voting in favor, the motion carried.

APPROVAL OF MINUTES AND CONSENT CALENDAR

(3.1-4.1) Mayor Christ asked if there were any corrections or additions to be made to the minutes of the Regular Meeting of May 26, 1992 or the Consent Calendar.

There being no corrections or changes, Ms. Sheran moved and Mr. Knapp seconded a motion to approve the minutes and the Consent Calendar which included setting June 22, 1992 as date of hearing by request of Kato Light Corporation and Bonnie Murray for a Resolution Vacating the Public Right-of-Way, Stacy and Tina Svir, 201 Van Brunt Street, for a Variance to reduce the side yard setback to 1', rear yard setback to 7', and to increase the lot coverage to 32 percent for the purpose of constructing a 20'x22' attached garage, Joe Klann, 1403 North Fourth Street, for a Variance to reduce the side yard setback to 3', the rear yard setback to 3', and to increase the lot coverage to 32.5 percent for the purpose of constructing a 20'x30' attached garage, and Steve Schutz, 1028 North Fourth Street, for a Variance to reduce the front yard setback to 18 feet and increase the lot coverage to 47.7 percent for the purpose of replacing a single car garage with a 28'x36' detached garage. With all members voting in favor, the motion carried.

CITY MANAGER'S REPORT

(5.1) Mr. Bassett reported on the proposed agreement with Blue Earth County for cost sharing Federal Aid Project M PAVE (1) for overlays on Warren, Stadium, and Hoffman Roads.

Following a brief discussion, Mr. Kennedy moved and Ms. Sheran seconded a motion to approve the agreement. With all members voting in favor, the motion carried.

(5.2) Mr. Bassett reported on a Resolution Authorizing Participation in the Minnesota Valley Council of Government's (MVCOG) Safety and Loss Control Program. He explained currently the City charges one-half of a plumbing City Council Meeting - June 8, 1992

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inspector's time per year to administer the OSHA's requirements for the City. However, he stated the plumbing inspector is unable to keep up with the OSHA changes due to his inspector's duties. He explained Mankato's participation would amount to approximately \$26,000 which would be contingent upon support from the other jurisdictions who are members of the MVCOG.

Mr. Bassett answered the Council's questions and following this discussion, Mr. Nawrocki moved and Ms. Sheran seconded a motion to adopt the Resolution. With all members voting in favor, the motion carried.

(5.3) Mr. Bassett reported on a Resolution Authorizing Execution of Agreement with Goodyear Tire Company for the Provision and Use of Vehicle Tires.

After Mr. Bassett explained and discussed with the Council the proposed agreement, Ms. Sheran moved and Mr. Knapp seconded a motion to adopt the

Resolution. With all members voting in favor, the motion carried.

(5.4) Mr. Bassett reported and explained the requests of the Mass Transit Advisory Committee to establish an age limit of under six years for children to ride the City buses free when accompanied by an adult, establish a 25 cent zone fare from Balcerzak Drive and Pohl Road to Stadium Road and Ellis Avenue on a three month trial basis from June 1992 to August 31, 1992, and authorize continuation of the 25 cent zone on Stadium Road hill throughout the year for the purpose of maintaining ridership in this area.

Richard Wheeler, 311 Ellis Avenue, also explained the requests to the Council.

There being no discussion, Ms. Sheran moved and Mr. Richter seconded a motion to approve the requests. With all members voting in favor, the motion carried.

(5.5) Mr. Bassett reported on staff's proposed commercial real estate commissions for City owned property.

Following a brief discussion, Mr. Knapp moved and Mr. McLaughlin seconded a motion to approve the commissions. With all members voting in favor, the motion carried.

REPORTS OF COUNCIL MEMBERS

(6.2) Ms. Sheran reported on a petition received for possible reconstruction of Pohl Road. She moved and Mr. Richter seconded a motion to direct staff to prepare a report on what would have to be done in order to move this project up in the Capital Improvements Program to 1993 and how to reorganize the projects to stay within the amount budgeted. With all members voting in favor, the motion carried.

(6.2a) Ms. Sheran stated at the recent Intergovernmental Committee meeting, a discussion was held regarding financial contributions to the Bend of the River Festival. She stated it is the City of North Mankato's position that they will be supportive of the in-kind services, however, they will not be participating financially. The City of North Mankato funds the City Council

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Fourth of July fireworks and the North Mankato Fun Days. She suggested the Council discuss at a work session what the City of Mankato's roll will be in relation to this festival. Following a brief discussion, Ms. Sheran moved and Mr. Knapp seconded a motion to discuss this item at a work session. With all members voting in favor, the motion carried.

(6.3) Mr. Nawrocki stated he received a telephone call regarding a recent party at 312 Van Brunt house. He explained to the Council the type of activity which was occurring at the residence and also at the residences located at 216/218 and 221 Van Brunt Street. He stated the neighbors feel like they're being held hostage in their own home, and they, in turn, have to pick up the trash the next morning. He explained he feels it is important that the neighborhood be notified of the loud party complaint process and encourage them to contact the Law Enforcement Center when there are loud parties disrupting the neighborhood. He requested staff to provide a list of party houses in his ward who, in the last 12 months, have received three calls in three months. Mr. Bassett stated it might be helpful to send to the rental landlords the section of the City Code addressing loud parties at

rental housing units. Mr. Kennedy stated perhaps the Council needs to review the City ordinance and consider some type of enforcement that is relatively quick. Mr. Bassett suggested this item be added to a budget work session in order that the level of service can be addressed.

(6.4) Mr. Kennedy requested the double signage which previously was up for the Pleasant Street/Clark Street be installed on a temporary basis.

(6.1) Mayor Christ recommended Steve Korff and Althea DeGraff-Johnson be appointed to the Joint Civil Service Commission.

There being no discussion, Mr. Knapp moved and Mr. Nawrocki seconded a motion to approve the appointments. With all members voting in favor, the motion carried.

APPEARANCES

(7.1) Ron Goodrich, 406 East Main Street, on behalf of Habitat for Humanity, stated they are proposing to build another home in Southeast Village and would like to request a waiver of the permit fees. He explained they provide housing for the economic disadvantaged, and they operate under a very tight budget.

Following a brief discussion, Mr. Kennedy moved and Mr. Richter seconded a motion to waive the permit fees. With all members voting in favor, the motion carried.

HEARINGS

(8.1) Mr. Bassett stated this is the date of assessment hearings for 1992 minor street resurfacings (Improvement No's. 92019, Black Eagle Drive from

Main Street to Marwood Drive, No. 92020, Camelot Drive and Lane from Devonshire Place to west end, No. 92022, Marwood Drive from Plainview Avenue to 823' east, No. 92023, Monks Avenue from Welcome Avenue to Balcerzak Drive, No. 92024, Pfau Street from Caledonia Street to Main Street, No. City Council Meeting - June 8, 1992
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92025, Plainview Avenue from Main Street to Marwood Drive, No. 92026, Seventh Street from Madison Avenue to Vine Street, and No. 92027, Seventh Street from Sixth Street to Adams Street).

Mayor Christ opened the public hearing for testimony.

There being no one wishing to appear before the Council to give testimony, Mayor Christ declared the public hearing closed.

Mr. Bassett answered Mr. Knapp's questions regarding corner credits.

There being no further discussion, Ms. Sheran moved and Mr. Richter seconded a motion to adopt Resolutions Adopting Assessments for Improvement No's. 92019, 92020, 92022, 92023, 92024, 92025, 92026, and 92027. With all members voting in favor, the motion carried.

BIDS

(9.1) Mr. Bassett reported staff is recommending approval of the low bid of Southern Minnesota Construction in the amount of \$769,183.59 for Improvement No's. 90012, 90013, and 84060.

There being no discussion, Mr. McLaughlin moved and Mr. Knapp seconded a motion to approve the low bid. With all members voting in favor, the motion carried.

(9.2) Mr. Bassett reported staff is recommending approval of the low bid of W.W. Blacktopping, Inc. in the amount of \$67,428.74 for Improvement No. 91047. He stated staff is also recommending approval of contractual service from Dan Sarff of Bolton and Menk for construction services.

Following a brief discussion, Mr. Knapp moved and Mr. McLaughlin seconded a motion to approve the low bid and the contractual service from Bolton and Menk. With all members voting in favor, the motion carried.

PLANNING COMMISSION

(10.1) Mr. Bassett reported on the request of P.A.W. Properties for preliminary plat approval of Apache Subdivision No. 5 (north of Madison Avneue, east of Sioux Road).

There being no discussion, Ms. Sheran moved and Mr. Knapp seconded a motion to approve the preliminary plat. With all members voting in favor, the motion carried.

VARIANCES

(11.1) Mr. Bassett stated this is the date of a continued hearing for Jane and Richard Riesdorf's request for a Variance to reduce the side yard setback for an accessory building to one foot and increase the lot coverage to 44 percent for the purpose of constructing a 13'x23' detached garage (320 Washington Street).

Mayor Christ opened the public hearing for testimony.

Richard Riesdorf, 320 Washington Street, stated after discussing the situation with Mr. Bassett, he and his wife have decided rather than "sandwiching" the garage between the porch and their neighbor's property,

they are proposing to construct the garage one foot away from the neighbors' property line on the east and one foot from the north property line. The

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garage would be parallel to the existing garage.

There being no one else wishing to appear before the Council to give testimony, Mayor Christ declared the public hearing closed.

With the Council being in agreement with the Riesdorf's proposal to construct the garage one foot away from the east property and north property lines, Mr. Richter moved and Mr. McLaughlin seconded a motion to adopt a Resolution Granting a Variance under the Mankato Zoning Ordinance. With all members voting in favor, the motion carried.

(11.2) Mr. Bassett stated this is the date of hearing by request of Mark Wiechmann, 920 Marsh Street, for a Variance to increase the lot coverage to 30 percent for the purpose of constructing a 18'x22' addition to a detached garage.

Mayor Christ opened the public hearing for testimony.

There being no one wishing to appear before the Council to give testimony, Mayor Christ declared the public hearing closed.

There being no discussion, Mr. Richter moved and Mr. Knapp seconded a motion to adopt a Resolution Granting a Variance under the Mankato Zoning Ordinance. With all members voting in favor, the motion carried.

ORDINANCES

(12.1) Mr. Bassett stated this is the date of hearing on an Ordinance Annexing Property to the Corporate Limits of the City of Mankato (property adjacent to Mayan Way Subdivision).

Mayor Christ opened the public hearing for testimony.

There being no one wishing to appear before the Council to give testimony, Mayor Christ declared the public hearing closed.

There being no discussion, Mr. Knapp moved and Ms. Sheran seconded a motion to adopt the Ordinance. With all members voting in favor, the motion carried.

ADJOURNMENT

There being no further business to come before the Council, Mayor Christ declared the meeting adjourned at 8:05 p.m.

Stan T. Christ, Mayor

ATTEST:

Sandra R. Paulson

Secretary of the Council

For more information about the City Council, contact the Executive Assistant at 507-387-8690

MINUTES OF THE MANKATO CITY COUNCIL

SPECIAL MEETING, JUNE 29, 1992

A Special Meeting of the Mankato City Council was held commencing at 6:00 p.m. on the 29th day of June with Mayor Stan T. Christ presiding. Council Members Robert Richter, Tony Knapp, Michael Kennedy, Kathleen Sheran, Jack Nawrocki, City Manager William A. Bassett, Assistant City Manager Paulette R. Owens-Holmes, City Attorney Eileen M. Wells, and Secretary of the Council Sandra R. Paulson were present.

Mr. Nawrocki moved and Mr. Knapp seconded a motion to rescind the previous motion to deny the concerts at the 1992 Airshow from the June 22, 1992 Council Meeting. With all members voting in favor, the motion carried. The Council directed Ms. Wells to issue a press release to state the reason given for the change is since Fort Point Productions is proceeding with the advertising for the concerts, the City is put in the position of having to initiate injunctive relief and the taxpayers would bear the expense of that litigation. Therefore, the Council feels it is preferable to attempt to work with Fort Point Productions to develop a plan that would ensure the safety of the attendees and the security of the property of the City and private investors at the airport.

Ms. Wells stated she discussed with the Council in closed session the Olson v. City of Mankato court case and the recommended stipulation. Ms. Sheran moved and Mr. Nawrocki seconded a motion to authorize Mr. Bassett and John Sands, City's legal counsel, to sign the settlement stipulation. With all members voting in favor, the motion carried.

Ms. Wells stated she discussed with the Council in closed session the Edison Controls v. City of Mankato court case and the recommended stipulation agreement. Ms. Sheran moved and Mr. Knapp seconded a motion to authorize a check payable in the amount of \$1,500, payable to Edison Controls, and be forwarded to the City's legal counsel, John Sands. With all members voting in favor, the motion carried.

There being no further business to come before the Council, Mayor Christ declared the meeting adjourned at 6:07 p.m.

Minutes Approved.

Stan T. Christ, Mayor

ATTEST:

Sandra R. Paulson
Secretary of the Council

For more information about the City Council, contact the Executive Assistant at 507-387-8690