



MINUTES

**Mankato City Council
Regular Meeting
November 12, 2024 - 6 p.m.
IGC - Mankato Room**

1. **Call Meeting to Order**

Roll Call

Members Present: Jenn Melby-Kelley, Jessica Hatanpa, Kevin Mettler, Dennis Dieken, Michael McLaughlin, and Mayor Najwa Massad.

Members Excused: Mike Laven.

Staff Present: City Manager Susan Arntz, Administrative Services Director Parker Skophammer, Community Development Director Mark Konz, Interim Public Works Director Karl Keel, Interim City Engineer Alec Pietz, and City Clerk Renae Kopischke.

Pledge of Allegiance

2. **Approval of Agenda**

Ms. Hatanpa moved and Mr. Mettler seconded a motion to approve the agenda as written. The motion carried unanimously.

3. **Approval of Minutes**

Mr. Dieken moved and Ms. Melby-Kelley seconded a motion to approve the minutes of the Regular Meeting of October 28, 2024 as written. The motion carried unanimously.

4. **Public Open Forum (15 Minutes)**

No one spoke.

5. **Consent Calendar**

NOTE: All items listed under the Consent Calendar will be enacted by one motion. There will be no separate discussion of these items. If a Council Member wishes to discuss any of these items, they may ask that the item be removed from the Consent Calendar. Removed item(s) will be discussed and acted upon by separate motion.

Mr. McLaughlin pulled item 5.C. Ms. Hatanpa moved and Mr. McLaughlin seconded a motion to approve the Consent Calendar as amended. With all members voting in favor, the motion carried.

- A. Motion approving All Seasons Arena Renovation change orders.
- B. Resolution authorizing an application for a Walmart Store Grant to fund the "Shop With A Hero" event.
- C. Resolution approving Opioid Remediation Grant for Beyond Brink DBA WEcovery to assist in funding a Peer Recovery Specialist position.

Mr. McLaughlin asked if the funding was for an existing position. Ms. Kopischke replied that it was new, as they have identified gaps in supportive services within the community that the Peer Recovery Specialist position aims to fill.

Mr. McLaughlin moved and Ms. Hatanpa seconded a motion to approve the Resolution approving Opioid Remediation Grant for Beyond Brink DBA WEcovery to assist in funding a Peer Recovery Specialist position.
The motion carried unanimously.

- D. Resolution authorizing the City Manager to execute a Mutual Aid Agreement with Blue Earth, Nicollet, and Le Sueur Counties and cities therein.
- E. Resolution approving easement vacations between subject properties located on Power Drive (100 Power Drive); by request of ISG, on behalf of the property owner Rolls-Royce Solutions America, Inc.
- F. Resolution approving the Final Plat of Carlson Addition (1010 Pfau Street); by request of Scott Carlson.
- G. Resolution declaring adequacy of petitions, waiving hearings and adoption of Final Assessments on Capital Improvement Project 11077; 2024 Miscellaneous Assessments.

- H. Set November 25, 2024, as the date of public hearing on an Ordinance establishing registration requirements for the sale of Lower-Level Intoxicating Hemp Products and the sale of Adult Use Cannabis Products; and an Ordinance establishing Special Event Requirements for Temporary Cannabis Events, and an Ordinance amending Chapter 10 Land Use (Zoning).

6. **Public Hearings**

- A. Mr. Pietz stated that this is a preliminary assessment hearing on Improvement Project 11084; Victory Drive Intersection and Lighting Improvements. He noted that the proposed assessment roll was mailed to the property owners on October 24, 2024, along with repayment options. He indicated that completion of the project is anticipated to be mid-July 2025, and with the final assessments being adopted in November 2025. He explained that the property owners may pay the assessment in full within 30 days of billing for no interest to accrue, and if not paid, the assessment amount will be certified to Blue Earth County Taxpayer Services for collection with property taxes over a 10-year period with an annual interest rate of 4.5% beginning with 2026 taxes payable.

Mr. Pietz added that to date, the City Clerk has received no letters of objection from any property owners. He summarized the objection and appeal process.

Mayor Massad opened the public hearing. There being no one wishing to speak, Mayor Massad closed the public hearing.

Mr. Dieken moved and Mr. Mettler seconded a motion to approve the Resolution adopting the assessment on Improvement Project 11084; Victory Drive Intersection and Lighting Improvements. The motion carried unanimously.

- B. Mr. Keel stated that this is a final assessment hearing on Capital Improvement Projects: 10893 Germania Park Phase 3; 10988 4th Street; 10989 Pfau Street; and 11074 2024 Resurfacing and Miscellaneous Sidewalks. He reported that on February 13, 2023, the Council held the required improvement hearing and a preliminary assessment hearing on the projects, and there were no objections; thus, the project was ordered, and the preliminary assessment roll was adopted.

Mr. Keel summarized the current practice in which the city conducts a second assessment hearing using the actual costs of the project and sends a notice to property owners, as there may be a change in the assessment from what was approved at the preliminary assessment hearing. He indicated that the proposed final assessment notices were mailed to property owners on September 30, 2024, for all the projects.

He noted that staff had been working with affected property owners making minor adjustments to the assessment roll and answering questions as needed prior to consideration by the council.

Mr. Keel explained that property owners were informed of the amount to be specially assessed against each parcel, that the council may adopt the assessment roll at the hearing, the right of the property owner to prepay the entire assessment, that prepayment may be made without assessment of interest, and the proposed interest rate on the assessment. He noted that for assessments not paid in full, the amount will be certified to Blue Earth County Taxpayer Services for collection with property taxes over a five-, ten-, or fifteen-year period with an annual interest rate of 4.5%. He added that the property owners were also informed of the availability, at their option, of a 15-year repayment schedule as well as senior citizen, service member, and disability deferrals, as well as their right and the process for appealing their proposed assessment. He reported that the city had received one objection notice for the following parcels:

Parcel Number	Property Owner
01.09.18.201.014	Grace Lutheran Church
01.09.18.201.015	Grace Lutheran Church
01.09.18.201.016	Grace Lutheran Church of Mkto
01.09.18.201.017	Grace Lutheran Church
01.09.18.201.018	Grace Lutheran Church
01.09.18.201.019	Grace Lutheran Church
01.09.18.201.020	Grace Lutheran Church Augustana

Mr. Keel explained that part of the objection of the property owner includes concerns about notice of the proposed final assessment. He stated that staff verified that notice for all the properties involved was sent to the owner of the above listed parcels, at the address listed in the County Treasurer's database, as required by Minnesota Statutes, which included notices for the preliminary assessment hearing, the improvement hearing, and the current final assessment hearing. He indicated that following the mailing of notices, staff had conversations with representatives of the properties and know they had notice of the proposed assessments in early October.

Mr. Keel stated that State law requires that at the final assessment hearing, or at any adjournment thereof, the Council shall hear and pass upon all objections to the proposed assessment, whether presented orally or in writing. He commented that the council may amend the proposed assessment as to any parcel and by resolution adopt the same as the special assessment against the lands named in the assessment roll.

He added that the notice of the date, time, and location of any adjournment of the hearing shall either be stated during the meeting, so reflected in the minutes, or the City may provide notice in the same manner as required by statute for notice of assessment hearings generally.

Mr. Keel reviewed two options for the Council in light of the objection:

- The Council could adopt the assessment roll as presented. The objecting party has the right to file an appeal in district court within 30 days of the hearing.
- The Council may consider adopting the assessment roll for the non-objected parcels and then schedule an adjourned hearing to further consider any objection to the amount of the proposed assessments for the parcels noted, upon further notice to the affected property owner of the date, time, and location of the adjourned hearing. At the adjourned hearing, the Council, or a committee of the Council, may hear further written or oral testimony on behalf of the objecting property owner and may consider further written or oral testimony from appropriate city officials and other witnesses as to the amount of the assessment.

He added that the Council or committee shall prepare a record of the proceedings at the adjourned hearing and written findings as to the amount of the assessment to be provided to the full Council at a later City Council Meeting. He stated that the amount of the assessment as finally determined by the Council shall become a part of the adopted assessment roll. He concluded that if the Council desires to pursue this option, we recommend considering the adjourned hearing in eight to ten weeks.

Mayor Massad opened the public hearing on Capital Improvement Projects: 10893 Germania Park Phase 3; 10989 Pfau Street; and 11074 2024 Resurfacing and Miscellaneous Sidewalks. There being no one wishing to speak, Mayor Massad closed the public hearing.

Ms. Hatanpa moved and Mr. Dieken seconded a motion to approve the final assessment on Capital Improvement Projects: 10893 Germania Park Phase 3; 10989 Pfau Street; and 11074 2024 Resurfacing and Miscellaneous Sidewalks. The motion carried unanimously.

Mayor Massad opened the public hearing on Capital Improvement Project: 10988 4th Street.

Rev. John Odegard, 110 North 4th Street, representing Grace Lutheran Church, wondered if the options presented were the only two options.

He recommended that the assessments be removed and noted three points, one being the outwalk and damage that occurred when it was taken out, as he felt it should be repaired and paid for by the city. He felt that the driveway approaches were double charged and commented on the explanation given. He referenced Minnesota Statutes and how the assessments were unfair and unjustified. He indicated that they own an entire city block and how the assessments didn't provide for something new beyond what was existing. He stated that the work was done to fix a storm drain that needed to be repaired. He touched on how narrower sidewalks were installed and mentioned handicapped members and ADA access. He commented on how they have provided over 10,000 meals to the community.

Mayor Massad closed the public hearing.

Ms. Hatanpa indicated that she preferred option two and felt that the City Attorney should be available.

Brief discussion on the driveway and sidewalks and the dispute as well as the process moving forward.

Ms. Hatanpa moved and Mr. Dieken seconded a motion to approve the final assessments for Capital Improvement Project 10988; 4th Street, removing the seven parcels owned by Grace Lutheran Church (which included one owned by Grace Lutheran Church of Mkt, and one owned by Grace Lutheran Church Augustana), and to schedule an adjourned hearing for the removed parcels at the Council Meeting on Monday, January 27, 2025, at 6 p.m. The motion carried unanimously.

7. **City Manager's Report**

None.

8. **Reports of City Council Members**

None.

9. **Miscellaneous Business**

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Regular Council Meeting, November 25, 2024, 6 p.m., Mankato Room
(with Work Session to follow)

Public Budget Hearing, December 2, 2024, 6 p.m., Mankato Room

Regular Council Meeting, December 9, 2024, 6 p.m., Mankato Room

10. **Adjournment**

There being no further business before the Council, Ms. Melby-Kelley moved and Ms. Hatanpa seconded a motion to adjourn. With all members voting in favor, the meeting adjourned at 6:33 p.m.

Minutes Approved.

Mayor Massad

ATTEST:

Renae Kopischke
City Clerk