



MINUTES

**Mankato City Council
Regular Meeting
April 28, 2025 - 6 p.m.
IGC - Mankato Room**

1. **Call Meeting to Order**

Roll Call

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

Staff Present: City Manager Susan Arntz, Community Development Director Mark Konz, Public Safety Director Jeremy Clifton, Interim Public Works Director Karl Keel, and City Clerk Renae Kopischke.

Pledge of Allegiance

2. **Approval of Agenda**

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

3. **Approval of Minutes**

Mr. Dieken moved and Ms. Hatanpa seconded a motion to approve the minutes of the Regular Meeting of April 14, 2025, as written. The motion carried unanimously.

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

No one spoke.

5. **Appearances and Presentations**

Presentation re the independent audit results of the Mankato Department of Public Safety Body-Worn Camera Program.

6. 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.

Ms. Hatanpa moved and Mr. Mettler seconded a motion to approve the Consent Calendar as written. With all members voting in favor, the motion carried.

- A. Motion approving Proclamation designating May 30, 2025, as Boy in Blue Memorial Day, marking the 160th anniversary of the end of the American Civil War in 1865.
- B. Motion approving application for an On-sale Intoxicating, Sunday, and optional 2 a.m. Liquor and Non-Enclosed Premise (Patio) Licenses, for Zesty Ventures LLC, DBA JD's Hideaway, 12 Civic Center Plaza, Suite 1710 (change in ownership).
- C. Resolution approving application for Mankato Area Hockey Association (MAHA) to conduct lawful gambling at the Social House, 509 South Front Street, Mankato.
- D. Motion approving change orders for All Seasons Arena.
- E. Motion to refer Land Use Plan Amendment for Wrestling Brotherhood (1416, 1420, 1430 2nd Avenue) to the Planning Commission on May 28, 2025.
- F. Motion to refer Land Use Plan Amendment for Big Blue Hospitality, LLC (401 South 2nd Street) to the Planning Commission on May 28, 2025.
- G. Motion to apply for the MnDOT 2026 Transit Vehicle Replacement Grant.
- H. Motion to apply for the MnDOT 2026 Transit High Frequency Service Pilot Grant.
- I. Resolution to apply for the MnDOT 2026 Transit Operating Grant.
- J. Motion approving Mobile Firefighting Ventilation Training Trailer Joint Powers Agreement with the State of Minnesota.

- K. Resolution considering bids on Capital Improvement Project 11120; Woodshire Drive.

7. **Public Hearings**

- A. Mr. Clifton stated that as presented to the Council at their Work Session on February 3, 2025, Public Safety and Information Technology are proposing several public safety technology enhancements aimed at improving community safety, streamlining investigations, and maximizing law enforcement efficiency. He noted that the enhancements would build upon the city's existing public safety practices by integrating new technologies.

Mr. Clifton reported that to ensure transparency and provide the community with the opportunity to participate in the process, on March 24, 2025, the Council approved the initiation of a public comment period regarding the enhancements, which began March 25, 2025, and concluded April 23, 2025. He mentioned that community members were able to submit feedback online through Every Voice Mankato during this time, and additionally, public comments would be accepted in person at the Council meeting on April 28, 2025.

Ms. Clifton explained that the technology enhancements do not require any prescribed public engagement or public comment by state law; however, the city chose to follow the same public engagement process as that of the installation of police officer body-worn cameras as implemented in 2022.

Mr. Clifton summarized the data collected by Every Voice Mankato as follows:

- 62 responses were collected in the data.
- 49 of 62 responded that improving community safety through new initiatives and technology was at least somewhat important.
- 42 of 62 responded that they were at least somewhat supportive of using advanced technology to enhance community safety and address crime more efficiently.
- 46 of 62 responded that they at least somewhat agree that investing in new technologies is necessary for Mankato to remain a safe and thriving community.
- 6 of 62 responses said that there is no benefit in implementing new technologies in community safety.
- 62 respondents gave information about adopting new technologies. 45 of 62 voiced concern about privacy and data security. 34 of 62 voiced concern about potential misuse or lack of accountability. 13 of 62 voiced no concerns.

- 40 of 62 respondents at least somewhat support enhancing the Milestone Camera system in Proposal 1.
- 43 of 62 respondents at least somewhat support utilizing License Plate Reading technology in the police squad car Axon vehicle camera system in Proposal 2.
- 39 of 62 respondents at least somewhat support utilizing license plate reading technology with the Flock camera system in Proposal 3.
- 41 of 62 respondents at least somewhat support utilizing mobile trailer camera systems in Proposal 4.
- Additional individual comments made for Proposal Questions and Other Additional Comments were also collected and reviewed.
 - Milestone Enhancement Proposal 1 comments were approximately 41.9% positive in sentiment.
 - License Plate Reader Enhancement Proposal 2 comments were approximately 55% positive in sentiment.
 - Flock Camera Enhancement Proposal 3 comments were approximately 54.2% positive in sentiment.
 - Mobile Trailer Enhancement Proposal 4 comments were approximately 45.8% positive in sentiment.
 - Other additional comments collected were approximately 32.8% positive in sentiment.

Mr. Clifton added that two voicemails were collected and reviewed, as well as 37 emailed comments which were similar in content, signed by different senders and requested that the Council not adopt any new technology for Public Safety.

Ms. Hatanpa asked Mr. Clifton to provide clarity and address the privacy and mistrust concerns that have been raised by the comments received. Mr. Clifton replied that accessibility is only accessible through individual access and passwords and explained how the information is closely secured.

Brief discussion on the use of technology by other communities, and the benefits of not being one of the first organizations to use the technology.

Mr. McLaughlin inquired about the warrantless process. Mr. Clifton noted that in order to actively track, a case needs to exist. Discussion on access and reporting, as well as the audit process.

Ms. Melby-Kelley asked about cost and funding – it was noted that public safety aid funding is to be used specifically for public safety.

Mr. Clifton noted that the milestone cameras are mainly used downtown, so the request would be an upgrade to the existing ones. He touched on the use of flock cameras and it simply being looking at a database based on an incident/occurrence, not randomly to find something.

Mayor Massad opened the public hearing.

Chris Schoenstedt, Mankato, commented on civil liberties and how they are being attacked on all levels. He was opposed to the use of AI-assisted policing, especially with the use of milestone cameras and AI intellect. He mentioned the use by other agencies and felt that data would be shared or accessible by others. He stated that no matter the assurances, it is unknown how secure and safe information will be stored. He noted that cameras were owned by flock and pointed out access by the Blue Earth County Sheriff's Department. He felt that to provide assurances to the public it is important that the improvements do not proceed.

Ava Corey-Gruenes, Mankato, commented on how the information could be used by the Department of Public Safety and how it has been seen recently that promises can be broken by government agencies. She referred to instances with ICE. She felt that there was no guarantee of misinformation. She mentioned sharing data on the nationwide network and how it has been shown that such cameras do not reduce the risk of crime. She referred to the policy provided by public safety and the inclusion of cooperation with ICE. She noted how the definition of criminals has recently changed and not just violent people. She added that no environmental impact assessment has been provided as far as energy use. She indicated that, based on her calculations, at least 64 percent of the people who submitted feedback were opposed.

Becky Dimock, 52900 Minnewakon Court, North Mankato, addressed the energy impacts of AI usage and stated that she was opposed. She noted her fear of joining the nationwide web and the sharing of information. She mentioned how people do not like to be constantly tracked even though they are not doing anything wrong and how it makes the community feel less engaged and less connected. She commented on the amount of data and energy consumed by the use of AI.

Eric Oachs, 139 Rose Street, expressed his concerns relating to privacy and environment, and especially the use of flock. He felt that promises made regarding data are not necessarily promises that can be kept, especially with it being a shared system. He noted how AI is not entirely understood and how data can be amplified. He commented on how incorrect information can be passed using AI.

Ryan Devens, 1026 North 7th Street, would rather pay for public safety labor hours than pay for AI assistance.

Brad Widness, 725 Range Street, North Mankato, talked about peoples' civil liberties and civil rights that are guaranteed by the constitution. He touched on vulnerable populations and the effects of AI use.

He indicated he would rather pay for the labor hours versus using AI. He felt that the use of AI solutions would be a dangerous situation. He mentioned how the data would be accessible and shared and mentioned ICE incidents.

Julia Hamann, Mankato, echoed the previous comments and concerns and added that as a survivor of gender-based violence she was concerned about potential increased surveillance and misuse.

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

It was noted that the Council would likely review the matter at an upcoming Work Session with action being taken at a future Council meeting within the next month or two.

- B. Ms. Arntz reported that the city recently completed the process of a full recodification of the City Code as it had been over 20 years since the last time it was done. She stated that a panel consisting of three Council members met and reviewed a summary of the revisions as well as a listing of items needing further review.

Ms. Kopischke stated that the initial stage involved having the entire code reorganized, which included a comprehensive review and rearrangement of each chapter with new numbering and references. She added that another significant change was the creation of a new Chapter, titled Dwelling Unit Rental, which streamlined the current Section 5.42 relating to rental licensing and Chapter 13 on Housing and Residential Maintenance for clarity and to eliminate duplication. She indicated that a code attorney then conducted a review to identify conflicts, inconsistencies, and obsolete ordinance provisions in connection with State Statutes.

Ms. Kopischke noted that during the process most fee amounts within the code were removed and referenced “as provided in the city fee schedule”; thus, revisions have been made to the fee schedule. She commented on some of the items needing further review and stated that moving forward, these areas will be addressed with any modifications being brought forward for review and approval.

Ms. Kopischke stated that we are now in the final stages, which include the adoption and implementation of the new code. She noted that upon approval, all references to the Code, for example, notices, letters, licenses, offense codes, signage, etc., will need to be revised accordingly.

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

Mr. Laven moved and Mr. McLaughlin seconded a motion to approve the **Ordinance** adopting and enacting a new Code for the City of Mankato, providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such Code; and providing when such code and ordinance shall become effective, and **Resolutions** authorizing Summary Publication of ordinance and adopting an updated Fee Schedule. The motion carried unanimously.

- C. Ms. Arntz reported that the Council previously directed staff to draft language updating the city's Vehicle Noise Ordinance to include engine-retarding braking regulations. She stated that the ordinance provides regulation of that activity and simplifies the City's Code regarding Vehicle Noise.

Mayor Massad opened the public hearing.

Brian Stark, 2026 Saba Blvd, stated that his main concern was jake breaking as it was louder and more intrusive than regular road noise.

Ron Kibble, 20335 State Highway 22, expressed concerns relating to the speed of the traffic on Highway 22. He suggested that the speed limit be reduced as an option.

Ms. Arntz indicated that the highway was outside city jurisdiction and would require a request to be made that would in turn involve a speed study being conducted. She explained her previous experience with such requests as well as the process.

Daniel Sergeant, 116 Belle Avenue, commented on concerns at the intersection of Belle Avenue and Guenther and mentioned that he has requested the placement of temporary stop signs at that corner for a couple of years.

Todd Oestreich, 1013 Bitterend Circle, thanked the Council for moving the ordinance forward.

Ryan Devens, 1026 North 7th Street, mentioned concerns relating to noise in the community and suggested expanding the ordinance to include other areas.

Mr. Arntz noted that coverage included the entire community and the amendment was to have the ordinance include engine-retarding braking regulations.

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

Mr. McLaughlin moved and Mr. Dieken seconded a motion to approve the **Ordinance** modifying the Mankato City Code relating to Vehicle Noise and **Resolution** authorizing summary publication. The motion carried unanimously.

8. City Manager's Report

- A. Ms. Arntz reported that staff has been working to close out the Riverfront Drive Project, and while working through the final project invoices, have identified issues that need attention. She indicated that they include the final change orders, the incentive pay for the contractor as permitted in the contract, and procurement of the traffic signals and streetlights for the project.

Ms. Arntz stated that the original contract value was \$8,240,343.95. She noted that change orders 1-4 had a value of \$87,856.01 and change orders 5-11 totaled \$210,704.50, for a cumulative total of \$298,560.51, which equates to 3.6% of the original project budget. She commented that if approved, the adjusted contract value becomes \$8,538,904.46. She added that the change orders fall within the dollar amounts of the City Manager's approval authority and the City Code requires the reporting of them to the Council.

Ms. Arntz explained that due to the location of the project and the anticipated disruption to the public and businesses, a provision for incentive pay was included in the contract. She noted that the contract specified that if all work was completed and ready for final payment prior to the agreed-upon completion date, incentive pay would be awarded in the amount of \$7,000 per day for up to 40 days. She pointed out the contractor did meet the contract requirement for the incentive payment of \$280,000. She mentioned that the contract for the project requires it to be paid as a change order; thus, it is recommended it be added as change order 12. She stated that adding this to the other change orders, adjusts the total to \$578,560.51, which equates to 7% of the original project budget. As identified, this no longer fits within the City Manager's ability to approve. If approved, the adjusted contract value becomes \$8,818,904.46. Staff recommend approval of the change order.

Ms. Arntz stated that as part of the initial scope of the project, streetlights, traffic signals, and cabinets were intended to be replaced along with the addition of a new signal at Rock Street. She indicated that the devices were included in the Feasibility Study presented at the Improvement Hearing on November 27, 2023. She added that as part of the review to close out the project, staff discovered that the Engineering Department placed an order for streetlights, traffic signals, and signal cabinets outside of the bid, using the State of MN Contract, and opened a reimbursable account with the State Aid Office of MnDOT in March 2024 (according to the invoices, these accounted for \$947,128).

Ms. Arntz commented on the ordering pattern discovered in late March 2025, and noted that the actions by the Engineering Department did not follow the city's procurement policy, which requires Council prior authorization for the purchase. She added that it was also discovered that the engineers did not include the signals in the contract award as an owner-provided item when the Council reviewed the bids on April 22, 2024. She indicated that at that Council meeting, the bids and an updated budget for the project were presented and approved, and although these elements were intended to be paid for through the reimbursement of State Aid Funds, proper procedures should have been followed, and the proper authorizations should have been sought. She stated that staff recommend corrective authorization for the purchase of the traffic signals and streetlights via the state contract and using Municipal State Aid and/or Federal Funds for the project to cover these costs.

Ms. Arntz mentioned that the review of the overall project also identified an issue with how the engineers presented the preliminary special assessment data. On December 11, 2023, the city held a preliminary assessment hearing, and the staff report for the hearing suggested preliminary special assessments of \$1,034,700. At the hearing, the Council received public comments and then unanimously adopted the preliminary special assessment roll; however, the number used in the staff memo was not correct and, after research, we were unable to determine how the number was calculated. She stated that in reviewing the roll that was adopted, the roll totaled \$1,742,222.41, not \$1,034,700 as reported. She pointed out that unfortunately, the incorrect number was used during the Improvement Hearing in November 2023, the Preliminary Assessment Hearing in December 2023, and when the bids were considered in April 2024.

Ms. Arntz reported that in addition, during the project, there was private work requested for two parcels totaling \$123,309, for which we have a petition from the property owners. She commented that the driveway and utility costs were estimated in the preliminary assessment roll and our policy is to charge the actual amounts of these costs which will be included in the final assessment roll when presented.

Ms. Arntz stated that as a result of the discoveries, the following actions have been taken or are planned to take place in the near future:

- Other projects have been reviewed to ensure compliance with state law and our policies, and to date, no further inconsistencies or occurrences have been found.
- Procurement procedures have been reviewed by our auditors, and we are assured that our procedures are appropriate and have scheduled retraining for our staff.
- The proposed final assessment roll and the overall sources and uses of funds for the project are being reviewed, and as this work concludes, the Council will be updated.
- An outside investigator has been hired to assist in reviewing the project. No further public information is available regarding this active investigation at this time.

Mr. Laven moved and Ms. Hatanpa seconded a motion approving Change Orders 5-12 for Capital Improvement Project 10994; Riverfront Drive. The motion carried unanimously.

9. **Reports of City Council Members**

None.

10. **Miscellaneous Business**

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Work Session, May 5, 2025, 6 p.m., Minnesota River Room

Regular Council Meeting, May 12, 2025, 6 p.m., Mankato Room (with EDA to follow if needed)

Regular Council Meeting, May 27, 2025, 6 p.m., Mankato Room (with Work Session to follow)

11. **Adjournment**

There being no further business before the Council, Mr. Laven moved and Mr. McLaughlin seconded a motion to adjourn. With all members voting in favor, the meeting adjourned at 8:07 p.m.

Minutes Approved.

Mayor Massad

ATTEST:

Renae Kopischke
City Clerk