

Pursuant to the due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Municipal Building Council Chambers on October 16, 2023. Mayor Carlson called the meeting to order at 7:00 p.m., asking everyone to join the Pledge of Allegiance. The following were present for roll call: Council Members Oachs, Whitlock, Steiner, City Administrator McCann, Finance Director Ryan, Community Development Director Fischer, Public Works Director Arnold, and Administrative Services Manager-City Clerk Van Genderen. Absent: Council Member Peterson.

**Approval of Agenda**

**Council Member Steiner moved, seconded by Council Member Oachs, to approve the agenda as presented. Vote on the motion Whitlock, Steiner, Oachs, and Carlson, aye, no nays. Motion carried.**

**Approval of Council Minutes from October 2, 2023, Council Meeting.**

**Council Member Whitlock moved, seconded by Council Member Oachs, to approve the October 2, 2023, Council Meeting Minutes. Vote on the motion Whitlock, Steiner, Oachs, and Carlson, aye, no nays. Motion carried.**

**Approval of Council Work Session Minutes from October 2, 2023, Council Work Session.**

**Council Member Oachs moved, seconded by Council Member Whitlock, to approve the October 2, 2023, Council Work Session Minutes. Vote on the motion Whitlock, Steiner, Oachs, and Carlson, aye, no nays. Motion carried.**

**Public Comments**

Tom Hagen, 927 Lake Street, appeared before the Council and stated he did not think the Council should approve the National Fitness Campaign Resolution.

Barb Church, 102 Wheeler Avenue, appeared before the Council and stated she did not think the Council should approve the National Fitness Campaign Resolution.

**Consent Agenda**

**Council Member Steiner moved, seconded by Council Member Whitlock, to approve the Consent Agenda.**

- A. Bills and Appropriations.
- B. Res. No. 71-23 Accepting Donations/Contributions/Grants.
- C. Res. No. 68-23 Waiving Waiting Period for Exemption from Lawful Gambling License for Holy Rosary Church.
- D. Approved Event and Audio Permit for STRIDE 5K Challenge at Benson Park on October 28, 2023, from 6:00 a.m. to 12:00 p.m.
- E. Approved Cannabinoid License for The Nakato Bar & Grill Inc., d/b/a Nakato Bar and Grill, 253 Belgrade Avenue, North Mankato, MN.
- F. Approved Event and Audio Permit for Skatepark Fundraiser on October 29, 2023, from 4 p.m. to 8 p.m.

**Vote on the motion Whitlock, Steiner, Oachs, and Carlson, aye, no nays. Motion carried.**

**Business Items**

**Res. No. 69-23 Receiving Preliminary Engineering Report and Calling Hearing for Project No. 23-07 ABCDEF Sherman Street Improvement Project.**

City Engineer Sarff reviewed the Preliminary Engineering Report. The project area is from Sherman Street from South Avenue to Monroe Avenue. The project is in the City's Capital Improvement Plan for 2024. City Engineer Sarff reviewed the existing conditions and the planned improvements. The Sanitary Sewer existing conditions include over 70-year-old sanitary sewer for most of the street, with a few areas having newer systems from the mid-1980s to the early 1990s. Improvements include the replacement of the 70-year-old sanitary sewer with new materials and replacing existing services from the sewer main to the right of way. Property owners will be responsible for any replacement from the right of way to their house if it is deficient.

The existing watermain conditions include some cast iron watermain over 70 years old. Several existing water mains in east-west streets crossing Sherman Street were installed in the late 1980s and early 1990s with ductile irons. The proposed plan is to replace the watermain pipe with plastic. New auto-reading water meters will also be installed as part of the project.

The existing Storm Sewer pipe ranges from 12" to 24" in diameter, with numerous maintenance holes and catch basins. Due to the lack of inlet and pipe capacity, some areas have isolated ponding. The proposed improvements include new inlets and maintenance holes at all intersections and mid-block locations. New storm sewer pipes with a 12" to 24" diameter and the system will be designed to accommodate 10-year design runoff.

Street and surface existing conditions include street widths from South Avenue to Belgrade Avenue at 44' wide, Belgrade Avenue to Garfield Avenue at 40' wide, and Garfield Avenue to Monroe Avenue at 35.7' wide. It is bituminous with a curb and gutter on both sides. The pavement and curbs are in fair to poor condition. South Avenue to Belgrade Avenue is one-way to the south with a dedicated bike lane. Proposed improvements include reconstruction of the existing street with new bituminous pavement and curb and gutter with South Avenue to Belgrade Avenue at 44' wide, Belgrade Avenue to Garfield Avenue at 40' wide, and Garfield Avenue to Monroe Avenue at 34' wide. The width change accommodates a wider sidewalk and maintains a reasonable boulevard width.

City Engineer Sarff reviewed the existing sidewalk and boulevard widths throughout the street. He noted the Garfield Avenue to Monroe Avenue sidewalk on both sides is not ADA compliant, and the sidewalk will be increased to 5' wide.

There are 29 existing trees within the right of way on Sherman Street. Many of the trees are very large, and in some cases, the base of the trunks fills the entire boulevard. Removing trees in boulevards that are less than 6.5 feet is recommended, along with removing all ash trees. He noted all residents would be offered the opportunity to replace their boulevard trees if their boulevard is wider than 6.5 feet; if their boulevards are too narrow, they will be offered a tree for their yard.

City Engineer Sarff reported the estimated total cost for the project is \$4,240,600, with \$1,070,600 from Municipal State Aid Advance and the remaining \$3,170,000 from City/Special Assessment Cost. He reviewed the assessment process and noted that the calculated assessments for properties were approximately \$12,700 to \$51,000. He indicated that in previous years, the Council capped the assessment for properties. The 2022 McKinley Avenue project was capped at \$7,500, but the Council may need to increase the cap due to increased construction costs, and when the City uses G.O. Bonds, 20% of the project must be assessed. The next steps in the project will be neighborhood meetings the week of October 30<sup>th</sup> and an improvement hearing on November 6<sup>th</sup>.

Mayor Carlson requested an update on what percentage of the streets in Lower North have been improved. City Engineer Sarff estimated it was close to 75%. Council Member Whitlock asked how the church's assessments would be calculated. City Administrator McCann reported their property would be split into typical residential lots, and their calculations would be more than an average homeowner. Council Member Whitlock asked about payment plans for senior citizens. City Administrator McCann reported the assessments were placed on a homeowner's property tax for 15

years and at a rate 2% higher than the bond. There is an age and income deferral option. Mayor Carlson asked if the burial of powerlines had been considered for reconstruction projects. City Engineer Sarff reported it has been discussed, but the burden is laid on the homeowners who must pay for the connection to their house.

**Council Member Steiner moved, seconded by Council Member Whitlock, to Adopt Res. No. 69-23 Receiving Preliminary Engineering Report and Calling Hearing for Project No. 23-07 ABCDEF Sherman Street Improvement Project. Vote on the motion Whitlock, Steiner, Oachs, and Carlson, aye, no nays. Motion carried.**

**Res. No. 70-23 Approving Bid Project No. 23-09 B Range Street Watermain Improvement Project.**

City Engineer Sarff reported bids were received and opened on Wednesday, October 11, 2023, at 11:00 a.m. for the Range Street Watermain Improvement project. The project would provide a 12" water main loop along the segment of Range Street from Webster Avenue to Cross Street. The 12" watermain loop is required to accommodate the Norwood Inn redevelopment project that is currently in progress. The bidding documents provided for two bidding options, including Bidding Option 1, an Open Cut Construction, and Bidding Option 2, a Trenchless Construction. Bidders were allowed to submit bids based on either or both of the bidding options. Three bids were received:

Bidder	Bidding Option 1	Bidding Option 2
Holtmeier Construction Inc.	\$196,647	No Bid
W.W. Blacktopping, Inc.	\$271,815	No Bid
GM Contracting, Inc.	\$308,660.15	\$336,805.74
Engineer's Estimate	\$221,350.00	\$232,600.00

The low bidding Option 1 was submitted by Holtmeier Construction, Inc. from Mankato. A portion of the proposed watermain is within Highway 169 right of way, and a MnDOT permit application has been prepared and submitted. Council Member Oachs asked if the 169 reconstruction project continues, will the newly installed watermain be impacted? City Engineer Sarff reported it would not be affected as their plans would not require removal or reconstruction of that portion of the road.

**Council Member Steiner moved, seconded by Council Member Oachs, to Adopt Res. No. 70-23 Approving Bid Project No. 23-09 B Range Street Watermain Improvement Project. Vote on the motion Whitlock, Steiner, Oachs, and Carlson, aye, no nays. Motion carried.**

**Preliminary and Final Plat of Romey Hinz Addition. A Replat of Lots 7, 8, and 9, North Mankato Original Plat. A request from Belgrade Business Center, LLC.**

Community Development Director Fischer reported in 2019 that the applicant submitted a preliminary and final plat of Romey Hinz Addition, which the Planning Commission recommended. Upon review by the City Council, no formal action was taken as the Council requested that a pedestrian access easement be incorporated to allow public access on an existing sidewalk located on the West side of the Frandsen Bank building between the Belgrade sidewalk and the parking lot. Full development of the property never occurred. The bank was constructed, but the proposed restaurant did not occur. While there is not a proposed development of the vacant land next to Frandsen Bank, the property owner is requesting to replat the property to prepare it for future development. The final plat of Romey Hinz Addition has a two-lot subdivision with Frandsen Bank on Lot 2 and Lot 1, which would accommodate future development. As requested by the Council, there is a public pedestrian

access along the west side of Frandsen Bank. Council Member Oachs asked if the replat would affect the TIF. Community Development Director Fischer reported the Plat is not a part of the TIF. City Administrator McCann reported the TIF is at a standstill as the developer has not fulfilled his obligations, so the City is collecting all of the TIF Funds. The developer is about out of time as they are coming up on five years to fulfill their obligations.

**Council Member Steiner moved, seconded by Council Member Whitlock, to Approve the Preliminary and Final Plat of Romey Hinz Addition. A Replat of Lots 7, 8, and 9, North Mankato Original Plat. A request from Belgrade Business Center, LLC. Vote on the motion Whitlock, Steiner, Oachs, and Carlson, aye, no nays. Motion carried.**

**Consider Resolution to Adopt and Allocate Funds for an Outdoor Fitness Court as Part of the 2024 National Fitness Campaign.**

City Administrator McCann reported a survey was created and posted to the public with 120 responses. 72.5% believed the community would benefit from constructing an outdoor fitness space at Spring Lake Park. 65.5% of respondents said they would use the space. Overall, the response was favorable to installing an Outdoor Fitness Court. He stated the Ward Family Trust was contacted, but they have not responded. City Administrator McCann reported the CIP was updated, and if the city put a hold on a Spring Lake Park bridge, the budget could be adjusted to account for the fitness court. Discussion was held by the Council concerning citizen interest and obtaining additional input from the committee that will be reviewing the Parks plan. It was determined to table the item and keep the project in mind for future considerations. Discussion was held concerning the formation of the Parks Advisory Committee to review the Parks Plan and the future of any Parks Committee. Mayor Carlson advised that if a committee was formed, a group of people with diverse uses of the parks would be required to provide a voice for all community members.

**Council Member Steiner moved, seconded by Council Member Oachs, to table the Resolution to Adopt and Allocate Funds for an Outdoor Fitness Court as Part of the 2024 National Fitness Campaign. Vote on the motion Whitlock, Steiner, Oachs, and Carlson, aye, no nays. Motion carried.**

**Open Forum**

None.

**City Administrator and Staff Comments**

Public Works Director Arnold reported that the fall drop-off has been completed and is awaiting the final numbers. It appears that there were fewer people utilizing the service, but it was a good event.

Public Works Director Arnold reported that Watermain flushing will wrap up this week.

Public Works Director Arnold thanked Roger Coyour for his 33 years of service to the City of North Mankato. His work ethic and knowledge will be missed.

Administrative Services Manager-City Clerk Van Genderen reminded everyone that the Special Election for the ISD 77 Referendum would occur on November 7, 2023. Voting is from 7:00 am to 8:00 pm. Those interested in absentee or early voting must visit the Blue Earth County Historic Court House. All residents should have received a postcard in their mail indicating their polling location.

City Administrator McCann invited everyone to the Fire Dept—waffle Feed on Sunday, October 22<sup>nd</sup>, from 8 a.m. to noon.

City Administrator McCann invited everyone to the Jack-O-Lantern Walk at Bluff Park on Saturday, October 28th, from 6 pm to 9 pm.

City Administrator McCann informed everyone that the Taylor Library would host Trunk or Treat on Tuesday, October 31st, from 5 p.m. to 7 p.m.

City Administrator McCann invited everyone to the next trivia night at the warming house on November 3<sup>rd</sup> from 6:30 – 9:30 p.m.

City Administrator McCann announced the City is still accepting applicants for the 2024 Parks Plan Update Steering Committee and the Traffic and Safety Committee.

**Mayor and Council Comments**

Council Member Whitlock commented that he has received continued concerns over the speed on Lookout Drive and would like to request the Traffic and Safety Committee meet to discuss.

Council Member Whitlock stated a resident would like to put a sidewalk in, but due to the City Code, he cannot proceed as the sidewalk would be in the setbacks. He commented that he thought because the resident lives in Lower North and has been increasing the value of his home, the City should provide a way for him to build the sidewalk.

Mayor Carlson stated the state bonding committee visit at Caswell went very well.

Mayor Carlson thanked Roger Coyour for his work.

**At 8:20 p.m., on a motion by Council Member Steiner, seconded by Council Member Oachs, the Council Meeting was adjourned.**

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Mayor

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City Clerk

## **COUNCIL WORK SESSION October 16, 2023**

Under due call and notice thereof, a Council Work Session of the North Mankato City Council was held in the Council Chambers on October 16, 2023. Mayor Carlson called the meeting to order at 6:00 p.m. The following were present for roll call: Council Members Oachs, Steiner, Whitlock, City Administrator McCann, Finance Director Ryan, and Administrative Services Manager-City Clerk Van Genderen.

### **Budget Work Session: Enterprise Fund Overview-Water, Sewer, Solid Waste, Recycling and Stormwater**

Finance Director Ryan reported that this is the last of the scheduled Budget Work Sessions, but staff plans to provide an updated final budget to the November 6, 2023, Council Work Session.

The Water Utility Fund is used to account for the operations of the City of North Mankato's Water Utility. The Water Department is responsible for water sampling, utility locates, water plan maintenance, water tower maintenance, lift station maintenance, stormwater station maintenance, citizen water meter replacements, water main break repairs, system flushing, rounds, and analysis. The City has 5,544 customer accounts. The City is not anticipating hiring any additional employees in 2024. The operating budget for 2024 is \$2,530,370, which is \$39,747 less than in 2023. The City anticipates a .50 cent increase in 2024 to remove the online fees associated with allowing residents to pay online without incurring a user fee. She noted that the outlying years' cash decreases significantly as all items considered in the CIP are included in the outlying years.

The Wastewater Utility Fund accounts for the operations of the City of North Mankato's Wastewater Utility. The Wastewater Utility Fund's 2024 operating budget is \$2,824,687, a decrease from 2023 of \$228,926. All Wastewater in North Mankato is treated at the Mankato Water Resources Recovery Facility. The North Mankato Wastewater maintains ten lift stations, 1,310 maintenance holes, 23,182 feet of force main, and a 337,000-foot gravity system. The City has 5,498 user accounts. There are no personnel changes planned for 2024. The rate would remain the same in 2024, but staff is anticipating a rate increase in 2025. Finance Director Ryan reported that the fund reflects the increase from Mankato for the Mankato Water Resource Recovery Facility improvement. The City of Mankato provided preliminary numbers included in the budget. It was noted that a significant project budgeted in out years is replacing the North Ridge lift station for \$800,000. Public Works Director Arnold indicated the project would convert the current dry pit system into a wet well. The anticipated change is due to safety concerns in maintaining the system. The current dry well system requires one person to descend 40 feet in a confined space to complete maintenance, making it a safety concern.

The Recycling Fund is used to account for the operations of the City of North Mankato's Recycling operations. The 2024 Recycling Fund Budget is \$545,411, a \$26,385 decrease from the 2023 budget. The decrease relates to the City having two drop-offs instead of a pick-up and a drop-off for clean-up days.

The Storm Water Utility Fund is used to account for the operations of the City of North Mankato's stormwater utilities. The operating budget for 2024 is \$574,208, an increase of \$42,956 due to personnel and hiring an MS4 Inspector. Staff is recommending a \$.75 a month increase to resident bills.

The Solid Waste Fund is related to the City's refuse and general garbage collection. The Solid Waste Fund's budget is \$932,075 in 2024, an increase of \$40,064, which relates directly to the increased use of the brush disposal site. Staff is recommending a \$.75 increase to help cover

## **COUNCIL WORK SESSION October 16, 2023**

associated costs. The fund can be viewed more as in and out because the City contracts waste removal. Mayor Carlson requested staff review ideas to encourage and increase recycling.

Finance Director Ryan stated staff is recommending an overall base rate increase across the funds of \$2.00. Still, even with those increases, North Mankato remains with one of the lowest utility bills of the comparable cities.

Public Works Director Arnold stated that with the enterprise fund overview, staff brought back the water meter discussion. The City Council has approved an ordinance requiring rental properties to replace meters. Lower North rentals should be replaced by the end of 2023 and Upper North rentals by the end of 2024. The City Council tabled an ordinance in February of 2023 that would have continued a progressive installation of automatic read meters. City staff is replacing approximately 30 meters per month without working overtime or neglecting other work. Public Works Director Arnold noted the meter inventory is low, with additional meters limited until June 2024 due to supply chain issues.

Due to the current installation process and the low meter inventory, City staff is recommending the City consider hiring a contractor to complete all remaining meter installations beginning in 2025 and finishing at the end of 2026. Waiting will allow the City to budget for the purchases. A second option would be to push forward with a contractor in 2024, but waiting would be preferable with City staff completing the rental installations and the lack of available meters.

Public Works Director Arnold said staff recommends that residents continue to own the current meters until all new ones are installed. If the City would like to own the meters, at the start of the next replacement cycle, the City could purchase and own the meters. This method would decrease confusion and allow the City to begin budgeting for replacements.

Mayor Carlson stated the wording on the website should be clear concerning the billing for the installation of meters. Finance Director Ryan noted the City has worked to improve the language and has worked with the attorney to ensure that the City was correctly following the ordinance. Mayor Carlson also asked for clarification on why Mankato's meters are cheaper. City Administrator McCann reported he was not sure why Mankato had cheaper meters. It could be the manufacturer or something else. But the City is only passing the cost onto the residents. There are no increases from the wholesale the City purchases the meters at. Public Works Director Arnold said Mankato may have used COVID Funds to offset the cost, but North Mankato put those funds into other projects or items.

Council Member Whitlock asked if the new meters would notify staff if they were being bypassed and if the City would receive a warning from the meter if there were anomalies with the water. Public Works Director Arnold stated the meters have a seal that is difficult to remove physically. The meters will send an early warning for unusual consumption, but the City's software is incompatible. The City would need to upgrade the software to fully receive the meters' benefits.

Council Member Oachs requested clarification on the property owner's obligation to pay on more than one property if they own rentals. Finance Director Ryan stated the installation cost is a minimum of \$42.00 per property, so if there are two addresses, the cost would be \$42.00 per property, even if there is only one owner. Council Member Oachs asked if the City had an estimate for meter installation if the staff did not complete it. Public Works Director Arnold stated estimates are between \$90 to \$95 in 2025. City Administrator McCann noted the City will provide financing options. Council Member Oachs asked if residents could complete their own water meter installations. Public Works Director Arnold stated that while residents have the

## **COUNCIL WORK SESSION October 16, 2023**

authority to do plumbing on their own properties, the North Mankato City Code clearly states that meter installations must be completed by City staff or licensed plumbers.

### **Public Smoking Restrictions**

Police Chief Gullickson appeared before the Council and stated that the City Council recently passed an ordinance to clarify where the public can smoke marijuana. He indicated his staff is prepared to manage the new laws. As the State's Office of Marijuana Management (OCM) begins to issue retail licenses, the City may want to revisit the Ordinance. He indicated that the OCM should provide model ordinances to help cities address additional questions, including the number of licenses allowed in the City and where the sale can occur.

Attorney Kennedy stated the Council requested an additional ordinance that would prevent the smoking of marijuana on City property, including around the library, Police Annex, and City, along with not allowing smoking within 25 ft of a property that does not allow the smoking of marijuana on their property. Attorney Kennedy did ask for clarification on whether the Council would like to add tobacco smoking to the ordinance, in which case the Ordinance would need to be changed, and the location of the ordinance in the code would need to be updated.

The Council directed the Attorney to add tobacco to the ordinance.

Council Member Steiner moved, seconded by Council Member Oachs, to adjourn the Council Work Session at 6:56 p.m.

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Mayor

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City Clerk



NOTICE OF PUBLIC HEARING  
PROJECT NO. 23-07 ABCDEF SHERMAN STREET IMPROVEMENT PROJECT

Notice is hereby given that the City Council of North Mankato will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, at 7:00 pm on November 6, 2023, to consider the making of street and utility improvements on Sherman Street from South Avenue to Monroe Avenue, Project No. 23-07 ABCDEF pursuant to Minn. Stat. §§ 429.011 to 429.111. Such improvements may include sanitary sewer improvements, watermain improvements, storm sewer improvements, street improvements, sidewalk improvements, street lighting, turf establishment/erosion control, and other related improvements. The areas proposed to be assessed for such improvements are areas adjacent to or otherwise benefitting from the improvements. The estimated cost of the improvements is \$4,240,600.00 for Project No. 23-07 ABCDEF Sherman Street Improvement Project. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons who desire to be heard regarding the proposed improvement will be heard at this meeting.

/s/April Van Genderen  
City Clerk

Published in the Free Press on October 25th and November 1, 2023.

# Improvement Hearing Presentation



## Sherman Street Improvement Project City Project No. 23-07 ABCDEF



Real People. Real Solutions.

November 6, 2023

# Project Location/Background



- Project Area – Sherman Street from South Avenue to Monroe Avenue
- Included in City's current Capital Improvement Plan for 2024
- Preliminary Engineering Report authorized by Council on September 18<sup>th</sup>
- Preliminary Engineering Report presented to the City Council on October 16<sup>th</sup>
- Neighborhood meeting held on October 30<sup>th</sup>

# Sanitary Sewer

- **Existing Conditions:**

- Existing sanitary sewer on Sherman Street – over 70 years old
  - 10" sanitary sewer from Grant Avenue to Page Avenue
  - 8" sanitary sewer from Page Avenue to a point just north of Belgrade Avenue
  - 8" sanitary sewer from Monroe Avenue to a point midway between Lakeview Avenue and Garfield Avenue
- Existing sanitary sewers in east-west streets crossing Sherman Street
  - 10" sanitary sewer on Page Avenue – over 70 years old
  - 12" sanitary sewer on Belgrade Avenue – replaced with plastic in 1988
  - 10" sanitary sewer on Nicollet Avenue– replaced with plastic in 1991
  - 15" sanitary sewer on South Avenue – replaced with plastic in 1986
- Except for crossings replaced between 1986 and 1991, existing sanitary sewer is clay pipe and in poor condition
- Sanitary sewer services are likely to be in poor condition
- Sewer televising shows tree roots, offset joints, evidence of groundwater infiltration

- **Proposed Improvements:**

- Except for crossings on South Avenue, Nicollet Avenue, and Belgrade Avenue, replace all sanitary sewer with new materials
- New plastic sanitary sewer pipe with watertight joints – same size as existing
- Replace existing manholes with new precast concrete manholes - water-tight joints in manhole sections and new sealed castings/covers
- Replace existing services from sewer main to ROW with new
- Property owner's responsibility to replace service line from ROW to house if deficient



# Watermain

- **Existing Conditions:**

- Existing watermain on Sherman Street – over 70 years old
  - 6" cast iron watermain from Grant Avenue to Belgrade Avenue
  - 6" cast iron watermain from Garfield Avenue to Monroe Avenue
- Existing watermain in east-west streets crossing Sherman Street
  - 10" watermain on Belgrade Avenue – replaced with ductile iron in 1988
  - 8" watermain on Nicollet Avenue– replaced with ductile iron in 1991
  - 6" watermain on South Avenue – replaced with ductile iron in 1986
- Watermain between Garfield Avenue and Monroe Avenue has had numerous breaks in recent years
- Services – most are probably copper, but some lead & galvanized pipe has been encountered

- **Proposed Improvements:**

- New 8" plastic watermain pipe
- Install new hydrants & valves at appropriate locations and spacing
- Replace existing service lines within street right-of-way with 1" diameter plastic piping
- Property owner's responsibility to replace service line from ROW to house if deficient
- New auto-reading water meters will be installed on all residences

# Storm Sewer



## ○ Existing Conditions:

- Existing storm sewer pipe ranging in size from 12" to 24" in diameter
- Numerous manholes and catch basins
- North of Grant Avenue – flows to storm sewer on Tyler Avenue and west to Spring Lake Park
- South of Grant Avenue – flows south into storm sewer system in Lookout Drive Highway 169 interchange, and to Corps of Engineers pumping station
- Lack of inlet and pipe capacity results in isolated ponding in some areas

## ○ Proposed Improvements:

- Construct new inlets and manholes at all intersections and at mid-block locations
- New storm sewer pipes - 12" to 24" in diameter
- Connect to existing storm sewer at South Avenue and Monroe Avenue
- Systems to be designed to accommodate 10-year design runoff
- Provide outlets for sump pumps in front yard area where required

# Street and Surface

- **Existing:**

- Existing street width:
  - South Avenue to Belgrade Avenue – 44' wide
  - Belgrade Avenue to Garfield Avenue – 40' wide
  - Garfield Avenue to Monroe Avenue – 35.7' wide
- Existing bituminous (blacktop) street with curb and gutter both sides
- Bituminous pavement and curb in fair to poor condition
- South Avenue to Belgrade Avenue – one way to the south with dedicated on-street bike lane

- **Proposed:**

- Reconstruct existing street with new bituminous pavement and curb and gutter
- Proposed width:
  - South Avenue to Belgrade Avenue – 44' wide
  - Belgrade Avenue to Garfield Avenue – 40' wide
  - Garfield Avenue to Monroe Avenue – 34' wide
- Maintain one-way south and dedicated bike lanes on segment from South Avenue to Belgrade Avenue
- Narrowing segment between Garfield Avenue and Monroe Avenue from 35.7' to 34' accommodates wider sidewalk and maintains reasonable boulevard width
- Continue to allow parking on both sides
- New concrete driveway aprons
- Proposed residential bituminous pavement section
- New streetlights
- Restore all disturbed residential turf areas with seed

# Sidewalk

- Existing sidewalk and boulevard widths:

Segment	Sidewalk Width (ft.)		Boulevard Width (ft.)	
	West	East	West	East
South Ave. to Nicollet Ave.	7	5	None	4.7
Nicollet Ave. to Belgrade Ave. (south ½ block)	6	2.7	6	7.7
Nicollet Ave. to Belgrade Ave. (north ½ block)	8.7	None	6	7.7
Belgrade Ave. to Grant Ave.	6	7.7	6	7.7
Grant Ave. to Garfield Ave.	5	7.7	6	6.7
Garfield Ave. to Monroe Ave.	4	2.5	4	2.5

- Most sidewalk is in poor condition
- Some sections have been replaced recently and are in better condition
- Proposed:
  - Replace all existing sidewalks with new concrete sidewalks
  - Replace at current widths except that all sidewalk will be 5' wide min.
  - All sidewalk and ped ramps will be ADA compliant



# Trees in Right of Way



- 29 existing trees within the right of way on Sherman Street
- Many trees are very large and in some cases the base of the trunks fills the entire boulevard area
- Many of the existing sidewalk deficiencies are being caused by tree roots
- Removal of existing trees in boulevards less than 6.5 feet is recommended
- Removal of all ash trees is recommended
- Property owners will be offered new trees to replace those removed – to be installed behind sidewalk

# Sherman Street Trees

Address	Species	Size	Proposed Action
543 Niccollet Ave	Maple	34"	Remove - too large for blvd; power lines
543 Niccollet Ave	Maple	17"	Remove - too large for blvd; power lines
543 Niccollet Ave	Maple	20"	Remove - too large for blvd; power lines
542 Niccollet Ave	Ash	24"	Remove - ash
545 Belgrade Ave	Ash	17"	Remove - ash
545 Belgrade Ave	Ash	17"	Remove - ash
545 Belgrade Ave	Ash	7"	Remove - ash
545 Belgrade Ave	Ash	16"	Remove - ash
540 Belgrade Ave	Maple	29"	Remove - too large for blvd
540 Belgrade Ave	Maple	14"	Leave in place
409 Sherman St	Linden	28"	Remove - too large for blvd
409 Sherman St	Linden	22"	Remove - too large for blvd
415 Sherman St.	Maple	10"	Remove - power lines
415 Sherman St.	Maple	11"	Remove - power lines
500 Sherman St.	Maple	17"	Leave in place
503 Sherman St.	Linden	7"	Remove - power lines
503 Sherman St.	Linden	7"	Remove - power lines
516 Sherman St.	Maple	17"	Leave in place
602 Sherman St.	Maple	18"	Remove - too large for blvd
544 Page Ave	Ash	23"	Remove - ash
602 Sherman St.	Maple	16"	Remove - unhealthy tree
544 Page Ave	Ash	19"	Remove - ash
545 Grant Ave	Maple	5"	Remove - power lines
546 Grant Ave	Maple	18"	Leave in place
602 Grant Ave	Maple	16"	Remove - power lines
602 Grant Ave	Ash	21"	Remove - ash
546 Grant Ave	Maple.	24"	Leave in place
602 Grant Ave	Black Walnut	17"	Remove - power lines
543 Garfield Ave	Elm	47"	Remove - too large for blvd

# Estimated Project Costs & Proposed Funding



Item	Estimated Cost
Sanitary Sewer Mainline and Services	\$352,000
Watermain Mainline and Services	\$546,800
Storm Sewer	\$1,007,500
Street and Surface Improvements/Street Lights	\$2,334,300
<b>TOTAL:</b>	<b>\$4,240,600</b>
Municipal State Aid Advance	\$1,070,600
City/Special Assessment Cost	\$3,170,000

Estimated costs include allowances for contingencies, administrative, engineering and financing costs.



# Assessments



- Assessment policy:
  - Sanitary Sewer and Water Services– 100% Assessable
  - Balance of Project Costs (Street Reconstruction, Sanitary Sewer, Watermain, Storm Sewer, Street Lights) – 40% Assessable, 60% City Cost
- Assessment Rates based on Estimated Project Costs:
  - Sanitary Sewer Main Line (40%): \$2,320 per connection
  - Sanitary Sewer Services (100%): \$3,000 per connection
  - Watermain Mainline (40%): \$4,198 per connection
  - Water Services (100%): \$3,175 per connection
  - Street & Surface/Storm Sewer/Street Lights (40%): \$286 per foot
- Calculated assessments: approx. \$12,700 to approximately \$51,000
- Assessment Cap:
  - On past reconstruction projects, City Council has applied a cap on assessments to limit to more reasonable amount
  - Lot sizes very similar to the past reconstruction projects (Jefferson Ave., Tyler Ave., Harrison Ave., McKinley Ave.)
  - Many of the lots are corner lots, with the longer side facing Sherman Street rather than the front of the lot
  - City staff is currently evaluating assessment cap:
    - Residential properties with no sewer or water service from Sherman Street: \$7,000 to \$8,500
    - Residential properties with sewer and water services from Sherman Street: \$9,000 to \$11,000
  - City Council will make final decision regarding assessment cap based on recommendation from City staff

# Assessment Process



- Actual assessment amount for each property will be provided in mailed notice – approximately two weeks before assessment hearing (March 2024)
- Assessments can be pre-paid with no interest:
  - Prepayment date will be provided in assessment hearing notice - typically in November
  - Reminder will be sent approx. 30 days prior to deadline for pre-payment
- If not pre-paid, assessments will be certified to County auditor and will be added to property tax statement starting in 2025:
  - Equal annual payments
  - Payment period - typically 15 years
  - Interest rate will be set by the Council based on borrowing rate
- Remaining principal & accrued interest can be prepaid (partially or in full) in future years with no penalty
- Private service line improvements and private sidewalk improvements can be added to the assessments
- Additional information will be provided in assessment notice

# Access and Water/Sewer Service During Construction



- Access:
  - If your driveway is on Sherman Street, you will not be able to access your driveway during most of the construction process
  - Parking will be limited to side streets
- Water Service:
  - For properties that connect to the watermain on Sherman Street, water will need to be shut down for limited periods of time
  - Advance notice will be given, ideally 12-24 hours in advance
  - Attempts will be made to limit water shutdowns to daytime hours (i.e. not when you are taking a shower in the morning), however, emergency situations may require water shutdown at odd hours
  - Temporary water lines will be run above ground and connected to hydrants and hose bibs on houses
  - Plumber will need to enter your house twice:
    - Connect temporary water service
    - Remove temporary water service and replace water meter
- Sewer Service: no interruptions in sewer service

# Temporary Services and Communications



- Garbage, recycling and mail:
  - Garbage and recycling trucks will not be able to access the site
  - Property owners will put out their garbage and recycling receptacles at the edge of the street on regularly scheduled day
  - Contractor will move receptacles to location adjacent to construction area that can be accessed by garbage and recycling trucks
  - Mailboxes will be temporarily relocated to a location adjacent to the construction area that can be accessed by mail carriers
- Project Communications:
  - Periodic construction newsletter will be distributed:
    - Door to door
    - Mail
    - Email
  - Information will be provided on City's website
  - On-site project representative:
    - Project representative from Bolton & Menk will be on site full time - cell phone number will be provided to residents
    - Other contact names and numbers will be provided for after hours or weekends



# Proposed Schedule



Date	Task
October 16, 2023	Resolution Receiving Report and Calling for Hearing on Improvements
October 30, 2023	Neighborhood Meeting
November 6, 2023	Improvement Hearing
Early January 2024	Approve Plans and Specifications and Authorize Advertisement for Bids
Early February 2024	Open Bids
Mid-March 2024	Assessment Hearing & Resolution Adopting Assessment
Mid-March 2024	Resolution Awarding Contract
Early May	Begin Construction (Approx.)
Late September	End Construction (Approx.)



# Questions/Discussion





# 2024 Sherman Street Improvement Project

## City Project No. 23-07 ABCDEF

City of North Mankato, Minnesota

October 2023



Real People. Real Solutions.

**Prepared by:**

Bolton & Menk, Inc.  
1960 Premier Drive  
Mankato, MN 56001  
BMI No. 0M1.131921

# Certification

Preliminary Engineering Report

For

2024 Sherman Street Improvement Project

City of North Mankato, Minnesota

City Project No. 23-07 ABCDEF

October 2023

**PROFESSIONAL ENGINEER**

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.



Signature: \_\_\_\_\_

Typed or Printed Name: Daniel R. Sarff, P.E.

Date: 10/11/2023

License Number: 17080

# Table of Contents

I.	Background and Scope .....	1
II.	Existing Conditions and Proposed Improvements.....	1
	A. Sanitary Sewer .....	1
	B. Watermain.....	2
	C. Storm Sewer .....	3
	D. Street and Surface .....	4
	E. Trees within the Right of Way .....	6
III.	Other Utilities .....	8
IV.	Pedestrian and Bicycle Accommodations.....	8
V.	Right of Way/Easements .....	8
VI.	Approvals/Permits .....	8
VII.	Estimated Project Cost Estimate and Financing .....	9
VIII.	Proposed Project Schedule .....	10
IX.	Conclusion and Recommendations .....	10

## Appendix

### Appendix A: Figures

Figures 1.1 & 1.2: Existing Conditions

Figures 2.1 & 2.2: Proposed Utility Improvements

Figures 3.1 & 3.2: Proposed Street and Surface Improvements

### Appendix B: Photos

## **I. Background and Scope**

In accordance with Minnesota Statutes, Chapter 429, the North Mankato City Council has authorized the preparation of a Preliminary Engineering Report to define the scope and determine the feasibility of infrastructure improvements on Sherman Street from South Avenue to Monroe Avenue.

The specific objectives of this Preliminary Engineering Report are to:

- A. Evaluate the need for the project
- B. Determine the necessary improvements
- C. Provide information on the estimated costs for the proposed project
- D. Determine the project schedule
- E. Determine the feasibility of the proposed project

## **II. Existing Conditions and Proposed Improvements**

### **A. Sanitary Sewer**

#### **1. Existing Conditions**

Some segments of Sherman Street within the project limits have existing sanitary sewer, including the following:

- Existing 10" sanitary sewer from Grant Avenue to Page Avenue
- Existing 8" sanitary sewer from Page Avenue to a point just north of Belgrade Avenue
- Existing 8" sanitary sewer from Monroe Avenue to a point midway between Lakeview Avenue and Garfield Avenue

The existing sanitary sewer on Sherman Street was originally constructed in the mid-1950's. As was typical for the construction of sanitary sewers over 70 years ago, the pipe material is vitrified clay pipe (VCP) made up of relatively short pipe sections without rubber gasketed joints. The original construction documents show that most of the existing pipes on Sherman Street were constructed at or greater than minimum slope required.

Video inspections of the sanitary sewers on Sherman Street reveal that they are in fair to poor condition due to offset joints, sags, root intrusion, and other deficiencies. Calcium build ups at the joints were also observed, evidence of groundwater infiltration into the sanitary sewer system. Since the services were installed the same time as the mainline, the services are expected to be in the same fair to poor condition.

In segments of Sherman Street where no sanitary sewer exists, the adjacent properties are served by sanitary sewers in the east-west streets:

- Existing 10" sanitary sewer on Page Avenue
- Existing 12" sanitary sewer on Belgrade Avenue
- Existing 10" sanitary sewer on Nicollet Avenue
- Existing 15" sanitary sewer on South Avenue

With the exception of the sanitary sewer on Page Avenue, the sanitary sewer that cross Sherman Street have been replaced with PVC pipe and precast concrete manholes since 1986 and are in good condition.

The existing sanitary sewer system for Sherman Street is shown on Figures 1.1 and 1.2 in Appendix A.

## 2. Proposed Improvements

Given the age and condition of the sanitary sewers on Sherman Street, the replacement of the existing sanitary sewer system with new improvements within the project limits is recommended. The new sanitary sewer pipe will consist of PVC pipes with rubber-gasketed joints. The capacity of the existing sanitary sewer system is adequate, so replacement with the same pipe sizes as existing is proposed. The new pipe will be constructed no less than the minimum grades required by the Minnesota Pollution Control Agency (MPCA) for the respective pipe sizes to maintain self-cleaning velocities. New manholes will be constructed using precast concrete with gasketed joints. The existing sanitary sewers crossing Sherman Street at South Avenue, Nicollet Avenue, and Belgrade Avenue are generally in good condition and replacement is not recommended at this time.

New 4-inch sanitary service pipe will be constructed to the right-of-way line for each residence property being served by sanitary sewer on Sherman Street. It is recommended that the service pipe from the right-of-way line to each home be inspected during construction. If it is determined that a service line is deteriorated and is a potential source of infiltration into the city's wastewater collection system, the property owner may be required to hire a contractor to replace the service line located on private property.

A tracer wire system with proper grounding and access points will be provided for all new sanitary sewer mainline and services.

The proposed sanitary sewer system improvements for Sherman Street are shown on Figures 2.1 and 2.2 in Appendix A.

## B. Watermain

### 1. Existing Conditions

As with the sanitary sewer system, only portions of Sherman Street within the project limits have existing watermain, including the following:

- Existing 6" watermain from Grant Avenue to Belgrade Avenue
- Existing 6" watermain from Garfield Avenue to Monroe Avenue

The existing water distribution system on Sherman Street was constructed in the early 1950's and consists of cast iron watermain pipe. Most of the existing water services are most likely copper pipes that were installed at the time the watermain was constructed, but water services utilizing other materials, including lead have also been encountered. The existing pipe, fittings, valves, hydrants, and services are over 70 years old and are beyond its expected life. The segment of watermain between Lakeview Avenue and Monroe Avenue has had numerous watermain breaks in recent years.

With the exception of the existing watermains on Belgrade Avenue Nicollet Avenue, and South Avenue, the watermains on the east-west streets crossing Sherman Street were also constructed in the early 1950 and are also expected to be in poor condition. The

watermains on Belgrade Avenue Nicollet Avenue, South Avenue were replaced with ductile iron pipe in the 1980's. The watermain on the segment of Monroe Avenue east of Sherman Street was replaced with ductile iron pipe in 1993 with the Center Street project.

The existing watermain system for Sherman Street is shown on Figures 1.1 and 1.2 in Appendix A.

## 2. Proposed Improvements

The replacement of the existing watermain on Sherman Street with new 8-inch diameter PVC watermain pipe is recommended. The replacement of the portions of the watermains crossing Sherman Street at Park Avenue, Page Avenue, Garfield Avenue, Grant Avenue Lakeview Avenue, and Monroe Avenue with PVC pipe is also recommended. The existing watermains crossing Sherman Street at South Avenue, Nicollet Avenue, and Belgrade Avenue are generally in good condition and replacement is not recommended at this time.

New valves will be provided at appropriate locations to facilitate pressure testing of the new watermain and to allow for isolating segments for repairs and maintenance in the future. New plastic water service pipes will be constructed to the right-of-way for each home, and isolation valves will be installed on each service line. It is recommended that the service pipe from the right-of-way line to each home be inspected prior to or during construction. If it is determined that the line is deteriorated, leaking, or contains lead, the property owner will be required to hire a contractor to replace the service line located on private property.

A tracer wire system with proper grounding and access points will be provided for all new watermain and water services. The existing water meters on all existing residences being served by the new water system will be replaced with auto-reading meters as part of the project.

The proposed watermain improvements for Harrison Avenue are shown on Figures 2.1 and 2.2 in Appendix A.

## C. Storm Sewer

### 1. Existing Conditions

The existing storm sewer system on Sherman Street consists of storm sewer pipe ranging in size from 12 inches to 24 inches in diameter, along with numerous inlets and manholes. The existing storm sewer on Sherman Street north of Grant Avenue flows north to a large storm sewer system on Tyler Avenue that flows to the west, discharging in Spring Lake. The existing storm sewer on Sherman Street south of Grant Avenue flows south and connects with other storm sewers in the Highway 169/Lookout Drive interchange area, ultimately discharging through the Corps of Engineers storm water pumping station.

The storm sewer systems crossing Sherman Street at South Avenue, Nicollet Avenue and Belgrade Avenue were replaced in the 1980s and are still in good condition. The section of storm sewer between Garfield Avenue and Monroe Avenue was constructed in 1969, and although over 50 years old is also generally in good condition. The remainder of the storm sewer system is estimated to be over 70 years old and is in poor condition. Due to the age and condition of most of the existing storm sewers within the project limits, localized ponding of water occurs during even modest rainfall events.

The existing storm sewer system for Sherman Street is shown on Figures 1.1 and 1.2 in Appendix A.

## 2. Proposed Improvements

The construction of a new storm sewer within the entire project limits is recommended to replace deficient pipe and structures and where possible, increase the inlet and pipe capacity of the system. These improvements will improve the surface drainage for Sherman Street. The proposed storm sewer improvements will consist of new reinforced concrete or plastic storm sewer pipes, new inlets, and new manhole structures. In general, inlets will be placed at most quadrants of each intersection. Where required, inlets will be placed at mid-block locations to improve storm water runoff collection and accommodate the new street grades. . The new storm sewer will be connected to the existing storm sewer north of Monroe Avenue and south of South Avenue.

The feasibility of incorporating portions of the existing storm sewer systems on Sherman Street from Garfield Avenue to Monroe Avenue, and crossing Sherman Street at South Avenue and Nicollet Avenue into the new improvements will be evaluated during the final design. For the purposes of this report, it is assumed that all existing storm sewer systems will be replaced with new materials with this project.

To the extent possible, the new storm sewer systems will be designed to accommodate the runoff from a 10-year storm event. Sump pump drains will be provided in the front yards along Sherman Street for houses having sump pump discharge lines present.

The proposed storm sewer system improvements for Sherman Street are shown on Figures 2.1 & 2.2 in Appendix B.

## D. Street and Surface

### 1. Existing Conditions

The portion of Sherman Street located south of Garfield Avenue was originally constructed approximately 70 years ago. The bituminous pavement, curb and gutter, and concrete driveway aprons south of Garfield Avenue are in fair to poor condition. The segment between Garfield Avenue and Monroe Avenue was reconstructed in 1969 and is in better condition. The existing street is approximately 44 feet from face of curb to face of curb in the segment from South Avenue to Belgrade Avenue. The existing street is 40 feet wide from Belgrade Avenue to Page Avenue, and 35.7 feet wide from Page Avenue to Monroe Avenue. The segment of Sherman Street from South Avenue to Belgrade Avenue connects to an off ramp from the Highway 169/Lookout Drive interchange. This segment is designated as one-way to the north and has dedicated on-street bicycle lanes. The segment of Sherman Street between South Avenue and Belgrade Avenue is also designated as a Municipal State Aid Route.

According to the Nicollet County Beacon GIS website, the right of way width also varies throughout the project corridor, as follows:

- South Avenue to Nicollet Avenue – 60 feet
- Nicollet Avenue to Belgrade Avenue – 67 to 68 feet
- Belgrade Avenue to Page Avenue – 66 feet
- Page Avenue to Garfield Avenue - 64 feet
- Garfield Avenue to Monroe Avenue – 50 feet



The right of way width will be verified when the project is surveyed during the final design phase.

The existing sidewalk and boulevard width vary as follows:

Segment	Sidewalk Width (ft.)		Boulevard Width (ft.)	
	West	East	West	East
South Ave. to Nicollet Ave.	7	5	None	4.7
Nicollet Ave. to Belgrade Ave. (south ½ block)	6	2.7	6	7.7
Nicollet Ave. to Belgrade Ave. (north ½ block)	8.7	None	6	7.7
Belgrade Ave. to Grant Ave.	6	7.7	6	7.7
Grant Ave. to Garfield Ave.	5	7.7	6	6.7
Garfield Ave. to Monroe Ave.	4	2.5	4	2.5

Most of the existing sidewalks are in poor condition. Several areas present safety hazards to pedestrians using the sidewalk. Some of the deficiencies are due to large trees within the narrow boulevard heaving the sidewalk panels resulting in raised segments of sidewalk, cracked panels, and offset joints. None of the existing pedestrian ramps do not meet current Americans with Disabilities Act (ADA) standards. Several short segments of sidewalk in various areas have been replaced in recent years and are in good condition.

The existing street system for Sherman Street is shown on Figures 1.1 & 1.2 in Appendix A. Photos of the existing street and sidewalks on Sherman Street are provided in Appendix B.

## 2. Proposed Improvements

The construction of all new street, curb and gutter, sidewalk and driveways is proposed. The new street will have a concrete curb and gutter with B-style curb and a bituminous pavement section. The proposed street widths are as follows:

- South Avenue to Belgrade Avenue: 44 feet (face of curb to face of curb)
- Belgrade Avenue to Garfield Avenue: 44 feet (face of curb to face of curb)
- Garfield Avenue to Monroe Avenue: 34 feet (face of curb to face of curb)

The proposed pavement section will conform to the City's standard for residential streets: 4 inches of bituminous base/surfacing, 14 inches of Class 5 aggregate base, and geotextile fabric or geogrid, all placed on a prepared subgrade. The construction of 4-inch diameter perforated edge drains along the back of the curb on both sides is proposed to provide subsurface drainage for the pavement section. The existing driveway aprons will also be replaced between the back of curb and back of sidewalk with new concrete aprons.

The existing sidewalks will be replaced with new concrete sidewalks. A minimum 5-foot sidewalk width will be used. Where existing sidewalks are wider than 5 feet wide, they will be replaced to match the existing widths. The sidewalks will meet Americans with Disabilities Act (ADA) standards for accessibility. Segments of sidewalk that have been recently replaced and are in good condition will be evaluated during the final design process and, if feasible, may be left in place. For the purposes of this report the estimated project costs assume that all the existing sidewalks will be removed and

replaced.

Boulevards will be restored with topsoil and seed in all disturbed areas. New residential street lights will also be installed on both street segments with the project. It is anticipated that the street light design will be the same as those used on recent residential reconstruction projects. The location of the new streetlights will be determined during the final design stage.

The proposed street and surface improvements for Sherman Street are shown on Figures 3.1 & 3.2 in Appendix A.

#### E. Trees within the Right of Way

There are 29 existing trees within the right of way on Sherman Street from South Avenue to Garfield Avenue. There are no boulevard trees in the segment from Garfield Avenue to Monroe Avenue. Many of the trees are very large and in some cases the base of the trunks fills the entire boulevard area. Some of the trees encroach into the existing sidewalk and curb. As mentioned previously, many of the existing sidewalk deficiencies are being caused by tree roots.

In the segments that have narrow boulevards, the construction of curb and gutter, sidewalk and, in some cases, sewer and water services will result in damage to the roots of the existing trees. While it is the City's policy to avoid removing trees whenever possible, it is recommended that all of the trees in the segments with less than a 6.5-foot-wide boulevard be removed with the reconstruction project. The removal is recommended due to concerns that construction activities could result in the weakening of the root structure and increase the probability that the tree will fall and damage property and/or cause injury. In some cases, trees located within the wider boulevard areas may also need to be removed. It is recommended that all existing ash trees be removed due to the threat of ash borer disease.

The following is an inventory of the existing trees on Sherman Street and a summary of the recommendations as to which trees should be removed or left in place and protected:

Address	Species	Size	Proposed Action
543 Nicollet Ave	Maple	34"	Remove - too large for blvd
543 Nicollet Ave	Maple	17"	Remove - too large for blvd
543 Nicollet Ave	Maple	20"	Remove - too large for blvd
542 Nicollet Ave	Ash	24"	Remove - ash
545 Belgrade Ave	Ash	17"	Remove - ash
545 Belgrade Ave	Ash	17"	Remove - ash
545 Belgrade Ave	Ash	7"	Remove - ash
545 Belgrade Ave	Ash	16"	Remove - ash
540 Belgrade Ave	Maple	29"	Remove - too large for blvd
540 Belgrade Ave	Maple	14"	Leave in place
409 Sherman St	Linden	28"	Remove - too large for blvd
409 Sherman St	Linden	22"	Remove - too large for blvd
415 Sherman St.	Maple	10"	Leave in place
415 Sherman St.	Maple	11"	Leave in place
500 Sherman St.	Maple	17"	Leave in place
503 Sherman St.	Linden	7"	Leave in place
503 Sherman St.	Linden	7"	Leave in place
516 Sherman St.	Maple	17"	Leave in place
602 Sherman St.	Maple	18"	Remove - too large for blvd
544 Page Ave	Ash	23"	Remove - ash
602 Sherman St.	Maple	16"	Remove - unhealthy tree
544 Page Ave	Ash	19"	Remove - ash
545 Grant Ave	Maple	5"	Leave in place
546 Grant Ave	Maple	18"	Leave in place
602 Grant Ave	Maple	16"	Leave in place
602 Grant Ave	Ash	21"	Remove - ash
546 Grant Ave	Maple.	24"	Leave in place
602 Grant Ave	Black Walnut	17"	Leave in place
543 Garfield Ave	Elm	47"	Remove - too large for blvd

### **III. Other Utilities**

Other non-municipal owned utilities are present in the rights-of-way on Sherman Street. These include natural gas, electric, telephone and cable TV. The location and extent of existing non-municipal owned utilities will be verified using the Gopher One Call system.

### **IV. Pedestrian and Bicycle Accommodations**

In 2016, the North Mankato City Council adopted a Complete Streets Policy directing that an examination of accommodations for pedestrian and bicycle travel be conducted in the preliminary design stage when existing streets are to be reconstructed. Pedestrian accommodations may include sidewalks (one side or both sides) or off-street multi-use trails. Bicycle accommodations may include designated on-street bike lanes, shared driving/bicycle lanes, or off-street multi-use trails.

It is proposed that new sidewalks having a minimum width of 5 feet be constructed on both sides of Sherman Street throughout the entire length from South Avenue to Monroe Avenue. The construction of accessible sidewalks on both sides of Sherman Street conforms to the City's Complete Streets guidelines for pedestrian access.

Sherman Street from South Avenue to Webster Avenue is designated as an on-street bike trail in the City's Trail System Master Plan. The two-block section of Sherman Street between South Avenue and Belgrade Avenue currently has dedicated on-street bicycle lanes. It is proposed that on-street bike lanes be provided with the new improvements in that two-block segment. It is proposed that the remainder of Sherman Street from Belgrade Avenue would remain as an on-street bike route and that the street be marked with share-the-road "sharrows" pavement markings.

### **V. Right of Way/Easements**

To the extent possible, the project will be designed to limit construction of the proposed improvements to within the existing rights of way. Portions of the existing sidewalks may be located outside the right of way and other minor disturbances to private property may be necessary during construction of sidewalks, driveways, and services. Therefore, we recommend that temporary construction easements be obtained along the project frontage where required to accommodate these minor disturbances.

### **VI. Approvals/Permits**

Approvals and permits are required from various agencies for the construction of the project. They include:

- MPCA General Construction Storm Water Permit
- Minnesota Department of Health (MDH) Plan Review for Watermain Construction
- Minnesota Department of Transportation Miscellaneous Work on Trunk Highway Right of Way Permit (for work extending south of South Avenue into MnDOT Right of Way)

## VII. Estimated Project Cost Estimate and Financing

The estimated project costs are summarized in the following table.

Item	Estimated Cost
Sanitary Sewer Mainline and Services	\$352,000
Watermain Mainline and Services	\$546,800
Storm Sewer	\$1,007,500
Street and Surface Improvements/Street	\$2,334,300
<b>TOTAL:</b>	<b>\$4,240,600</b>
Municipal State Aid Advance	\$1,070,600
City/Special Assessment Cost	\$3,170,000

These cost estimates are based on public construction cost information from other recent projects similar in scope. A contingency factor has been included to provide for incidental and unforeseen items of work which may not be readily identifiable during the preliminary design stage. The estimated costs of engineering, administration, legal and financing are also included. Since the cost estimates are dependent on the cost of labor, materials, competitive bidding process, weather conditions, and other factors affecting the cost of construction, all cost estimates are opinions for general information and no warranty or guarantee as to the accuracy of construction cost is made. Therefore, financing for this project should be based upon actual competitive bid prices with reasonable contingencies.

It is anticipated that funding for the proposed street and utility improvements would be provided by a combination of Municipal State Aid Funds, special assessments, bond funds, and/or utility funds. According to the City's assessment policy and past practices for calculating assessments, the proposed improvements are assessable to the benefitting properties as follows:

- Street Reconstruction, Sidewalks, Driveways, Sanitary Sewer, Watermain, Storm Sewer, Street Lights: 40% Assessable, 60% City Cost
- Sanitary Sewer Services: 100% Assessable
- Water Services: 100% Assessable

Street and surface reconstruction (pavement, curb & gutter, sidewalks, driveways, streetlights) and storm sewer reconstruction costs are assessed on a front footage basis. Sanitary sewer and watermain costs, including services, are assessed on a per connection basis.

Applying these assessment rates to the project costs results in the following range of unit costs for the assessable items for McKinley Avenue:

- Sanitary Sewer Main Line (40%): \$2,320 per connection
- Sanitary Sewer Services (100%): \$3,000 per connection
- Watermain Mainline (40%): \$4,198 per connection
- Water Services (100%): \$3,175 per connection
- Street & Surface/Storm Sewer/Street Lights (40%): \$286 per foot

The calculated total estimated assessment for the residential properties ranges from approximately \$12,700 to approximately \$51,000. Most of the calculated assessment amounts appear to be unreasonably high. In accordance with the assessment policy and past practice, the Council can limit the total assessment for each property to a more reasonable amount.

The lot configuration along Sherman Street is very similar to the past reconstruction projects on Jefferson Avenue, Tyler Avenue, Harrison Avenue, and McKinley Avenue, although on Sherman

Street, many of the lots are the longer sides of corner lots rather than the front of the lot. The assessment cap used for the 2022 McKinley Avenue project was \$7,500. Considering the increases in construction cost since 2022, it is recommended that the City Council increase the assessment cap for the Sherman Street Improvement Project.

Assessment proceedings (hearings, notices, etc.) for the project would follow the requirements of Chapter 429 of the Minnesota State Statutes. Detailed assessment rolls will be prepared once the Preliminary Engineering Report has been approved and a date has been set for the Improvement Hearing.

## VIII. Proposed Project Schedule

The following is the proposed schedule for the project.

Date	Task
October 16, 2023	Resolution Receiving Report and Calling for Hearing on Improvements
Week of October 20, 2023	Neighborhood Meeting
November 6, 2023	Improvement Hearing
January 2, 2024	Resolution Approving Plans and Specifications and Authorizing Advertisement for Bids
February 6, 2024	Open Bids
March 18, 2024	Assessment Hearing
March 18, 2024	Resolution Adopting Assessment and Resolution Awarding Contract
Early May	Begin Construction (Approx.)
Late September	End Construction (Approx.)

## IX. Conclusion and Recommendations

The existing street/surface improvements and utilities on Sherman Street are deteriorated and in need of repair. If the infrastructure is not replaced, maintenance costs will continue to rise as further deterioration occurs, and the infrastructure will ultimately fail. We recommend proceeding with the sanitary sewer, watermain, storm sewer and street and surface improvements outlined in this report.

From an engineering standpoint, the improvements recommended in this report are feasible, cost effective, and necessary, and can best be accomplished by letting competitive bids for the work. Feasibility is contingent upon City Council findings with respect to project financing.

We recommend that the Council accept this report and call for a hearing on the proposed improvements to solicit further public input on this project.

## Appendix A: Figures

Figures 1.1 & 1.2: Existing Conditions

Figures 2.1 & 2.2: Proposed Utility Improvements

Figures 3.1 & 3.2: Proposed Street and Surface Improvements



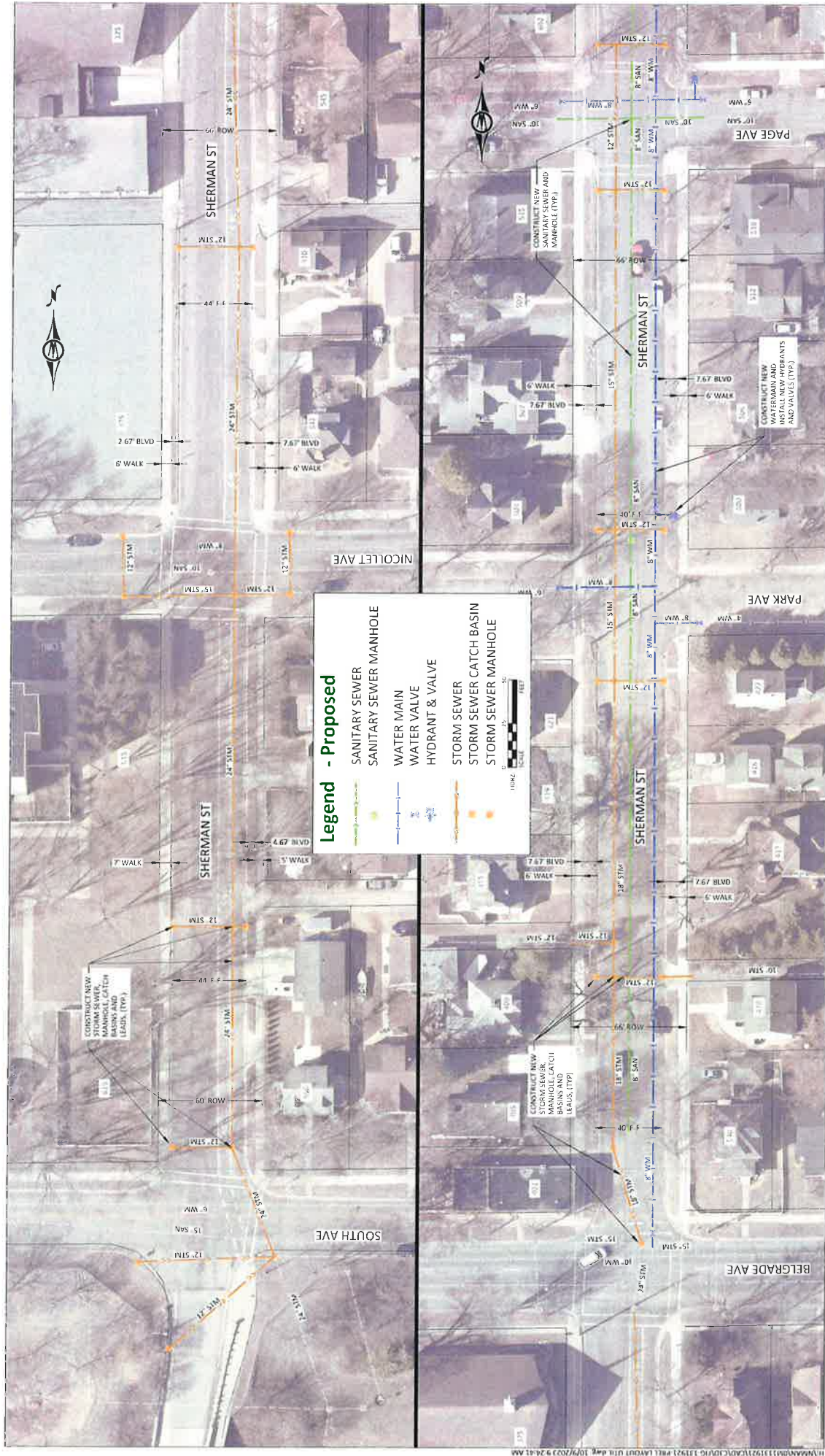




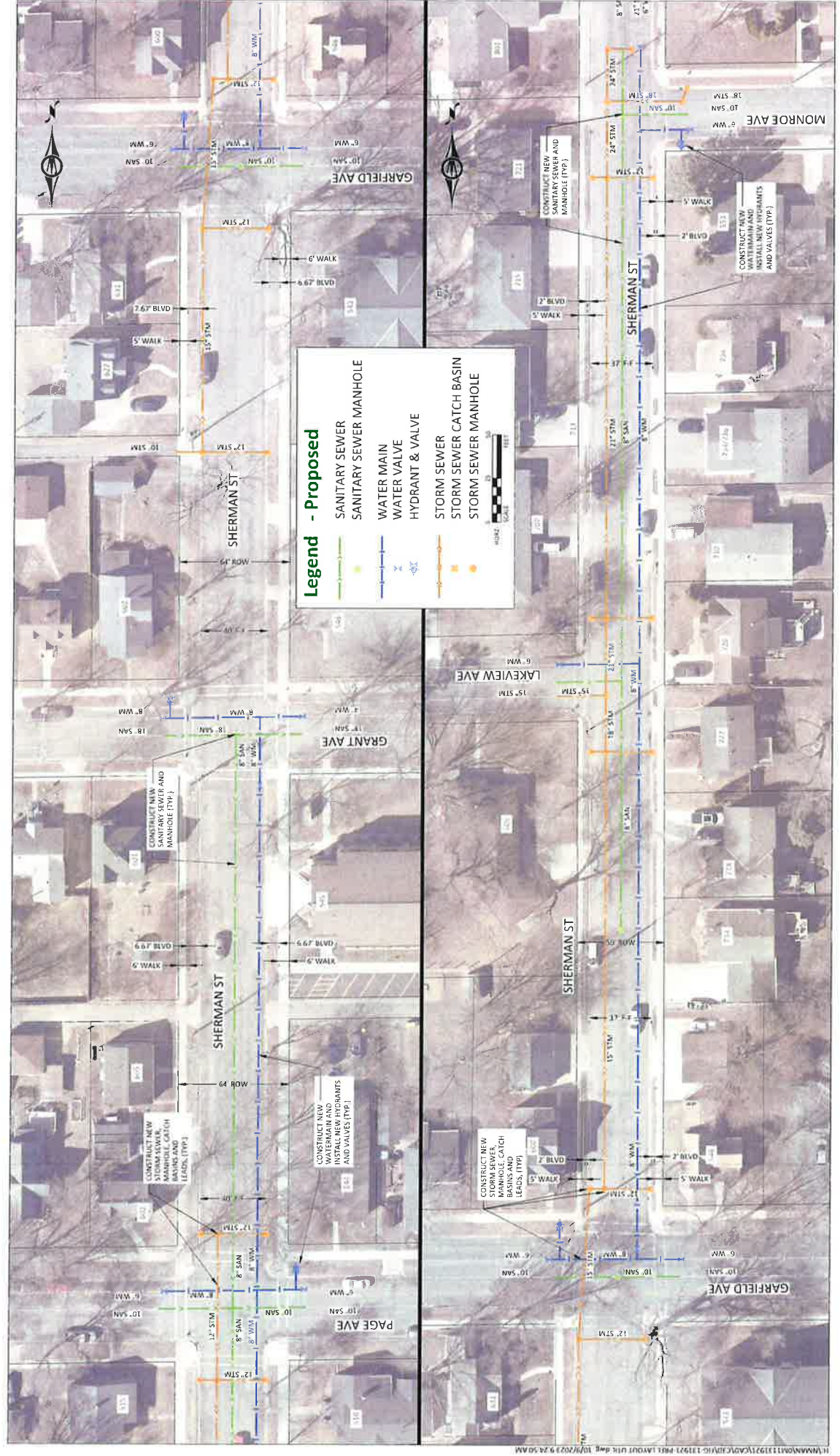




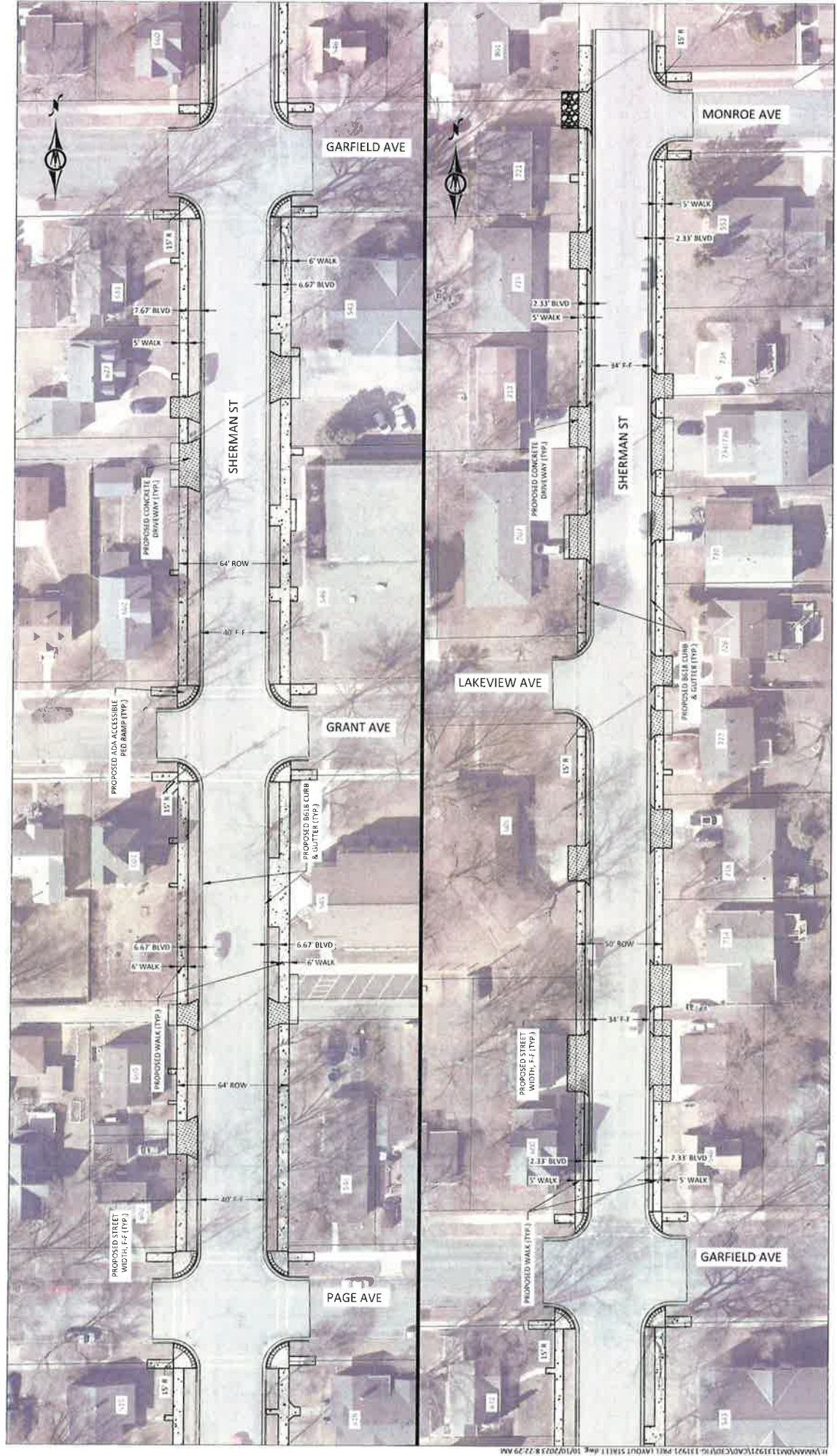
CITY OF NORTH MANKATO



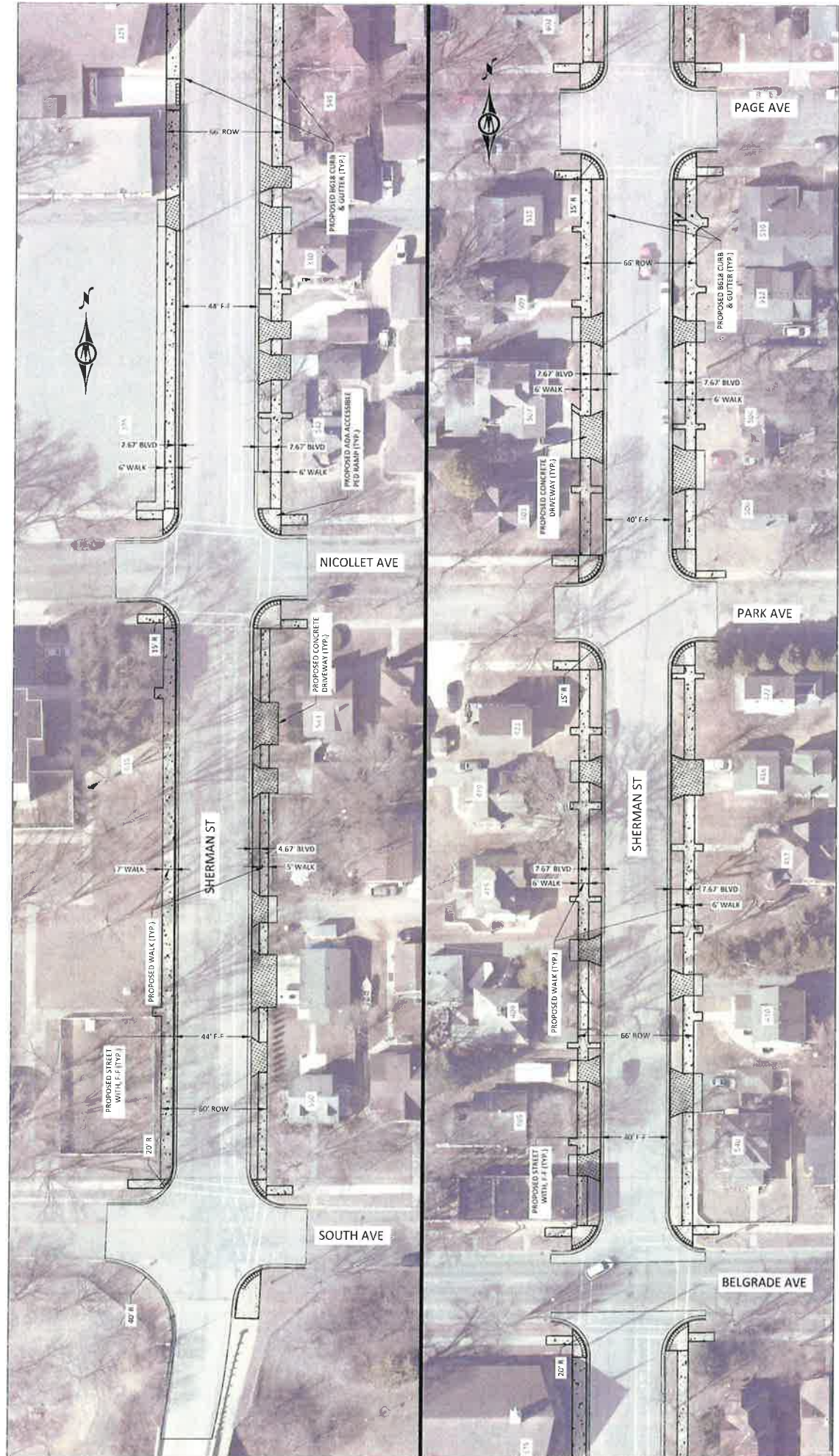




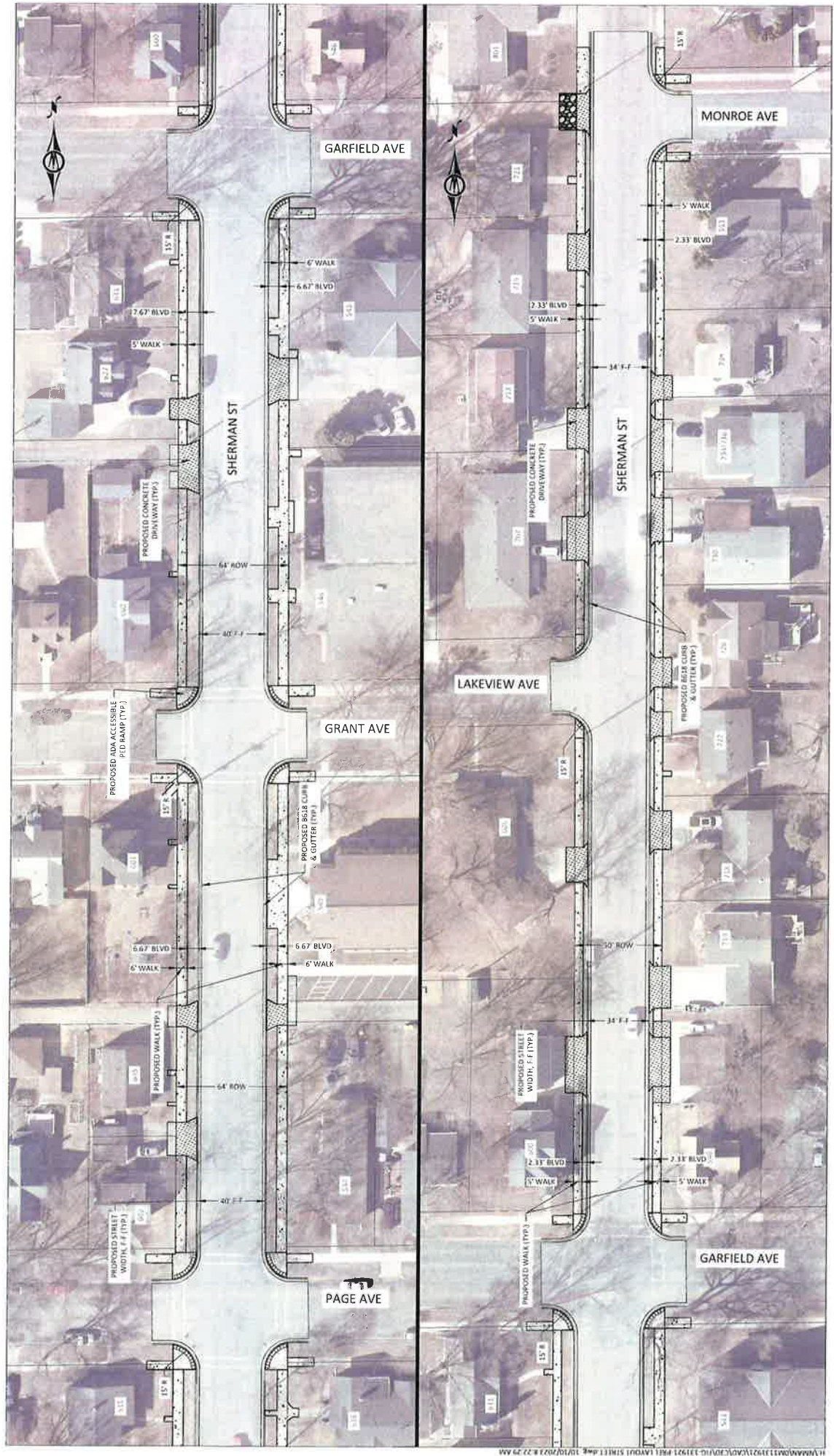












## Appendix B: Photos













City of North Mankato, MN

# Check Report

By Vendor Name

Date Range: 11/6/23

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
00002	4 SEASONS TRUCK WASH, INC.	10/25/2023	Regular	0	100.00	98188
00008	A+ SYSTEMS GROUP	10/25/2023	Regular	0	404.25	98189
00009	A-1 KEY CITY LOCKSMITHS, INC	10/25/2023	Regular	0	16.00	98190
00029	AG SPRAY EQUIPMENT	11/06/2023	Regular	0	25.36	98243
00059	AMERICAN LEGAL PUBLISHING CORP.	10/25/2023	Regular	0	243.75	98191
00070	AMLAWN, INC.	10/25/2023	Regular	0	225.00	98192
03161	APPLE BLOSSOM BAKERY	10/25/2023	Regular	0	120.00	98193
03805	BEE BALM FIELDS	10/25/2023	Regular	0	800.00	98194
00147	BLACKSTONE PUBLISHING	10/25/2023	Regular	0	513.95	98195
00147	BLACKSTONE PUBLISHING	11/06/2023	Regular	0	38.00	98244
02169	BLUE LINE SHARPENING & SALES	10/25/2023	Regular	0	126.00	98196
04091	BOSSE, ZACH	10/25/2023	Regular	0	360.00	98197
03649	BOWMAN, RAFE	11/06/2023	Regular	0	400.00	98245
00232	CEMSTONE CONCRETE MATERIALS, LLC	11/06/2023	Regular	0	19.20	98246
00255	CITY OF MANKATO	10/25/2023	Regular	0	258.06	98198
00261	CITY OF ST PAUL	10/25/2023	Regular	0	1,000.00	98199
00262	CITY OF ST PETER	10/25/2023	Regular	0	190.00	98200
00263	CLAREY'S SAFETY EQUIPMENT, INC.	10/25/2023	Regular	0	1,192.50	98201
00297	CORPORATE GRAPHICS INTERNATIONAL	10/25/2023	Regular	0	89.76	98202
03431	DEPUYDT, GREG	10/30/2023	Regular	0	120.00	98242
03619	DESTINATIONS INTERNATIONAL	10/25/2023	Regular	0	1,992.00	98203
00348	DIRT MERCHANT, INC.	11/06/2023	Regular	0	113,059.79	98247
00074	EARL F. ANDERSEN INC.	10/25/2023	Regular	0	2,246.35	98204
00392	ENERGY SALES, INC.	10/25/2023	Regular	0	687.77	98205
00401	EXPRESS SERVICES, INC.	10/25/2023	Regular	0	938.12	98206
00401	EXPRESS SERVICES, INC.	11/06/2023	Regular	0	331.49	98248
03584	FACTORY MOTOR PARTS	10/25/2023	Regular	0	120.11	98207
00409	FERGUSON ENTERPRISES, INC	10/25/2023	Regular	0	4,565.00	98208
00409	FERGUSON ENTERPRISES, INC	11/06/2023	Regular	0	199.75	98249
03957	FIRE PROTECTION SERVICES, INC	10/25/2023	Regular	0	5,081.40	98209
00468	GALLS, LLC	10/25/2023	Regular	0	318.00	98210
00473	GENERATOR SYSTEM SERVICES, INC.	10/25/2023	Regular	0	6,195.97	98211
03843	GEORGE, GREG	10/25/2023	Regular	0	300.00	98212
03637	GOOD THUNDER PRODUCTIONS LLC	10/25/2023	Regular	0	950.00	98213
03933	GOSCH, GANDEN	10/25/2023	Regular	0	440.00	98214
04085	GRAVES, RASHAWN	10/25/2023	Regular	0	680.00	98215
03476	HAWK ALARM SYSTEMS	10/25/2023	Regular	0	204.45	98216
03874	HOLLERICH, JAMES	10/25/2023	Regular	0	600.00	98217
00595	HY-VEE, INC.	10/25/2023	Regular	0	224.14	98218
00599	ICMA MEMBERSHIP RENEWALS	10/25/2023	Regular	0	968.50	98219
04063	INDEPENDENT PEST CONTROL, LLC	10/25/2023	Regular	0	130.00	98220
04086	JOHNSON, CHARLIE	10/25/2023	Regular	0	280.00	98221
04096	KLEIST, LOGAN	11/06/2023	Regular	0	160.00	98250
00731	LAGER'S OF MANKATO, INC.	11/06/2023	Regular	0	41.02	98251
00746	LAW ENFORCEMENT LABOR SERVICES, INC.	10/20/2023	Regular	0	936.66	98179
03635	LEUER GARDENS	10/25/2023	Regular	0	150.00	98222
04094	LURA PUBLICATIONS	10/25/2023	Regular	0	47.89	98223
04094	LURA PUBLICATIONS	11/06/2023	Regular	0	237.90	98252
02110	MAKING FACES MANKATO	10/25/2023	Regular	0	675.00	98224
00812	MANKATO BEARING COMPANY	10/25/2023	Regular	0	48.53	98225
00812	MANKATO BEARING COMPANY	11/06/2023	Regular	0	31.50	98253
00826	MANKATO MUDJACKING	11/06/2023	Regular	0	625.00	98254
00828	MANKATO PEPPERS	10/18/2023	Regular	0	359.83	98176
02059	MANKATO REFRIGERATION, LLC	10/25/2023	Regular	0	840.58	98226
00832	MANKATO TENT & AWNING CO.	11/06/2023	Regular	0	83.00	98255
00847	MATHESON TRI-GAS, INC.	10/25/2023	Regular	0	252.95	98227
04089	MEYER, BOSTON	10/25/2023	Regular	0	640.00	98228

02336	MIDWEST AQUACARE	10/25/2023	Regular	0	3,200.00	98229
00929	MINNESOTA FIRE SERVICE CERTIFICATION BOAI	11/06/2023	Regular	0	446.25	98256
04087	MORGAN, MAX	10/25/2023	Regular	0	480.00	98230
04084	MUSKA ELECTRIC	10/25/2023	Regular	0	280.80	98231
02717	NAJWA'S CATERING	10/25/2023	Regular	0	112.00	98232
01080	ORTHOPAEDIC & FRACTURE CLINIC PA	11/06/2023	Regular	0	2,422.50	98257
01106	PETTY CASH	11/06/2023	Regular	0	11.48	98258
02681	PITA PIT	11/06/2023	Regular	0	4,189.01	98259
01128	POST BOARD	10/24/2023	Regular	0	90.00	98185
01133	POWERPLAN/RDO EQUIPMENT	11/06/2023	Regular	0	668.48	98260
03149	RADEMAKER, CHAD	11/06/2023	Regular	0	600.00	98261
01170	RAMY TURF PRODUCTS	10/25/2023	Regular	0	112.50	98233
03548	RANDALL'S TREE SERVICE, INC	11/06/2023	Regular	0	6,132.00	98262
00224	ROBERT W. CARLSTROM CO., INC.	11/06/2023	Regular	0	123,773.41	98263
04036	SCHUMACHER, SHAWN	10/18/2023	Regular	0	300.00	98177
02819	SETTER & ASSOCIATES LLC	11/06/2023	Regular	0	2,675.00	98264
01295	SNELL MOTORS, INC	10/18/2023	Regular	0	53,131.50	98178
01349	STONE & STEEL DESIGN, LLC	10/25/2023	Regular	0	127.76	98234
01352	STREICHER'S, INC	10/25/2023	Regular	0	334.98	98235
04097	STUBBS, AINSLEY	11/06/2023	Regular	0	320.00	98265
04088	THILGES, TYLER	10/25/2023	Regular	0	640.00	98236
03871	THOMAS, DEONDRE	10/25/2023	Regular	0	440.00	98237
04090	TISCHLER, HAYDEN	10/25/2023	Regular	0	760.00	98238
01414	TOWMASTER	11/06/2023	Regular	0	39,127.00	98266
03427	TRUCK CENTER COMPANIES	11/06/2023	Regular	0	360.52	98267
02150	U.S. BANK	11/06/2023	Regular	0	966,315.00	98268
03662	VAN METER INC	10/25/2023	Regular	0	961.61	98239
03601	ZARN, SCOTT	10/25/2023	Regular	0	760.00	98240
00101	AT&T MOBILITY	10/23/2023	Bank Draft	0	72.55	DFT0008609
00137	BENCO ELECTRIC COOPERATIVE	10/23/2023	Bank Draft	0	3,375.00	DFT0008610
00137	BENCO ELECTRIC COOPERATIVE	10/30/2023	Bank Draft	0	34,894.85	DFT0008630
00241	CHARTER COMMUNICATIONS	10/23/2023	Bank Draft	0	276.43	DFT0008612
02058	CONSOLIDATED COMMUNICATIONS	11/01/2023	Bank Draft	0	1,622.02	DFT0008632
02058	CONSOLIDATED COMMUNICATIONS	11/01/2023	Bank Draft	0	44.89	DFT0008633
02058	CONSOLIDATED COMMUNICATIONS	11/01/2023	Bank Draft	0	57.27	DFT0008634
02058	CONSOLIDATED COMMUNICATIONS	11/01/2023	Bank Draft	0	302.77	DFT0008635
02058	CONSOLIDATED COMMUNICATIONS	11/01/2023	Bank Draft	0	209.70	DFT0008636
02232	ERBERT & GERBERT'S	10/12/2023	Bank Draft	0	67.22	DFT0008611
03248	FREDRIKSON & BYRON, P.A.	10/23/2023	Bank Draft	0	63.00	DFT0008613
00447	FREE PRESS	10/27/2023	Bank Draft	0	210.67	DFT0008637
00511	GREENCARE	10/23/2023	Bank Draft	0	183.00	DFT0008614
00608	INGRAM LIBRARY SERVICES	10/10/2023	Bank Draft	0	3,018.32	DFT0008615
00608	INGRAM LIBRARY SERVICES	10/12/2023	Bank Draft	0	2,889.06	DFT0008616
00733	LAKES GAS CO #10	10/23/2023	Bank Draft	0	163.30	DFT0008617
00765	LIBRARY JOURNAL	10/31/2023	Bank Draft	0	99.00	DFT0008639
03249	MAYO CLINIC AMBULANCE SERVICE EDUCATIOI	10/31/2023	Bank Draft	0	441.00	DFT0008640
00923	MINNESOTA DEPARTMENT OF LABOR & INDUS	10/31/2023	Bank Draft	0	100.00	DFT0008641
00910	MINNESOTA VALLEY TESTING LAB, INC.	10/16/2023	Bank Draft	0	70.95	DFT0008618
00910	MINNESOTA VALLEY TESTING LAB, INC.	10/24/2023	Bank Draft	0	85.80	DFT0008642
00910	MINNESOTA VALLEY TESTING LAB, INC.	10/23/2023	Bank Draft	0	283.80	DFT0008643
00910	MINNESOTA VALLEY TESTING LAB, INC.	10/27/2023	Bank Draft	0	70.95	DFT0008647
00910	MINNESOTA VALLEY TESTING LAB, INC.	10/30/2023	Bank Draft	0	85.80	DFT0008648
01335	STAPLES ADVANTAGE	10/13/2023	Bank Draft	0	68.76	DFT0008619
01335	STAPLES ADVANTAGE	10/26/2023	Bank Draft	0	152.84	DFT0008649
03279	STERICYCLE INC	11/01/2023	Bank Draft	0	28.94	DFT0008650
03254	TAFT	10/31/2023	Bank Draft	0	300.00	DFT0008651
01497	WALL STREET JOURNAL	10/31/2023	Bank Draft	0	659.88	DFT0008652
03221	ZIBSTER	10/31/2023	Bank Draft	0	32.00	DFT0008653
00551	A.H. HERMEL COMPANY	10/27/2023	EFT	0	140.50	6873
00028	AFFORDABLE TOWING OF MANKATO, INC.	11/08/2023	EFT	0	150.00	6926
00036	ALEX AIR APPARATUS 2, LLC	10/27/2023	EFT	0	1,169.45	6874
00050	ALPHA WIRELESS COMMUNICATIONS	10/27/2023	EFT	0	431.64	6875
00050	ALPHA WIRELESS COMMUNICATIONS	11/08/2023	EFT	0	330.00	6927
00105	AUTO VALUE MANKATO	10/27/2023	EFT	0	450.85	6876
00105	AUTO VALUE MANKATO	11/08/2023	EFT	0	496.98	6928
03657	BATI, GUTUJ	10/27/2023	EFT	0	720.00	6877

03745	BIEVER, DAN	11/08/2023	EFT	0	60.00	6929
00172	BOHRER, TOM	11/08/2023	EFT	0	440.00	6930
00174	BOLTON & MENK, INC.	10/27/2023	EFT	0	5,496.50	6878
00174	BOLTON & MENK, INC.	11/08/2023	EFT	0	46,263.75	6931
03208	BROWN, ANNA	10/27/2023	EFT	0	77.99	6879
03208	BROWN, ANNA	11/08/2023	EFT	0	68.05	6932
00216	C & S SUPPLY CO, INC.	10/27/2023	EFT	0	215.93	6880
00216	C & S SUPPLY CO, INC.	11/08/2023	EFT	0	11.18	6933
00230	CCP INDUSTRIES, INC.	10/27/2023	EFT	0	149.73	6881
02757	CINTAS	10/27/2023	EFT	0	271.80	6882
02757	CINTAS	11/08/2023	EFT	0	111.85	6934
03886	CLOUDPERMIT INC	10/27/2023	EFT	0	2,000.00	6883
02706	CORE & MAIN LP	10/27/2023	EFT	0	8,400.33	6884
02706	CORE & MAIN LP	11/08/2023	EFT	0	49.21	6935
00310	CRYSTEEL TRUCK EQUIPMENT, INC	10/27/2023	EFT	0	2,421.49	6885
00310	CRYSTEEL TRUCK EQUIPMENT, INC	11/08/2023	EFT	0	3,190.00	6936
00322	DALCO	10/27/2023	EFT	0	700.06	6886
03321	DOLL, ADAM	11/08/2023	EFT	0	928.00	6937
00373	ECKERT, LELAND	11/08/2023	EFT	0	180.00	6938
03652	EYKYN, JESSICA	10/27/2023	EFT	0	680.00	6887
00450	FREEMAN, JEREMY	10/27/2023	EFT	0	56.50	6888
00453	FREYBERG PETROLEUM SALES, INC.	10/27/2023	EFT	0	11.29	6889
01098	GILLETTE GROUP/PEPSI-COLA	10/27/2023	EFT	0	630.00	6890
00478	GISH ELECTRIC, LLC	10/27/2023	EFT	0	750.00	6891
00503	GREAT AMERICAN BUSINESS PRODUCTS	10/27/2023	EFT	0	832.00	6892
00819	HARRISON FORD OF MANKATO LLC	10/27/2023	EFT	0	1,342.38	6893
03627	HAUGUM, BRADY	10/27/2023	EFT	0	360.00	6894
03476	HAWK ALARM SYSTEMS	11/08/2023	EFT	0	226.54	6939
00538	HAWKINS, INC.	10/27/2023	EFT	0	6,996.74	6895
00538	HAWKINS, INC.	11/08/2023	EFT	0	958.50	6940
00646	HEINTZ, KATIE	10/27/2023	EFT	0	314.98	6896
00646	HEINTZ, KATIE	11/08/2023	EFT	0	314.55	6941
03007	I SPACE ENVIRONMENTS	11/08/2023	EFT	0	612.86	6942
00647	JOHNSON, LONNIE	11/08/2023	EFT	0	61.57	6943
03628	KEIM-WOLFE, LEVI	10/27/2023	EFT	0	680.00	6897
00743	LARKSTUR ENGINEERING & SUPPLY, INC.	11/08/2023	EFT	0	100.63	6944
04093	LIMBLE SOLUTIONS	10/27/2023	EFT	0	2,764.80	6898
00776	LLOYD LUMBER CO.	10/27/2023	EFT	0	389.37	6899
00776	LLOYD LUMBER CO.	11/08/2023	EFT	0	41.63	6945
03352	LUXE QUARTERLIES	10/27/2023	EFT	0	1,500.00	6900
00874	MENARDS-MANKATO	10/27/2023	EFT	0	567.85	6901
00874	MENARDS-MANKATO	11/08/2023	EFT	0	38.65	6946
00889	MIDWEST TAPE/HOOPLA	10/27/2023	EFT	0	1,426.01	6902
00902	MINNESOTA IRON & METAL CO	10/27/2023	EFT	0	295.85	6903
00902	MINNESOTA IRON & METAL CO	11/08/2023	EFT	0	175.75	6947
03022	MINNESOTA PAVING & MATERIALS	10/30/2023	EFT	0	4,339.38	6925
00956	MINNESOTA WASTE PROCESSING CO.	10/27/2023	EFT	0	32,260.24	6905
00970	MOBILE GLASS SERVICE	10/27/2023	EFT	0	666.17	6906
00985	MOSS & BARNETT	11/08/2023	EFT	0	2,203.00	6948
00997	MTI DISTRIBUTING CO	10/27/2023	EFT	0	2,319.70	6907
01052	NORTH CENTRAL INTERNATIONAL	10/27/2023	EFT	0	5,101.68	6908
01052	NORTH CENTRAL INTERNATIONAL	11/08/2023	EFT	0	4,286.44	6949
03865	OLSON, EMMETT	10/27/2023	EFT	0	760.00	6909
03875	OLSON, ERIC	10/27/2023	EFT	0	500.00	6910
01078	OLYMPIC FIRE PROTECTION CORP.	10/27/2023	EFT	0	880.00	6911
02245	ONSITE	11/08/2023	EFT	0	589.89	6950
01084	OVERHEAD DOOR CO. OF MANKATO, INC.	11/08/2023	EFT	0	89.90	6951
02005	PANTHEON COMPUTERS	10/27/2023	EFT	0	378.11	6912
02005	PANTHEON COMPUTERS	11/08/2023	EFT	0	9,202.33	6952
03141	PIPES, ROGER	11/08/2023	EFT	0	480.00	6953
03969	POHLMANN, WILLIAM	11/08/2023	EFT	0	266.57	6954
01402	POMPS TIRE	10/27/2023	EFT	0	3,156.27	6913
01402	POMPS TIRE	11/08/2023	EFT	0	43.42	6955
02747	RENT-N-SAVE	10/27/2023	EFT	0	500.00	6914
01198	RETROFIT COMPANIES, INC.	10/27/2023	EFT	0	265.87	6915
01211	RIVER BEND BUSINESS PRODUCTS	10/27/2023	EFT	0	62.72	6916

01211	RIVER BEND BUSINESS PRODUCTS	11/08/2023	EFT	0	132.79	6956
03971	RIVER BEND LEASING	10/27/2023	EFT	0	217.62	6917
03971	RIVER BEND LEASING	11/08/2023	EFT	0	424.88	6957
03646	ROBERTS, DAVID	11/08/2023	EFT	0	2,000.00	6958
03641	SCHWEIM, CARSON	10/27/2023	EFT	0	560.00	6918
01263	SCHWICKERT'S TECTA AMERICA LLC	10/27/2023	EFT	0	4,587.93	6919
01281	SIGN PRO	10/27/2023	EFT	0	20.00	6920
01281	SIGN PRO	11/08/2023	EFT	0	24.00	6959
03770	SUBSITE ELECTRONICS	10/27/2023	EFT	0	261.62	6921
01396	THURSTON, KEVIN	11/08/2023	EFT	0	480.00	6960
02150	U.S. BANK	10/27/2023	EFT	0	6,000.00	6922
03191	US SOLAR	10/27/2023	EFT	0	4,552.71	6923
01478	VIKING FIRE & SAFETY LLC	10/27/2023	EFT	0	100.17	6924
03276	VITZTHUM, JACOB	11/08/2023	EFT	0	167.13	6961
03442	WASMUND, LARRY	11/08/2023	EFT	0	500.00	6962
00219	CARDMEMBER SERVICE	10/04/2023	Bank Draft	0	19,487.03	DFT0008607
00234	CENTER POINT ENERGY	10/23/2023	Bank Draft	0	118.87	DFT0008620
00234	CENTER POINT ENERGY	10/30/2023	Bank Draft	0	1,510.32	DFT0008631
03539	METRONET	10/17/2023	Bank Draft	0	4,566.73	DFT0008608
02183	MINNESOTA DEPARTMENT OF COMMERCE	10/19/2023	Bank Draft	0	526.00	DFT0008623
02003	MINNESOTA DEPT OF REVENUE	10/20/2023	Bank Draft	0	7,340.36	DFT0008604
01477	VIKING ELECTRIC SUPPLY, INC.	10/23/2023	Bank Draft	0	167.43	DFT0008624
01477	VIKING ELECTRIC SUPPLY, INC.	10/26/2023	Bank Draft	0	312.85	DFT0008655
01477	VIKING ELECTRIC SUPPLY, INC.	11/01/2023	Bank Draft	0	256.04	DFT0008657
01557	XCEL ENERGY	10/23/2023	Bank Draft	0	295.30	DFT0008627
					<b>1,630,601.31</b>	<b>214</b>

## Authorization Signatures

### All Council

The above manual and regular claims lists for 11/6/23 are approved by:

\_\_\_\_\_  
SCOTT CARLSON- MAYOR

\_\_\_\_\_  
SANDRA OACHS- COUNCIL MEMBER

\_\_\_\_\_  
JAMES WHITLOCK- COUNCIL MEMBER

\_\_\_\_\_  
WILLIAM STEINER- COUNCIL MEMBER

\_\_\_\_\_  
MATT PETERSON- COUNCIL MEMBER

RESOLUTION APPROVING DONATIONS/CONTRIBUTIONS/GRANTS

WHEREAS, the Minnesota Statute 465.03 and 465.04 allow the governing body of any city, county, school district or town to accept gifts for the benefit of its citizens in accordance with terms prescribed by the donor;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, that the following donations/contributions/grants are approved as follows:

Donor	Restriction	Amount
Susan Newville	Donation for Police Reserve	\$100.00
Total		100.00

Adopted by the City Council this 6th day of November 2023.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

## BUSINESS/CANNABINOID LICENSE



BUSINESS NAME: O2 LLC  
DBA SPINNERS BAR AND GRILL  
BUSINESS OWNER: SANDRA OACHS  
BUSINESS LOCATION: 301 BELGRADE AVENUE  
NORTH MANKATO, MN 56003

SPINNERS BAR & GRILL  
301 BELGRADE AVENUE  
NORTH MANKATO, MN 56003

POST IN A CONSPICUOUS PLACE-NON-TRANSFERABLE

## CITY OF NORTH MANKATO

1001 Belgrade Avenue North Mankato, MN 56003  
Phone: (507-625-4141) FAX (507) 625-4151

License Type: CANNABINOID

\_\_\_\_\_  
Mayor

BUSINESS LICENSE NUMBER: CAN 000005-2023

Effective Date: NOVEMBER 6, 2023

Expiration Date: DECEMBER 31, 2023

# BUSINESS/MOBILE FOOD UNIT LICENSE CERTIFICATION CITY OF NORTH MANKATO



1001 Belgrade Avenue North Mankato, MN 56003  
Phone: (507-625-4141) FAX (507) 625-4151

BUSINESS NAME: FEED YOUR SOUL LLC  
d/b/a UNBAKEABLE

License Type: Mobile Food Unit

BUSINESS OWNER: GINA EHRISMAN

BUSINESS LOCATION: 4122 SHELLY COURT  
NEW MARKET, MN 55054

FEED YOUR SOUL LLC  
GINA EHRISMAN  
4122 SHELLY COURT  
NEW MARKET, MN 55054

POST IN A CONSPICUOUS PLACE-NON-TRANSFERABLE

\_\_\_\_\_  
Mayor

BUSINESS LICENSE NUMBER: MOB-0000606-2023

Effective Date: November 7, 2023

Expiration Date: November 7, 2024



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item # 10E	Dept: Administration	Council Meeting Date: 11/6/23																												
<b>TITLE OF ISSUE:</b> Consider Approving Quote for North Mankato Police Department Controls Upgrade and Authorize the City Administrator to Enter into an Agreement with Horwitz for \$90,405.																														
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> The North Mankato Police Department's heating and cooling system is original to the building and approximately 25 years old. The unit has been experiencing issues with the control systems, including VAV boxes and associated controllers. The system needs repairs and upgrades. The City reached out and received three quotes for the necessary improvements. CompanyBid Schwickerts\$143,643 Horwitz\$90,405 Javens\$89,683 City staff is recommending accepting the bid from Horwitz. While the bid is \$722.00 more than Javens, the staff is requesting to work with Horwitz because the company installed the original system and has experience with the Police Annex's system and are experts with this type of heating system.																														
<i>If additional space is required, attach a separate sheet</i>																														
<b>REQUESTED COUNCIL ACTION:</b> Approve Quote for North Mankato Police Department Controls Upgrade and Authorize the City Administrator to Enter into an Agreement with Horwitz for \$90,405.																														
<b>For Clerk's Use:</b>  Motion By: _____ Second By: _____  Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Peterson</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Oachs</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Carlson</td> </tr> </table>	Aye	Nay		_____	_____	Steiner	_____	_____	Peterson	_____	_____	Oachs	_____	_____	Whitlock	_____	_____	Carlson	<b>SUPPORTING DOCUMENTS ATTACHED</b>  <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____ _____		Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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October 6, 2023

**Joe Hogan**  
**N Mankato Police Department**  
1001 Belgrade Ave  
Mankato, MN 56003

RE: **N Mankato Police Department Controls Upgrade Rev1**

Joe:

We appreciate the opportunity to provide mechanical pricing to upgrade the controls and some mechanical equipment in the Police Department building.

**I. Base Bid**

➤ Total Price ..... \$ 88,065.00

**II. Scope of Work**

**A. HVAC**

1. Demo and replace (14) VAV boxes along
  - a. Includes new strainers at each location
2. Demo and replace AHU control valve and strainer
3. Upgraded Temperature Controls
  - a. New DDC controllers at (14) new VAV boxes
  - b. New LCD display thermostats controlling VAV boxes
  - c. New controls wiring
  - d. New controls wiring and recommission sensors at AHU
  - e. Recommission sensors and controllers at boilers and pumps
  - f. New Johnson Controls supervisory controller to provide the following
    1. Equipment occupied/unoccupied scheduling
    2. System alarms and historical trending
    3. System graphics
    4. Remote monitoring from your existing computer or IT system
4. Balance and commission system with new controls
5. Patch insulation in piping
6. Permit
7. Owner training on new controls system

**III. Alternate**

- A. Replace/add isolation valves on the supply side of all (14) VAV boxes  
➤ ADD ..... \$ 2,340.00
- B. Replace/add isolation valves on the return side of all (14) VAV boxes  
➤ ADD ..... \$ 2,340.00

**Joe Hogan**  
N Mankato Police Dept  
10/6/2023  
Page 2 of 2

This price does not include premium time, new sensors for the AHU or boilers, or warranty or repair of existing equipment.

If you have any questions, please call.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Cody Kropp', written in a cursive style.

Cody Kropp  
Project Manager

# Proposal

59160 Madison Ave.  
Mankato, MN 56001



Phone: (507)-388-7332

PROPOSAL SUBMITTED TO:  
City of North Mankato  
North Mankato, MN

PHONE: DATE: 9/6/23  
FAX:  
JOB NAME/LOCATION: City of North Mankato Police Annex  
VAV/Control Replacement

ATTN: Joe Hogan

We propose to furnish material and labor – compete in accordance with specifications below, for the sum of

Eighty-Four Thousand One Hundred Eighty-Three and 00/100----- dollars \$ 84,183.00

Payment to be made as follows:

Monthly Progress payments as work progresses. Finance Charges of 1.5% per month to be charged on all amounts unpaid after 30 days.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delay beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensations insurance.

Signature:

*Rodney A Jensen*

Note: Pricing subject to change after 30 days due to limited vendor pricing guarantees.

Proposal includes the following items:

- Removal/disposal of fourteen (14) VAV's, control valves
- Provide and install fourteen (14) new VAV's with new duct fittings as required to tie back into the existing ductwork.
- Installation of new control valves for VAV's and radiation. Existing shut off & Balancing valves to be reused. ADD \$5,500.00 to replace balancing, shut off valves, strainers, drains and air vents.
- Provide Calibration & Balance of air quantities per the original VAV schedule and balancing of diffuser/registers also per the original plans.
- Provide Temperature Controls by Paape Energy and includes the following:
  - (14) Variable Air Volume Box Controls
    - Thermostat wiring provided by Paape
    - New Controls Valves provided by Paape
    - New Discharge Air Temperature Sensors by Paape
    - Wall Thermostats will include a slider thermostat and no display provided by Paape
  - (9) Radiation Valves
    - New Control Valves provided by Paape
  - AHU
    - New control devices and controller by Paape
    - Existing control panel and applicable wiring to be reused.
    - New Heating Control Valve provided by Paape
  - Building Automation
    - All controllers will be connected to a new central building automation system
    - Web interface by Paape
    - Owner training provided by Paape

Clarifications:

- Temporary heating, cooling, ventilation or dehumidification, Engineering, weekend or off hours work, Bond, Pollution Insurance, Electrical & Fire Sprinkler.
- Disconnection of electrical/removal of lights if necessary is by others.
- Work sequence will be to start disconnections of controls/piping, then replace VAV; with controls & piping following behind until all are changed out. During this time, air flows will not be normal.

**Acceptance of Proposal** – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_



design | build | repair | replace

Date: March 15<sup>th</sup>, 2023

Expires: April 19<sup>th</sup>, 2023

To: **North Mankato Police Department Annex**  
1001 Belgrade Avenue  
P.O Box 2055  
North Mankato, MN 56002



04-19 JOC Contract

RQN# 2023-0076

Location: **North Mankato Police Department Annex**  
(Work)

We are pleased to provide this proposal for **North Mankato Police Department** to replace the current Trane HVAC building automation system. We are proposing a retrofit to Prolon an upgraded non-proprietary building automation system. The system will manage the current Boiler, Circulation Pumps, Air Handler Unit, 14 new VAV's with reheat, 5 radiant heating panels, and the DX AC Condensing Unit.

**Schwickerts Tecta America, LLC** hereinafter referred to as "Contractor", proposes to furnish and apply all labor and materials, listed below with the necessary crane services, tools and equipment to complete the following project.

#### Scope of work and clarifications:

- Draining of the system into barrels and totes for reuse of the glycol.
- Adding glycol back to system and topping off with new up to 20 gallons of straight.
- Replacement of 14 obsolete Trane Proprietary VAV's with hot water reheat
- Replacement of 14 hot water control valves for all 14 VAV's.
- Replacement of 5 hot water control valves for the radiant heat panels.
- Replacement of the modulating hot water valve for the AHU.
- Installation of 1 PRL Network Controller with 8 -Core Acc Display Tablet.
- Installation of an Advanced Air Handler Unit Controller in a Pre-Built Panel Enclosure.
- Installation of an Advanced Boiler Controller in a Pre-Built Panel Enclosure.
- Retrofit 14 new VAV's with Prolon zone controls, new adjustable space sensors and new hot water reheat valve bodies & actuators.
- Installation of supply air sensors on each VAV
- Installation of supply and return air sensors on the AHU.
- Replacement of wiring connections to terminate each VAV to its corresponding hot water valve and supply sensors.
- Supplying of the low voltage communication wiring
- Wiring diagrams
- Commissioning and startup.
- Customer training.
- Post installation follow-ups
- Permit fee is included in the pricing below. Upon receiving a signed proposal, the permit will be pulled and paid.

330 Poplar Street  
Mankato, MN 56001  
507.387.3101

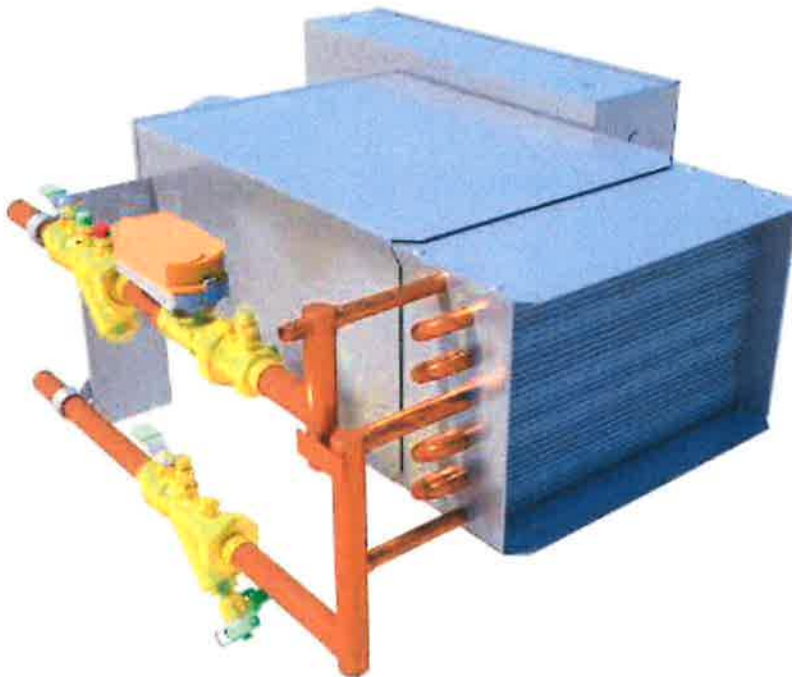
204 Schuman Drive NW,  
Stewartville, MN 55976  
507.281.0611

8600 West 125th Street,  
Savage, MN 55378  
612.284.4233

1841 E 1450 Road  
Lawrence, KS 66044  
913.674.4445

### Exclusions:

- Electrical wiring: disconnect and reconnect high voltage to the VAV's, running a new communication wire to each piece of communicating equipment being controlled, and running all new wiring as needed.
- Any additional unforeseen wiring needed that has been removed or modified over the current building systems tenure will be quoted separately and wiring to the network switch.
- A scissors lift or man lift is to be provided by customer, cost to supply is not included within the pricing below.
- All ductwork modifications needed to correct the existing ductwork to provide adequate air flow will be quote separately.
- Additional VAV's or system related components that are discovered that were not called out above or in the information provided is outside the scope of work listed above will be quoted out separately.
- Re-opening of the ceilings after they have been put back together for electrical work to be finished or completed. Ceilings can be left open if deemed necessary and approved by City of North Mankato staff.



**PRICE |**

330 Poplar Street  
Mankato, MN 56001  
507.387.3101

204 Schuman Drive NW,  
Stewartville, MN 55976  
507.281.0611

5420 Highway 169 N,  
New Hope, MN 55411  
612.284.4233

1841 E 1450 Road  
Lawrence, KS 66044  
913.674.4445

[www.schwickerts.com](http://www.schwickerts.com) | EEO/AA Employer/Vets/Disability





### **Who is Prolon?**

Founded in 1998, Prolon is a manufacturer of an HVAC control system dedicated for small – large sized commercial buildings. Its entire control line offering is meant to be easy to install and be accessible for all mechanical and HVAC service contractors.

Born out of frustrations created by other control system manufacturers, Prolon distinguishes itself from competing vendors as being one of the few manufacturers specializing in HVAC controls for commercial buildings. Controls vendors often specialize in complex and expensive DDC systems, and on occasion offer a scaled down version for small buildings. However, these scaled-down version tends to have very limited scope or applications.

Prolon is an application-specific, configurable control system designed for retrofits as well as new construction and can easily be implemented in small to large commercial buildings. The controllers are designed to monitor and operate mechanical equipment such as packaged roof tops units, VAV's, VVT's, heat pumps, fan coil units, boilers, chillers, circulation pumps, VFD's, valves, exhaust fans and much more.

Developed by HVAC experts to bridge the gap between simple residential controls and expensive, custom DDC systems, Prolon's lineup of controllers deliver incredibly high performance with unprecedented levels of simplicity and accessibility. Remote access, email alerts, FRE software and mobile apps are just a few highlights of this system.

### **Why Prolon Controls?**

Prolon manufactures controllers specifically for light-commercial applications. Prolon goes above and beyond to deliver you the best features.

#### **Here are a few of the Prolon advantages:**

- **FREE SOFTWARE**, complete with graphics and intuitive configuration menus.
- **NO LICENSING OR RENEWAL FEES!**
- **FREE UPDATES** that are 100% backwards compatible.
- Up to 127 devices on a single network.
- **FREE REMOTE ACCESS**
- Personalized technical support that is readily available to answer your call.
- **FREE MOBILE APPS AVAILABLE** (Android & iOS)
- Email Based Alerts and Mobile Push Notifications keep you informed.
- Everyone is welcome to sell, service and install Prolon.
- Designed to be simple to understand while providing powerful features.
- Prolon is readily available in less than a week lead time in most cases.

#### **Typical Applications:**

- Financial institutions
- Offices
- Schools
- Health Clinics
- Stores / Retail Outlets
- Automotive Dealerships
- Place of Worship
- Thousands of buildings are already being controlled by Prolon today.

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Lawrence, KS 66044  
913.674.4445

**Contract Work Amount:** The NET SUM payable for the project as described in the above referenced scope of work and clarifications is: **\$143,643.00 – One Hundred Forty-Three Thousand Six Hundred Forty-Three Dollars and 00/100.**

#### TERMS & CONDITIONS

1. Nothing in this Repair Work shall make the Contractor liable in any respect for any damage to the Owner's building or improvements, including any components or contents thereof; or interruption of any business conducted in the building arising because of mold, mildew or other issues involving air quality. The Owner is solely responsible for inspecting ceilings and overhangs periodically for signs of leakage.
2. Contractor is not responsible for indoor air quality including growth of mold or other organisms. The Owner shall defend, indemnify, and hold the Contractor harmless from all claims, including claims of tenants and occupants, arising from or relating to indoor air quality for any reason whatsoever, including claims resulting from Owner's failure to maintain the interior and exterior of building in a manner to avoid growth of mold.
3. Owner agrees to pay for the work and materials referenced in this Contract upon completion of work. Owner further agrees to pay finance charges of 1.5% per month on any unpaid sums due under this Contract which are not paid in full within 30 days of invoice date. Owner further agrees to pay all costs of collecting any unpaid balance, including attorney's fees, court costs, filing fees, and all other collection related expenses incurred by Contractor.
4. Contractor reserves the right, without penalty from Owner, to stop work on the project if Owner does not make payments to Contractor when due. Owner hereby releases Contractor of notice requirements for lien rights in the even payments are not made when due as outlined.
5. CONTRACTOR SHALL NOT BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES
6. This Proposal/Contract may be withdrawn by Contractor if not accepted within 30 days.
7. Progress billings will be as follows: 50% due upon upfront to order all materials needed, 30% when the job is 50% completed and the remaining 20% will be billed when the job is fully completed.
8. Progress billings as follows: \$50,000 upon ordering of the equipment needed to start the job, another \$50,000 when the job is deemed 50% complete, and remaining \$43,643 when the job is 100% complete. Progress billings subject to change based off progress and or waiting on electrical to be completed.

#### PRE-LIEN NOTICE OF PRIME CONTRACTOR

(To be Attached as Rider to all Prime Contracts for Work on Private Property)

(a) ANY PERSON OR PERSON OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THIS IMPROVEMENT TO YOUR PROPERTY MAY FILE A LIEN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTIONS.

(b) UNDER MINNESOTA LAW, YOU HAVE THE RIGHT TO PAY PERSONS WHO SUPPLIED LABOR OR MATERIALS FOR THIS IMPROVEMENT DIRECTLY AND DEDUCT THIS AMOUNT FROM OUR CONTRACT PRICE, OR WITHHOLD THE AMOUNTS DUE THEM FROM US UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS WE GIVE YOU A LIEN WAIVER SIGNED BY PERSONS WHO SUPPLIED ANY LABOR OR MATERIAL FOR THE IMPROVEMENT AND WHO GAVE YOU TIMELY NOTICE."

#### RECEIPT

Receipt of this Pre-Lien Notice, and a copy hereof, is hereby acknowledged by:

SUBMITTED BY  
SCHWICKERT 'S TECTA AMERICA LLC.

ACCEPTED BY  
OWNER: North Mankato Police Dept Annex

Neil Bannerman  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Neil Bannerman  
(Print Name)

\_\_\_\_\_  
(Print Name)

Title: HVAC-R Service Director

Title: \_\_\_\_\_

Date: 3-15-2023

Date: \_\_\_\_\_



330 Poplar Street  
Mankato, MN 56001  
507.387.3101

204 Schuman Drive NW,  
Stewartville, MN 55976  
507.281.0611

5420 Highway 169 N,  
New Hope, MN 55411  
612.284.4233

1841 E 1450 Road  
Lawrence, KS 66044  
913.674.4445

www.schwickerts.com | EEO/AA Employer/Vets/Disability





**REMEMBER, you can always call us.  
We have the BEST tech support  
ready to answer any of your questions!**

**Toll free: 1 877 977-6566**

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# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item # 11A	Dept: City Engineer	Council Meeting Date: 11/6/23
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**TITLE OF ISSUE:** Consider Resolution Ordering Improvement and Preparation of Plans for Project No. 23-07 ABCDEF Sherman Street Improvement Project.

**BACKGROUND AND SUPPLEMENTAL INFORMATION:** City Engineer Sarff will review the proposed plan and the comments received during the neighborhood meeting.

*If additional space is required, attach a separate sheet*

**REQUESTED COUNCIL ACTION:** Adopt Resolution Ordering Improvement and Preparation of Plans for Project No. 23-07 ABCDEF Sherman Street Improvement Project.

### For Clerk's Use:

Motion By: \_\_\_\_\_

Second By: \_\_\_\_\_

Vote Record:

Aye      Nay

_____	_____	Steiner
_____	_____	Peterson
_____	_____	Oachs
_____	_____	Whitlock
_____	_____	Carlson

### SUPPORTING DOCUMENTS ATTACHED

Resolution    Ordinance    Contract    Minutes    Map

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Other (specify) \_\_\_\_\_


☐ Workshop

☒ Regular Meeting

☐ Special Meeting

☐ Refer to: \_\_\_\_\_

☐ Table until: \_\_\_\_\_

☐ Other: \_\_\_\_\_

RESOLUTION NO. 73-23

RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS  
FOR PROJECT NO 23-07 ABCDEF SHERMAN STREET IMPROVEMENT PROJECT

WHEREAS, a resolution of the City Council adopted the 16th day of October 2023, fixed a date for a council hearing on Improvement Project No. 23-07 ABCDEF Sherman Street Improvement Project.

WHEREAS, notice of the hearing was published twice, a week apart, with the last publication being at least three days before the hearing date, and ten days' mailed notice was given, and

WHEREAS, the hearing was held thereon on the 6<sup>th</sup> day of November 2023, at which all persons desiring to be heard were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, as follows:

1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 16<sup>th</sup> day of October 2023.
3. Such improvement has no relationship to the Comprehensive Plan.
4. Bolton & Menk is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.
5. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax-exempt bonds.

Adopted by the City Council this 6<sup>th</sup> day of November 2023.

---

Mayor

ATTEST:

---

City Clerk

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item # 11B	Dept: City Attorney	Council Meeting Date: 11/6/23																												
<b>TITLE OF ISSUE:</b> Consider Setting a Public Hearing for 7 pm, November 20, 2023, to Consider an Ordinance Amending City Code Chapter 130 General Offenses to Include Chapter 130.12 Possession of Edged Weapons on Public Property.																														
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> City Attorney Kennedy will review the Proposed Ordinance and Police Chief Gullickson will be available for comment.																														
<i>If additional space is required, attach a separate sheet</i>																														
<b>REQUESTED COUNCIL ACTION:</b> Set a Public Hearing for 7 pm, November 20, 2023, to Consider an Ordinance Amending City Code Chapter 130 General Offenses to Include Chapter 130.12 Possession of Edged Weapons on Public Property.																														
<b>For Clerk's Use:</b>  Motion By: _____ Second By: _____  Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Peterson</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Oachs</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Carlson</td> </tr> </table>	Aye	Nay		_____	_____	Steiner	_____	_____	Peterson	_____	_____	Oachs	_____	_____	Whitlock	_____	_____	Carlson	<b>SUPPORTING DOCUMENTS ATTACHED</b>  <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____ _____		Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**NOTICE OF PUBLIC HEARING**

**CITY OF NORTH MANKATO  
COUNTY OF NICOLLET  
STATE OF MINNESOTA**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, November 20, 2023, at a meeting of the Council beginning at approximately 7:00 p.m. at the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, to consider amendments to Chapter 130 General Offenses to Include Chapter 130.12 Possession of Edged Weapons on Public Property. To view the complete ordinance, please contact the City Clerk.

All interested persons may appear at the public hearing and present their views orally or in writing.

Dated: This 6<sup>th</sup> day of November 2023.

BY ORDER OF THE NORTH MANKATO CITY COUNCIL

*/s/April Van Genderen*  
April Van Genderen  
City Clerk

**ORDINANCE NO. \_\_\_\_\_**  
**CITY OF NORTH MANKATO**  
**NICOLLET COUNTY MINNESOTA**

**AN ORDINANCE AMENDING THE NORTH MANKATO CITY CODE**

**WHEREAS**, the City Council of the City of North Mankato is the official governing body of the City of North Mankato, Minnesota ("the City");

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA**, does hereby ordain as follows:

**Chapter 130, General Offenses** of the Code for the City of North Mankato, shall be amended by adding the additional section.

Section 130.12            Possession of edged weapons on public property.

- (1) Prohibited Activities: No person shall keep, carry or have in their possession on any public property, public street, or sidewalk, or being a trespasser upon the premises of another any knife, machete, ax, hatchet, spear or other items with a sharpened blade or other surfaces, except for the possession of knives with blades of less than four inches and that can be folded into a base or are kept in a sheath.
- (2) Exception: This section shall not apply to any military or public safety personnel, city employee, utility provider, or other such person through the scope and course of their employment and performing official duties.
- (3) A violation of this section shall constitute a misdemeanor (NMCC 10.99)

**Effective date.** This section becomes effective on the date of its publication or upon the publication of the Ordinance.

PASSED AND ADOPTED by the City Council of the City of North Mankato, this \_\_ day  
of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item # 11C	Dept: Police Chief	Council Meeting Date: 11/6/23																																																																		
<b>TITLE OF ISSUE:</b> Consider Setting a Public Hearing for 7 pm, November 20, 2023, to Provide Public Comment Concerning the Use of Body Worn Cameras.																																																																				
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> Police Chief Gullickson will be present to review the proposed public hearing and the process to purchase and begin use of body-worn cameras for the Police Department.																																																																				
<i>If additional space is required, attach a separate sheet</i>																																																																				
<b>REQUESTED COUNCIL ACTION:</b> Set a Public Hearing for 7 pm, November 20, 2023, to Provide Public Comment Concerning the Use of Body Worn Cameras.																																																																				
<b>For Clerk's Use:</b>  Motion By: _____ Second By: _____  <table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">Vote Record:</td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>Steiner</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>Peterson</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>Oachs</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>Whitlock</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>Carlson</td> </tr> </table>	Vote Record:	Aye	Nay								_____	_____						Steiner		_____	_____						Peterson		_____	_____						Oachs		_____	_____						Whitlock		_____	_____						Carlson	<b>SUPPORTING DOCUMENTS ATTACHED</b>  <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____ _____				Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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# BODY-WORN CAMERAS

The North Mankato Police Department will be implementing body-worn cameras in early 2024. According to Minnesota State law, all “local law enforcement must provide for public comment before it purchases OR implements a portable recording system. At a minimum, the agency must accept public comments submitted electronically or by mail, and the governing body with jurisdiction over the budget of the law enforcement agency must provide for public comment at a regularly scheduled meeting.”

## Public Comment

The written draft policies are now available for public comment. If you would like to make comments, please submit them via the North Mankato website at [www.northmankato.com](http://www.northmankato.com). Public comment will be accepted from Monday, November 6<sup>th</sup>, 2023, to Friday, November 17<sup>th</sup>, 2023.

The body-worn camera policy will also be available for comment at the City Council meeting on Monday, November 20<sup>th</sup>, at 7 p.m., at North Mankato City Hall.



**NORTH MANKATO POLICE DEPARTMENT**  
**Body Worn Camera**  
**Policy # 7a**

**Date Issued:**  
**Pages:** 12

**Revision Dates:** None

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### **Purpose**

The primary purpose of using body-worn-cameras (BWCs) is to capture evidence arising from police-citizen encounters. This policy sets forth guidelines governing the use of BWCs and the management, access, storage, retrieval, retention, and the administering of the data that results. Compliance with these guidelines is mandatory, but it is recognized that officers must also attend to other primary duties and the safety of all concerned, sometimes in circumstances that are tense, uncertain, and rapidly evolving. We also recognize and understand that not every aspect of an incident will be captured by a BWC, but it is another form of supporting documentation of an incident.

### **Policy**

It is the policy of the North Mankato Police Department (the "Agency") to authorize and require the use of Agency-issued BWCs as set forth below, and to administer BWC data as provided by law. This policy does not apply to squad-based (dash-cam) recording systems. The Chief or his/her designee may provide specific instruction to an officer assigned to a specialty unit or assignment such as carrying out duties in courts or guarding prisoners or patients in hospitals and mental health facilities.

### **Definitions**

A. **Adversarial:** A law enforcement encounter with a person that becomes confrontational, during which at least one person expresses anger, resentment, or hostility toward the other, or at least one person directs toward the other verbal conduct consisting of arguing, threatening, challenging, swearing, yelling, shouting or body posturing. Encounters in which a citizen demands to be recorded or initiates recording on his or her own are deemed adversarial.

B. **Body-Worn-Camera (BWC):** A camera worn on an individual officer's person that records and stores audio and video.

C. **BWC Administrator:** Typically, a supervisor or a designee, who assigns, tracks, and maintains BWC equipment, oversees needed repairs or replacement equipment through the vendor, controls user rights and access, and acts as a liaison with the vendor.

**D. *Evidentiary Value:*** The information has evidentiary value with respect to an actual or suspected criminal incident or charging decision. Whether or not enforcement action was taken, or an arrest resulted, the event involved the application of force by an officer of this agency of sufficient degree or under circumstances triggering a requirement for supervisory review or RTR. Whether or not enforcement action was taken, or an arrest resulted, an officer seized property from an individual or directed an individual to dispossess property. The incident involved an adversarial encounter or resulted in a complaint against the officer. The recording has potential evidentiary value for reasons identified by the officer at the time of labeling.

**E. *General Citizen Contact:*** An informal encounter with a citizen that is not and does not become law enforcement-related or adversarial, and a recording of the event would not yield information relevant to an ongoing investigation. Examples include, but are not limited to, assisting a motorist with directions, summoning a wrecker, or receiving generalized concerns from a citizen about crime trends in his or her neighborhood.

**F. *Law Enforcement-Related Information:*** Information captured or available for capture by use of a BWC that has evidentiary value because it documents events with respect to a stop, arrest, search, citation, or charging decision.

**G. *MGDPA or Data Practices Act:*** The Minnesota Government Data Practices Act, Minn. Stat. § 13.01, et seq.

**H. *Official Duties:*** For purposes of this policy, means that the officer is on duty and performing authorized law enforcement services on behalf of this Agency.

**I. *Records Retention Schedule:*** The General Records Retention Schedule for Minnesota Cities located at [https://www.mcfoa.org/resources/Documents/2021\\_Retention\\_Schedule.pdf](https://www.mcfoa.org/resources/Documents/2021_Retention_Schedule.pdf).

**J. *Unintentionally Recorded Footage:*** A video recording that results from an officer's inadvertence in operating the officer's BWC, provided that no portion of the resulting recording has evidentiary value. Examples of unintentionally recorded footage include, but are not limited to, recordings made in station house locker rooms, restrooms, and recordings made while officers were engaged in conversations of a non-business, personal nature with the expectation that the conversation was not being recorded.

**K. *Critical Incidents:*** situations involving most or all of the following circumstances:

- Officer involved use of deadly force;
- Death or serious injury to the officer or another;
- A review of the officer's conduct for compliance with criminal laws is likely to occur regardless of whether there is a citizen complaint;
- It is foreseeable that the event will result in at least some degree of media interest or public scrutiny toward the agency and officer(s); and
- The circumstances will warrant due consideration for the emotional health and well-being of the officers involved.

## **Objectives**

The North Mankato Police Department has adopted the use body worn cameras to accomplish the following objectives:

- To enhance law enforcement officer safety.
- To document statements and events during an incident.
- To enhance the officer(s) ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/presentation.
- To preserve audio and visual information for use in current and future investigations.
- To provide a tool for self-critique and field evaluation during LEO training.
- To enhance the public trust by preserving factual representations of law enforcement officer-citizen interactions in the form of audio-video recordings.
- To assist with the defense of civil actions against law enforcement officers and the City of North Mankato.
- To assist with the training and evaluation of law enforcement officers.
- To promote and enhance safe vehicle operation.

## **Use and Documentation**

A. All licensed Officers, Investigators and Administrators (“Officers”) are required, while on duty and investigating a call for service, to wear their Agency-issued BWCs and follow this policy. This also includes performing law enforcement activities under the command and control of another law enforcement officer or federal law enforcement official.

B. Officers may use only Agency-issued BWCs in the performance of official duties for this Agency or when otherwise performing authorized law enforcement services as an employee of this Agency.

C. Officers who have been issued BWCs shall operate and use them consistent with this policy. Officers shall power on their BWC upon the start of their shift and ensure their assigned BWC is functioning properly. Officers noting a malfunction during testing or at any other time shall promptly report the malfunction to the BWC Administrator. The officer shall then use a spare BWC that has been tested and is operating properly. The BWC Administrator shall take prompt action to address malfunctions and document the steps taken in writing.

D. Officers should wear their issued BWCs at or above the mid-line of the waist in a position that maximizes the recording system’s capacity to record video footage.

E. Officers must document BWC use and non-use as follows:

1. Whenever an officer makes a recording, the existence of the recording shall be properly categorized and labeled.

2. Whenever an officer fails to record an activity that is required to be recorded under this policy or fails to record when the officer should have reasonably known to activate the BWC, the officer shall document the circumstances and reason for not recording in the officers incident report and notify their immediate supervisor. The supervisor shall review the circumstances and initiate corrective action.

F. The Agency will maintain the following records and documents relating to BWC use, which are classified as public data:

1. The total number of BWCs owned or maintained by the Agency;
2. A daily record of the total number of BWCs actually deployed and used by officers;
3. The total amount of recorded BWC data collected and maintained; and
4. This policy, together with the Records Retention Schedule.

### **General Guidelines for Recording**

A. Officers shall activate their BWCs when responding to all calls for service and during all law enforcement-related encounters and activities, including but not limited to pursuits, felony in-progress calls, *Terry* stops of motorists or pedestrians, arrests, searches, suspect interviews, and interrogations, and during any police/citizen contact that becomes adversarial. However, officers need not activate their cameras when it would be unsafe, impossible, or impractical to do so or may cause harm to themselves or the public, but such instances of not recording when otherwise required must be documented as specified in the Use and Documentation guidelines, part (E)(2) (above).

B. Except as otherwise directed, officers have discretion to record or not record incidental citizen contacts. If designated Brady-Giglio impaired, officers must activate BWC when responding to all calls for service and all general citizen contacts regardless of the circumstance.

C. Officers have no affirmative duty to inform people that a BWC is being operated or that the individuals are being recorded. However, if asked, officers shall advise citizens they are being recorded.

D. Officers shall not intentionally block the BWC's audio or visual recording functionality to defeat the purposes of this policy.

E. Officers are allowed to mute the recording by using the mute button. Officers must describe why they are muting the conversation prior to doing so and can be done during Supervisor conferences or tactical preplanning.

F. Notwithstanding any other provision of this policy, officers shall not use their BWCs to record other agency personnel during non-enforcement related activities, such as during pre- and post shift time in locker rooms, during meals or breaks, during shift briefing or other meetings, or during other private conversations, unless recording is authorized as part of an administrative or criminal investigation.

### **Special Guidelines for Recording**

A. Officers may, in the exercise of sound discretion, determine:

1. To use their BWCs to record any police-citizen encounter if there is reason to believe the recording would potentially yield information having evidentiary value unless such

recording is otherwise expressly prohibited.

2. To use their BWCs to take recorded statements from persons believed to be victims of and witnesses to crimes, and persons suspected of committing crimes, considering the needs of the investigation and the circumstances pertaining to the victim, witness, or suspect.

B. Officers shall use their BWCs and squad-based audio/video systems to record their transportation and the physical transfer of persons in their custody to hospitals, detox and mental health care facilities, juvenile detention centers, and jails, but otherwise BWC's shall not be used to record inside these facilities.

C. Officers need not record persons being provided medical care unless there is reason to believe the recording would document information having evidentiary value. When responding to an apparent mental health crisis or event, BWCs are recommended to be activated to document any use of force and the basis for it, and any other information having evidentiary value, but need not be activated when doing so would serve only to record symptoms or behaviors to be attributable to the mental health issue.

D. Officers are prohibited from using Agency-issued BWC equipment for personal use and are prohibited from making and/or disseminating personal copies of recordings created while on duty or while acting in their official capacity.

E. There shall be no audio or video recordings made in any court of law, unless authorized by a Judge (Minn. Court Rule 4, General Rules of Practice).

## **Documenting BWC Use**

If any incident or video statements are recorded with the BWC system, the existence of that recording shall be documented in the officer's report.

## **Cessation of Recording**

A. Once activated, the BWC should continue recording until the conclusion of the incident or encounter, or until it becomes apparent that additional recording is unlikely to capture information having evidentiary value. If the recording is discontinued while an investigation, response, or incident is ongoing, officers shall state the reasons for ceasing the recording on camera before deactivating their BWC. A statement on camera such as, "Everything has settled down and the action appears to be over" should often suffice as a statement of reasons for stopping to record.

B. Recordings may be ceased during long term non-enforcement activities such as waiting for a tow truck, providing emergency lighting at traffic accidents, or other similar situations. Officers shall state the reasons for ceasing the recording on camera before deactivating their BWC.

C. If circumstances change, officers shall reactivate their cameras as required by this policy to capture information having evidentiary value.



## Uploading and Labeling Data

A. Each officer using a BWC is responsible for transferring or assuring the proper transfer of the data from his or her camera to designated cloud-based storage by the end of that officer's shift. However, if the officer is involved in a shooting, in-custody death, or other law enforcement activity resulting in death or great bodily harm, a supervisor or investigator shall take custody of all BWCs off all officers involved in the incident and assume responsibility for transferring the data from it.

B. Officers shall label the BWC data files at the time of video capture or transfer to storage and should consult with a supervisor if in doubt as to the appropriate labeling. Officers shall label each file with the Case # and description using the appropriate labels assigned by the agency:

## Categorization and Retention

Category	Description	Retention Duration
Administrative	Internal affairs complaints or performance documentation	6 years
Adversarial Contact	See Definitions; (A), Page 1	2 years
Critical Incident	Full, unedited and unredacted of the entire recording	Indefinite
Evidence	See Definitions; (D) Page 2	7 years
Miscellaneous	Tests, training, erroneous recordings, etc.	Homicides: Permanent 180 days
Non-enforcement contact	Directing traffic, funeral escort, motorist assist, medicals, generalized call for service, etc	180 days
Officer Injury	Injury is sustained by Officer as a result of assault or accident	7 years
Traffic Stop- Citation	Traffic stop where a citation is issued.	3 years
Traffic Stop- Warning	Traffic stop where a warning is issued.	180 days
Transport	Transport not because of an arrest. E.g.; mental health, courtesy rides, etc.	180 days

Warrant Arrest	Arrest and transport of subject on warrant with no local charges	180 days
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C. An officer shall notify the BWC administrator and Administrative Support Coordinator of files which they believe contain the likely presence of information about individuals whose identities may be legally protected under the MGDPA, which protects them from being disclosed to others, or any unintentionally recorded footage. Examples of such include:

1. Victims and alleged victims of criminal sexual conduct and sex trafficking.
2. Victims of child abuse or neglect.
3. Vulnerable adults who are victims of maltreatment.
4. Undercover officers.
5. Informants.
6. When the video is clearly offensive to common sensitivities.
7. Victims of and witnesses to crimes if the victim or witness has requested not to be identified publicly.
8. Individuals who called 911, and service subscribers whose lines were used to place a call to the 911 system.
9. Mandated reporters.
10. Juvenile witnesses, if the nature of the event or activity justifies protecting the identity of the witness.
11. Juveniles who are or may be delinquent or engaged in criminal acts.
12. Individuals who make complaints about violations with respect to the use of real property.
13. Officers and employees who are the subject of a complaint related to the events captured on video.
14. Other individuals whose identities the officer believes may be legally protected from public disclosure.

D. Labeling and flagging designations may be corrected or amended based on additional information by a ranking officer or their non-sworn designee.

## **Other Retention Requirements**

A. When a particular recording is subject to multiple retention periods, it shall be maintained for the longest applicable period.

B. Upon written request by a BWC data subject, the Agency shall retain a recording pertaining to that subject for an additional time period requested by the subject of up to 1 year. The Agency will notify the requestor at the time of the request that the data will then be destroyed unless a new written request is received.

C. The Agency shall maintain an inventory of BWC recordings having evidentiary value.

D. The Agency will post this policy, together with a link to its Records Retention Schedule, on its website.

## **Management of BWC Data:**

The BWC Administrator is responsible for:

- A. Logs reflecting BWC equipment assignments, serial numbers, dates of issuance, and the officers to which each BWC was issued. These may be managed in a vendor-supplied software or another format designed by the BWC Administrator.
- B. Ensuring that BWC policies and procedures are reviewed and updated as needed.
- C. Ordering of all BWC equipment.
- D. Corrective action for non-functioning BWC equipment.
- E. Coordinating bi-annual independent audits.

## **Administering Access to BWC Data:**

A. **Data subjects.** Under Minnesota law, the following are considered data subjects for purposes of administering access to BWC data:

- 1. Any person or entity whose image or voice is documented in the data.
- 2. The officer who collected the data.
- 3. Any other officer whose voice or image is documented in the data, regardless of whether that officer is or can be identified by the recording.

B. **BWC data is presumptively private.** BWC recordings are classified as private data about the data subjects unless there is a specific law that provides differently. As a result:

- 1. BWC data pertaining to people is presumed private, as is BWC data pertaining to businesses or other entities.
- 2. Some BWC data is classified as confidential (see C. below).
- 3. Some BWC data is classified as public (see D. below).

C. **Confidential data.** BWC data that is collected or created as part of an active criminal investigation is confidential. This classification takes precedence over the “private” classification listed above and the “public” classifications listed below.

D. **Public data.** The following BWC data is public:

- 1. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous.

2. Data that documents the use of force by a peace officer that results in substantial bodily harm.

3. Data that a data subject requests to be made accessible to the public, subject to redaction. Data on any data subject (other than a peace officer) who has not consented to the public release must be redacted. In addition, any data on undercover officers must be redacted.

4. Data that documents the final disposition of a disciplinary action against a public employee.

However, if another provision of the Data Practices Act classifies data as private or otherwise not public, the data retains that other classification. For instance, data that reveals protected identities under Minn. Stat. § 13.82, subd. 17 (e.g., certain victims, witnesses, and others) should not be released even if it would otherwise fit into one of the public categories listed above.

**E. Access to BWC data by non-employees.** Officers shall refer members of the media or public seeking access to BWC data to the Chief of police or his/her designee and/or the City's responsible authority, who shall process the request in accordance with the MGDPA and other governing laws. In particular:

1. An individual shall be allowed to review recorded BWC data about him- or herself and other data subjects in the recording, but access shall not be granted:

a. If the data was collected or created as part of an active investigation.

b. To portions of the data that the Agency would otherwise be prohibited by law from disclosing to the person seeking access, such as portions that would reveal identities protected by Minn. Stat. § 13.82, subd. 17.

c. Parties other than the data subjects may request body camera recordings after obtaining written authorization from all data subjects specified.

2. Unless the data is part of an active investigation, an individual data subject shall be provided with a copy of the recording upon request, but subject to the following guidelines on redaction:

a. Data on other individuals in the recording who do not consent to the release must be redacted.

b. Data that would identify undercover officers must be redacted.

c. Data on other officers who are not undercover, and who are on duty and engaged in the performance of official duties, may not be redacted.

**F. Access by peace officers and law enforcement employees.** No employee may have access to the Agency's BWC data except for legitimate law enforcement or data administration purposes:

1. Officers may access and view stored BWC video only when there is a business need for doing so, including the need to defend against an allegation of misconduct or substandard performance. Officers may review video footage of an incident in which they were involved prior to preparing a report, giving a statement, or providing testimony about the incident, except in the case of critical incidents as outlined below:

2. The North Mankato Police Department recognizes that video and audio recordings from an event will likely contain more information than officers could perceive or take into account at the time of taking action, and there will therefore likely be differences between officers' recollection of events and what is captured by a digital recording device. Unless directed otherwise by the chief or chief's designee, the North Mankato Police Department will utilize the following procedures in an effort to assure that digital evidence is fairly used and considered in the course of investigations into critical incidents:

- a. The North Mankato Police Department's video and audio recordings of an event will not be made available to an officer for review prior to the officer's statement to investigators.
- b. The North Mankato Police Department expects that digital recordings will be used in a fair manner and to arrive at an accurate understanding of the incident and the officer's actions, based on what was perceived by and known to the officer at the time of acting. This agency will utilize the following procedures and communicate these procedures to any outside Investigating Agency:

-The officer will be reminded at the outset of the interview that differences between digital recordings and the officer's memory are to be expected;

-The officer, together with the officer's attorney, will be provided with an opportunity to review and reflect on relevant digital recordings before the interview has been concluded; and

-The officer will be provided with a fair opportunity to address any additional issues or concerns that arise from consideration of the digital evidence.

G. This specific section of this policy does not govern officers' review or use of digital evidence in matters other than critical incidents, such as in the course of preparing reports in arrest situations.

H. Agency personnel are prohibited from accessing BWC data for non-business reasons and from sharing the data for non-law enforcement related purposes, including but not limited to uploading BWC data recorded or maintained by this Agency to public and social media websites.

I. Employees seeking access to BWC data for non-business reasons may make a request for it in the same manner as any member of the public.

**J. Other authorized disclosures of data.**

1. Officers may display portions of BWC footage to witnesses as necessary for purposes of investigation as allowed by Minn. Stat. § 13.82, subd. 15, as may be amended from time to time. Officers should generally limit these displays in order to protect against the incidental disclosure of individuals whose identities are not public. Protecting against incidental disclosure could involve, for instance, showing only a portion of the video, showing only screen shots, muting the audio, or playing the audio but not displaying video. In addition:
2. BWC data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented in writing at the time of the disclosure.

3. BWC data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law.
4. Unless there is any law to the contrary, when an individual dies as a result of a use of force by a peace officer, an involved North Mankato Police Officer's BWC recordings must be allowed to be inspected, upon their request, all recording system data redacted no more than what is required by law, documenting the incident within five days of the request except as other provided in this section and in section 5.
  - a. The deceased individual's next of kin; and
  - b. The legal representative of the deceased individual's next of kin; and
  - c. The other parent of the deceased individual's child

The North Mankato Police Department may deny a request if it is determined that there is a compelling reason that inspection would interfere with an active investigation. If access is denied, the Chief of Police must provide a prompt, written denial to the individual who requested the data with a short description of the compelling reason access was denied and must provide notice that relief may be sought from the District Court pursuant to section 13.82, subdivision 7.

5. Unless there is any law to the contrary, when an individual dies as a result of a use of force by a peace officer, the North Mankato Police Department shall release all BWCs recording of the involved North Mankato Police Officer(s), redacted no more than what is required by law, documenting the incident no later than 14 days after the incident, unless the Chief of Police asserts in writing that the public classification would interfere with an ongoing investigation, in which case the data remain classified by section 13.82, subd. 7.

## **Data Security Safeguards**

A. Personally owned devices, including but not limited to computers and mobile devices, shall not be programmed or used to access or view Agency BWC data unless specifically approved by the Chief of Police.

B. Officers shall not intentionally edit, alter, erase, or destroy any recording made with their BWC or data or metadata related to the recording prior to the expiration of the applicable retention period under section 13.825, subd. 3 except that full, unedited and unredacted recording of a peace officer using deadly force must be maintained indefinitely.

C. As required by Minn. Stat. § 13.825, subd. 9, as may be amended from time to time, this Agency shall obtain an independent biennial audit of its BWC program.

## **Agency Use of Data**

A. Supervisors shall randomly review BWC usage by each officer to ensure compliance with this policy and to identify any performance areas in which additional training or guidance is required.

B. In addition, supervisors and other assigned personnel may access BWC data for the purposes of reviewing or investigating a specific incident that has given rise to a complaint or concern about officer misconduct or performance.

C. Nothing in this policy limits or prohibits the use of BWC data as evidence of misconduct or as a basis for discipline.

D. Officers should contact their supervisors to discuss retaining and using BWC footage for training purposes. Officer objections to preserving or using certain footage for training will be considered on a case-by-case basis. Field training officers may utilize BWC data with trainees for the purpose of providing coaching and feedback on the trainees' performance.

### **Biennial Audit**

The North Mankato Police Department shall arrange for a biennial audit and report of the agency's BWC camera system and usage pursuant to §13.825 Subd. 9.

### **Compliance**

Supervisors shall monitor for compliance with this policy. The unauthorized access to or disclosure of BWC data may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minn. Stat. § 13.09.

The Minnesota Board of Peace Officer Standards and Training has authority to inspect the North Mankato Police Department's policies to ensure compliance with Minnesota State statutes. The MN POST Board may conduct an inspection based upon a complaint it receives concerning the North Mankato Police Department or through a random selection process. The Board may impose licensing sanctions and seek injunctive relief under section 214.11 for failing to comply with the law.

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## **Nicollet County - City of North Meeting Liaison Meeting**

Thursday, October 19, 2023  
City of North Mankato - City Hall  
1001 Belgrade Avenue  
4:00 p.m. – 5:30 p.m.

### **I. CALL TO ORDER**

### **II. DISCUSSION**

#### **A. Roads**

- a) CSAH 13 (Lookout Dr. and Howard Dr.)
- b) CSAH 13 (Lookout Dr. pavement)
- c) Judson Bottom Rd.
- d) CSAH 6 (Timm Rd.)
- e) CSAH 41 (Carlson Dr.)
- f) Location of Roundabout Light Poles

#### **B. Public Works**

- a) Public Works Facility
- b) City Purchase of Used County Vehicles and Equipment

#### **C. Culture and Rec**

- a) Minnemishinona Falls Park Improvements
- b) Library Funding

#### **D. Other Items**

### **III. ADJOURN**

# **Benefits of a Public Library Member of Traverse des Sioux Library System**

## **Automation System/ILS**

TdS manages and supports a shared electronic library catalog system that allows patrons and staff to place holds, check out items, and route items between libraries. Each library can have a customized patron catalog tailored to their own collection.

## **Delivery**

TdS contracts with a courier service to move materials throughout the nine-county region. This includes stops at 36 public libraries and 4 academic libraries.

## **Interlibrary Loan**

TdS provides MNLINK services for the public libraries. Public library patrons are able to access materials throughout the state and beyond using MNLINK.

## **Cataloging/Technical Services**

TdS catalogs materials in the automation system and maintains the database to assist patrons in finding materials.

## **Technology Support**

TdS offers support and maintenance for staff and patron PCs and devices as well as support of networking equipment.

## **Internet**

TdS provides high-speed internet access to eligible libraries. TdS administers federal and state grant programs which fund all internet costs for those libraries.

## **Training and Development**

TdS hosts regional in-person and virtual trainings and user group meetings.

## **Arts and Cultural Heritage Programming (ACHF)**

TdS manages this state-funded reimbursement grant program that offers funding and program development for library events. Some regionwide programming is also provided, including CreativeBug, Library Speakers Consortium, and the traveling Testify exhibit.

## **Consulting**

TdS offers library-related consulting services on a variety of topics.

## **Electronic Resources**

TdS provides many electronic resources to its libraries and their patrons.

- **Overdrive:** E-books and e-audiobooks available to TdS member libraries that are part of the automation service. Funded by the participating member libraries.
- **eLibrary Minnesota:** Available to all Minnesota residents provided by Minitex with state appropriations to the Minnesota Office of Higher Education and the Minnesota Department of Education.
- **Mango Languages:** Online language learning service provided to all TdS public libraries.
- **CreativeBug:** Online resource for DIY crafters and makers available to all public libraries. Funded by ACHF grant.
- **Library Speakers Consortium:** Online resource to listen to authors speak about their works. Available to all public libraries; funded by ACHF grant.

# **Agenda**

Friday, November 3, 2023

All Seasons Arena

7:00 a.m.

1. Call Meeting to Order
2. Adopt Agenda
3. Review Minutes of the August 18 and September 22, 2023, Meetings
4. New Business
  - a. ASA Renovation Project
    - i. Project Update from Knutson Construction
    - ii. Project Schedule & Long Lead-Time Items
      1. Discussion of future meeting dates
    - iii. Design Options
  - b. EPA Violation Notice
5. Adjourn

## **All Season Arena Board Meeting Minutes**

**Friday, August 18, 2023**

### **All Seasons Arena Board Meeting Minutes**

Members Present: Dennis Dieken, Sandra Oachs, Mark Piepho

Others Present: Susan Arntz, Kevin McCann, Bob Meyer, Parker Skophammer, Jim Tatge, Jared Larson, Eric Jones, representatives from MAHA

Chair Dieken called the meeting to order at 7:00 a.m.

Review of Minutes of July 21, 2023, Meeting. Motion by Oachs, second by Piepho. Motion approved.

#### **New Business**

##### **2022 All Seasons Arena Financial Audit Review**

The Board Received a presentation from Tom Olinger, CPA from Abdo Solutions. The Audit review provided for a statement of legal compliance, or a clean audit.

Motion by Oachs, second by Piepho to accept the audit. Motion approved.

##### **Liability Coverage Waiver Consideration**

Skophammer reviewed for the Board the past practice and continued recommendation for not waiver of the statutory tort liability limits.

Motion by Piepho, seconded by Oachs to approve non-waiver of the statutory tort limits as part of the LMC Liability Coverage.

##### **Design Request for Proposals**

Tatge provided an update that Knutson Construction would be release an RFP for design services on Friday, August 18. It is anticipated that our next Board meeting would involve a recommendation for hiring the design firm for the renovation project.

##### **Design Request for Proposals**

Larsen provided an update on the ice plant. Earlier in the week, as we had started building ice for the upcoming season, a leak on the south rink was discovered. It was leaking the R22 coolant. Because it needed to be filled, and due to the limited quantities of R22 at this time, the cost of replacement of the 125 lbs. of R22 was approximately \$20,000. Funds were allocated in the budget for extraordinary maintenance of the facility. A brief discussion was held about the extent of the leak and what happens if it continues. Staff indicated that it would appear that we've addressed the key area at this time.

##### **Consideration of Next Meeting:**

The Board reviewed and discussed the next meeting to be September 22, 2023 at 7 a.m.

Motion by Piepho, second by Oachs to adjourn the meeting at 7:24 a.m. Motion passed.

## **All Season Arena Board Meeting Minutes**

**Friday, September 22, 2023**

### **All Seasons Arena Board Meeting Minutes**

Members Present: Dennis Dieken, Sandra Oachs, Mark Piepho

Others Present: Susan Arntz, Kevin McCann, Bob Meyer, Parker Skophammer, Jim Tatge, Jared Larson, Eric Jones, representatives from MAHA

Chair Dieken called the meeting to order at 7:00 a.m.

#### **Adopt Agenda**

Motion by Piepho, second by Oachs to approve agenda. Motion Carried.

#### **New Business**

##### **Review Design Firm Recommendation**

At the June 9<sup>th</sup> meeting, the board recommended to the member agencies to move forward with procurement of design services for the All Seasons Arena Renovation project. One proposal was received for the ice plant design and two proposals were received for the building renovation design.

The proposal received for the ice plant design was from B32 Engineering from Hudson, WI. B32 has done extensive work at All Seasons Arena in the past and at the Event Center, including the new ammonia plant installed in Summer 2022. Their proposed fee is \$207,960 or 3.466% of the total project cost of \$6,000,000.

There were two proposals received for the building renovation design, ISG and Widseth, both are located in Mankato. A review committee analyzed the proposals

Following a review and rating of each firm's proposal, interviews were conducted on September 19<sup>th</sup>. Clarification was sought from both firms on their proposed fees with updated rates subsequently submitted for review. ISG's proposed fee is 7% of a proposed construction cost of \$4,675,000, or \$327,250. Widseth's proposed fee is 6.95% of a proposed construction cost of \$4,400,000, or \$305,800. After the interviews, the committee concluded that ISG's experience with similar ice arena projects and a larger project team based in Mankato positions ASA for the best possible outcome.

Staff recommended awarding a design contract to B32 Engineering of Hudson, WI for the design of the ice plant, ice arena floors, and associated equipment in the amount of \$207,960 and awarding a design contract to ISG of Mankato, MN for the design of the building renovation in the amount of \$327,250. Design costs, as proposed, have been accounted for in the overall project budget of \$11,592,559.

Oachs asked if this is what we are seeing in the market on other projects. Tatge indicated that we usually see between 4% and 8%. B32 was at 7%, now at 3.466%. ISG adjusted their rate from 8% to 7%.

Motion to approve the recommendation of B32 and ISG was made by Oachs, seconded by Piepho. Motion carried.

**Review 2024 Budget**

Skophammer reviewed the proposed 2024 budget and a review of proposed fees. Key elements of the budget proposal, include:

- Family Memberships increase of \$20 or 25%
- Skate rental increase of \$1 or 33%
- Ice rentals increase of \$5 or 2.4%
- School rental increase of \$10 or 4.3%
- Elimination of non-prime work
- Anticipated revenue loss of 20% due to construction
- Potential for procurement delays

Motion by Oachs, second by Peipho to approve the 2024 budget. Motion carried.

**Confirm Date of Next Meeting:**

The Board reviewed and discussed the next meeting to be November 3, 2023, at 7 a.m.

Motion by Piepho, second by Oachs to adjourn the meeting at 7:18 a.m. Motion passed.



## MEMORANDUM

To: All Seasons Arena Board  
From: Susan MH Arntz  
Date: November 1, 2023  
RE: All Seasons Arena Renovation Project Updates

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### Project Update

Over the last 6 weeks, staff has been working with our design team to identify specific design elements, select equipment specifications, and identify energy saving opportunities and long lead-time items. Staff is meeting weekly to ensure the project remains on track with the accelerated schedule and we anticipate having an initial bid package for early procurement items ready for review in early December. The initial meeting with Xcel Energy's rebate consultant is scheduled for next week and staff will start identifying potential energy reduction rebates that can be applied for. This will represent both a potential construction funding source and a long-term strategy to reduce ongoing operational costs for the facility.

ISG recently held a pre-submittal meeting with the city's building official to ensure we are on track for the building permit submittal in the spring. B32 Engineering has been working in conjunction with ISG to identify the refrigeration room requirements and with the assistance of Knutson Construction, staff has entered into an agreement with Braun Intertec to perform the necessary soil borings and testing to facilitate the foundation design for the addition.

### Project Schedule & Long Lead-time Items

Staff from Knutson Construction will be in attendance to discuss the project schedule and provide an update. They will also review many of the long lead-time items that the design team has identified for both the renovation and ice replacement projects. To date, the following items and associated lead times have been identified:

- Motor Control Center (Ice Plant Electrical) – 52 weeks
- Building electrical components – 40 weeks
- Dehumidification unit – 52 weeks

Staff would like to discuss options for procurement with the board for these items along with guidance received from our attorney on future board actions.

### Design Options

Staff from ISG will be in attendance to discuss with the board a few preliminary design solutions for the north rink seating areas, of which will require some additional end-user feedback.

### EPA Violation Notice

Our staff were inspected by the EPA in August. We recently received notification of one violation. The required Tier II reports hadn't been submitted. As a result of this violation, the EPA provided an opportunity to settle the matter by getting the reports completed and entering into an Expedited Settlement Agreement. In addition, we were required to pay a \$5,000 fine. The reports were completed, and the fine has been paid. This was in lieu of the possibility of paying a fine of \$67,544 per day. The matter has been addressed and ongoing reporting has been built into the operations.