



CITY OF NORTH MANKATO

OFFICE OF THE MAYOR

Proclamation

WHEREAS, Kate Camp participated in the League of Minnesota Cities 2020 Mayor for a Day Essay Contest; and

WHEREAS, Kate's essay was chosen from out of over 150 participating fourth, fifth, and sixth graders in the State of Minnesota; and

WHEREAS, Kate composed a well thought out and compassionate plan for her work if she was Mayor for a day; and

WHEREAS, the plan included bringing an end to inequalities in the community, setting an example by being non-judgmental, expressing gratitude to City workers who provide services, doing all she could to provide food and shelter to everyone in need, and being a positive role model for all girls and women; and

WHEREAS, Kate recognized the gravity of her plan but added some levity by also making chocolate milk come out of all drinking fountains; and

WHEREAS, the City of North Mankato is proud to have Kate Camp as a resident of North Mankato and recognition of her achievement is warranted.

NOW, THEREFORE, I, Mark Dehen, Mayor of the City of North Mankato, Minnesota, do hereby declare;

KATE CAMP AS MAYOR FOR A DAY!

in the City of North Mankato, on April 5, 2021.




Mark Dehen
Mayor North Mankato, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Municipal Building Council Chambers on March 15, 2021. City Administrator Harrenstein on March 31, 2020, under MN Statute Section 13D.021, declared the use of electronic meetings due to the COVID-19 pandemic. Mayor Dehen called the meeting to order at 7:00 p.m., asking that everyone join in the Pledge of Allegiance. The following were present remotely through Zoom for roll call: Council Members Whitlock, Oachs, Norland, and Steiner, City Attorney Kennedy, Finance Director McCann, and Public Works Director Host, present in the Council Chambers for roll call: Community Development Director Fischer and City Clerk Van Genderen. Absent: City Administrator Harrenstein. Citizen participation was available through teleconference.

Approval of Agenda

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

Approval of Council Minutes from the March 1, 2021, Council Meeting.

Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council meeting of March 1, 2021. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.

P R O C L A M A T I O N

WHEREAS, the monarch butterfly is an iconic North American species whose migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and

WHEREAS, globally, pollinators are in decline due to pressures including habitat loss and climate change; and

WHEREAS, cities, towns, and counties have a critical role to play to help preserve the monarch butterfly habitat; and

WHEREAS, North Mankato has made significant efforts to increase pollinator habitats through prairie restoration of Benson Park and Bluff Park and incorporating pollinator plants in community gardens and green spaces; and

WHEREAS, the Mayor of North Mankato has taken the National Wildlife Federation's Mayor's Monarch Pledge to demonstrate North Mankato's commitment to creating habitat and educating citizens about how they can make a difference at home.

NOW, THEREFORE, I, Mark Dehen, Mayor of the City of North Mankato, Minnesota, declare March 15, 2021, the City of North Mankato a

POLLINATOR FRIENDLY COMMUNITY

Public Hearing, 7 pm-Amend City Code Section 156.041 (J) and the Maximum Number of Stories Permitted in an R-4 Zoning District.

Community Development Director Fischer reported Select Management LLC's request to amend City Code Section 156.041 (J), located in the R-4 Zoning Regulations. The purpose of the R-4 zoning district is to create opportunities for high-density residential development. The current regulation pertaining to maximum building height states no building "erected or altered shall exceed three stories or 45 feet in height." The applicant is proposing to construct a new four-story apartment complex that will not exceed 45 feet in height. The staff compared North Mankato's building height regulations and those used by other cities in high-density zoning districts. Most other cities allow buildings up to 45 feet and higher in high-density residential districts. The Planning Commission reviewed the request and recommended approval of the code change, eliminating the language three stories and leaving just the maximum height at 45 feet.

Barb Church, 102 Wheeler Avenue, spoke before Council and stated her concern was not about the height or the number of stories permitted. She said the City should consider increasing the number of required parking stalls per unit.

With no one else appearing, Mayor Dehen closed the Public Hearing.

Consent Agenda

Council Member Norland moved, seconded by Council Member Oachs, to approve the Consent Agenda.

- A. Bills and Appropriations.
- B. Res. No. 23-21 Accepting Donations/Contributions/Grants.
- C. Approved League of Minnesota Cities Insurance Trust Liability Coverage Waiver Form.
- D. Approved Renewal of Caswell Sports On-Sale Liquor License from April 30, 2021, to April 30, 2022.
- E. Set Public Hearing for 7 p.m. on April 5, 2021, for Revision of Code of Ordinances.
- F. Res. No. 24-21 Setting Fees and Charges.

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

Public Comments Concerning Business Items on the Agenda

None.

Business Items

Ordinance No. 139, Fourth Series, Amending North Mankato City Code Chapter 156.041 (J) Height Regulations.

Council Member Norland requested clarification on if the development would have any garages or if it would just be parking. Community Development Director Fischer reported it would all be surface parking.

Council Member Steiner commented he is concerned about parking issues. Council Member Oachs asked if there was consideration for including a visitor parking lot.

Community Development Director Fischer reported the plan that he reviewed met the City Code design guidelines and has two parking stalls per dwelling unit.

Attorney Kennedy requested clarification on if there would be underground parking. Community Development Director Fischer reported there would be enough parking in the open to

satisfy requirements. Attorney Kennedy requested clarification on how long the two parking stalls per dwelling unit has been in City Code. Community Development Director Fischer noted it had been many years.

Council Member Whitlock requested clarification on the number of dwelling units and the number of parking stalls. Community Development Director Fischer noted he did not recall the exact number, but the development met the requirements and exceeded the required stalls. He noted the ordinance does not address parking, and it only addresses the height of the building.

Council Member Whitlock moved, seconded by Council Member Norland, to adopt Ordinance No. 139, Fourth Series, Amending North Mankato City Code Chapter 156.041 (J) Height Regulations. Vote on the motion: Norland, Oachs and Dehen aye; Whitlock and Steiner nay. Motion carried.

Res. No. 25-21 Concerning the Increase of the Minimum Population of Cities that Constitute the Core of Metropolitan Statistical Area (MSA) from 50,000 to 100,000.

Community Development Director Fischer reported the Office of Management and Budget is currently seeking public comment on a proposal from the Metropolitan and Micropolitan Statistical Area Standards Review Committee which could eliminate the Mankato/North Mankato region as a Metropolitan Statistical Area. The proposal outlines changing the urban area population's threshold from 50,000 to 100,000, resulting in eliminating 144 Metropolitan Statistical Areas across the country, including Mankato/North Mankato. The City of North Mankato does not obtain CDBG funds, but the City is marketed as part of the MSA and leverages us among other businesses. The City is asking Council to adopt a resolution opposing the change.

Mayor Dehen commented the proposed change was discussed at a recent REDA meeting, and a key factor for the City is that as an MSA, Mankato and North Mankato apply for federal grant money. If the area is no longer an MSA, North Mankato will compete with Lake Crystal for funding which could be harmful to smaller cities.

Council Member Norland and Council Member Steiner expressed their support of resolving and maintaining Mankato/North Mankato as an MSA.

Council Member Norland moved, seconded by Council Member Steiner, to adopt Res. No. 25-21 Concerning the Increase of the Minimum Population of Cities that Constitute the Core of Metropolitan Statistical Area (MSA) from 50,000 to 100,000. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.

Ordinance No. 140 Annexing .42 Acres of Land Owned by North Mankato into the City of North Mankato, Minnesota.

Community Development Director Fischer reported that the City purchased the land in 1999 and is located near Benson Park. The land is adjacent to a stormwater holding pond, and the City located a lift station on the piece of property. The land did not get annexed at the time of purchase, and as the City has become aware of the oversight will proceed with annexation.

Council Member Norland moved, seconded by Council Member Oachs, to Adopt Ordinance No. 140 Annexing .42 Acres of Land Owned by North Mankato into the City of North Mankato, Minnesota. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.

Res. No. 26-21 Approving 2021 Special Appropriation General Obligation Bond Grant-City of North Mankato.

Public Works Director Host reported the proposed resolution would be added to the documentation for submission to the Department of Employment and Economic Development to complete the application process to receive the funding. **Council Member Norland moved, seconded by Council Member Oachs, to Adopt Res. No. 26-21 Approving 2021 Special Appropriation General Obligation Bond Grant-City of North Mankato. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.**

Open Forum

Bess Tsaouse spoke before Council and requested an appeals process be added to the natural lawn area ordinance.

City Administrator and Staff Comments

Public Works Director Host noted the 12 inches of snow received is equivalent to a 6-inch rain event.

Mayor and Council Comments

Council Member Norland reported she is researching the impact of plastics and styrofoam on the environment.

Mayor Dehen said the annual GMG report was included in the packet.

Mayor Dehen encouraged everyone to participate in the LoNo Strong celebration on Belgrade Avenue the week of March 15-20.

Mayor Dehen reported that the City and Finance Director McCann received the Financial Reporting Achievement Award from the Government Finance Officers Association of the United States and Canada. The award is given for excellence in financial reporting for the City's Comprehensive Annual Financial Report for the Fiscal Year ended December 31, 2019.

At 7:24 p.m., on a motion by Council Member Norland, seconded by Council Member Oachs, the Council Meeting was adjourned.

Mayor

City Clerk

2020 Mayor for a Day Essay Contest Winner

Kate Camp

6th grade, North Mankato

When you think of kids being the mayor, your mind probably wanders to the stereotypes that are sometimes portrayed in comic strips or movies. Chocolate milk in the drinking fountains, a new holiday, or silly rules that people have to follow. I'll admit, some of those sound fun to me, too, but I would focus on bigger problems than what comes out of the drinking fountains.

If I were mayor for a day, I would try to fix small inequalities in our community. I cannot control everyone, or even a small portion of the US, but I believe that my efforts could make a difference. As a leader, I would set a good example and be non judgmental of others no matter what they look like, or who they are. Their race, gender, ethnicity, or beliefs would not matter to me, and I would treat everyone as an equal, because we are.

Also, I would set realistic goals and cooperate with others to achieve them. I would show my community what a wonderful place Minnesota is to live in, and how blessed we are. I would express more gratitude to city service workers, such as librarians, police officers, firefighters, park and rec employees, and more. They work so hard to keep our community beautiful and fun.

If I were mayor for a day, I would do all I could in my power to make sure people around me got the food and shelter they need. I would look for volunteers to donate to the food shelf, and volunteer myself. I would use being mayor as an opportunity to show people that girls can do anything they put their minds to, and there is no superior gender or race.

I would probably do more, but those sound like hard goals, and I only have one day! My main goal would be to set a good example and show everyone that Minnesota is a great place to live. And while I'm at it, I might as well make chocolate milk in the drinking fountains.

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 8	Dept: Com. Development	Council Meeting Date: 4/5/21																												
TITLE OF ISSUE: Public Hearing Concerning Ordinance No. 141, Fourth Series, Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances and Providing Penalties for the Violation of the Code of Ordinances.																														
BACKGROUND AND SUPPLEMENTAL INFORMATION: Minnesota Statutes authorize the City to cause its ordinances to be revised, updated and compiled. The Ordinances adopted since the last codification are under consideration for codification.																														
<i>If additional space is required, attach a separate sheet</i>																														
REQUESTED COUNCIL ACTION: Public Hearing.																														
For Clerk's Use: 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>Norland</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>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Steiner	_____	_____	Norland	_____	_____	Oachs	_____	_____	Whitlock	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <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 checked="" 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) _____ Notice of Public Hearing _____ _____ _____ _____		Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aye	Nay																													
_____	_____	Steiner																												
_____	_____	Norland																												
_____	_____	Oachs																												
_____	_____	Whitlock																												
_____	_____	Dehen																												
Resolution	Ordinance	Contract	Minutes	Map																										
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																										
<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Workshop</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Regular Meeting</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Special Meeting</td> </tr> </table>	<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Regular Meeting	<input type="checkbox"/>	Special Meeting	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Refer to: _____</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Table until: _____</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Other: _____</td> </tr> </table>		<input type="checkbox"/>	Refer to: _____	<input type="checkbox"/>	Table until: _____	<input type="checkbox"/>	Other: _____																
<input type="checkbox"/>	Workshop																													
<input checked="" type="checkbox"/>	Regular Meeting																													
<input type="checkbox"/>	Special Meeting																													
<input type="checkbox"/>	Refer to: _____																													
<input type="checkbox"/>	Table until: _____																													
<input type="checkbox"/>	Other: _____																													

The Free Press MEDIA

THE LAND

P.O. Box 3287, Mankato, MN 56002

www.mankatofreepress.com phone: (507) 344-6314, fax: (507) 625-1149

Affidavit of Publication

STATE OF MINNESOTA, COUNTY OF BLUE EARTH, SS.

Steve Jameson, being duly sworn, on oath states as follows:

1. I am the publisher of The Free Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

The printed notice which is attached was cut from the columns of said newspaper, and was printed and published the following dates: 03/19/21, and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: 80.78.

5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue Earth County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

By: _____

Steve Jameson, Publisher

Sworn to and subscribed before me, this day
03/19/2021

Notary Public

Public Notice

March 19, 2021

NOTICE OF PUBLIC HEARING TO AMEND NORTH MANKATO CITY CODE

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, at 7 pm on the 5th day of April 2021, to hold a public hearing to amend the City Code of North Mankato to include all Ordinances adopted by the City Council since the last codification.

Such persons as desire to be heard concerning the proposed amendment to the City Code will be heard at this meeting.

Due to the COVID-19 outbreak, the hearing location will be closed to the public. However, the City has modified the hearing process to ensure that the public can monitor the hearing and submit public comment.

The public hearing will be broadcast live on Charter Channel 180 or Consolidated Communications Channel 8.

Public comment may be submitted to the city council via the following methods:

1) Written comments/questions may be submitted in writing prior to the public hearing by any of the following methods.

a) By email. Submit your comments/questions to aprilv@northmankato.com no later than 5:00 pm on Monday, April 5, 2021.

b) By mail. Submit your comments/questions by mailing to 1001 Belgrade Avenue, North Mankato, MN 56003. Questions/Comments must be received no later than 5:00 pm on Monday, April 5, 2021.

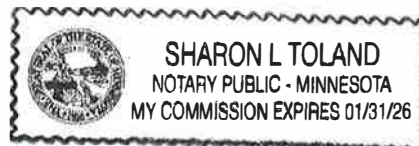
c) By physical delivery. Deliver your comments/questions by delivering them to the DropBox at City Hall at 1001 Belgrade Avenue, North Mankato, MN, no later than 3:00 pm on Monday, April 5, 2021.

2) Live comment during the public hearing via telephone. Residents desiring to make public comments by telephone during the public hearing must request before 5 pm on April 5, 2021, to be placed on the public hearing agenda. You may do so by calling City Hall (507) 625-4141, emailing aprilv@northmankato.com, or calling 507-214-0517 and enter participant code 965994. Each resident will be given 3 minutes to make his/her comment.

Dated this 15th day of March 2021.

April Van Genderen
City Clerk

City of North Mankato, Minnesota



NOTICE OF PUBLIC HEARING
TO AMEND NORTH MANKATO CITY CODE

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, at 7 pm on the 5th day of April 2021, to hold a public hearing to amend the City Code of North Mankato to include all Ordinances adopted by the City Council since the last codification.

Such persons as desire to be heard concerning the proposed amendment to the City Code will be heard at this meeting.

Due to the COVID-19 outbreak, the hearing location will be closed to the public. However, the City has modified the hearing process to ensure that the public can monitor the hearing and submit public comment.

The public hearing will be broadcast live on Charter Channel 180 or Consolidated Communications Channel 8.

Public comment may be submitted to the city council via the following methods:

- 1) Written comments/questions may be submitted in writing prior to the public hearing by any of the following methods.
 - a) By email. Submit your comments/questions to aprilv@northmankato.com no later than 5:00 pm on Monday, April 5, 2021.
 - b) By mail. Submit your comments/questions by mailing to 1001 Belgrade Avenue, North Mankato, MN 56003. Questions/Comments must be received no later than 5:00 pm on Monday, April 5, 2021.
 - c) By physical delivery. Deliver your comments/questions by delivering them to the DropBox at City Hall at 1001 Belgrade Avenue, North Mankato, MN, no later than 3:00 pm on Monday, April 5, 2021.
- 2) Live comment during the public hearing via telephone. Residents desiring to make public comments by telephone during the public hearing must request before 5 pm on April 5, 2021, to be placed on the public hearing agenda. You may do so by calling City Hall (507) 625-4141, emailing aprilv@northmankato.com. Please call 507-214-0517 and enter participant code 965994. Each resident will be given 3 minutes to make his/her comment.

Dated this 15th day of March 2021.

April Van Genderen
City Clerk
City of North Mankato, Minnesota

ORDINANCE NO. 141, FOURTH SERIES

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR
THE CITY OF NORTH MANKATO, MINNESOTA
REVISING, UPDATING AND
COMPILING CERTAIN ORDINANCES OF THE CITY DEALING WITH THE
SUBJECTS EMBRACED IN THE CODE OF ORDINANCES AND PROVIDING
PENALTIES FOR THE VIOLATION OF THE CODE OF ORDINANCES

WHEREAS, Minnesota Statutes Section 415.02 and 415.021 authorize the City to cause its ordinances to be revised, updated and compiled;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, ordains as follows:

Section 1. Ordinance Nos.127, 128, 129, 130, 131, 132, 133, 134, 135, 136, and 137, Fourth Series, are incorporated into the revised Code of Ordinances;

Section 2. This ordinance amending the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published in the City's official newspaper. The City Clerk shall cause a substantial quantity of the amended Code of Ordinances to be printed for public distribution to the public at actual cost. The official copy of this amended Code of Ordinances shall be marked and kept in the Office of the City Clerk.

Section 3. The Code of Ordinances is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by Minnesota Statutes by the Courts of the State of Minnesota.

Section 4. This ordinance amending the Code of Ordinances shall take effect upon publication of this ordinance in the City's official newspaper.

Adopted by the City Council of the City of North Mankato this 5th day of April 2021.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 127, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 156, ENTITLED "ZONING CODE",
BY CHANGING THE ZONING DISTRICT MAP AND, BY ADOPTING BY REFERENCE NORTH
MANKATO CITY CODE, CHAPTER 10 AND SECTION 10.99 WHICH,
AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

Section 1. North Mankato City Code, Section 156.021, entitled "Zoning District Map," is hereby amended by changing the zoning as follows:

A. To Zone part of Northport No. 21 as M-2, Heavy Industrial.

Section 2. North Mankato City Code, Chapter 10, entitled "General Provisions" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.


Section 3. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 18th day of February 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on Feb. 22, 2020.

ORDINANCE NO. 128, FOURTH SERIES

**AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA ANNEXING
LAND LOCATED IN BELGRADE TOWNSHIP, NICOLLET COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described in Exhibit A be annexed to the City of North Mankato Minnesota, was duly presented to the Council of the City of North Mankato on the 6th day of April 2020; and

WHEREAS, said property is unincorporated and abuts the City of North Mankato; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently farmland and annexation is requested to facilitate the extension of city services for residential development of the property; and

WHEREAS, the City of North Mankato held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2(3), on May 18, 2020, following thirty (30) days written notice by certified mail to the Township of Belgrade and to all landowners within and contiguous to the area legally described in Exhibit A, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH MANKATO
HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that residential use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of North Mankato, Minnesota, are hereby extended to include the following described property, said land abutting the City of North Mankato and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

The Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Two (2), Township One Hundred Eight (108) North, Range Twenty-seven (27) West, Nicollet County, Minnesota
AND

The East Thirteen and Sixty-three-hundredths (13.63) acres of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4)

AND

The West Eleven and Forty-two-hundredths (11.42) acres of the Northeast Quarter of the Northwest Quarter (NE 1/4 of NW 1/4) of Section One (1), Township One Hundred Eight (108) North, Range Twenty-seven (27) West;

AND

The West Thirty-nine and Sixty-six hundredths (39.66) acres of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section One (1), Township One Hundred Eight (108) North, Range Twenty-seven (27) West.

EXCEPTING: That part of Tract A described below: TRACT A: The West 11.42 acres of the Northeast Quarter of the Northwest Quarter of Section 1 Township 108 North, Range 27 West, Nicollet County, Minnesota, which lies southeasterly of Line 1 described below: Line 1. From a point on the west line of said Section 1 distant 110.66 feet North of the Southwest corner thereof, run easterly at an angle of 89 degrees 09 minutes 08 seconds from said west section line (measured from north to east) for 22.82 feet; thence deflect to the left at an angle of 63 degrees 28 minutes 34 seconds for 2963.73 feet; thence deflect to the right on a tangential curve having a radius of 2083.49 feet and a delta angle of 66 degrees 34 minutes 17 seconds having a length of 2420.78 feet for 1166.97 feet; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds from the tangent of said curve at said point for 775 feet to the point of beginning of Line 1 to be described; thence run southwesterly to a point 1340 feet north of the 1/8 section corner west of the center of said Section 1 and there terminating.

ALSO EXCEPTING: That part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North, Range 27 West, Nicollet County, Minnesota, described as: Commencing at the southwest corner of the Northwest Quarter of the Northwest Quarter of Section 1; (the west line of the Northwest quarter of Section 1 to have an assumed bearing of North 00 degrees 02 minutes 00 seconds West) thence North 88 degrees 28 minutes 28 seconds East, along the south line of the Northwest Quarter of the Northwest Quarter of Section 1 a distance of 786.92 feet to the point of beginning; thence North 00 degrees 19 minutes 00 seconds West, along the centerline of the township road, 587.83 feet; thence South 68 degrees 52 minutes 12 seconds East, 174.23 feet; thence South 05 degrees 40 minutes 00 seconds West, 190.00 feet; thence South 26 degrees 58 minutes 06 seconds East, 367.75 feet to a point on the South line of the Northwest Quarter of the Northwest Quarter of Section 1; thence South 88 degrees 28 minutes 28 seconds West, along said south line, 307.39 feet to the point of beginning.

AND ALSO EXCEPTING: Any portion of the previously annexed property per recorded Nicollet County Document No. 257006 described as:

That part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North Range 27 West; that part of Government Lot 8 in Section 36, Township 109 North Range 27 West; and that part of the Southeast Quarter of the Southeast Quarter of Section 35, Township 109 North Range 27 West, all in Nicollet County, Minnesota, described as:

Beginning at the southwest corner of Countryside View Subdivision, according to the plat thereof on file and of record with the Nicollet County Recorder; thence North 00 degrees 22 minutes 04 seconds West, (Minnesota County Coordinate System of 1983, Nicollet County Zone), along the west line of said Countryside View Subdivision, the same being the center line of Howard Drive according to said Countryside View Subdivision, a distance of 587.83 feet to the northwesterly corner of said Countryside View Subdivision; thence South 68 degrees 55 minutes 16 seconds East, along the northerly line of said Countryside View Subdivision a

distance of 35.45 feet to a point on the easterly right of way line of Howard Drive according to said Countryside View Subdivision; thence North 00 degrees 22 minutes 04 seconds West, 636.56 feet to the point of curvature of a circular curve to the right; thence northeasterly, along a 467.00 foot radius curve, central angle = 27 degrees 28 minutes 21 seconds, an arc distance of 223.92 feet to the point of reverse curve; thence northeasterly, along a 968.00 foot radius curve, central angle = 16 degrees 46 minutes 11 seconds, an arc distance of 283.32 feet to the point of tangency of said curve; thence North 10 degrees 20 minutes 06 seconds East, along the tangent of said curve, 121.52 feet; to the point of curvature of a circular curve to the left; thence northerly, along a 158.00 foot radius curve, central angle = 39 degrees 06 minutes 55 seconds, an arc distance of 107.87 feet to a point on the easterly line of Outlot A, Leonard Diegnau Subdivision, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 13 degrees 45 minutes 49 seconds West, along said easterly line, 20.43 feet to the most southerly corner of said Leonard Diegnau Subdivision; thence North 48 degrees 47 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 100.95 feet; thence North 57 degrees 40 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 50.00 feet; thence North 68 degrees 35 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 70.00 feet; thence North 80 degrees 21 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 67.00 feet; thence North 86 degrees 14 minutes 41 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 154.30 feet to the southwesterly corner of said Leonard Diegnau Subdivision; thence North 10 degrees 29 minutes 19 seconds East, along the westerly line of said Leonard Diegnau Subdivision a distance of 27.91 feet; thence North 85 degrees 52 minutes 14 seconds West, 89.69 feet to the point of curvature of a circular curve to the right; thence westerly, along a 467.00 foot radius curve, central angle = 06 degrees 43 minutes 30 seconds, an arc distance of 54.81 feet to the point of tangency of said curve; thence North 79 degrees 08 minutes 44 seconds West, along the tangent of said curve, 232.58 feet to the point of curvature of a circular curve to the left; thence westerly, along a 533.00 foot radius curve, central angle = 10 degrees 19 minutes 07 seconds, an arc distance of 95.99 feet to the point of tangency of said curve; thence North 89 degrees 27 minutes 51 seconds West, along the tangent of said curve, 283.98 feet; thence South 88 degrees 31 minutes 00 seconds West, 604.86 feet; thence South 00 degrees 06 minutes 58 seconds West, 66.03 feet; thence North 88 degrees 31 minutes 00 seconds East, 605.54 feet; thence South 89 degrees 27 minutes 51 seconds East, 282.82 feet to the point of curvature of a circular curve to the right; thence easterly, along a 467.00 foot radius curve, central angle = 10 degrees 19 minutes 07 seconds, an arc distance of 84.10 feet to the point of tangency of said curve; thence South 79 degrees 08 minutes 44 seconds East, along the tangent of said curve, 232.58 feet to the point of curvature of a circular curve to the left; thence easterly, along a 533.00 foot radius curve, central angle = 06 degrees 43 minutes 30 seconds, an arc distance of 62.56 feet to the point of tangency of said curve; thence South 85 degrees 52 minutes 14 seconds East, along the tangent of said curve, 243.80 feet to the point of curvature of a circular curve to the right; thence southeasterly, along a 287.00 foot radius curve, central angle = 40 degrees 15 minutes 03 seconds, an arc distance of 201.62 feet to the point of compound curve; thence southeasterly and southerly, along a 92.00 foot radius curve, central angle = 55 degrees 57 minutes 17 seconds, an arc distance of 89.85 feet to the point of tangency of said curve; thence South 10 degrees 20 minutes 06 seconds West, along the tangent of said curve, 121.52 feet to the point of curvature of a circular curve to the right; thence southwesterly, along a 902.00 foot radius curve, central angle = 16 degrees 46 minutes 11 seconds, an arc distance of 264.00 feet to the point of reverse curve; thence southwesterly and southerly, along a 533.00 foot radius curve, central angle = 27 degrees 28 minutes 21 seconds, an arc distance of 255.57 feet to the point of tangency of said curve; thence South 00 degrees 22 minutes 04 seconds East, along

The Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Two (2), Township One Hundred Eight (108) North, Range Twenty-seven (27) West, Nicollet County, Minnesota AND

The East Thirteen and Sixty-three-hundredths (13.63) acres of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4)
AND

The West Eleven and Forty-two-hundredths (11.42) acres of the Northeast Quarter of the Northwest Quarter (NE 1/4 of NW 1/4) of Section One (1), Township One Hundred Eight (108) North, Range Twenty-seven (27) West;
AND

The West Thirty-nine and Sixty-six hundredths (39.66) acres of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section One (1), Township One Hundred Eight (108) North, Range Twenty-seven (27) West.

EXCEPTING: That part of Tract A described below: TRACT A: The West 11.42 acres of the Northeast Quarter of the Northwest Quarter of Section 1 Township 108 North, Range 27 West, Nicollet County, Minnesota, which lies southeasterly of Line 1 described below: Line 1. From a point on the west line of said Section 1 distant 110.66 feet North of the Southwest corner thereof, run easterly at an angle of 89 degrees 09 minutes 08 seconds from said west section line (measured from north to east) for 22.82 feet; thence deflect to the left at an angle of 63 degrees 28 minutes 34 seconds for 2963.73 feet; thence deflect to the right on a tangential curve having a radius of 2083.49 feet and a delta angle of 66 degrees 34 minutes 17 seconds having a length of 2420.78 feet for 1166.97 feet; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds from the tangent of said curve at said point for 775 feet to the point of beginning of Line 1 to be described; thence run southwesterly to a point 1340 feet north of the 1/8 section corner west of the center of said Section 1 and there terminating.

ALSO EXCEPTING: That part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North, Range 27 West, Nicollet County, Minnesota, described as: Commencing at the southwest corner of the Northwest Quarter of the Northwest Quarter of Section 1; (the west line of the Northwest quarter of Section 1 to have an assumed bearing of North 00 degrees 02 minutes 00 seconds West) thence North 88 degrees 28 minutes 28 seconds East, along the south line of the Northwest Quarter of the Northwest Quarter of Section 1 a distance of 786.92 feet to the point of beginning; thence North 00 degrees 19 minutes 00 seconds West, along the centerline of the township road, 587.83 feet; thence South 68 degrees 52 minutes 12 seconds East, 174.23 feet; thence South 05 degrees 40 minutes 00 seconds West, 190.00 feet; thence South 26 degrees 58 minutes 06 seconds East, 367.75 feet to a point on the South line of the Northwest Quarter of the Northwest Quarter of Section 1; thence South 88 degrees 28 minutes 28 seconds West, along said south line, 307.39 feet to the point of beginning.

AND ALSO EXCEPTING: Any portion of the previously annexed property per recorded Nicollet County Document No. 257006 described as:

That part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North Range 27 West; that part of Government Lot 8 in Section 36, Township 109 North Range 27 West; and that part of the Southeast Quarter of the Southeast Quarter of Section 35, Township 109 North Range 27 West, all in Nicollet County, Minnesota, described as:

Beginning at the southwest corner of Countryside View Subdivision, according to the plat thereof on file and of record with the Nicollet County Recorder; thence North 00 degrees 22 minutes 04 seconds West, (Minnesota County Coordinate System of 1983, Nicollet County Zone), along the west line of said

Countryside View Subdivision, the same being the center line of Howard Drive according to said Countryside View Subdivision, a distance of 587.83 feet to the northwesterly corner of said Countryside View Subdivision; thence South 68 degrees 55 minutes 16 seconds East, along the northerly line of said Countryside View Subdivision a distance of 35.45 feet to a point on the easterly right of way line of Howard Drive according to said Countryside View Subdivision; thence North 00 degrees 22 minutes 04 seconds West, 636.56 feet to the point of curvature of a circular curve to the right; thence northeasterly, along a 467.00 foot radius curve, central angle = 27 degrees 28 minutes 21 seconds, an arc distance of 223.92 feet to the point of reverse curve; thence northeasterly, along a 968.00 foot radius curve, central angle = 16 degrees 46 minutes 11 seconds, an arc distance of 283.32 feet to the point of tangency of said curve; thence North 10 degrees 20 minutes 06 seconds East, along the tangent of said curve, 121.52 feet; to the point of curvature of a circular curve to the left; thence northerly, along a 158.00 foot radius curve, central angle = 39 degrees 06 minutes 55 seconds, an arc distance of 107.87 feet to a point on the easterly line of Outlot A, Leonard Diegnau Subdivision, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 13 degrees 45 minutes 49 seconds West, along said easterly line, 20.43 feet to the most southerly corner of said Leonard Diegnau Subdivision; thence North 48 degrees 47 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 100.95 feet; thence North 57 degrees 40 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 50.00 feet; thence North 68 degrees 35 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 70.00 feet; thence North 80 degrees 21 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 67.00 feet; thence North 86 degrees 14 minutes 41 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 154.30 feet to the southwest corner of said Leonard Diegnau Subdivision; thence North 10 degrees 29 minutes 19 seconds East, along the westerly line of said Leonard Diegnau Subdivision a distance of 27.91 feet; thence North 85 degrees 52 minutes 14 seconds West, 89.69 feet to the point of curvature of a circular curve to the right; thence westerly, along a 467.00 foot radius curve, central angle = 06 degrees 43 minutes 30 seconds, an arc distance of 54.81 feet to the point of tangency of said curve; thence North 79 degrees 08 minutes 44 seconds West, along the tangent of said curve, 232.58 feet to the point of curvature of a circular curve to the left; thence westerly, along a 533.00 foot radius curve, central angle = 10 degrees 19 minutes 07 seconds, an arc distance of 95.99 feet to the point of tangency of said curve; thence North 89 degrees 27 minutes 51 seconds West, along the tangent of said curve, 283.98 feet; thence South 88 degrees 31 minutes 00 seconds West, 604.86 feet; thence South 00 degrees 06 minutes 58 seconds West, 66.03 feet; thence North 88 degrees 31 minutes 00 seconds East, 605.54 feet; thence South 89 degrees 27 minutes 51 seconds East, 282.82 feet to the point of curvature of a circular curve to the right; thence easterly, along a 467.00 foot radius curve, central angle = 10 degrees 19 minutes 07 seconds, an arc distance of 84.10 feet to the point of tangency of said curve; thence South 79 degrees 08 minutes 44 seconds East, along the tangent of said curve, 232.58 feet to the point of curvature of a circular curve to the left; thence easterly, along a 533.00 foot radius curve, central angle = 06 degrees 43 minutes 30 seconds, an arc distance of 62.56 feet to the point of tangency of said curve; thence South 85 degrees 52 minutes 14 seconds East, along the tangent of said curve, 243.80 feet to the point of curvature of a circular curve to the right; thence southeasterly, along a 287.00 foot radius curve, central angle = 40 degrees 15 minutes 03 seconds, an arc distance of 201.62 feet to the point of compound curve; thence southeasterly and southerly, along a 92.00 foot radius curve, central angle = 55 degrees 57 minutes 17 seconds, an arc distance of 89.85 feet to the point of tangency of said curve; thence South 10 degrees 20 minutes 06 seconds West, along the tangent of said curve, 121.52 feet to the point of curvature of a circular curve to the right; thence southwesterly, along a 902.00 foot radius curve, central angle = 16 degrees 46 minutes 11 seconds, an arc distance of 264.00 feet to the point of reverse curve; thence southwesterly and southerly, along a 533.00 foot radius curve, central angle = 27 degrees 28

minutes 21 seconds, an arc distance of 255.57 feet to the point of tangency of said curve; thence South 00 degrees 22 minutes 04 seconds East, along the tangent of said curve, 1212.18 feet to a point on the south line of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North Range 27 West; thence North 88 degrees 25 minutes 24 seconds East, along said south line, 33.01 feet to the point of beginning.

Said parcels contain 109 acres, subject to any and all easements of record.


the tangent of said curve, 1212.18 feet to a point on the south line of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North Range 27 West; thence North 88 degrees 25 minutes 24 seconds East, along said south line, 33.01 feet to the point of beginning.

Said parcels contain 109 acres, subject to any and all easements of record.

Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto in Exhibit B.

4. That the population of the area legally described herein and hereby annexed is 0.
5. The City of North Mankato pursuant to Minnesota Statutes §414.036, and in accordance with the reimbursement agreement (Exhibit C) with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to Belgrade Township of \$5,699.00 and shall not receive any further property tax income from the land commencing with the tax year 2019.
6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.
7. That the City Clerk of the City of North Mankato is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Nicollet County Auditor, and the Belgrade Township Clerk.
8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of North Mankato, Minnesota, this 18th day of May 2020.



Mayor

ATTEST:


City Clerk

(City Seal)

ORDINANCE NO. 129, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 156, ENTITLED "ZONING CODE",
BY CHANGING THE ZONING DISTRICT MAP AND, BY ADOPTING BY REFERENCE NORTH
MANKATO CITY CODE, CHAPTER 10 AND SECTION 10.99 WHICH,
AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

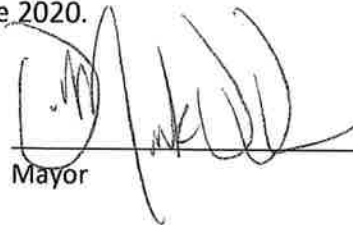
Section 1. North Mankato City Code, Section 156.021, entitled "Zoning District Map," is hereby amended by changing the zoning as follows:

A. To Zone part of Sections 1 & 2 as R-1, One-Family Dwelling.

Section 2. North Mankato City Code, Chapter 10, entitled "General Provisions" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 15th day of June, 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on

June 19, 2020

ORDINANCE NO. 130, FOURTH SERIES

**AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA ANNEXING
LAND LOCATED IN BELGRADE TOWNSHIP, NICOLLET COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(2),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, the described tract of unincorporated property is 100% surrounded by municipal limits of the City of North Mankato, MN; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, the City of North Mankato held a public hearing pursuant to Minnesota Statutes 414.033 Subd. 2, on August 17, 2020, following thirty (30) days written notice by certified mail to the Township of Belgrade and to all landowners within and contiguous to the area legally described, to be annexed; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH MANKATO
HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described is 100% surrounded by municipal limits and is or is about to become urban or suburban in nature in that residential use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of North Mankato, Minnesota, are hereby extended to include the following described property to wit:

Beginning at a point on the East line of the Northwest Quarter of the Northeast Quarter of Section 2 - Township 108 North - Range 27 West, 682 feet South of the Northeast corner of said Northwest Quarter of the Northeast Quarter; thence West and parallel to the North line of said Northwest Quarter of the Northeast Quarter, a distance of 427.06 feet; thence South and parallel to the East line of said Northwest Quarter of the Northeast Quarter, a distance of 510.0 feet; thence East and parallel to the North line of said Northwest Quarter of the Northeast Quarter, a distance of 427.06 feet to the East line of said Northwest Quarter of the Northeast Quarter; thence North along the East line of said Northwest Quarter of the Northeast Quarter, a distance of 510.0 feet to the place of beginning.

Said parcel contains 5.00 acres, subject to any and all easements of record.

4. That the population of the area legally described herein and hereby annexed is 0.
5. The City of North Mankato pursuant to Minnesota Statutes §414.036, and in accordance with the reimbursement agreement (Exhibit A) with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to Belgrade Township of

\$2,048.00 and shall not receive any further property tax income from the land commencing with the tax year 2020.

6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That the City Clerk of the City of North Mankato is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Nicollet County Auditor, and the Belgrade Township Clerk.


8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of North Mankato, Minnesota, this 17th day of August 2020.

Mayor



ATTEST:


City Clerk
(City Seal)

Pub. Free Press Oct. 24, 2020

ORDINANCE NO. 131, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 91.04, ENTITLED "FARM ANIMALS" AND
ADDING CHAPTER 91.20, ENTITLED "PRESCRIBED GRAZING OF NOXIOUS AND INVASIVE
VEGETATION"

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

Section 1. North Mankato City Code, Chapter 91 Animals is hereby amended by adding Section 91.20 as follows:

(A) *Intent.* The intent of this section is to allow prescribed grazing of goats on property in the City of North Mankato for a specified period and for the express purpose of controlling invasive and/or noxious vegetation. Prescribed grazing is intended to provide an alternative to the use of chemicals as the means to control undesirable vegetation. It is also intended to provide an alternative means to control undesirable vegetation on steep slopes or other challenging terrain where it is difficult for humans to access.

(B) *Duration of a prescribed grazing activity.* The duration of a prescribed grazing activity shall be consistent with the following:

(1) *Properties under two (2) acres in area.* On properties with an area of less than two (2) acres, prescribed grazing shall not be permitted for more than thirty (30) consecutive days. No more than two (2) prescribed grazing permits may be issued within one (1) year for the property. There shall be a minimum of sixty (60) days between the expiration of the first permit issued and the second permit issued in a one (1) year period.

(2) *Properties two (2) or more acres in area.* On properties with an area of two (2) or more acres, the duration of the prescribed grazing activity shall be as specified by the Zoning Administrator or other authorized agent of the City in the approved prescribed grazing permit.

(C) *Proper Enclosure.* The prescribed grazing activity shall be fully and properly enclosed at all times. Proper enclosure refers to any combination of temporary or permanent fences or structures designed to prevent the escape of the prescribed grazing animals and to protect the prescribed grazing animals from the intrusion of other animals. All sides of the enclosure(s) shall be of sufficient height and the bottom of the enclosures shall be constructed or secured in a manner as to prevent prescribed grazing animals from escaping over or under the enclosure(s). Enclosures shall meet the following requirements:

(1) *Permanent enclosures.* Fences and structures constructed to enclose prescribed grazing animals, but intended to remain at the expiration of the prescribed grazing activity, shall comply with the regulations for the zoning district in which the prescribed grazing is located and shall be permitted separately from the prescribed grazing activity.

(2) *Temporary enclosures.* Temporary fencing and structures for the sole purpose of enclosing prescribed grazing animals shall be allowed for the duration of the prescribed grazing as specified by the Zoning Administrator or other authorized agent of the City in the approved prescribed grazing permit.

(a) Temporary fences may be electric or electrified as specified in the approved prescribed grazing permit. Where electric fences are used, the Zoning Administrator or other authorized agent of the City may require a double fence system with a non-electric outer fence to serve as a safety barrier to reduce the possibility of the public coming in contact with the electric fence.

(b) Any electric or electrified fence in association with a prescribed grazing activity must have a warning sign posted on every boundary of the enclosure at least every fifty (50) feet along each side of the fence. The warning sign shall clearly identify the electric fence. No single sign shall exceed four (4) square feet in area. Each sign shall be clearly visible on the approach to the fence and be posted on or within one (1) foot of the electric or electrified fence.

(D) *Animal welfare.* The welfare of the prescribed grazing animals must be ensured by the owner of the prescribed grazing animals.

(1) *Supervision.* The prescribed grazing service must list on its grazing permit application contact information for the party responsible for promptly addressing issues associated with prescribed grazing on the specified property. The responsible party shall be available to be contacted at all hours of the day and all days of the week.

(2) *Health.* Prescribed grazing animals must receive proper veterinary treatment and regular deworming. In the event that a prescribed grazing animal becomes ill, hurt, or perishes, the owner of the prescribed grazing animal(s) must provide immediate on-site care or remove the animal(s) from the property promptly if immediate on-site care cannot be provided.

(3) *Neutering.* Male goats used for prescribed grazing must be neutered. Male goats less than six (6) months of age that accompany an adult female goat shall be exempt from the neutering requirement.

(E) *Storage of supplement feed.* Any feed for the prescribed grazing animals (other than the vegetation on the property that is intended for grazing) must be securely stored so as not to encourage vermin or other pests.

(F) *Protection of significant natural resources.* Prescribed grazing shall not adversely affect significant natural resources. Prescribed grazing activities shall comply with the following:

(1) Prescribed grazing activities shall comply with the best management practices established by the Minnesota Department of Agriculture, the Minnesota Department of Natural Resources, and all other pertinent agencies.

(2) Prescribed grazing activities shall not impair water quality as defined by the Federal Clean Water Act.

(3) Threatened or endangered plant species shall not be negatively impacted by prescribed grazing activities.

(G) *Identification signage.* A single sign, not to exceed four (4) square feet in area and not to exceed four (4) feet in height if freestanding, shall be erected and visible from the nearest public right-of-way, but not in the public right-of-way. The Zoning Administrator or other authorized agent may approve an alternate location for the sign or may require more than one (1) identification sign if needed to comply with the intent of this ordinance. The sign shall include the prescribed grazing permit number for the issued permit and the phone number for a 24-hour contact for the prescribed grazing animals. The sign shall be present for the duration of the prescribed grazing activity and shall be promptly removed at the conclusion of the prescribed grazing activity.

(H) *Insurance.* When an applicant submits an application for a prescribed grazing permit, the applicant shall also submit a current, effective insurance policy or a copy thereof providing liability insurance covering claims arising out of the prescribed grazing activity.

(I) *Prescribed grazing permit and fee.* A prescribed grazing permit approved by the City of North Mankato shall be required for each prescribed grazing activity covering a specified period.

Section 2. North Mankato City Code, Chapter 91 Animals is hereby amended by amending Section 91.04 Farm Animals.

(A) Except in an RA zone and except as permitted in 91.20, it is a public nuisance to keep farm livestock or fowl, such as cattle, horses, mules, donkeys, sheep, goats, hogs, chickens, ducks, geese, or any other animal generally described as a farm animal. The term "keep" means to house, protect, feed, own or otherwise care for the farm animal.

(B) If the owner or possessor of land is keeping animals constituting a public nuisance under this subdivision on the date such land is annexed into the city, then such nuisance shall be terminated within one year from the date of annexation of such land. However, if such use constitutes a significant threat to public health, then such use shall be immediately terminated without regard to the passage of such period of time.

Section 3. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 17th day of August 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on 8-20-20.

ORDINANCE NO. 132, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 156, ENTITLED "ZONING CODE" AND

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

Section 1. North Mankato City Code, Chapter 156 Zoning Code is hereby amended by amending section 156.054 as follows:

(A) *Intent*. The performance standards established by this section are intended to promote and preserve the health, safety, comfort, convenience, prosperity, and general welfare of the inhabitants of the city. These standards are designed to encourage a high standard of development by assuring the compatible integration of surrounding land uses.

(B) *Scope*. From and after the effective date of this chapter the use of all land, and structures upon such land shall be in conformance with the provisions of this section. The administration and enforcement of this section shall apply uniformly to all zoning districts. Uses of structures that become nonconforming upon the effective date of this section shall be allowed as long as they remain in compliance with § 156.052.

(C) *Standards*. The minimum performance standards are as follows.

(1) *Aesthetics*. It is hereby affirmed as essential public policy that the appearance of this community is a proper matter for public concern and that all open spaces, buildings, plantings, surfaces, and structures which may be seen from the public ways and water bodies are subject to the provisions of this chapter. On any building visible from a public street, materials shall not be permitted on exterior wall surfaces not in a proper arrangement, or combination of a permanent nature with good architectural design and appeal.

(2) *Building Code*. The Minnesota State Building Code as amended has been adopted by the city. The Building Code shall be complied with in all respects for the construction, maintenance or alteration of any structure or variance.

(3) *Bulk materials*. All bulk materials shall be contained in such a fashion that they are not allowed to become airborne. Solid or liquid particles shall not be emitted at any point in concentrations exceeding .03 grains per cubic foot of the conveying gas or air.

(4) *Density*. Development density is a legitimate public concern. The density of development permitted shall in all instances be consistent with the terms and intents of this chapter. To the extent reasonable, development shall be integrated with surrounding land uses.

(5) *Dwelling units (prohibited)*. No basement, garage, tent, trailer, recreational vehicle or detached accessory building shall at any time be used as a dwelling unit. The basement portion of a finished home or apartment may be used for a dwelling unit provided it is located in a zone permitting such use and otherwise conforms with the Minnesota State Building Code, as amended.

(6) *Employee dwelling units.* Except as otherwise provided, living quarters within a residence of persons employed on the premises are permitted. Except as otherwise provided, living quarters on business or industrial premises of persons employed on the same premises may be permitted. Said living quarters on business or industrial premises shall require a conditional use permit and may be attached or detached. In any event, adequate off-street parking shall be provided in addition to that amount that would be required if said use were not present.

(7) *Exterior lighting.* Any lights used for exterior illumination shall be directed away from adjacent properties.

(8) *Exterior storage.* Exterior storage shall be permitted when such storage is not contrary to the terms of this chapter, or in violation of other applicable provisions of the City Code. Exterior storage shall be required to be fully screened or fully enclosed by a structure.

(9) *Fences.* Fences are a permitted use in any zoning district, subject to the following.

(a) Fences shall not be located on any property line.

(b) In all residential zones, fences located in front yard setbacks may not exceed 3 feet in height, except as regulated in division (c) of this section. In all other yards, fences shall not exceed 6 feet in height and shall follow the unaltered natural terrain of the land.

(c) Where a lot is located at the intersection of 2 streets, fences shall be no higher than 3 feet for a distance equal to or greater than the front yard setback measured both directions from the corner property pin.

(d) Fences in commercial zoning districts shall not exceed 6 feet in height and shall follow the unaltered terrain of the land.

(e) Fences in industrial zoning districts shall not exceed 8 feet in height. No barbed wire shall be located less than 6 feet from the ground.

(f) All fences shall be constructed and maintained so as not to endanger life or property.

(g) Fences shall not interfere with traffic or pedestrian visibility.

(h) Except as permitted in 91.20, above ground electrical fences shall only be permitted in industrial zoning districts and shall be installed to all applicable safety standards which apply.

Section 2. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 17th day of August 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on 8-20-20.

ORDINANCE NO. 133, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA
AMENDING CHAPTER 155: SUBDIVISION REGULATIONS
THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA ORDAINS:

Section 1: North Mankato City Code, Chapter 155 Subdivision Regulations is hereby amended by adding Section 155.51 as follows:

Administrative Lot Splits.

The Community Development Director may administratively approve the relocation of platted lot lines provided:

- a. All the requirements of Chapters 155 and 156 are satisfied and no substandard lots are created
- b. The applicant submits an application for an Administrative Lot Split
- c. The applicant submits a Certificate of Survey of the replatted properties to be recorded at the Nicollet County Recorder's Office by the applicant
- d. Should any lot adjustment require the vacation of any platted utility easement(s), it will be the responsibility of the applicant to petition for the vacation of any utility easement(s)
- e. Should any existing above or below ground utility need to be relocated as a result of a lot line adjustment, the applicant is responsible for any associated costs
- f. Any relocation of a lot line(s) requires new property monuments to be installed by a licensed surveyor
- g. Any relocation of lot lines shall not affect more than three (3) lots

Adopted by the City Council this 5th day of October 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on 10-8-20

ORDINANCE NO. 135, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 156, ENTITLED "ZONING CODE",
BY CHANGING THE ZONING DISTRICT MAP AND, BY ADOPTING BY REFERENCE NORTH
MANKATO CITY CODE, CHAPTER 10 AND SECTION 10.99 WHICH,
AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:


Section 1. North Mankato City Code, Section 156.021, entitled "Zoning District Map," is hereby amended by changing the zoning as follows:

- A. To Re-Zone the property addressed as 635/637 Grant Avenue from R-1 One-Family Dwelling to R-3, Limited Multiple Dwelling.

Section 2. North Mankato City Code, Chapter 10, entitled "General Provisions" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 21st day of December 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on 12/262020

**Ordinance No. 134, Fourth Series an Ordinance of the City of North Mankato, Minnesota
Amending Chapter 110 General Business Regulations and Licensing and Adding City Code
Section 110.28 Entitled Mobile Food Unit.**

Subd. 1. **Purpose.** The purpose of this Section is to establish standards to ensure that mobile food units/vendors as defined herein are appropriately located, licensed and inspected, do not impede vehicular access, traffic flow or circulation, or create public safety hazards.

Subd. 2. **General Regulations:**

A. **Definitions.** For the purposes of this Section, the following definitions shall apply:

1. Mobile Food Unit and Mobile Food Unit/Vendor shall be defined as any self-propelled vehicle or fully contained trailer, licensed by the State of Minnesota to operate on public streets and roadways, which vends food (either pre-packaged or prepared in the unit) at retail for immediate consumption by the customer, and who are licensed by the State of Minnesota Department of Agriculture and/or Department of Health and/or the Brown-Nicollet County Environmental Health Department, and the City of North Mankato as a Mobile Food Unit.
2. Vend or vending shall be defined as the process of the transfer of a food product from the unit operator to a customer. Vending begins when the unit initially stops in a location at which customers can access the unit and continues until the unit leaves that location.

B. **Applicability.** Notwithstanding any contrary provision of any City ordinance, regulation, or rule, mobile food units/vendors shall be licensed and located as provided in this ordinance:

1. Licenses required. Within the City of North Mankato, no person shall vend from a mobile food unit without first having obtained a license to do so from the City.
2. Fees. The fee for an annual license shall be established from time-to-time by the City Council and shall entitle the operator to vend from one such unit for one year from the date on which the license is issued. The license shall be displayed on or within the unit, visible from the outside of the unit, whenever the unit is vending.
3. Other Licenses Required. Applicants must provide evidence of current licensing of the unit by the Minnesota Department of Agriculture, the Minnesota Department of Health and/or Brown-Nicollet Environmental Health as appropriate.
4. Insurance. Applicants must provide evidence of liability insurance in which the City is named coinsured which shall provide a limit of coverage as established from time-to-time by the City Council for both bodily injury and for property damage. Written notice of cancellation of such insurance must be given to the City not less than thirty (30) days prior to actual cancellation.
5. Restrictions on Vending Activity:
 - a. Mobile food units/vendors are prohibited from vending activity within 500 feet of the nearest property line of any business in the city holding a food-service license issued by the Brown-Nicollet County Environmental Health Department.
 - b. Mobile food units/vendors are prohibited from vending activities within 500 feet of a community event for which the City has issued a Special Event Permit, unless they are specifically authorized by the event sponsor to participate in the event. The terms of the Special Event Permit shall apply.
 - c. Mobile food units/vendors are prohibited from vending within 500 feet of the Caswell Park Sporting Complex or Spring Lake Park Regional Swim Facility unless authorized by the City Administrator or his/her designee.
 - d. Mobile food units/vendors are allowed to vend on public streets between the hours of 8:00 a.m. and 10:00 p.m. on all days of the week in the B-1, B-2, B-3, I-1, M-1, M-2, and CBD zoning districts if they are 500 feet from the nearest property line of any business in the city holding a food-service license issued by the Brown-Nicollet County Environmental Health Department. Mobile food units may not vend in the

- same location for more than 21 days each calendar year on any public street.
- e. Mobile food units/vendors are allowed to vend on private property between the hours of 8:00 a.m. and 10:00 p.m. on all days of the week in the B-1, B-2, B-3, I-1, M-1, M-2, and CBD zoning districts if they are 500 feet from the nearest property line of any business in the city holding a food-service license issued by the Brown-Nicollet County Environmental Health Department and if permission has been granted by the landowner to vend. Mobile food units may not vend on the same property parcel for more than 21 days each calendar year in the B-1, B-2, B-3, I-1, M-1, M-2, and CBD zoning districts
 - f. No mobile food unit can operate in a residential zoned district unless authorized by the City Administrator or his/her designee under a Special Event Permit.
 - g. Mobile food units/vendors shall collect and remit all applicable licenses, fees, and taxes of the City of North Mankato, Nicollet County, and the State of Minnesota. This includes but is not limited to North Mankato's local option sales and use tax and North Mankato's food and beverage tax.

6. Exemptions on Restrictions:

- a. Business owners holding a food-service license with the Brown-Nicollet County Environmental Health Department may operate a mobile food unit owned by the business owner on their property, within 500 feet of another food-service license holding establishment in North Mankato, for 50 days each year
- b. Breweries and Wineries licensed by the Minnesota Department of Public Safety are exempt from locating a food truck within 500 feet of a business holding a food-service license issued by the Brown-Nicollet County Environmental Health Department.
- c. Mobile food units which are vending at an event hosted by the City are allowed to operate as authorized by the organizers/managers of the event, at the location of, and for the duration of the event. Participation at an event hosted by the City does not apply toward the cumulative 50 day exemption authorized in section 6.a.
- d. Special events permits approved by the City for Business Owners within 500 feet of another food-service license holding establishment in North Mankato apply toward the cumulative 50 day exemption authorized in section 6.a.

7. Location or placement:

- a. On public streets, no unit shall occupy more than two (2) parking spaces
- b. The unit shall vend only from the side of the vehicle away from moving traffic and pedestrian walkways of no less than six (6) feet shall be maintained on the service side of the unit.
- c. In no case shall a unit vend while occupying a traffic lane, parked on a sidewalk, parked on a pedestrian crossing location, or in any location which obstructs or impedes vehicle or pedestrian traffic.
- d. The unit shall not vend to any person standing in the traveled portion of any public roadway.
- e. On public streets, no unit shall vend within sixty (60) feet of the intersection of two or more public streets, nor within thirty (30) feet of a driveway which enters onto a public street.
- f. Units shall not be stored in a residential zoning district.
- g. There shall be no overnight parking of food trucks on the public right of way.
- h. No unit shall vend while the unit is in motion.
- i. Connection of the unit to public utilities is not permitted.

8. Dimensions. No mobile food unit shall exceed 40' feet in length (overall length for a self-propelled vehicle; trailer length including the towing vehicle for self-contained trailers) or ten (10) feet in height.

9. Signs and Appurtenances:

- a. Mobile food units/vendors shall not employ or utilize any signs that are not attached directly to the vehicle/trailer. Signs may not project above the unit, nor more than six (6) inches from the side of the unit. No flashing, strobing or intermittent lighting is allowed.
- b. No external seating shall be provided or utilized except as may be provided by the owner, manager, or agent of any private property on which the unit may be properly located.
- c. Any generator used by the unit must be self-contained within or on the unit, screened from view, and operate at no more than 70 decibels.
- d. While vending, the operator may not call attention to the unit by crying out, blowing a horn, ringing a bell, or playing music or other sounds discernible beyond the unit. Amplified sound is not permitted outside of the unit.
- e. Waste receptacle(s) must be provided by the unit operator and the vending site must be cleaned of all litter and garbage generated by the unit and customers before the unit leaves the location.

Subd. 3. **Enforcement.** Any violation of this Section, including but not limited to the vending operation of a mobile food unit within the City without a license issued pursuant to this Section, shall be a misdemeanor punishable by up to a \$1000.00 fine and/or ninety (90) days in jail.

SECTION II. After adoption, signing and attestation, this Ordinance shall be published once in the official newspaper of the City of North Mankato and shall be in effect on or after the date following such publications.

ADOPTED by the City Council of the City of North Mankato this 21 day of December, 2020


Mayor

ATTEST:


City Clerk

Published in the Mankato Free Press this 28th day of December, 2020.

ORDINANCE NO. 136, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 155.48, ENTITLED "EASEMENTS"

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

Section 1. North Mankato City Code, Section 155.48, entitled "Easements," is hereby amended adding the following language to section 155.48A:

(A) The size of the easement width may be adjusted upon approval of the North Mankato Planning Commission and North Mankato City Council during consideration of a final plat. Any adjustment of easement width must include a written request by the subdivision developer and all known utility companies serving the subdivision and the City of North Mankato.

Section 2. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 4th day of January 2021.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on 1/8/21.

Ordinance No. 137
Fourth Series an Ordinance of the City of North Mankato, Minnesota Amending Chapter 90
Grass and Weed Control and Adding City Code Section 90.115 Entitled Managed Natural
Lawn Area

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA ORDAINS:

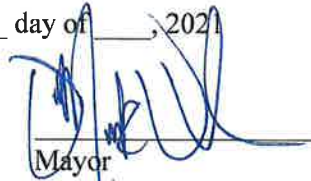
Section I. North Mankato City Code, Title IX: General Regulations. Chapter 90: Management of Public and Private Property is hereby amended to read as follows:

1. Intent
 - a. The City Council determines some residents' desire to use portions of lawns on residential parcels for the planting of native vegetation, which can grow to a height of greater than six (6) inches. The Council finds these types of plantings may preserve, restore, or maintain natural plants and may utilize environmentally sound practices. As guidance for the community, this change in vegetation and lawn use must be properly planned, managed, and maintained. The transition period must be minimized, or the property is likely to create a public nuisance and shall be abated.
2. Definitions
 - a. Managed Natural Lawn Area – A planned, intentional, and maintained planting of native vegetation that is free from noxious weeds as defined by the Minnesota Department of Natural resources and may exceed six (6) inches in length.
 - b. Native Vegetation – Ferns, wildflowers, grasses, sedges, rushes, shrubs, vines, and forbs that are native to the State of Minnesota ecological section 222 (Minnesota and Northeast Iowa Morainal Section), subsection 251Ba (Minnesota River Prairie), and subsection 222Mb (Big Woods) as defined by the Minnesota Department of Natural Resources and that can be found in the Minnesota Department of Natural Resources Native Plant Encyclopedia.
 - c. Turf Grasses – Bluegrass, fescue, and ryegrass blends with non-woody vegetation interspersed with them, commonly used in regularly cut lawns.
3. Applicability.
 - a. Residential zoning districts.
 - b. Managed Natural Lawn Area, as defined in 2a above, is a term used to describe a variety of lawn management practices that include but are not limited to natural lawns, natural landscapes, native lawns, pollinator gardens, rain gardens, meadow vegetation, native prairie, prairie gardens, monarch waystations, native plantings, native gardens, and butterfly habitat.
4. Requirements.
 - a. Any owner of a residential lot in the City may transition an area of lawn on the lot to a Managed Natural Lawn Area not to exceed 30% of the pervious surface area within the defined setbacks of the lot, excluding natural wooded areas, bluffs, and ravines.
 - b. A Managed Natural Lawn Area may include native vegetation more than six (6) inches in height, and which have gone to seed, but may not include any noxious weeds, must be maintained pursuant to the requirements of §90.115, and shall not create a public nuisance.
 - c. A Managed Natural Lawn Area shall not include turfgrass lawns left unattended for the purpose of returning to a natural state.
 - d. Any Managed Natural Lawn Area shall meet the following property-line setbacks. Corner lots shall have two Front setbacks:
 - i. Front-10 feet
 - ii. Sides- 5 feet
 - iii. Rear 10 feet
 - e. A Managed Natural Lawn Area shall be cut at least once annually to a height no greater than twelve (12) inches. The Weed Inspector may grant an exemption to the cutting of native vegetation within the Managed Natural Lawn Area if consistent with standard practices for managing the plantings requested for exemption. The weed inspector will determine standard practices.
 - f. When establishing a Managed Natural Lawn Area, turfgrass and/or other existing vegetation shall be eliminated, and native vegetation shall be planted through transplanting or seeding by human

- or mechanical means. Soil erosion should be controlled while the ground is bare of plant growth that is sufficient to inhibit erosion and is the sole responsibility of the owner or occupant.
- g. Properties with a Managed Natural Lawn Area must be free of blight, and blighting factors, free of public nuisances, and other areas of the lawn must be properly maintained in accordance with the City Code.
 - h. Managed Natural Lawn Areas shall not be located within any drainage utility easement, public right-of-way, or immediately adjacent to any driveway.
 - i. Managed Natural Lawn Areas shall not be located within 20 feet of a road intersection unless the height of the plantings within 20 feet of an intersection does not exceed 12 inches in height.
 - j. At no time shall a Managed Natural Lawn Area interfere with motorists' views of the street or roadway.
5. Failure to Maintain.
- a. If a property owner chooses to install a Managed Natural Lawn Area, and it is determined by the weed inspector, the area fails to meet the definition and requirements of a Managed Natural Lawn Area as defined in §90.115 sections 2,3 and 4, it shall be considered prima facie evidence of the failure of the owner and occupant to comply with this section.
 - b. The City may then proceed as follows:
 - i. Concerning public rights-of-way, the weed inspector or his/her designee shall provide written notice to the property owner utilizing first-class mail, advising such owner or occupant that the Managed Natural Lawn Area must be removed within five (5) days. If the owner fails to remove the Managed Natural Lawn Area, then the City shall perform the necessary work to remove the Managed Natural Lawn Area, keeping an accurate account of the cost. The cost shall be assessed to the abutting private property in conformance with the provisions of this chapter.
 - ii. Concerning private property, the weed inspector or his/her designee shall provide written notice to the property owner, utilizing first-class mail, advising such owner that the Managed Natural Lawn Area must be brought into compliance with the requirements of §90.115 within 14 days of receipt of the letter. Such notice shall also advise the owner that the City shall perform such work, with the presumed consent of the owner, if the owner fails to bring the Managed Natural Lawn Area into compliance with the requirements of §90.115. If City employees are utilized to cut the Managed Natural Lawn Area, an accurate account of the time and charges shall be maintained. Such costs shall be assessed to the benefitted property in conformance with the provisions of this chapter.

SECTION II. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City of North Mankato and shall be in effect on or after the date following such publications.

ADOPTED by the City Council of the City of North Mankato this ____ day of ____, 2021



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press this February day of 5th 2021.

The Free Press MEDIA

THE LAND

P.O. Box 3287, Mankato, MN 56002

www.mankatofreepress.com phone: (507) 344-6314, fax: (507) 625-1149

Affidavit of Publication

**STATE OF MINNESOTA,
COUNTY OF BLUE EARTH, SS.**

Steve Jameson, being duly sworn, on oath states as follows:

1. I am the publisher of The Free Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

The printed notice which is attached was cut from the columns of said newspaper, and was printed and published the following dates: 03/22/21, 03/29/21, and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: 316.41.

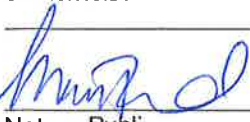
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue Earth County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

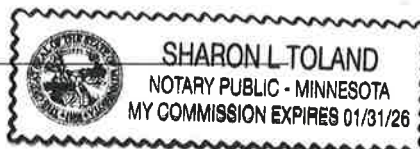
FURTHER YOUR AFFIANT SAITH NOT.

By: 

Steve Jameson, Publisher

Sworn to and subscribed before me, this day
03/29/2021


Notary Public



Public Notice

March 22, 29, 2021

NOTICE OF HEARING ON PROPOSED ASSESSMENT FOR PROJECT NO. 19-05 ABCDEF HARRISON AVENUE AND PROJECT NO. 20-04 ABCDE CLIFF COURT

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, at 7 p.m. on the 5th day of April 2021 to consider the proposed assessment for Project No. 19-05 ABCDEF Harrison Avenue and Project No. 20-04 AB-CDE Cliff Court. The properties being assessed are those properties on Harrison Avenue and Cliff Court in North Mankato.

Assessments are proposed to be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January 2022 and will bear interest at the rate of 4 percent per annum on unpaid assessments.

Property owners being assessed may at any time prior to certification of the assessment to the county auditor, pay all or a portion of the assessment on such property to the City Clerk. No interest shall be charged if the entire assessment is paid on or before December 15, 2021. You may at any time, thereafter, pay to the City Clerk all or a portion of the amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above the rate of interest that will apply is 4%.

The proposed assessment roll is on file for public inspection at the city clerk's office. The total amount of the proposed assessment is \$228,629. Written or oral objections will be considered at the meeting. No appeal to district court may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable. An owner may appeal an assessment to district court pursuant to Minn. Stat. § 429.081 by serving notice of the appeal upon the mayor or clerk of the city within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk.

Under Minn. Stat. §§ 435.193 to

435.195, the council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older, one retired by virtue of a permanent and total disability. When deferment of the special assessment has been granted and is terminated for any reason, all amounts accumulated plus applicable interest become due within 60 days. Any assessed property owner meeting the requirements of this law, may, within 30 days of the confirmation of the assessment, apply to the city clerk for the prescribed form for such deferral of payment of this special assessment on his/her property. An owner may appeal an assessment to district court pursuant to Minn. Stat. § 429.081 by serving notice of the appeal upon the mayor or clerk of the city within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk.

Due to the COVID-19 outbreak, the hearing location will be closed to the public. However, the City has modified the hearing process to ensure that the public can monitor the hearing and submit public comment.

The public hearing will be broadcast live on Charter Channel 180 or Consolidated Communications Channel 8 and livestreamed at <http://www.accessktv.org/watch/>.

Public comment may be submitted to the city council via the following methods:

1) Written comments/questions may be submitted in writing prior to the public hearing by any of the following methods.

a) By email. Submit your comments/questions to aprilv@northmankato.com no later than 5:00 pm on Monday, April 5, 2021.

b) By mail. Submit your comments/questions by mailing to 1001 Belgrade Avenue, North Mankato, MN 56003. Questions/Comments must be received no later than 5:00 pm on Monday, April 5, 2021.

c) By physical delivery. Deliver your comments/questions by delivering them to the DropBox at City Hall at 1001 Belgrade Avenue, North Mankato, MN, no later than 3:00 pm on Monday, April 5, 2021.

2) Live comment during the public hearing via telephone. Residents desiring to make public comments by telephone during the public hearing must request before 5 pm on April 5, 2021, to be placed on the public hearing agenda. You may do so by calling City Hall (507) 625-4141, emailing aprilv@northmankato.com. Please call 507-214-0517 and enter participant code 965994. Each resident will be given 3 minutes to make his/her comment.

Dated this 22nd and 29th day of March 2021.

April Van Genderen
City Clerk
City of North Mankato

Assessment Hearing Presentation



**Harrison Avenue Street &
Utility Improvement Project**
City Project No. 19-05 ABCDEF



**Cliff Court Street & Utility
Improvement Project**
City Project No. 20-04 ABCDE



1

Project Location/Background



- Project Areas:
 - Street and utility improvements on Harrison Avenue from Cross Street to Range Street (300 block)
 - Street and utility improvements on Cliff Court from Cliff Drive to the end of the cul-de-sac
- Included in City's Capital Improvement Plan for 2021
- Preliminary Engineering Report reviewed with Council on December 7th
- Neighborhood meetings:
 - Harrison Avenue – Tuesday, December 15th
 - Cliff Court – Thursday, December 17th
- Improvement Hearing – December 21st
- Opened Bids – February 23rd
- Assessment Hearing notices sent out mid-March
- Tonight – Assessment Hearing



2

Sanitary Sewer



- Existing Conditions:
 - Harrison Avenue – over 65 years old; Cliff Court over 50 years old
 - Existing 8" clay pipe
 - Less than minimum slope
 - Tree roots, offset joints, evidence of groundwater infiltration
 - Sanitary sewer and service lines on Cliff Court very shallow at the end of cul-de-sac
- Proposed Improvements
 - New 8" PVC pipe on Harrison Avenue and Cliff Court with watertight joints
 - Insulated pipe will be used on shallow portions of Cliff Court sanitary sewer
 - Replace manholes with new precast concrete manholes:
 - New castings
 - Water-tight joints in manhole sections
 - Replace existing services from sewer main to ROW with new pipe (insulated pipe on Cliff Court where required)
 - Property owner's responsibility to replace service line from ROW to house if deficient
 - No improvements to existing 21" trunk sewer on Cross Street – lining and manhole rehabilitation in future



3

Watermain



- Existing Conditions:
 - Harrison Avenue – over 65 years old; Cliff Court over 50 years old
 - Existing 6" cast iron pipe
 - Harrison Avenue - no significant history of breaks, but beyond expected design life
 - Cliff Court – numerous watermain breaks
 - Services – copper or galvanized
- Proposed Improvements:
 - Harrison Avenue - new 6" PVC watermain pipe
 - Cliff Court – new 8" PVC watermain
 - Hydrants on Harrison replaced in 1993– leave in place
 - Replace hydrants on Cliff Court with new
 - New valves & fittings at all 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



4

Storm Sewer



- Existing Conditions:
 - Harrison Avenue:
 - No existing storm sewer
 - Surface drainage to Cross Street intersection
 - Slope in existing gutters is less than desirable and settlement of curb and street – results in isolated ponding
 - Cliff Court:
 - Existing inlets at the low point in the street - collect the storm water runoff from the entire length of Cliff Court
 - Existing storm sewer from Allen Drive connects to storm sewer system on Cliff Court
 - Storm sewer outlet runs south from Cliff Court into ravine – pipe has separated and several significant washouts
 - Existing storm sewer is deficient in both capacity and condition



5

Storm Sewer



- Proposed Improvements
 - Harrison Avenue:
 - Construct three sets of inlets between Cross Street and Range Street
 - New storm sewer pipes - 12" to 15" in diameter
 - Cliff Court:
 - Construct new inlets on Cliff Court - low point & intermediate points
 - New storm sewer pipes and manholes: 12" to 24" in diameter
 - Reconnect existing storm sewer from Allen Avenue
 - Replace existing storm sewer outlet:
 - Extend to bottom of ravine
 - Repair slope failures and erosion
 - Provide outlet stabilization to minimize future erosion
 - New storm sewer manholes to provide access for maintenance and cleaning
 - Both systems designed to accommodate 10-year design runoff
 - Provide outlets for sump pumps in front yard area for both streets



6

Existing Street and Surface



- Harrison Avenue – over 65 years old; Cliff Court over 50 years old
- Existing bituminous (blacktop) street with curb and gutter both sides
- Pavement and curb in fair to poor condition
- Existing street width:
 - Harrison Avenue – 30 feet
 - Cliff Court – 34 feet
- Harrison Avenue sidewalk:
 - Existing 5-foot wide sidewalk on both sides
 - Some of sidewalk has been replaced recently – good condition
 - Older sidewalk in poor condition
- Cliff Court – no sidewalk



7

Proposed Street and Surface Improvements



- Reconstruct existing street with new bituminous (blacktop) pavement and curb and gutter
- Proposed width – same as existing
- Continue to allow parking on both sides
- Sidewalk:
 - Harrison Avenue - new 5' wide sidewalk on both sides
 - Cliff Court – no sidewalk proposed
- New concrete driveway aprons
- Bituminous pavement – use City's typical residential pavement section
- New street lights:
 - Harrison Avenue – 2 new lights; existing light on Xcel pole will be removed
 - Cliff Court – 4 new lights
- Restore all disturbed residential turf areas with seed



8

Boulevard Trees



- 19 existing boulevard trees on Harrison Avenue
- 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 most, if not all, of the existing trees is recommended
- Property owners will be offered new trees to replace those removed – to be installed behind sidewalk
- No boulevard trees on Cliff Court



9

Estimated Project Costs



Item	Estimated Cost	
	Harrison Avenue	Cliff Court
Street and Surface Improvements/Street Lights	\$349,800	\$307,900
Storm Sewer	\$56,200	\$168,500
Sanitary Sewer Mainline and Services	\$78,800	\$104,000
Watermain Mainline and Services	\$98,300	\$119,200
TOTAL:	\$583,100	\$699,600

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



10

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%): \$1,200 to \$3,500 per connection
 - Sanitary Sewer Services (100%): \$1,500 to \$2,800 per connection
 - Watermain Mainline (40%): \$1,300 to \$4,300 per connection
 - Water Services (100%): \$2,100 to \$2,400 per connection
 - Street & Surface/Storm Sewer/Street Lights (40%): \$95 to \$137 per foot
- **Calculated assessments: approx. \$5,100 to approx.\$55,000**



11

Assessment Cap



- In general, residential lots in lower North Mankato are smaller than upper North Mankato
- City Council has taken into consideration the relative lot sizes when determining the assessment cap on past projects
- **Harrison Avenue:**
 - Avg. assessable lot width is 53' – approx. same as on recent projects in lower North Mankato
 - Assessment cap for 2020 street and utility reconstruction projects = \$7,000
 - Due to increases in construction cost and property values, assessment cap will increase to \$7,500/lot
- **Cliff Court:**
 - Avg. assessable lot width is 135'
 - Last reconstruction project in upper North Mankato was Roe Crest Drive in 2016 – avg. assessable lot width was 98'
 - Assessment cap used on the Roe Crest project = \$8,000
 - Due to larger lot size and increases in construction cost and property values, assessment cap will increase to \$9,000/lot



12

Assessment Process



- Actual assessment amount for each property was provided in mailed notice – approximately two weeks before hearing
- Assessments can be pre-paid with no interest if paid in full by December 15, 2021
- Notice of Final Assessment will be sent out around November 15, 2021 – 30-day advance notice of assessment pre-payment date
- If not pre-paid, assessments will be certified to County auditor and will be added to property tax statement starting in 2022:
 - Equal annual payments
 - Payment period - typically 15 years
 - 4% interest rate
- Remaining principal and accrued interest can be prepaid in future years with no penalty
- Additional information was provided in assessment notice

13

Proposed Schedule



Date	Task
December 7, 2020	Resolution Receiving Report and Calling for Hearing on Improvements
Week of December 14, 2020	Neighborhood Meeting
December 21, 2020	Improvement Hearing
February 16, 2021	Open Bids
April 5, 2021	Assessment Hearing, Resolution Adopting Assessment and Resolution Awarding Contract
Early May	Begin Construction (Approx.)
Late August	End Construction (Approx.)



14

Construction Issues/Questions



- Approximate construction schedule:
 - Start work on Harrison Avenue – mid April
 - Start work on Cliff Court – first part of June
 - Approximately 6 weeks from start of construction to drivable gravel base
 - 3 to 4 weeks to finish
- Access by car during construction will be difficult until gravel base is installed
- All services will be maintained throughout construction:
 - Water and sewer service
 - Garbage and recycling service
 - Mail service
- Construction communications:
 - More information on scheduling, access, and other issues will be provided during construction
 - Door-to-door contact will be made and newsletter distributed prior to construction starting
 - Periodic newsletters/project communications throughout construction
 - On-site construction representative from Bolton & Menk representing the City will be on site and available by cell phone at all times



15

Questions/Comments



16



City of North Mankato, MN

Claims List - Regular

By Vendor Name

Date Range: 4-5-21

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
00008	A+ SYSTEMS GROUP	03/24/2021	Regular	0	132.95	94067
00029	AG SPRAY EQUIPMENT	03/24/2021	Regular	0	8.43	94068
00049	ALPHA VIDEO & AUDIO, INC.	03/24/2021	Regular	0	4,530.00	94069
02434	AUSTIN'S AUTO REPAIR CENTER, INC.	03/24/2021	Regular	0	64.80	94070
00113	BAKER & TAYLOR	03/24/2021	Regular	0	29.98	94071
00136	BENCHS	03/24/2021	Regular	0	120.00	94072
00202	BROWN-NICOLLET ENVIRONMENTAL HEALTH	04/05/2021	Regular	0	502.00	94102
02757	CINTAS	03/24/2021	Regular	0	107.34	94073
02757	CINTAS	04/05/2021	Regular	0	215.34	94103
00255	CITY OF MANKATO	04/05/2021	Regular	0	422.95	94104
03497	COMPASS MINERALS AMERICA INC.	03/24/2021	Regular	0	3,602.17	94074
02954	ESKENS, ALLEN	04/05/2021	Regular	0	150.00	94105
00401	EXPRESS SERVICES, INC.	03/24/2021	Regular	0	1,085.06	94075
00401	EXPRESS SERVICES, INC.	04/05/2021	Regular	0	348.50	94106
00409	FERGUSON ENTERPRISES, INC	03/24/2021	Regular	0	774.74	94076
00427	FLAGSHIP RECREATION, LLC	04/05/2021	Regular	0	1,369.00	94107
00432	FLEETPRIDE	03/24/2021	Regular	0	54.95	94077
00465	GALE/CENGAGE LEARNING	04/05/2021	Regular	0	68.79	94108
00499	GRAINGER	04/05/2021	Regular	0	153.47	94109
03007	I SPACE ENVIRONMENTS	03/24/2021	Regular	0	1,064.00	94078
00606	INDUSTRIAL FABRICATION SERVICES, INC.	04/05/2021	Regular	0	370.00	94110
00812	MANKATO BEARING COMPANY	04/05/2021	Regular	0	122.16	94111
00832	MANKATO TENT & AWNING CO.	03/24/2021	Regular	0	171.60	94079
00832	MANKATO TENT & AWNING CO.	04/05/2021	Regular	0	81.60	94112
00847	MATHESON TRI-GAS, INC.	04/05/2021	Regular	0	151.05	94113
00920	MINNESOTA DEPARTMENT OF HEALTH	03/24/2021	Regular	0	23.00	94080
02802	MINUTEMAN PRESS	03/24/2021	Regular	0	214.47	94081
02057	OFFICE OF ADMINISTRATIVE HEARINGS	03/17/2021	Regular	0	100.00	94060
03194	OPENWOOD STUDIOS INC.	03/26/2021	Regular	0	11,336.00	94100
03489	PENWORTHY	03/24/2021	Regular	0	614.96	94082
01106	PETTY CASH	03/18/2021	Regular	0	6,424.00	94063
01106	PETTY CASH	04/05/2021	Regular	0	21.60	94115
02512	PLAY IT AGAIN SPORTS	03/24/2021	Regular	0	514.00	94083
01133	POWERPLAN/RDO EQUIPMENT	03/24/2021	Regular	0	114.79	94084
01191	RELiance ELECTRIC OF SOUTHERN MINNESOTA	03/24/2021	Regular	0	329.24	94085
03518	RIDDELL	03/24/2021	Regular	0	28,421.03	94086
03516	ROTHENBUEHLER, BOB	03/24/2021	Regular	0	63.58	94087
01263	SCHWICKERT'S TECTA AMERICA LLC	03/31/2021	Regular	0	60.00	94101
01278	SHERWIN-WILLIAMS CO.	04/05/2021	Regular	0	899.13	94116
01295	SNELL MOTORS, INC	03/24/2021	Regular	0	83.92	94088
01433	TYLER TECHNOLOGIES	03/24/2021	Regular	0	10,567.75	94089
01443	UNITED STATES POSTAL SERVICE	03/24/2021	Regular	0	2,000.00	94090
03517	UTILITY LOGIC	03/24/2021	Regular	0	6,199.61	94092
03519	WEBB, WENDY	04/05/2021	Regular	0	350.00	94117
01523	WENZEL AUTO ELECTRIC CO	03/24/2021	Regular	0	139.00	94093
01562	ZAHL EQUIPMENT SERVICE, INC.	03/24/2021	Regular	0	147.25	94094
00059	AMERICAN LEGAL PUBLISHING CORP.	03/16/2021	Bank Draft	0	495.00	DFT0005308
00101	AT&T MOBILITY	03/16/2021	Bank Draft	0	49.63	DFT0005310
00137	BENCO ELECTRIC COOPERATIVE	03/31/2021	Bank Draft	0	28,739.29	DFT0005347
00182	BOYER TRUCKS	03/26/2021	Bank Draft	0	125.80	DFT0005350
00241	CHARTER COMMUNICATIONS	03/17/2021	Bank Draft	0	262.92	DFT0005314
02058	CONSOLIDATED COMMUNICATIONS	03/25/2021	Bank Draft	0	66.21	DFT0005339
02058	CONSOLIDATED COMMUNICATIONS	03/25/2021	Bank Draft	0	47.24	DFT0005340
02058	CONSOLIDATED COMMUNICATIONS	03/25/2021	Bank Draft	0	1,522.49	DFT0005341
02058	CONSOLIDATED COMMUNICATIONS	03/25/2021	Bank Draft	0	42.94	DFT0005342
02058	CONSOLIDATED COMMUNICATIONS	03/25/2021	Bank Draft	0	41.24	DFT0005343
02058	CONSOLIDATED COMMUNICATIONS	03/25/2021	Bank Draft	0	192.27	DFT0005344

02058	CONSOLIDATED COMMUNICATIONS	03/25/2021	Bank Draft	0	209.70	DFT0005345
03248	FREDRIKSON & BYRON, P.A.	03/17/2021	Bank Draft	0	4,718.00	DFT0005319
00447	FREE PRESS	03/17/2021	Bank Draft	0	79.73	DFT0005312
00447	FREE PRESS	03/23/2021	Bank Draft	0	228.74	DFT0005323
00447	FREE PRESS	03/31/2021	Bank Draft	0	905.35	DFT0005355
00506	GREATER MANKATO GROWTH, INC.	03/17/2021	Bank Draft	0	55.00	DFT0005320
00733	LAKES GAS CO #10	03/17/2021	Bank Draft	0	740.72	DFT0005313
00733	LAKES GAS CO #10	03/25/2021	Bank Draft	0	107.00	DFT0005338
00815	MANKATO CLINIC, LTD.	03/24/2021	Bank Draft	0	95.00	DFT0005335
00910	MINNESOTA VALLEY TESTING LAB, INC.	03/16/2021	Bank Draft	0	77.00	DFT0005307
00910	MINNESOTA VALLEY TESTING LAB, INC.	03/12/2021	Bank Draft	0	66.75	DFT0005315
00910	MINNESOTA VALLEY TESTING LAB, INC.	03/23/2021	Bank Draft	0	72.00	DFT0005334
00910	MINNESOTA VALLEY TESTING LAB, INC.	03/25/2021	Bank Draft	0	66.75	DFT0005349
01322	SPRINT	03/24/2021	Bank Draft	0	36.73	DFT0005336
01335	STAPLES ADVANTAGE	03/16/2021	Bank Draft	0	101.76	DFT0005306
01335	STAPLES ADVANTAGE	03/17/2021	Bank Draft	0	113.14	DFT0005318
01335	STAPLES ADVANTAGE	03/18/2021	Bank Draft	0	57.86	DFT0005322
01335	STAPLES ADVANTAGE	03/26/2021	Bank Draft	0	70.39	DFT0005352
01335	STAPLES ADVANTAGE	03/26/2021	Bank Draft	0	84.79	DFT0005353
01335	STAPLES ADVANTAGE	03/31/2021	Bank Draft	0	745.98	DFT0005354
01338	STATE CHEMICAL SOLUTIONS	03/24/2021	Bank Draft	0	208.80	DFT0005337
03279	STERICYCLE INC	03/16/2021	Bank Draft	0	26.25	DFT0005309
01470	VERIZON WIRELESS	03/16/2021	Bank Draft	0	32.98	DFT0005311
00016	ADAMS, NICOLE	04/07/2021	EFT	0	217.79	3772
00028	AFFORDABLE TOWING OF MANKATO, INC.	03/25/2021	EFT	0	400.00	3738
00063	AMERICAN PEST CONTROL	04/07/2021	EFT	0	200.00	3773
01090	AMERICAN SOLUTIONS FOR BUSINESS	03/25/2021	EFT	0	3,340.24	3763
00090	APT MACHINING INC.	03/25/2021	EFT	0	215.35	3739
00105	AUTO VALUE MANKATO	03/25/2021	EFT	0	227.63	3740
00105	AUTO VALUE MANKATO	04/07/2021	EFT	0	175.47	3774
00123	BATTERIES+BULBS	03/25/2021	EFT	0	55.20	3741
00172	BOHRER, TOM	04/07/2021	EFT	0	268.85	3775
00174	BOLTON & MENK, INC.	04/07/2021	EFT	0	39,141.50	3776
00216	C & S SUPPLY CO, INC.	03/25/2021	EFT	0	178.49	3742
00216	C & S SUPPLY CO, INC.	04/07/2021	EFT	0	81.78	3777
02706	CORE & MAIN LP	03/25/2021	EFT	0	1,764.91	3743
00453	FREYBERG PETROLEUM SALES, INC.	03/25/2021	EFT	0	57.45	3744
02946	FROELICH, PAUL	03/25/2021	EFT	0	28.32	3745
00463	G & L AUTO SUPPLY, LLC	03/25/2021	EFT	0	406.90	3746
02295	GRAYBAR	03/25/2021	EFT	0	946.69	3747
00503	GREAT AMERICAN BUSINESS PRODUCTS	03/25/2021	EFT	0	1,423.89	3748
00538	HAWKINS, INC.	04/07/2021	EFT	0	6,382.75	3778
00743	LARKSTUR ENGINEERING & SUPPLY, INC.	04/07/2021	EFT	0	72.96	3779
03271	LARSON, MATTHEW	03/25/2021	EFT	0	156.49	3749
00776	LLOYD LUMBER CO.	03/25/2021	EFT	0	138.48	3750
00776	LLOYD LUMBER CO.	04/07/2021	EFT	0	136.60	3780
00793	M & M SIGNS, INC.	04/07/2021	EFT	0	440.00	3781
00797	MAC TOOLS DISTRIBUTOR	03/25/2021	EFT	0	146.94	3751
00796	MACQUEEN EQUIPMENT, INC.	03/25/2021	EFT	0	4,204.11	3752
00819	MANKATO FORD, INC.	03/25/2021	EFT	0	269.61	3753
00819	MANKATO FORD, INC.	04/07/2021	EFT	0	186.95	3782
00825	MANKATO MOTOR COMPANY	04/07/2021	EFT	0	208.04	3783
00874	MENARDS-MANKATO	03/25/2021	EFT	0	18.23	3754
00874	MENARDS-MANKATO	04/07/2021	EFT	0	612.61	3784
00886	MIDSTATES EQUIPMENT & SUPPLY	04/07/2021	EFT	0	380.78	3785
02532	MIKE'S EMERGENCY VEHICLE INSTALLATIONS	04/07/2021	EFT	0	92.00	3786
00902	MINNESOTA IRON & METAL CO	03/25/2021	EFT	0	204.00	3755
03022	MINNESOTA PAVING & MATERIALS	03/25/2021	EFT	0	3,053.24	3756
03022	MINNESOTA PAVING & MATERIALS	04/07/2021	EFT	0	1,257.77	3787
00975	MORGAN, SHAWN	03/25/2021	EFT	0	160.53	3757
00997	MTI DISTRIBUTING CO	03/25/2021	EFT	0	1,191.80	3758
00997	MTI DISTRIBUTING CO	04/07/2021	EFT	0	130.97	3788
01036	NICOLLET COUNTY RECORDER/ABSTRACTER	03/25/2021	EFT	0	46.00	3759
01052	NORTH CENTRAL INTERNATIONAL	04/07/2021	EFT	0	1,182.32	3789
01056	NORTH MANKATO FIREMEN'S RELIEF ASSOCIA	03/25/2021	EFT	0	2,000.00	3760
01064	NORTHERN STATES SUPPLY, INC.	03/25/2021	EFT	0	120.17	3761
02245	ONSITE	03/25/2021	EFT	0	80.52	3762

02005	PANTHEON COMPUTERS	04/07/2021	EFT	0	13,204.34	3790
01402	POMPS TIRE	03/25/2021	EFT	0	1,158.62	3764
01179	RED FEATHER PAPER CO.	04/07/2021	EFT	0	130.43	3791
01211	RIVER BEND BUSINESS PRODUCTS	03/25/2021	EFT	0	66.92	3765
01211	RIVER BEND BUSINESS PRODUCTS	04/07/2021	EFT	0	869.83	3792
03014	RUBY RIDE	04/07/2021	EFT	0	2,681.25	3793
01407	TOOL SALES COMPANY	03/25/2021	EFT	0	13.00	3766
01407	TOOL SALES COMPANY	04/07/2021	EFT	0	20.00	3794
01419	TRAVERSE DES SIOUX LIBRARY COOPERATIVE	03/25/2021	EFT	0	1,978.11	3767
01429	TURFWERKS	03/25/2021	EFT	0	3,111.54	3768
03191	US SOLAR	03/25/2021	EFT	0	3,202.73	3769
01478	VIKING FIRE & SAFETY LLC	03/25/2021	EFT	0	85.19	3770
03276	VITZTHUM, JACOB	03/25/2021	EFT	0	70.25	3771
00219	CARDMEMBER SERVICE	03/10/2021	Bank Draft	0	14,418.26	DFT0005316
00234	CENTER POINT ENERGY	03/16/2021	Bank Draft	0	74.45	DFT0005303
00234	CENTER POINT ENERGY	03/16/2021	Bank Draft	0	201.80	DFT0005304
02003	MINNESOTA DEPT OF REVENUE	03/11/2021	Bank Draft	0	8,903.00	DFT0005302
02003	MINNESOTA DEPT OF REVENUE	03/25/2021	Bank Draft	0	5,331.37	DFT0005331
01557	XCEL ENERGY	03/16/2021	Bank Draft	0	1,322.67	DFT0005305
01557	XCEL ENERGY	03/17/2021	Bank Draft	0	194.23	DFT0005317
01557	XCEL ENERGY	03/19/2021	Bank Draft	0	84.00	DFT0005321
01557	XCEL ENERGY	03/31/2021	Bank Draft	0	12,538.75	DFT0005348
				\$	266,474.73	146

Authorization Signatures

All Council

The above manual and regular claims lists for 4-5-21 are approved by:

MARK DEHEN- MAYOR

DIANE NORLAND- COUNCIL MEMBER

WILLIAM STEINER- COUNCIL MEMBER

SANDRA OACHS- COUNCIL MEMBER

JAMES WHITLOCK- COUNCIL MEMBER

RESOLUTION APPROVING DONATIONS/CONTRIBUTIONS/GRANTS

WHEREAS, the Minnesota Statute 465.03 and 465.04 allows 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
Lance Voegele-Allore	8X8 Paver	\$75.00
Chantal Maciel	Swim Scholarship	\$10.00
Chantal Maciel	Sports Scholarship	\$10.00
Carolyn and Richard Garman-	Farmers Market	\$25.00
The Benevity Community Impact Fund	Football Donation	\$24.28
Mankato Clinic Foundation	Swim Lesson Scholarship	\$2,500.00
Diane Norland	Youth Scholarship	\$50.00
Sue Ehlers	Youth Scholarship	\$50.00
Akram & Chelsy Osman	Youth Scholarship	\$50.00
Nancy Fitzsimons	Swim Scholarship	\$120.00
Total		\$2,914.28

Adopted by the City Council this 5th day of April 2021.

Mayor

City Clerk

RESOLUTION NO. 28-21

RESOLUTION SETTING FIREFIGHTER'S RELIEF ASSOCIATION
RETIREMENT BENEFITS AND ESTABLISHING FUNDING LIMITATIONS

WHEREAS, the North Mankato City Council has reviewed the status of Firefighter's Relief benefits; and

WHEREAS, existing circumstances indicate that a benefit adjustment is in order.

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

That the retirement benefit be set at \$4,000 per year of service effective June 1, 2021; and

That no increase in the retirement benefit shall require a municipal contribution by tax levy in excess of \$1.00 per capita based on the most recent census population or official State Demographer's population estimate; and

That no increase in the retirement benefit shall cause the funding ration of the retirement fund to fall below 90%; and

That all subsequent requests for benefit adjustments shall be submitted pursuant to the criteria established by this resolution.

Adopted by the City Council this ____ day of _____ 2021.

Mayor

City Clerk



1001 Belgrade Ave., PO Box 2055
North Mankato, MN 56003
507-625-4141 Fax: 507-625-4252
www.northmankato.com

For Office Use Only

APPROVED _____

DENIED _____

☐ PARK USE ☐ AUDIO USE

Application For PARADE PERMIT

REQUIRED INFORMATION:

- Application for Parade Permit
- Map of Parade Route
- \$35 Application Fee

Thirty (30) days inadvance of the parade date.

Name of Applicant <u>Bob Olson</u>	Address <u>326 MOUND AVE</u>	Phone <u>507</u> <u>388-7576</u>	Email <u>_____</u>
---------------------------------------	---------------------------------	-------------------------------------	-----------------------

Sponsoring Organization Name <u>A.B.A.T.E. OF MN</u>	Address <u>SAME</u>	Phone <u>SAME</u>
------------------------------------------------------------	------------------------	----------------------

Contact during event <u>Bob Olson</u>	Phone <u>388-7576</u> <u>C-514-4862</u>
------------------------------------------	-----------------------------------------------

Event Location <u>THROUGH N. KATO TO WHEELER PARK</u>	Date <u>5-21</u>	From <u>1:15</u>	Time <u>2:30</u>	To <u>_____</u>
----------------------------------------------------------	---------------------	---------------------	---------------------	--------------------

Occasion for Parade <u>MOTORCYCLE AWARENESS MONTH</u>

Parade Description / Composition <u>UP TO 300 MOTORCYCLES</u>

Estimated Number of Participants: UP TO 300

As duly authorized representative or agent of the parade sponsoring organization, I hereby make application for a permit to parade in the City of North Mankato, Minnesota. I hereby certify that, to the best of my knowledge, the above is an accurate and true description of the parade. I agree to execute the parade according to this permit and subject to the provisions and conditions which may be necessary to provide for the safety of parade participants and the orderly and safe movement of public traffic.

<u>Bob Olson</u>	<u>3-11-21</u>
Applicant	Date

Pursuant to Section 70.21 of the North Mankato City Code, I hereby authorize a parade permit for the applicant organization. This permit shall be valid only under the conditions recommended by the City of North Mankato and only for the date and time indicated.

<u>[Signature]</u>	<u>5/12/21</u>
Chief of Police	Date

_____	_____
Caswell Sports Director	Date

NORTH MANKATO

1. EAGLE RIDGE DR
2. COTTA TRAIL
3. COTTA TRAIL
4. EAGLE RIDGE TRAIL
5. EAGLE RIDGE CT
6. EAGLE RIDGE LN
7. EAGLE RIDGE LN
8. PATRICIA CT
9. PATRICIA CT
10. ROLLING GREEN CT
11. ROLLING GREEN LANE
12. ROLLING GREEN TRAIL
13. JONPER TRAIL
14. BENSON TRAIL

1. EDGEWOOD CT
2. EDGEWOOD BLVD
3. EDGEWOOD CIR
4. MEADOWBROOK CT
5. GRAYSTONE LN
6. COTTAGE TRAIL
7. COTTAGE TRAIL
8. COTTAGE TRAIL
9. PLEASANT VIEW TRAIL



CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 12A	Dept: Com. Development	Council Meeting Date: 4/5/20
-------------------	------------------------	------------------------------

TITLE OF ISSUE: Consider Adopting Ordinance No. 141, Fourth Series Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances and Providing Penalties for the Violation of the Code of Ordinances.

BACKGROUND AND SUPPLEMENTAL INFORMATION: Minnesota Statutes authorize the City to cause its ordinances to be revised, updated and compiled. The Ordinances adopted since the last codification will be codified.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Adopt Ordinance No. 141, Fourth Series Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances and Providing Penalties for the Violation of the Code of Ordinances.

For Clerk's Use:

Motion By: _____
 Second By: _____

Vote Record:

Aye	Nay	
_____	_____	Steiner
_____	_____	Norland
_____	_____	Oachs
_____	_____	Whitlock
_____	_____	Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution	Ordinance	Contract	Minutes	Map
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other (specify) _____

☐ Workshop

☒ Regular Meeting

☐ Special Meeting

☐ Refer to: _____

☐ Table until: _____

☐ Other: _____

ORDINANCE NO. 141, FOURTH SERIES

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR
THE CITY OF NORTH MANKATO, MINNESOTA
REVISING, UPDATING AND
COMPILING CERTAIN ORDINANCES OF THE CITY DEALING WITH THE
SUBJECTS EMBRACED IN THE CODE OF ORDINANCES AND PROVIDING
PENALTIES FOR THE VIOLATION OF THE CODE OF ORDINANCES

WHEREAS, Minnesota Statutes Section 415.02 and 415.021 authorize the City to cause its ordinances to be revised, updated and compiled;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, ordains as follows:

Section 1. Ordinance Nos.127, 128, 129, 130, 131, 132, 133, 134, 135, 136, and137, Fourth Series, are incorporated into the revised Code of Ordinances;

Section 2. This ordinance amending the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published in the City's official newspaper. The City Clerk shall cause a substantial quantity of the amended Code of Ordinances to be printed for public distribution to the public at actual cost. The official copy of this amended Code of Ordinances shall be marked and kept in the Office of the City Clerk.

Section 3. The Code of Ordinances is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by Minnesota Statutes by the Courts of the State of Minnesota.

Section 4. This ordinance amending the Code of Ordinances shall take effect upon publication of this ordinance in the City's official newspaper.

Adopted by the City Council of the City of North Mankato this 5th day of April 2021.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 127, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 156, ENTITLED "ZONING CODE",
BY CHANGING THE ZONING DISTRICT MAP AND, BY ADOPTING BY REFERENCE NORTH
MANKATO CITY CODE, CHAPTER 10 AND SECTION 10.99 WHICH,
AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

Section 1. North Mankato City Code, Section 156.021, entitled "Zoning District Map," is hereby amended by changing the zoning as follows:

A. To Zone part of Northport No. 21 as M-2, Heavy Industrial.

Section 2. North Mankato City Code, Chapter 10, entitled "General Provisions" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.


Section 3. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 18th day of February 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on Feb. 22, 2020.

ORDINANCE NO. 128, FOURTH SERIES

**AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA ANNEXING
LAND LOCATED IN BELGRADE TOWNSHIP, NICOLLET COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described in Exhibit A be annexed to the City of North Mankato Minnesota, was duly presented to the Council of the City of North Mankato on the 6th day of April 2020; and

WHEREAS, said property is unincorporated and abuts the City of North Mankato; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently farmland and annexation is requested to facilitate the extension of city services for residential development of the property; and

WHEREAS, the City of North Mankato held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2(3), on May 18, 2020, following thirty (30) days written notice by certified mail to the Township of Belgrade and to all landowners within and contiguous to the area legally described in Exhibit A, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH MANKATO
HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that residential use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of North Mankato, Minnesota, are hereby extended to include the following described property, said land abutting the City of North Mankato and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

The Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Two (2), Township One Hundred Eight (108) North, Range Twenty-seven (27) West, Nicollet County, Minnesota
AND

The East Thirteen and Sixty-three-hundredths (13.63) acres of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4)

AND

The West Eleven and Forty-two-hundredths (11.42) acres of the Northeast Quarter of the Northwest Quarter (NE 1/4 of NW 1/4) of Section One (1), Township One Hundred Eight (108) North, Range Twenty-seven (27) West;

AND

The West Thirty-nine and Sixty-six hundredths (39.66) acres of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section One (1), Township One Hundred Eight (108) North, Range Twenty-seven (27) West.

EXCEPTING: That part of Tract A described below: TRACT A: The West 11.42 acres of the Northeast Quarter of the Northwest Quarter of Section 1 Township 108 North, Range 27 West, Nicollet County, Minnesota, which lies southeasterly of Line 1 described below: Line 1. From a point on the west line of said Section 1 distant 110.66 feet North of the Southwest corner thereof, run easterly at an angle of 89 degrees 09 minutes 08 seconds from said west section line (measured from north to east) for 22.82 feet; thence deflect to the left at an angle of 63 degrees 28 minutes 34 seconds for 2963.73 feet; thence deflect to the right on a tangential curve having a radius of 2083.49 feet and a delta angle of 66 degrees 34 minutes 17 seconds having a length of 2420.78 feet for 1166.97 feet; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds from the tangent of said curve at said point for 775 feet to the point of beginning of Line 1 to be described; thence run southwesterly to a point 1340 feet north of the 1/8 section corner west of the center of said Section 1 and there terminating.

ALSO EXCEPTING: That part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North, Range 27 West, Nicollet County, Minnesota, described as: Commencing at the southwest corner of the Northwest Quarter of the Northwest Quarter of Section 1; (the west line of the Northwest quarter of Section 1 to have an assumed bearing of North 00 degrees 02 minutes 00 seconds West) thence North 88 degrees 28 minutes 28 seconds East, along the south line of the Northwest Quarter of the Northwest Quarter of Section 1 a distance of 786.92 feet to the point of beginning; thence North 00 degrees 19 minutes 00 seconds West, along the centerline of the township road, 587.83 feet; thence South 68 degrees 52 minutes 12 seconds East, 174.23 feet; thence South 05 degrees 40 minutes 00 seconds West, 190.00 feet; thence South 26 degrees 58 minutes 06 seconds East, 367.75 feet to a point on the South line of the Northwest Quarter of the Northwest Quarter of Section 1; thence South 88 degrees 28 minutes 28 seconds West, along said south line, 307.39 feet to the point of beginning.

AND ALSO EXCEPTING: Any portion of the previously annexed property per recorded Nicollet County Document No. 257006 described as:

That part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North Range 27 West; that part of Government Lot 8 in Section 36, Township 109 North Range 27 West; and that part of the Southeast Quarter of the Southeast Quarter of Section 35, Township 109 North Range 27 West, all in Nicollet County, Minnesota, described as:

Beginning at the southwest corner of Countryside View Subdivision, according to the plat thereof on file and of record with the Nicollet County Recorder; thence North 00 degrees 22 minutes 04 seconds West, (Minnesota County Coordinate System of 1983, Nicollet County Zone), along the west line of said Countryside View Subdivision, the same being the center line of Howard Drive according to said Countryside View Subdivision, a distance of 587.83 feet to the northwesterly corner of said Countryside View Subdivision; thence South 68 degrees 55 minutes 16 seconds East, along the northerly line of said Countryside View Subdivision a

distance of 35.45 feet to a point on the easterly right of way line of Howard Drive according to said Countryside View Subdivision; thence North 00 degrees 22 minutes 04 seconds West, 636.56 feet to the point of curvature of a circular curve to the right; thence northeasterly, along a 467.00 foot radius curve, central angle = 27 degrees 28 minutes 21 seconds, an arc distance of 223.92 feet to the point of reverse curve; thence northeasterly, along a 968.00 foot radius curve, central angle = 16 degrees 46 minutes 11 seconds, an arc distance of 283.32 feet to the point of tangency of said curve; thence North 10 degrees 20 minutes 06 seconds East, along the tangent of said curve, 121.52 feet; to the point of curvature of a circular curve to the left; thence northerly, along a 158.00 foot radius curve, central angle = 39 degrees 06 minutes 55 seconds, an arc distance of 107.87 feet to a point on the easterly line of Outlot A, Leonard Diegnau Subdivision, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 13 degrees 45 minutes 49 seconds West, along said easterly line, 20.43 feet to the most southerly corner of said Leonard Diegnau Subdivision; thence North 48 degrees 47 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 100.95 feet; thence North 57 degrees 40 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 50.00 feet; thence North 68 degrees 35 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 70.00 feet; thence North 80 degrees 21 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 67.00 feet; thence North 86 degrees 14 minutes 41 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 154.30 feet to the southwesterly corner of said Leonard Diegnau Subdivision; thence North 10 degrees 29 minutes 19 seconds East, along the westerly line of said Leonard Diegnau Subdivision a distance of 27.91 feet; thence North 85 degrees 52 minutes 14 seconds West, 89.69 feet to the point of curvature of a circular curve to the right; thence westerly, along a 467.00 foot radius curve, central angle = 06 degrees 43 minutes 30 seconds, an arc distance of 54.81 feet to the point of tangency of said curve; thence North 79 degrees 08 minutes 44 seconds West, along the tangent of said curve, 232.58 feet to the point of curvature of a circular curve to the left; thence westerly, along a 533.00 foot radius curve, central angle = 10 degrees 19 minutes 07 seconds, an arc distance of 95.99 feet to the point of tangency of said curve; thence North 89 degrees 27 minutes 51 seconds West, along the tangent of said curve, 283.98 feet; thence South 88 degrees 31 minutes 00 seconds West, 604.86 feet; thence South 00 degrees 06 minutes 58 seconds West, 66.03 feet; thence North 88 degrees 31 minutes 00 seconds East, 605.54 feet; thence South 89 degrees 27 minutes 51 seconds East, 282.82 feet to the point of curvature of a circular curve to the right; thence easterly, along a 467.00 foot radius curve, central angle = 10 degrees 19 minutes 07 seconds, an arc distance of 84.10 feet to the point of tangency of said curve; thence South 79 degrees 08 minutes 44 seconds East, along the tangent of said curve, 232.58 feet to the point of curvature of a circular curve to the left; thence easterly, along a 533.00 foot radius curve, central angle = 06 degrees 43 minutes 30 seconds, an arc distance of 62.56 feet to the point of tangency of said curve; thence South 85 degrees 52 minutes 14 seconds East, along the tangent of said curve, 243.80 feet to the point of curvature of a circular curve to the right; thence southeasterly, along a 287.00 foot radius curve, central angle = 40 degrees 15 minutes 03 seconds, an arc distance of 201.62 feet to the point of compound curve; thence southeasterly and southerly, along a 92.00 foot radius curve, central angle = 55 degrees 57 minutes 17 seconds, an arc distance of 89.85 feet to the point of tangency of said curve; thence South 10 degrees 20 minutes 06 seconds West, along the tangent of said curve, 121.52 feet to the point of curvature of a circular curve to the right; thence southwesterly, along a 902.00 foot radius curve, central angle = 16 degrees 46 minutes 11 seconds, an arc distance of 264.00 feet to the point of reverse curve; thence southwesterly and southerly, along a 533.00 foot radius curve, central angle = 27 degrees 28 minutes 21 seconds, an arc distance of 255.57 feet to the point of tangency of said curve; thence South 00 degrees 22 minutes 04 seconds East, along

EXHIBIT A

The Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Two (2), Township One Hundred Eight (108) North, Range Twenty-seven (27) West, Nicollet County, Minnesota AND

The East Thirteen and Sixty-three-hundredths (13.63) acres of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4)

AND

The West Eleven and Forty-two-hundredths (11.42) acres of the Northeast Quarter of the Northwest Quarter (NE 1/4 of NW 1/4) of Section One (1), Township One Hundred Eight (108) North, Range Twenty-seven (27) West;

AND

The West Thirty-nine and Sixty-six hundredths (39.66) acres of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section One (1), Township One Hundred Eight (108) North, Range Twenty-seven (27) West.

EXCEPTING: That part of Tract A described below: TRACT A: The West 11.42 acres of the Northeast Quarter of the Northwest Quarter of Section 1 Township 108 North, Range 27 West, Nicollet County, Minnesota, which lies southeasterly of Line 1 described below: Line 1. From a point on the west line of said Section 1 distant 110.66 feet North of the Southwest corner thereof, run easterly at an angle of 89 degrees 09 minutes 08 seconds from said west section line (measured from north to east) for 22.82 feet; thence deflect to the left at an angle of 63 degrees 28 minutes 34 seconds for 2963.73 feet; thence deflect to the right on a tangential curve having a radius of 2083.49 feet and a delta angle of 66 degrees 34 minutes 17 seconds having a length of 2420.78 feet for 1166.97 feet; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds from the tangent of said curve at said point for 775 feet to the point of beginning of Line 1 to be described; thence run southwesterly to a point 1340 feet north of the 1/8 section corner west of the center of said Section 1 and there terminating.

ALSO EXCEPTING: That part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North, Range 27 West, Nicollet County, Minnesota, described as: Commencing at the southwest corner of the Northwest Quarter of the Northwest Quarter of Section 1; (the west line of the Northwest quarter of Section 1 to have an assumed bearing of North 00 degrees 02 minutes 00 seconds West) thence North 88 degrees 28 minutes 28 seconds East, along the south line of the Northwest Quarter of the Northwest Quarter of Section 1 a distance of 786.92 feet to the point of beginning; thence North 00 degrees 19 minutes 00 seconds West, along the centerline of the township road, 587.83 feet; thence South 68 degrees 52 minutes 12 seconds East, 174.23 feet; thence South 05 degrees 40 minutes 00 seconds West, 190.00 feet; thence South 26 degrees 58 minutes 06 seconds East, 367.75 feet to a point on the South line of the Northwest Quarter of the Northwest Quarter of Section 1; thence South 88 degrees 28 minutes 28 seconds West, along said south line, 307.39 feet to the point of beginning.

AND ALSO EXCEPTING: Any portion of the previously annexed property per recorded Nicollet County Document No. 257006 described as:

That part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North Range 27 West; that part of Government Lot 8 in Section 36, Township 109 North Range 27 West; and that part of the Southeast Quarter of the Southeast Quarter of Section 35, Township 109 North Range 27 West, all in Nicollet County, Minnesota, described as:

Beginning at the southwest corner of Countryside View Subdivision, according to the plat thereof on file and of record with the Nicollet County Recorder; thence North 00 degrees 22 minutes 04 seconds West, (Minnesota County Coordinate System of 1983, Nicollet County Zone), along the west line of said

Countryside View Subdivision, the same being the center line of Howard Drive according to said Countryside View Subdivision, a distance of 587.83 feet to the northwesterly corner of said Countryside View Subdivision; thence South 68 degrees 55 minutes 16 seconds East, along the northerly line of said Countryside View Subdivision a distance of 35.45 feet to a point on the easterly right of way line of Howard Drive according to said Countryside View Subdivision; thence North 00 degrees 22 minutes 04 seconds West, 636.56 feet to the point of curvature of a circular curve to the right; thence northeasterly, along a 467.00 foot radius curve, central angle = 27 degrees 28 minutes 21 seconds, an arc distance of 223.92 feet to the point of reverse curve; thence northeasterly, along a 968.00 foot radius curve, central angle = 16 degrees 46 minutes 11 seconds, an arc distance of 283.32 feet to the point of tangency of said curve; thence North 10 degrees 20 minutes 06 seconds East, along the tangent of said curve, 121.52 feet; to the point of curvature of a circular curve to the left; thence northerly, along a 158.00 foot radius curve, central angle = 39 degrees 06 minutes 55 seconds, an arc distance of 107.87 feet to a point on the easterly line of Outlot A, Leonard Diegnau Subdivision, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 13 degrees 45 minutes 49 seconds West, along said easterly line, 20.43 feet to the most southerly corner of said Leonard Diegnau Subdivision; thence North 48 degrees 47 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 100.95 feet; thence North 57 degrees 40 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 50.00 feet; thence North 68 degrees 35 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 70.00 feet; thence North 80 degrees 21 minutes 11 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 67.00 feet; thence North 86 degrees 14 minutes 41 seconds West, along the southerly line of said Leonard Diegnau Subdivision a distance of 154.30 feet to the southwesterly corner of said Leonard Diegnau Subdivision; thence North 10 degrees 29 minutes 19 seconds East, along the westerly line of said Leonard Diegnau Subdivision a distance of 27.91 feet; thence North 85 degrees 52 minutes 14 seconds West, 89.69 feet to the point of curvature of a circular curve to the right; thence westerly, along a 467.00 foot radius curve, central angle = 06 degrees 43 minutes 30 seconds, an arc distance of 54.81 feet to the point of tangency of said curve; thence North 79 degrees 08 minutes 44 seconds West, along the tangent of said curve, 232.58 feet to the point of curvature of a circular curve to the left; thence westerly, along a 533.00 foot radius curve, central angle = 10 degrees 19 minutes 07 seconds, an arc distance of 95.99 feet to the point of tangency of said curve; thence North 89 degrees 27 minutes 51 seconds West, along the tangent of said curve, 283.98 feet; thence South 88 degrees 31 minutes 00 seconds West, 604.86 feet; thence South 00 degrees 06 minutes 58 seconds West, 66.03 feet; thence North 88 degrees 31 minutes 00 seconds East, 605.54 feet; thence South 89 degrees 27 minutes 51 seconds East, 282.82 feet to the point of curvature of a circular curve to the right; thence easterly, along a 467.00 foot radius curve, central angle = 10 degrees 19 minutes 07 seconds, an arc distance of 84.10 feet to the point of tangency of said curve; thence South 79 degrees 08 minutes 44 seconds East, along the tangent of said curve, 232.58 feet to the point of curvature of a circular curve to the left; thence easterly, along a 533.00 foot radius curve, central angle = 06 degrees 43 minutes 30 seconds, an arc distance of 62.56 feet to the point of tangency of said curve; thence South 85 degrees 52 minutes 14 seconds East, along the tangent of said curve, 243.80 feet to the point of curvature of a circular curve to the right; thence southeasterly, along a 287.00 foot radius curve, central angle = 40 degrees 15 minutes 03 seconds, an arc distance of 201.62 feet to the point of compound curve; thence southeasterly and southerly, along a 92.00 foot radius curve, central angle = 55 degrees 57 minutes 17 seconds, an arc distance of 89.85 feet to the point of tangency of said curve; thence South 10 degrees 20 minutes 06 seconds West, along the tangent of said curve, 121.52 feet to the point of curvature of a circular curve to the right; thence southwesterly, along a 902.00 foot radius curve, central angle = 16 degrees 46 minutes 11 seconds, an arc distance of 264.00 feet to the point of reverse curve; thence southwesterly and southerly, along a 533.00 foot radius curve, central angle = 27 degrees 28

minutes 21 seconds, an arc distance of 255.57 feet to the point of tangency of said curve; thence South 00 degrees 22 minutes 04 seconds East, along the tangent of said curve, 1212.18 feet to a point on the south line of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North Range 27 West; thence North 88 degrees 25 minutes 24 seconds East, along said south line, 33.01 feet to the point of beginning.

Said parcels contain 109 acres, subject to any and all easements of record.


the tangent of said curve, 1212.18 feet to a point on the south line of the Northwest Quarter of the Northwest Quarter of Section 1, Township 108 North Range 27 West; thence North 88 degrees 25 minutes 24 seconds East, along said south line, 33.01 feet to the point of beginning.

Said parcels contain 109 acres, subject to any and all easements of record.

Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto in Exhibit B.

4. That the population of the area legally described herein and hereby annexed is 0.
5. The City of North Mankato pursuant to Minnesota Statutes §414.036, and in accordance with the reimbursement agreement (Exhibit C) with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to Belgrade Township of \$5,699.00 and shall not receive any further property tax income from the land commencing with the tax year 2019.
6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.
7. That the City Clerk of the City of North Mankato is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Nicollet County Auditor, and the Belgrade Township Clerk.
8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of North Mankato, Minnesota, this 18th day of May 2020.



Mayor

ATTEST:


City Clerk

(City Seal)

ORDINANCE NO. 129, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 156, ENTITLED "ZONING CODE",
BY CHANGING THE ZONING DISTRICT MAP AND, BY ADOPTING BY REFERENCE NORTH
MANKATO CITY CODE, CHAPTER 10 AND SECTION 10.99 WHICH,
AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

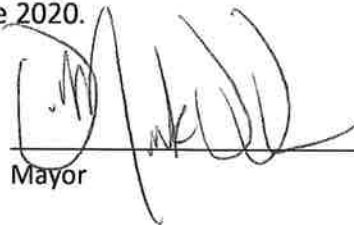
Section 1. North Mankato City Code, Section 156.021, entitled "Zoning District Map," is hereby amended by changing the zoning as follows:

A. To Zone part of Sections 1 & 2 as R-1, One-Family Dwelling.

Section 2. North Mankato City Code, Chapter 10, entitled "General Provisions" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 15th day of June 2020.



Mayor

ATTEST:


City Clerk

Published in the Mankato Free Press on June 19, 2020

ORDINANCE NO. 130, FOURTH SERIES

**AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA ANNEXING
LAND LOCATED IN BELGRADE TOWNSHIP, NICOLLET COUNTY, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(2),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, the described tract of unincorporated property is 100% surrounded by municipal limits of the City of North Mankato, MN; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, the City of North Mankato held a public hearing pursuant to Minnesota Statutes 414.033 Subd. 2, on August 17, 2020, following thirty (30) days written notice by certified mail to the Township of Belgrade and to all landowners within and contiguous to the area legally described, to be annexed; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH MANKATO
HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described is 100% surrounded by municipal limits and is or is about to become urban or suburban in nature in that residential use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of North Mankato, Minnesota, are hereby extended to include the following described property to wit:

Beginning at a point on the East line of the Northwest Quarter of the Northeast Quarter of Section 2 - Township 108 North - Range 27 West, 682 feet South of the Northeast corner of said Northwest Quarter of the Northeast Quarter; thence West and parallel to the North line of said Northwest Quarter of the Northeast Quarter, a distance of 427.06 feet; thence South and parallel to the East line of said Northwest Quarter of the Northeast Quarter, a distance of 510.0 feet; thence East and parallel to the North line of said Northwest Quarter of the Northeast Quarter, a distance of 427.06 feet to the East line of said Northwest Quarter of the Northeast Quarter; thence North along the East line of said Northwest Quarter of the Northeast Quarter, a distance of 510.0 feet to the place of beginning.

Said parcel contains 5.00 acres, subject to any and all easements of record.

4. That the population of the area legally described herein and hereby annexed is 0.
5. The City of North Mankato pursuant to Minnesota Statutes §414.036, and in accordance with the reimbursement agreement (Exhibit A) with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to Belgrade Township of

\$2,048.00 and shall not receive any further property tax income from the land commencing with the tax year 2020.

6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.

7. That the City Clerk of the City of North Mankato is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Nicollet County Auditor, and the Belgrade Township Clerk.

8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of North Mankato, Minnesota, this 17th day of August 2020.



Mayor

ATTEST:



City Clerk
(City Seal)

Pub. Free Press Oct. 24, 2020

ORDINANCE NO. 131, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 91.04, ENTITLED "FARM ANIMALS" AND
ADDING CHAPTER 91.20, ENTITLED "PRESCRIBED GRAZING OF NOXIOUS AND INVASIVE
VEGETATION"

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

Section 1. North Mankato City Code, Chapter 91 Animals is hereby amended by adding Section 91.20 as follows:

(A) *Intent.* The intent of this section is to allow prescribed grazing of goats on property in the City of North Mankato for a specified period and for the express purpose of controlling invasive and/or noxious vegetation. Prescribed grazing is intended to provide an alternative to the use of chemicals as the means to control undesirable vegetation. It is also intended to provide an alternative means to control undesirable vegetation on steep slopes or other challenging terrain where it is difficult for humans to access.

(B) *Duration of a prescribed grazing activity.* The duration of a prescribed grazing activity shall be consistent with the following:

(1) *Properties under two (2) acres in area.* On properties with an area of less than two (2) acres, prescribed grazing shall not be permitted for more than thirty (30) consecutive days. No more than two (2) prescribed grazing permits may be issued within one (1) year for the property. There shall be a minimum of sixty (60) days between the expiration of the first permit issued and the second permit issued in a one (1) year period.

(2) *Properties two (2) or more acres in area.* On properties with an area of two (2) or more acres, the duration of the prescribed grazing activity shall be as specified by the Zoning Administrator or other authorized agent of the City in the approved prescribed grazing permit.

(C) *Proper Enclosure.* The prescribed grazing activity shall be fully and properly enclosed at all times. Proper enclosure refers to any combination of temporary or permanent fences or structures designed to prevent the escape of the prescribed grazing animals and to protect the prescribed grazing animals from the intrusion of other animals. All sides of the enclosure(s) shall be of sufficient height and the bottom of the enclosures shall be constructed or secured in a manner as to prevent prescribed grazing animals from escaping over or under the enclosure(s). Enclosures shall meet the following requirements:

(1) *Permanent enclosures.* Fences and structures constructed to enclose prescribed grazing animals, but intended to remain at the expiration of the prescribed grazing activity, shall comply with the regulations for the zoning district in which the prescribed grazing is located and shall be permitted separately from the prescribed grazing activity.

(2) *Temporary enclosures.* Temporary fencing and structures for the sole purpose of enclosing prescribed grazing animals shall be allowed for the duration of the prescribed grazing as specified by the Zoning Administrator or other authorized agent of the City in the approved prescribed grazing permit.

(a) Temporary fences may be electric or electrified as specified in the approved prescribed grazing permit. Where electric fences are used, the Zoning Administrator or other authorized agent of the City may require a double fence system with a non-electric outer fence to serve as a safety barrier to reduce the possibility of the public coming in contact with the electric fence.

(b) Any electric or electrified fence in association with a prescribed grazing activity must have a warning sign posted on every boundary of the enclosure at least every fifty (50) feet along each side of the fence. The warning sign shall clearly identify the electric fence. No single sign shall exceed four (4) square feet in area. Each sign shall be clearly visible on the approach to the fence and be posted on or within one (1) foot of the electric or electrified fence.

(D) *Animal welfare.* The welfare of the prescribed grazing animals must be ensured by the owner of the prescribed grazing animals.

(1) *Supervision.* The prescribed grazing service must list on its grazing permit application contact information for the party responsible for promptly addressing issues associated with prescribed grazing on the specified property. The responsible party shall be available to be contacted at all hours of the day and all days of the week.

(2) *Health.* Prescribed grazing animals must receive proper veterinary treatment and regular deworming. In the event that a prescribed grazing animal becomes ill, hurt, or perishes, the owner of the prescribed grazing animal(s) must provide immediate on-site care or remove the animal(s) from the property promptly if immediate on-site care cannot be provided.

(3) *Neutering.* Male goats used for prescribed grazing must be neutered. Male goats less than six (6) months of age that accompany an adult female goat shall be exempt from the neutering requirement.

(E) *Storage of supplement feed.* Any feed for the prescribed grazing animals (other than the vegetation on the property that is intended for grazing) must be securely stored so as not to encourage vermin or other pests.

(F) *Protection of significant natural resources.* Prescribed grazing shall not adversely affect significant natural resources. Prescribed grazing activities shall comply with the following:

(1) Prescribed grazing activities shall comply with the best management practices established by the Minnesota Department of Agriculture, the Minnesota Department of Natural Resources, and all other pertinent agencies.

(2) Prescribed grazing activities shall not impair water quality as defined by the Federal Clean Water Act.

(3) Threatened or endangered plant species shall not be negatively impacted by prescribed grazing activities.

(G) *Identification signage.* A single sign, not to exceed four (4) square feet in area and not to exceed four (4) feet in height if freestanding, shall be erected and visible from the nearest public right-of-way, but not in the public right-of-way. The Zoning Administrator or other authorized agent may approve an alternate location for the sign or may require more than one (1) identification sign if needed to comply with the intent of this ordinance. The sign shall include the prescribed grazing permit number for the issued permit and the phone number for a 24-hour contact for the prescribed grazing animals. The sign shall be present for the duration of the prescribed grazing activity and shall be promptly removed at the conclusion of the prescribed grazing activity.

(H) *Insurance.* When an applicant submits an application for a prescribed grazing permit, the applicant shall also submit a current, effective insurance policy or a copy thereof providing liability insurance covering claims arising out of the prescribed grazing activity.

(I) *Prescribed grazing permit and fee.* A prescribed grazing permit approved by the City of North Mankato shall be required for each prescribed grazing activity covering a specified period.

Section 2. North Mankato City Code, Chapter 91 Animals is hereby amended by amending Section 91.04 Farm Animals.

(A) Except in an RA zone and except as permitted in 91.20, it is a public nuisance to keep farm livestock or fowl, such as cattle, horses, mules, donkeys, sheep, goats, hogs, chickens, ducks, geese, or any other animal generally described as a farm animal. The term "keep" means to house, protect, feed, own or otherwise care for the farm animal.

(B) If the owner or possessor of land is keeping animals constituting a public nuisance under this subdivision on the date such land is annexed into the city, then such nuisance shall be terminated within one year from the date of annexation of such land. However, if such use constitutes a significant threat to public health, then such use shall be immediately terminated without regard to the passage of such period of time.

Section 3. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 17th day of August 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on 8-20-20.

ORDINANCE NO. 132, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 156, ENTITLED "ZONING CODE" AND

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

Section 1. North Mankato City Code, Chapter 156 Zoning Code is hereby amended by amending section 156.054 as follows:

(A) *Intent.* The performance standards established by this section are intended to promote and preserve the health, safety, comfort, convenience, prosperity, and general welfare of the inhabitants of the city. These standards are designed to encourage a high standard of development by assuring the compatible integration of surrounding land uses.

(B) *Scope.* From and after the effective date of this chapter the use of all land, and structures upon such land shall be in conformance with the provisions of this section. The administration and enforcement of this section shall apply uniformly to all zoning districts. Uses of structures that become nonconforming upon the effective date of this section shall be allowed as long as they remain in compliance with § 156.052.

(C) *Standards.* The minimum performance standards are as follows.

(1) *Aesthetics.* It is hereby affirmed as essential public policy that the appearance of this community is a proper matter for public concern and that all open spaces, buildings, plantings, surfaces, and structures which may be seen from the public ways and water bodies are subject to the provisions of this chapter. On any building visible from a public street, materials shall not be permitted on exterior wall surfaces not in a proper arrangement, or combination of a permanent nature with good architectural design and appeal.

(2) *Building Code.* The Minnesota State Building Code as amended has been adopted by the city. The Building Code shall be complied with in all respects for the construction, maintenance or alteration of any structure or variance.

(3) *Bulk materials.* All bulk materials shall be contained in such a fashion that they are not allowed to become airborne. Solid or liquid particles shall not be emitted at any point in concentrations exceeding .03 grains per cubic foot of the conveying gas or air.

(4) *Density.* Development density is a legitimate public concern. The density of development permitted shall in all instances be consistent with the terms and intents of this chapter. To the extent reasonable, development shall be integrated with surrounding land uses.

(5) *Dwelling units (prohibited).* No basement, garage, tent, trailer, recreational vehicle or detached accessory building shall at any time be used as a dwelling unit. The basement portion of a finished home or apartment may be used for a dwelling unit provided it is located in a zone permitting such use and otherwise conforms with the Minnesota State Building Code, as amended.

(6) *Employee dwelling units.* Except as otherwise provided, living quarters within a residence of persons employed on the premises are permitted. Except as otherwise provided, living quarters on business or industrial premises of persons employed on the same premises may be permitted. Said living quarters on business or industrial premises shall require a conditional use permit and may be attached or detached. In any event, adequate off-street parking shall be provided in addition to that amount that would be required if said use were not present.

(7) *Exterior lighting.* Any lights used for exterior illumination shall be directed away from adjacent properties.

(8) *Exterior storage.* Exterior storage shall be permitted when such storage is not contrary to the terms of this chapter, or in violation of other applicable provisions of the City Code. Exterior storage shall be required to be fully screened or fully enclosed by a structure.

(9) *Fences.* Fences are a permitted use in any zoning district, subject to the following.

(a) Fences shall not be located on any property line.

(b) In all residential zones, fences located in front yard setbacks may not exceed 3 feet in height, except as regulated in division (c) of this section. In all other yards, fences shall not exceed 6 feet in height and shall follow the unaltered natural terrain of the land.

(c) Where a lot is located at the intersection of 2 streets, fences shall be no higher than 3 feet for a distance equal to or greater than the front yard setback measured both directions from the corner property pin.

(d) Fences in commercial zoning districts shall not exceed 6 feet in height and shall follow the unaltered terrain of the land.

(e) Fences in industrial zoning districts shall not exceed 8 feet in height. No barbed wire shall be located less than 6 feet from the ground.

(f) All fences shall be constructed and maintained so as not to endanger life or property.

(g) Fences shall not interfere with traffic or pedestrian visibility.

(h) Except as permitted in 91.20, above ground electrical fences shall only be permitted in industrial zoning districts and shall be installed to all applicable safety standards which apply.

Section 2. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 17th day of August 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on 8-20-20.

ORDINANCE NO. 133, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA
AMENDING CHAPTER 155: SUBDIVISION REGULATIONS
THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA ORDAINS:

Section 1: North Mankato City Code, Chapter 155 Subdivision Regulations is hereby amended by adding Section 155.51 as follows:

Administrative Lot Splits.

The Community Development Director may administratively approve the relocation of platted lot lines provided:

- a. All the requirements of Chapters 155 and 156 are satisfied and no substandard lots are created
- b. The applicant submits an application for an Administrative Lot Split
- c. The applicant submits a Certificate of Survey of the replatted properties to be recorded at the Nicollet County Recorder's Office by the applicant
- d. Should any lot adjustment require the vacation of any platted utility easement(s), it will be the responsibility of the applicant to petition for the vacation of any utility easement(s)
- e. Should any existing above or below ground utility need to be relocated as a result of a lot line adjustment, the applicant is responsible for any associated costs
- f. Any relocation of a lot line(s) requires new property monuments to be installed by a licensed surveyor
- g. Any relocation of lot lines shall not affect more than three (3) lots

Adopted by the City Council this 5th day of October 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on 10-8-20

ORDINANCE NO. 135, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 156, ENTITLED "ZONING CODE",
BY CHANGING THE ZONING DISTRICT MAP AND, BY ADOPTING BY REFERENCE NORTH
MANKATO CITY CODE, CHAPTER 10 AND SECTION 10.99 WHICH,
AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

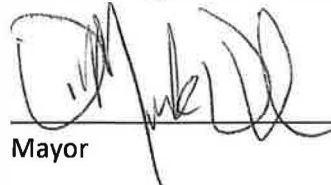
Section 1. North Mankato City Code, Section 156.021, entitled "Zoning District Map," is hereby amended by changing the zoning as follows:

- A. To Re-Zone the property addressed as 635/637 Grant Avenue from R-1 One-Family Dwelling to R-3, Limited Multiple Dwelling.

Section 2. North Mankato City Code, Chapter 10, entitled "General Provisions" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 21st day of December 2020.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on 12/26/20

**Ordinance No. 134, Fourth Series an Ordinance of the City of North Mankato, Minnesota
Amending Chapter 110 General Business Regulations and Licensing and Adding City Code
Section 110.28 Entitled Mobile Food Unit.**

Subd. 1. **Purpose.** The purpose of this Section is to establish standards to ensure that mobile food units/vendors as defined herein are appropriately located, licensed and inspected, do not impede vehicular access, traffic flow or circulation, or create public safety hazards.

Subd. 2. **General Regulations:**

A. **Definitions.** For the purposes of this Section, the following definitions shall apply:

1. Mobile Food Unit and Mobile Food Unit/Vendor shall be defined as any self-propelled vehicle or fully contained trailer, licensed by the State of Minnesota to operate on public streets and roadways, which vends food (either pre-packaged or prepared in the unit) at retail for immediate consumption by the customer, and who are licensed by the State of Minnesota Department of Agriculture and/or Department of Health and/or the Brown-Nicollet County Environmental Health Department, and the City of North Mankato as a Mobile Food Unit.
2. Vend or vending shall be defined as the process of the transfer of a food product from the unit operator to a customer. Vending begins when the unit initially stops in a location at which customers can access the unit and continues until the unit leaves that location.

B. **Applicability.** Notwithstanding any contrary provision of any City ordinance, regulation, or rule, mobile food units/vendors shall be licensed and located as provided in this ordinance:

1. Licenses required. Within the City of North Mankato, no person shall vend from a mobile food unit without first having obtained a license to do so from the City.
2. Fees. The fee for an annual license shall be established from time-to-time by the City Council and shall entitle the operator to vend from one such unit for one year from the date on which the license is issued. The license shall be displayed on or within the unit, visible from the outside of the unit, whenever the unit is vending.
3. Other Licenses Required. Applicants must provide evidence of current licensing of the unit by the Minnesota Department of Agriculture, the Minnesota Department of Health and/or Brown-Nicollet Environmental Health as appropriate.
4. Insurance. Applicants must provide evidence of liability insurance in which the City is named coinsured which shall provide a limit of coverage as established from time-to-time by the City Council for both bodily injury and for property damage. Written notice of cancellation of such insurance must be given to the City not less than thirty (30) days prior to actual cancellation.
5. Restrictions on Vending Activity:
 - a. Mobile food units/vendors are prohibited from vending activity within 500 feet of the nearest property line of any business in the city holding a food-service license issued by the Brown-Nicollet County Environmental Health Department.
 - b. Mobile food units/vendors are prohibited from vending activities within 500 feet of a community event for which the City has issued a Special Event Permit, unless they are specifically authorized by the event sponsor to participate in the event. The terms of the Special Event Permit shall apply.
 - c. Mobile food units/vendors are prohibited from vending within 500 feet of the Caswell Park Sporting Complex or Spring Lake Park Regional Swim Facility unless authorized by the City Administrator or his/her designee.
 - d. Mobile food units/vendors are allowed to vend on public streets between the hours of 8:00 a.m. and 10:00 p.m. on all days of the week in the B-1, B-2, B-3, I-1, M-1, M-2, and CBD zoning districts if they are 500 feet from the nearest property line of any business in the city holding a food-service license issued by the Brown-Nicollet County Environmental Health Department. Mobile food units may not vend in the

- same location for more than 21 days each calendar year on any public street.
- e. Mobile food units/vendors are allowed to vend on private property between the hours of 8:00 a.m. and 10:00 p.m. on all days of the week in the B-1, B-2, B-3, I-1, M-1, M-2, and CBD zoning districts if they are 500 feet from the nearest property line of any business in the city holding a food-service license issued by the Brown-Nicollet County Environmental Health Department and if permission has been granted by the landowner to vend. Mobile food units may not vend on the same property parcel for more than 21 days each calendar year in the B-1, B-2, B-3, I-1, M-1, M-2, and CBD zoning districts
 - f. No mobile food unit can operate in a residential zoned district unless authorized by the City Administrator or his/her designee under a Special Event Permit.
 - g. Mobile food units/vendors shall collect and remit all applicable licenses, fees, and taxes of the City of North Mankato, Nicollet County, and the State of Minnesota. This includes but is not limited to North Mankato's local option sales and use tax and North Mankato's food and beverage tax.
6. Exemptions on Restrictions:
- a. Business owners holding a food-service license with the Brown-Nicollet County Environmental Health Department may operate a mobile food unit owned by the business owner on their property, within 500 feet of another food-service license holding establishment in North Mankato, for 50 days each year
 - b. Breweries and Wineries licensed by the Minnesota Department of Public Safety are exempt from locating a food truck within 500 feet of a business holding a food-service license issued by the Brown-Nicollet County Environmental Health Department.
 - c. Mobile food units which are vending at an event hosted by the City are allowed to operate as authorized by the organizers/managers of the event, at the location of, and for the duration of the event. Participation at an event hosted by the City does not apply to toward the cumulative 50 day exemption authorized in section 6.a.
 - d. Special events permits approved by the City for Business Owners within 500 feet of another food-service license holding establishment in North Mankato apply toward the cumulative 50 day exemption authorized in section 6.a.
7. Location or placement:
- a. On public streets, no unit shall occupy more than two (2) parking spaces
 - b. The unit shall vend only from the side of the vehicle away from moving traffic and pedestrian walkways of no less than six (6) feet shall be maintained on the service side of the unit.
 - c. In no case shall a unit vend while occupying a traffic lane, parked on a sidewalk, parked on a pedestrian crossing location, or in any location which obstructs or impedes vehicle or pedestrian traffic.
 - d. The unit shall not vend to any person standing in the traveled portion of any public roadway.
 - e. On public streets, no unit shall vend within sixty (60) feet of the intersection of two or more public streets, nor within thirty (30) feet of a driveway which enters onto a public street.
 - f. Units shall not be stored in a residential zoning district.
 - g. There shall be no overnight parking of food trucks on the public right of way.
 - h. No unit shall vend while the unit is in motion.
 - i. Connection of the unit to public utilities is not permitted.
8. Dimensions. No mobile food unit shall exceed 40' feet in length (overall length for a self-propelled vehicle; trailer length including the towing vehicle for self-contained trailers) or ten (10) feet in height.
9. Signs and Appurtenances:

- a. Mobile food units/vendors shall not employ or utilize any signs that are not attached directly to the vehicle/trailer. Signs may not project above the unit, nor more than six (6) inches from the side of the unit. No flashing, strobing or intermittent lighting is allowed.
- b. No external seating shall be provided or utilized except as may be provided by the owner, manager, or agent of any private property on which the unit may be properly located.
- c. Any generator used by the unit must be self-contained within or on the unit, screened from view, and operate at no more than 70 decibels.
- d. While vending, the operator may not call attention to the unit by crying out, blowing a horn, ringing a bell, or playing music or other sounds discernible beyond the unit. Amplified sound is not permitted outside of the unit.
- e. Waste receptacle(s) must be provided by the unit operator and the vending site must be cleaned of all litter and garbage generated by the unit and customers before the unit leaves the location.

Subd. 3. **Enforcement.** Any violation of this Section, including but not limited to the vending operation of a mobile food unit within the City without a license issued pursuant to this Section, shall be a misdemeanor punishable by up to a \$1000.00 fine and/or ninety (90) days in jail.

SECTION II. After adoption, signing and attestation, this Ordinance shall be published once in the official newspaper of the City of North Mankato and shall be in effect on or after the date following such publications.

ADOPTED by the City Council of the City of North Mankato this 21 day of December, 2020


Mayor

ATTEST:


City Clerk

Published in the Mankato Free Press this 28th day of December 2020.

ORDINANCE NO. 136, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 155.48, ENTITLED "EASEMENTS"

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

Section 1. North Mankato City Code, Section 155.48, entitled "Easements," is hereby amended adding the following language to section 155.48A:

(A) The size of the easement width may be adjusted upon approval of the North Mankato Planning Commission and North Mankato City Council during consideration of a final plat. Any adjustment of easement width must include a written request by the subdivision developer and all known utility companies serving the subdivision and the City of North Mankato.

Section 2. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 4th day of January 2021.



Mayor

ATTEST:



City Clerk

Published in the Mankato Free Press on 1/8/21.

Ordinance No. 137
Fourth Series an Ordinance of the City of North Mankato, Minnesota Amending Chapter 90
Grass and Weed Control and Adding City Code Section 90.115 Entitled Managed Natural
Lawn Area

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA ORDAINS:

Section I. North Mankato City Code, Title IX: General Regulations. Chapter 90: Management of Public and Private Property is hereby amended to read as follows:

1. Intent

- a. The City Council determines some residents' desire to use portions of lawns on residential parcels for the planting of native vegetation, which can grow to a height of greater than six (6) inches. The Council finds these types of plantings may preserve, restore, or maintain natural plants and may utilize environmentally sound practices. As guidance for the community, this change in vegetation and lawn use must be properly planned, managed, and maintained. The transition period must be minimized, or the property is likely to create a public nuisance and shall be abated.

2. Definitions

- a. Managed Natural Lawn Area – A planned, intentional, and maintained planting of native vegetation that is free from noxious weeds as defined by the Minnesota Department of Natural resources and may exceed six (6) inches in length.
- b. Native Vegetation – Ferns, wildflowers, grasses, sedges, rushes, shrubs, vines, and forbs that are native to the State of Minnesota ecological section 222 (Minnesota and Northeast Iowa Morainal Section), subsection 251Ba (Minnesota River Prairie), and subsection 222Mb (Big Woods) as defined by the Minnesota Department of Natural Resources and that can be found in the Minnesota Department of Natural Resources Native Plant Encyclopedia.
- c. Turf Grasses – Bluegrass, fescue, and ryegrass blends with non-woody vegetation interspersed with them, commonly used in regularly cut lawns.

3. Applicability.

- a. Residential zoning districts.
- b. Managed Natural Lawn Area, as defined in 2a above, is a term used to describe a variety of lawn management practices that include but are not limited to natural lawns, natural landscapes, native lawns, pollinator gardens, rain gardens, meadow vegetation, native prairie, prairie gardens, monarch waystations, native plantings, native gardens, and butterfly habitat.

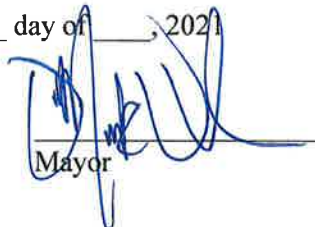
4. Requirements.

- a. Any owner of a residential lot in the City may transition an area of lawn on the lot to a Managed Natural Lawn Area not to exceed 30% of the pervious surface area within the defined setbacks of the lot, excluding natural wooded areas, bluffs, and ravines.
- b. A Managed Natural Lawn Area may include native vegetation more than six (6) inches in height, and which have gone to seed, but may not include any noxious weeds, must be maintained pursuant to the requirements of §90.115, and shall not create a public nuisance.
- c. A Managed Natural Lawn Area shall not include turfgrass lawns left unattended for the purpose of returning to a natural state.
- d. Any Managed Natural Lawn Area shall meet the following property-line setbacks. Corner lots shall have two Front setbacks:
 - i. Front-10 feet
 - ii. Sides- 5 feet
 - iii. Rear 10 feet
- e. A Managed Natural Lawn Area shall be cut at least once annually to a height no greater than twelve (12) inches. The Weed Inspector may grant an exemption to the cutting of native vegetation within the Managed Natural Lawn Area if consistent with standard practices for managing the plantings requested for exemption. The weed inspector will determine standard practices.
- f. When establishing a Managed Natural Lawn Area, turfgrass and/or other existing vegetation shall be eliminated, and native vegetation shall be planted through transplanting or seeding by human

- or mechanical means. Soil erosion should be controlled while the ground is bare of plant growth that is sufficient to inhibit erosion and is the sole responsibility of the owner or occupant.
- g. Properties with a Managed Natural Lawn Area must be free of blight, and blighting factors, free of public nuisances, and other areas of the lawn must be properly maintained in accordance with the City Code.
 - h. Managed Natural Lawn Areas shall not be located within any drainage utility easement, public right-of-way, or immediately adjacent to any driveway.
 - i. Managed Natural Lawn Areas shall not be located within 20 feet of a road intersection unless the height of the plantings within 20 feet of an intersection does not exceed 12 inches in height.
 - j. At no time shall a Managed Natural Lawn Area interfere with motorists' views of the street or roadway.
5. Failure to Maintain.
- a. If a property owner chooses to install a Managed Natural Lawn Area, and it is determined by the weed inspector, the area fails to meet the definition and requirements of a Managed Natural Lawn Area as defined in §90.115 sections 2,3 and 4, it shall be considered prima facie evidence of the failure of the owner and occupant to comply with this section.
 - b. The City may then proceed as follows:
 - i. Concerning public rights-of-way, the weed inspector or his/her designee shall provide written notice to the property owner utilizing first-class mail, advising such owner or occupant that the Managed Natural Lawn Area must be removed within five (5) days. If the owner fails to remove the Managed Natural Lawn Area, then the City shall perform the necessary work to remove the Managed Natural Lawn Area, keeping an accurate account of the cost. The cost shall be assessed to the abutting private property in conformance with the provisions of this chapter.
 - ii. Concerning private property, the weed inspector or his/her designee shall provide written notice to the property owner, utilizing first-class mail, advising such owner that the Managed Natural Lawn Area must be brought into compliance with the requirements of §90.115 within 14 days of receipt of the letter. Such notice shall also advise the owner that the City shall perform such work, with the presumed consent of the owner, if the owner fails to bring the Managed Natural Lawn Area into compliance with the requirements of §90.115. If City employees are utilized to cut the Managed Natural Lawn Area, an accurate account of the time and charges shall be maintained. Such costs shall be assessed to the benefitted property in conformance with the provisions of this chapter.

SECTION II. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City of North Mankato and shall be in effect on or after the date following such publications.

ADOPTED by the City Council of the City of North Mankato this ____ day of ____, 2021


Mayor

ATTEST:


City Clerk

Published in the Mankato Free Press this February day of 5th 2021.

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 12B	Dept: City Engineer	Council Meeting Date: 4/5/20
-------------------	---------------------	------------------------------

TITLE OF ISSUE: Consider Adopting Resolution Adopting Assessment for Project No. 19-05 ABCDEF Harrison Avenue and Project No. 20-04 ABCDE Cliff Court.

BACKGROUND AND SUPPLEMENTAL INFORMATION: City Engineer Sarff presented a project overview along with assessment information during the public hearing held earlier in the evening. He will be available to answer additional questions.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Adopt Resolution Adopting Assessment for Project No. 19-05 ABCDEF Harrison Avenue and Project No. 20-04 ABCDE Cliff Court.

For Clerk's Use:

Motion By: _____

Second By: _____

Vote Record:

Aye

Nay

_____	_____	Steiner
_____	_____	Norland
_____	_____	Oachs
_____	_____	Whitlock
_____	_____	Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution	Ordinance	Contract	Minutes	Map
------------	-----------	----------	---------	-----

☐
☒
☐
☐
☐

Other (specify) _____

☐

Workshop

☒

Regular Meeting

☐

Special Meeting

☐

Refer to: _____

☐

Table until: _____

☐

Other: _____

RESOLUTION NO. 29-21

RESOLUTION ADOPTING ASSESSMENT FOR
HARRISON AVENUE PROJECT NO. 19-05 ABCDEF AND CLIFF COURT PROJECT NO.
20-04 ABCDE

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessments for Project No. 19-05 ABCDEF Harrison Avenue and Project No. 20-04 ABCDE Cliff Court.

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein. Each tract of land therein included is hereby found to be benefited by the improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of fifteen (15) years and the first of the installments shall be payable on or before the first Monday in January in 2022 and shall bear interest at the rate of 4% from November 15, 2021.
3. The owner of any property so assessed, may at any time, prior to November 15, 2021, pay the whole of the assessment on such property with interest accrued to the date of payment to the City Finance Director; and he may, at any time thereafter, pay to the County Treasurer, the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.
4. The Clerk shall transmit a certified duplicate of this assessment to the County Auditor to be extended on the tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the City Council this 5th day of April 2021.

Mayor

City Clerk

PROJECT NO. 19-05 ABCDEF HARRISON AVENUE
AND PROJECT NO. 20-04 ABCDE CLIFF COURT
ASSESSMENT ROLL

PID	Property Address	Assessment
184230790	345 HARRISON AVENUE	\$7,500.00
184230230	312 HARRISON AVENUE	\$7,500.00
184230710	819 RANGE STREET	\$7,500.00
184230720	315 HARRISON AVENUE	\$7,500.00
184230220	316 HARRISON AVENUE	\$7,500.00
184230730	319 HARRISON AVENUE	\$7,500.00
184230210	320 HARRISON AVENUE	\$7,500.00
184230740	323 HARRISON AVENUE	\$7,500.00
184230200	324 HARRISON AVENUE	\$7,500.00
184230750	327 HARRISON AVENUE	\$7,500.00
184230190	328 HARRISON AVENUE	\$7,500.00
184230180	332 HARRISON AVENUE	\$7,500.00
184230760	331 HARRISON AVENUE	\$7,500.00
184230170	336 HARRISON AVENUE	\$7,500.00
184230770	339 HARRISON AVENUE	\$7,500.00
184230160	340 HARRISON AVENUE	\$7,500.00
184230150	344 HARRISON AVENUE	\$7,500.00
184230010	823 RANGE STREET	\$7,500.00
184230780	343 HARRISON AVENUE	\$7,500.00
18.762.0120	258 CLIFF DR	\$5,128.41
18.762.0110	106 CLIFF CT	\$9,000.00
18.762.0100	110 CLIFF CT	\$9,000.00
18.762.0080	114 CLIFF CT	\$9,000.00
18.762.0070	121 CLIFF CT	\$9,000.00
18.762.0060	117 CLIFF CT	\$9,000.00
18.762.0040	113 CLIFF CT	\$9,000.00
18.762.0030	109 CLIFF CT	\$9,000.00
18.762.0020	105 CLIFF CT	\$9,000.00
18.762.0010	101 CLIFF CT	\$9,000.00

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 12C	Dept: City Engineer	Council Meeting Date: 4/5/20																											
TITLE OF ISSUE: Consider Adopting Resolution Accepting Bid Project No. 19-05 ABCDEF Harrison Avenue and Project No. 20-04 ABCDE Cliff Court.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: Bids were received and opened on Tuesday, February 23, 2021 for the Harrison Avenue and Cliff Court Street & Utility Improvement Projects. Five bids were received. The low bidder was Holtmeier Construction, Inc., from Mankato, MN.																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Adopt Resolution Accepting Bid Project No. 19-05 ABCDEF Harrison Avenue and Project No. 20-04 ABCDE Cliff Court.																													
For Clerk's Use: 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>Norland</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>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Steiner	_____	_____	Norland	_____	_____	Oachs	_____	_____	Whitlock	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aye	Nay																												
_____	_____	Steiner																											
_____	_____	Norland																											
_____	_____	Oachs																											
_____	_____	Whitlock																											
_____	_____	Dehen																											
Resolution	Ordinance	Contract	Minutes	Map																									
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																									
<input type="checkbox"/> Workshop <input checked="" type="checkbox"/> Regular Meeting <input type="checkbox"/> Special Meeting	<input type="checkbox"/> Refer to: _____ <input type="checkbox"/> Table until: _____ <input type="checkbox"/> Other: _____																												

RESOLUTION NO. 30-21

RESOLUTION ACCEPTING BID PROJECT NO. 19-05 ABCDEF HARRISON AVENUE
AND PROJECT NO. 20-04 ABCDE CLIFF COURT

WHEREAS, pursuant to an advertisement for bids for the 19-05 ABCDEF Harrison Avenue and 20-04 ABCDE Cliff Court Street and Utility Improvement Project, bids were received, opened, and tabulated according to the law for street and surface improvements, and

WHEREAS the following bids were received complying with the advertisement:

Bidder	Bid Amount
Holtmeier Construction, Inc.	\$948,048.05
W.W. Blacktopping, Inc.	\$991,304.60
OMG Midwest, Inc. (MN Paving & Materials)	\$1,131,646.59
Kuechle Underground, Inc.	\$1,286,861.52
Northland Grading & Excavating, LLC	\$1,327,592.79

WHEREAS, the low bid of \$948,048.05 is lower than the engineering estimate of \$1,073,743; and

WHEREAS, it appears that Holtmeier Construction, Inc. of Mankato, Minnesota is the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, AS FOLLOWS:

- 1) The Mayor and Administrator are hereby authorized and directed to enter into a construction contract with Holtmeier Construction, Inc. of Mankato, Minnesota for the contract amount of \$948,048.05 in the name of the City of North Mankato, Minnesota for the Monroe Avenue Street and Utility Improvement Project.
- 2) The city clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the City Council this 5th day of April 2021.

Mayor

ATTEST:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 12D	Dept: Finance	Council Meeting Date: 4/5/20																											
TITLE OF ISSUE: Consider Approving Developer Agreement for Privately Financed Improvements the Landing North Phase 5B.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: Finance Director McCann will review the Developer Agreement.																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Approve Developer Agreement for Privately Financed Improvements the Landing North Phase 5B.																													
For Clerk's Use: 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>Norland</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>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Steiner	_____	_____	Norland	_____	_____	Oachs	_____	_____	Whitlock	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <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) Agreement _____ _____ _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aye	Nay																												
_____	_____	Steiner																											
_____	_____	Norland																											
_____	_____	Oachs																											
_____	_____	Whitlock																											
_____	_____	Dehen																											
Resolution	Ordinance	Contract	Minutes	Map																									
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																									
<table style="border: none;"> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Workshop</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Regular Meeting</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Special Meeting</td> </tr> </table>	<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Regular Meeting	<input type="checkbox"/>	Special Meeting	<table style="border: none;"> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Refer to: _____</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Table until: _____</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Other: _____</td> </tr> </table>	<input type="checkbox"/>	Refer to: _____	<input type="checkbox"/>	Table until: _____	<input type="checkbox"/>	Other: _____																
<input type="checkbox"/>	Workshop																												
<input checked="" type="checkbox"/>	Regular Meeting																												
<input type="checkbox"/>	Special Meeting																												
<input type="checkbox"/>	Refer to: _____																												
<input type="checkbox"/>	Table until: _____																												
<input type="checkbox"/>	Other: _____																												

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

**DEVELOPER AGREEMENT FOR
PRIVATELY FINANCED IMPROVEMENTS
THE LANDING NORTH PHASE 5B**

THIS AGREEMENT, made and entered into this _____ day of _____, 2021, by and between the City of North Mankato, a municipal corporation, in the State of Minnesota, hereafter called "City", and KWS, LLC., hereafter called the "Developer." The Developer has asked the City to approve a plat legally described in Exhibit "A" attached hereto.

NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS:

A. City Responsibilities

1. Lor Ray Drive and Somerset Lane have recently been designated as Municipal State Aid Streets. The City is actively pursuing state and federal funding for street improvements on Lor Ray Drive and Somerset Lane. The City will continue to update the Developer on the progress of this road improvement.

2. The City will provide the Developer with a 15" plastic pipe, for installation by the Developer, for the culvert and aprons in the south ditch of Somerset Lane across the proposed extension of Lexington Lane.

3. The City will reimburse the Developer for the costs of upsizing the watermain from 8 inches in diameter to 12 inches in diameter at a cost of up to \$3,448.00. This cost includes the increased cost of pipe, valves, fittings and materials and labor for installation.

4. The City will reimburse the Developer for the costs of adjusting one manhole casting on the City's trunk sanitary sewer to the final grade of the bituminous wearing course at a cost of up to \$450.00.

5. The City will furnish and install street signs, stop signs, and other permanent traffic control signs.

6. If not completed by developer, City to install final lift within two years of the first lift with remaining proceeds from cash deposit or Irrevocable Letter of Credit from the Developer associated with the final lift portion of the contractor's bid.

B. Developer's Responsibilities

1. The City has been petitioned by the Developer for permission to privately construct the improvements itemized in Exhibit "B" attached hereto (the "Improvements") to be paid for by the Developer for the development as itemized in Exhibit "A".

2. The following plans shall be delivered to the City by the Developers on a time schedule set forth in this agreement.

A. Final Plat

B. Engineering Plans and Specifications for the Improvements

If the plans vary from the written terms of this Agreement, the written terms of this Agreement shall control. All the foregoing plans will be prepared by and will be delivered to the City with the signature of a Minnesota registered engineer and/or surveyor.

3. The Developer shall privately finance the Improvements.

4. The Developer shall install or ensure installation at its sole cost and expense and in accordance with all state, federal and local rules, regulations, ordinances and laws the following:

- A. Site Grading Improvements
- B. Surveying and Staking
- C. Street Improvements
- D. Sanitary Sewer Improvements
- E. Water main improvements
- F. Storm water Drainage and Storm Water Management Improvements
- G. Temporary and Permanent Erosion Control Improvements
- H. Setting of Lot and Block Monuments
- I. Gas, Telephone, Cable TV and Electrical Utilities
- J. Streetlights
- K. Temporary Traffic Control and Signage
- L. Sidewalks
- M. Mailboxes

Unless extended in writing by the City, the Developer shall complete the Improvements described therein in Exhibit B within twelve months from the date of this Agreement, except that the final lift of bituminous surfacing shall be installed within 24 months from the date of this Agreement. The Developer shall be responsible for the necessary repairs to maintain the Improvements.

Until completion of the Street Improvements, the Developer shall be solely responsible for maintenance and repair of the Street Improvements, including but not limited to snow and ice removal, cleaning of roadway, and storm water catch basins. In the event the Developer fails to perform necessary work within 24 hours of notification from the City, the City may perform all necessary services and bill Developer for all costs to City. No building permits or certificates of occupancy will be issued to the Developer if payment for services is not paid to City within 10 days.

5. The Developer hereby grants the City, its agents, employees, officers and contractors under the construction contract a license to enter the platted property to perform all work and inspections deemed appropriate by the City during the installation of the Improvements

under this Agreement. The license shall expire after all Improvements to be installed pursuant to this Agreement have been installed and accepted by the City.

6. Upon completion and acceptance of all work and construction required by this Agreement, the Improvements described in paragraph 4 under C, D, E, F, J, and L lying within public easements and/or rights-of-way (the "Public Improvements") shall become City property without further notice or action.

7. The Developer shall promptly clean dirt and debris from streets, curb and gutter and perform all other erosion and sediment control work as required by the MPCA NPDES Construction Stormwater Permit and Stormwater Pollution Prevention Plan (SWPPP) prior to the Public Improvements being dedicated to the City upon the completion of the Public Improvements.

8. All costs associated with the Landing North Phase 5B subdivision, including City Engineer, City Attorney, permit fees and any other city costs outlined in this Agreement shall be paid by the Developer within 30 days of receiving an invoice from the City.

The Developer will be required, upon execution of this Agreement, to furnish the City with a cash deposit or Irrevocable Letter of Credit equal to the Cities liability exposure, which is determined to be one hundred ten percent (110%) of the cost of the Improvements, including change order that may necessitate an additional cash deposit or letter of credit.

If the Developer provides the City with a cash deposit, the City agrees to pay interest monthly on such deposit at the rate of interest the City earns on the investment of such funds.

If the Developer provides a letter of credit, the form of the letter of credit shall be subject to the approval of the City. The letter of credit shall be for a term ending when the Improvements are completed and accepted.

All outside consulting, legal, and engineering costs incurred by the City shall be billed directly to the Developer and paid within thirty (30) days. The City may draw down on the letter of credit for any violation of the terms of this Agreement or upon receiving notice that the letter of credit will be allowed to lapse before all Improvements have been completed and paid for.

With City approval, the letter of credit may be reduced from time to time as the Developer's financial obligations under this Agreement are paid.

With City approval, a cash deposit can be exchanged for a letter of credit at any point for 110% of the remaining project costs, including any change orders.

9. The Developer shall warranty all work to be free of all defects in workmanship and materials for a period of one year extending from the date of acceptance by the City of the Public Improvements as defined in Paragraph B.6.

10. The Developer shall be responsible for all costs associated with construction inspections and engineering review as performed by the City Engineer.

11. Construction Staking. The Developer will provide all staking services for grading, sanitary sewer, water main, storm sewer, lot services, sidewalks, and all roadway improvements.

12. The Developer shall pay for all costs incurred by it and the City in conjunction with the development of the plat, included without limiting the generality thereof, legal, planning, engineering, inspection expenses, permits in connection with approval and acceptance of the plat, the preparation of this Agreement, and all costs and expenses incurred by the City in monitoring and inspecting development of the plat.

13. The Developer shall hold the City and its officers, agents and employees harmless from claims made by itself and third parties for damages sustained or costs incurred resulting in plat approval or supervision or obligation that the City has undertaken pursuant to this Agreement. The Developer shall indemnify the City and its officers, agents and employees for all costs, damages or expenses which the City may pay or incur in consequence of such claims, including attorney's fees. The Developer shall reimburse the City for costs incurred in the enforcement of this Agreement, including engineering, attorney's fees and costs of litigation. This is an obligation of the Developer and shall continue in full force and effect even if the Developer sells one or more lots, the entire plat or any part of it.

14. In the event of default by the Developer as to any of the work to be performed by it hereunder, the City may, at its option, perform the work and the Developer shall promptly reimburse the City for any expense incurred by the City, provided the Developer is first given the notice of work in default, not less than 24 hours in advance. This Agreement is a license for the City to act, and it shall not be necessary for the City to seek a court order for permission to enter the land. When the City does any such work, the City may, in addition to its other remedies, assess the cost in whole or in part and withhold the issuance of any building permit or occupancy permit.

15. The Developer represents to the City that the plat complies with all city, county, state and federal laws and regulations, including but not limited to subdivision ordinances, zoning ordinances and environmental regulations. City staff and consulting engineers shall diligently work to review compliance with the above-mentioned laws and regulations. If the City determines that the plat does not comply, the City may, at its discretion and upon written notification to the Developer, refuse to allow construction or development work in the plat area until the Developer complies. Upon the City's demand, the Developer immediately shall cease work until there is compliance.

16. Third parties shall have no recourse against the City under this Agreement. Breach of the terms of this Agreement by the Developer shall be grounds for denial of building permits or certificates of occupancy. If any portion, section, subsection, sentence, clause, paragraph or phase of this Agreement is for any reason held invalid, such decision shall not affect the validity of the remaining portion of this Agreement.

17. The Developer shall place iron monuments at all lot and block corners and at all other angle points on boundary lines. If iron monuments are disturbed, they shall be replaced at the Developer's expense before a certificate of occupancy is granted.

18. The Developer agrees to maintain, at all times before acceptance of the Street Improvements by the City, an access road suitable for use by emergency, police and fire department equipment. The adequacy of such road shall be solely determination by the City. Furthermore, such access road shall be located no more than 150 feet from any structure built within the Subdivision.

19. The Improvements must meet the Adopted Standard Construction Specifications and Details of the City of North Mankato.

20. The Developer shall be responsible for obtaining the necessary permits including: MPCA Sanitary Sewer Extension Permit, Minnesota Department of Health Plan Review Permit, Minnesota Pollution Control Agency, NPDES Construction Stormwater Permit and any other permits necessary to construct the Improvements.

Building Permits

1. The Developer further agrees that City Sewer, Water, Storm Sewer, and Aggregate Base construction of the Streets and temporary street signs, will be completed prior to the issuance of building permits.

2. Any stormwater ponds must be satisfactorily built in accordance with the approved plans before a building permit is issued.

4. The City agrees that certificates of occupancy will be granted when gas, electric, and telephone service are provided to the development and all other requirements have been met by the Developer.

5. If building permits are issued prior to the completion and acceptance of the Improvements, the Developer assumes all liability and cost resulting in delays in completion of Improvements and damage to the Improvements caused by the City, Developer, its contractors, subcontractors, material men, employees, agents or third parties. No construction of a building and/or structure may be initiated prior to obtaining a City building permit.

Recording and Release

1. The Developer agrees that the terms of this Developer Agreement shall be a covenant on any and all property included in the Subdivision. The Developer agrees that the City shall have the right to record a copy of this Developer Agreement with the Nicollet County Recorder to give notice to future purchasers and Developers.

Property Taxes

1. The Developer must continue to pay all property taxes on the land described in Exhibit A on a timely manner. Failure to pay property taxes on any property on the land described in Exhibit A by the Developer or its assigns will result in the City not issuing any additional building permits.

General Provisions

1. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Agreement. To be binding, amendments or waivers shall be in writing, signed by the parties and approved by written resolution of the City Council. The City's failure to promptly take legal action to enforce this Agreement shall constitute a waiver or release.

2. This Agreement shall run with the land and may be recorded against the title to the property described in Exhibit A. After the Developer has completed the work required of it under this Agreement, at the Developer's request the City will execute and deliver to the Developer a release of this Agreement.

3. Each right, power or remedy herein conferred upon the City is cumulative and in addition to every other right, power or remedy, expressed or implied, now or hereafter arising available to the City, a law or in equity, or under any other agreement, and each and every right, power and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient by the City and shall not be a waiver of the right to exercise at any time thereafter any other rights, power or remedy.

4. The Developer shall require any contractor to maintain liability and personal injury insurance with limits of liability of not less than \$1,000,000.00 per person and \$2,000,000 in the aggregate. The City must be named as additional insured under such policy. The contractor must also maintain the adequate worker's compensation insurance and property insurance. The term of the insurance shall be renewable until the construction of the Improvements is complete.

5. All disputes associated with this Agreement, shall be submitted to District Court in Nicollet County, Minnesota. Minnesota law shall apply to all disputes.

6. Required notices to the Developer shall be in writing and shall be either hand delivered to the Developer, its employees or agents or mailed to the Developer by registered mail at the following address:

Notices to the City shall be in writing and shall be either hand delivered to the City Administrator, or mailed to the City by registered mail in care of the City Administrator at the following address:

City of North Mankato
P.O. Box 2055
North Mankato, MN 56002-2055
Attention: City Administrator

CITY OF NORTH MANKATO

(SEAL)

By _____
Mayor

By _____
City Administrator

STATE OF MINNESOTA

COUNTY OF NICOLLET

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by _____, Mayor and by _____, City Administrator of North Mankato, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority of the City Council.

Notary Public

KWS, LLC

By _____
Its President

STATE OF MINNESOTA

COUNTY OF BLUE EARTH

The foregoing instrument was acknowledged before me this 24th day of March, 2021, by Jeff Williams, KWS, LLC

Vicki Trudeau
Notary Public

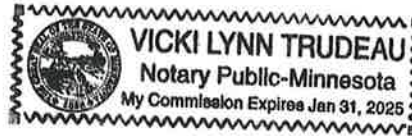


EXHIBIT B – ITEMIZED IMPROVEMENT

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 12E	Dept: City Engineer	Council Meeting Date: 4/5/20																												
TITLE OF ISSUE: Consider Adopting Resolution Establishing Municipal State Aid Streets.																														
BACKGROUND AND SUPPLEMENTAL INFORMATION: City Engineer Sarff has provided a memo concerning the resolution and will be available to answer any questions.																														
<i>If additional space is required, attach a separate sheet</i>																														
REQUESTED COUNCIL ACTION: Adopt Resolution Establishing Municipal State Aid Streets.																														
For Clerk's Use: 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>Norland</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>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Steiner	_____	_____	Norland	_____	_____	Oachs	_____	_____	Whitlock	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aye	Nay																													
_____	_____	Steiner																												
_____	_____	Norland																												
_____	_____	Oachs																												
_____	_____	Whitlock																												
_____	_____	Dehen																												
Resolution	Ordinance	Contract	Minutes	Map																										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																										
<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Workshop</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Regular Meeting</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Special Meeting</td> </tr> </table>	<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Regular Meeting	<input type="checkbox"/>	Special Meeting	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Refer to: _____</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Table until: _____</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Other: _____</td> </tr> </table>		<input type="checkbox"/>	Refer to: _____	<input type="checkbox"/>	Table until: _____	<input type="checkbox"/>	Other: _____																
<input type="checkbox"/>	Workshop																													
<input checked="" type="checkbox"/>	Regular Meeting																													
<input type="checkbox"/>	Special Meeting																													
<input type="checkbox"/>	Refer to: _____																													
<input type="checkbox"/>	Table until: _____																													
<input type="checkbox"/>	Other: _____																													



**BOLTON
& MENK**

Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

Ph: (507) 625-4171
Fax: (507) 625-4177
Bolton-Menk.com

MEMORANDUM

Date: March 30, 2021
To: John Harrenstein, City Administrator
From: Daniel R. Sarff, P.E., City Engineer
CC: Nate Host, Public Works Director
Subject: Designation of New Municipal State Aid Streets

Being a city with population over 5,000, the City of North Mankato is classified as a Municipal State Aid (MSA) City and can designate up to 20% of the total street mileage within the city limits as MSA streets. With the platting several new residential subdivisions over the past several years, the total street mileage has increased. With the increase in the total street mileage, the City's has mileage available for designation as MSA streets. It is to the City's advantage to designate as much of the available mileage as possible since a portion of the annual MSA allotment is based in the size of the City's MSA system.

MSA routes are required to meet the following requirements:

- Projected to carry a relatively heavier traffic volume or functionally classified as collector or arterial as identified on the urban municipality's functional classification plan
- Connects the points of major traffic interest, parks, parkways, or recreational areas within an urban municipality
- Provide an integrated street system affording, within practical limits, a state-aid street network consistent with projected traffic demands
- Terminate at one of the following: MSA street, county road, county state aid highway, or US/Minnesota trunk highway

We have reviewed the City's street system and recommend that the following segments be added to the City of North Mankato's MSA street system:

- Hoover Drive from Marie Lane to Lee Boulevard
- Monroe Avenue from Range Street to US Trunk Highway 169

A map showing the location of the proposed street segments to be designated is attached.

The District 7 State Aid Engineer and the MnDOT State Aid Office have approved the proposed revisions. The changes will become effective upon receipt of the formal order from the Commissioner of Transportation.

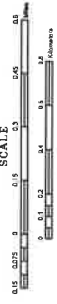
I recommend that the City Council adopt the Resolution Establishing Municipal State Aid Streets that is included in the council packet.

I will be available at the April 5 City Council meeting to review this information with the Council and answer any questions.

MUNICIPALITY OF NORTH MANKATO

PREPARED BY THE
MINNESOTA DEPARTMENT OF TRANSPORTATION
OFFICE OF TRANSPORTATION SYSTEM MANAGEMENT

IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



2020



Legend	Legend
1. Major Roadway	1. Major Roadway
2. Minor Roadway	2. Minor Roadway
3. Railroad	3. Railroad
4. Waterway	4. Waterway
5. Airport	5. Airport
6. Cemetery	6. Cemetery
7. School	7. School
8. Church	8. Church
9. Public Building	9. Public Building
10. Residential	10. Residential
11. Commercial	11. Commercial
12. Industrial	12. Industrial
13. Park	13. Park
14. Golf Course	14. Golf Course
15. Cemetery	15. Cemetery
16. School	16. School
17. Church	17. Church
18. Public Building	18. Public Building
19. Residential	19. Residential
20. Commercial	20. Commercial
21. Industrial	21. Industrial
22. Park	22. Park
23. Golf Course	23. Golf Course
24. Cemetery	24. Cemetery
25. School	25. School
26. Church	26. Church
27. Public Building	27. Public Building
28. Residential	28. Residential
29. Commercial	29. Commercial
30. Industrial	30. Industrial
31. Park	31. Park
32. Golf Course	32. Golf Course
33. Cemetery	33. Cemetery
34. School	34. School
35. Church	35. Church
36. Public Building	36. Public Building
37. Residential	37. Residential
38. Commercial	38. Commercial
39. Industrial	39. Industrial
40. Park	40. Park
41. Golf Course	41. Golf Course
42. Cemetery	42. Cemetery
43. School	43. School
44. Church	44. Church
45. Public Building	45. Public Building
46. Residential	46. Residential
47. Commercial	47. Commercial
48. Industrial	48. Industrial
49. Park	49. Park
50. Golf Course	50. Golf Course
51. Cemetery	51. Cemetery
52. School	52. School
53. Church	53. Church
54. Public Building	54. Public Building
55. Residential	55. Residential
56. Commercial	56. Commercial
57. Industrial	57. Industrial
58. Park	58. Park
59. Golf Course	59. Golf Course
60. Cemetery	60. Cemetery



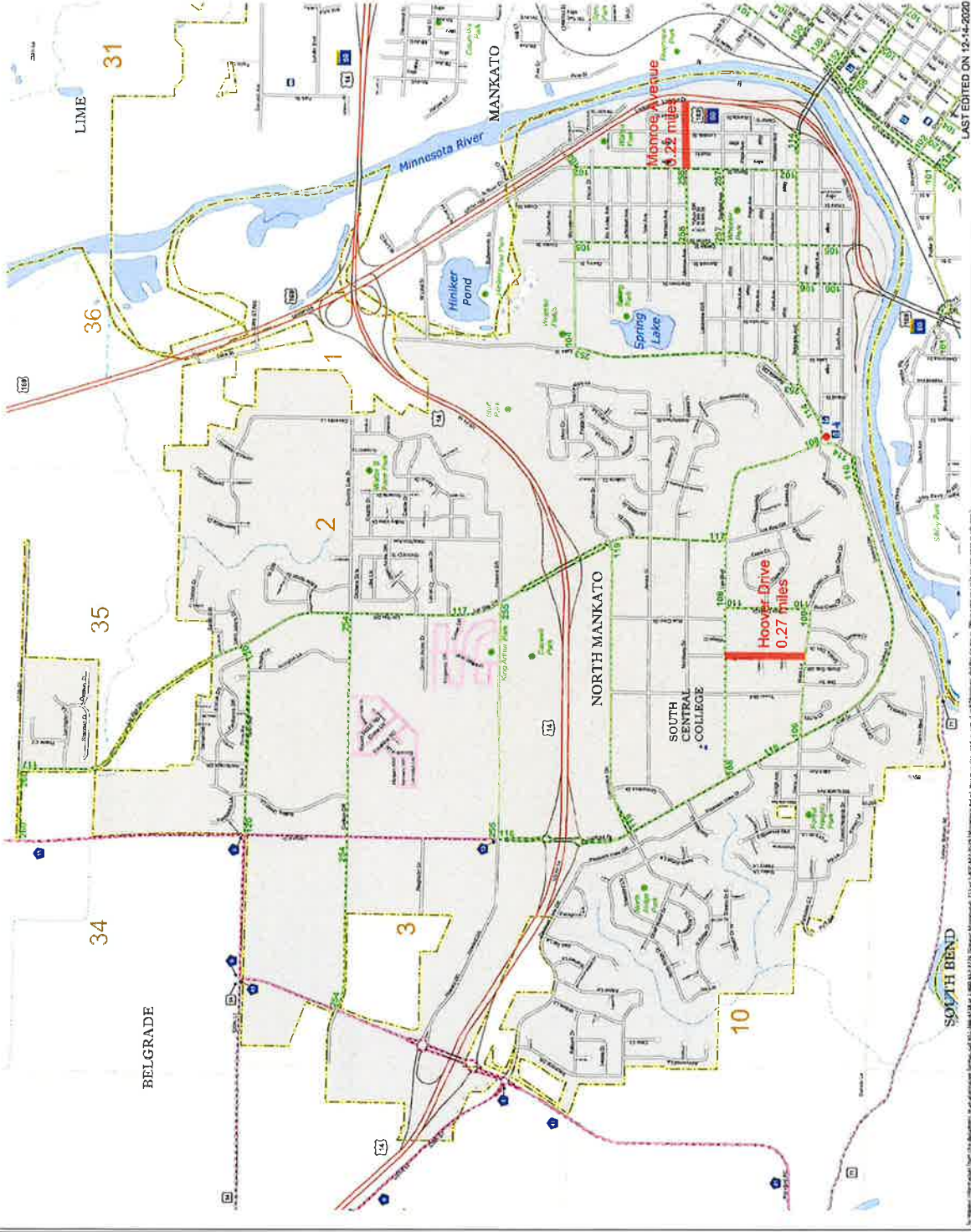
Population (US Census 2010): 13394

SHEET 1 OF 1

NICOLLET COUNTY

MUNICIPALITY OF NORTH MANKATO

DEPARTMENT OF
TRANSPORTATION



LAST EDITED ON 12-14-2020

RESOLUTION ESTABLISHING MUNICIPAL STATE AID STREETS

WHEREAS, the City of North Mankato has reviewed the City's Municipal State Aid System and has identified system revisions needed in accordance with the City's future growth, and

WHEREAS, it appears to the City of North Mankato that the streets hereinafter described should be, designated as Municipal State Aid Streets under the provisions of Minnesota Law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, AS FOLLOWS, THAT:

1. The streets described as follows, to wit:

Hoover Drive from Marie Lane to Lee Boulevard
Monroe Avenue from Range Street to US Trunk Highway 169

be and are hereby established as Municipal State Aid Streets, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

2. The City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration.
3. Upon approval by the Commissioner of Transportation, the streets described herein or portion thereof, be constructed, improved and maintained as a Municipal State Aid Street of the City of North Mankato, to be numbered and known as a Municipal State Aid Street.

Adopted by the City Council this 5th day of April 2021.

Mayor

Attest:

City Clerk