

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 August 16, 2021. Mayor Dehen called the meeting to order at 7:00 pm, asking that everyone join in the Pledge of Allegiance. The following were present for roll call: Council Members Whitlock, Steiner, Norland, Oachs, City Administrator Harrenstein, City Attorney Kennedy, Finance Director McCann, Community Development Director Fischer, Public Works Director Host, and City Clerk Van Genderen.

Approval of Agenda

Council Member Steiner moved Consent Agenda Item 8I to Business Item 10B. Council Member Norland moved, seconded by Council Member Steiner, to approve the agenda with Item 8I moved. Vote on the motion Whitlock, Steiner, Norland, Oachs and Dehen aye; no nays. Motion carried.

Approval of Council Minutes from July 19, 2021, Council Meeting.

Council Member Norland moved, seconded by Council Member Whitlock, to approve the Council meeting minutes of July 19, 2021. Vote on the motion Whitlock, Steiner, Norland, Oachs and Dehen aye; no nays. Motion carried.

Approval of Council Work Session Minutes from July 26, 2021, Work Session Meeting.

Council Member Steiner moved, seconded by Council Member Whitlock, to approve the minutes of the Council Work Session of July 26, 2021. Vote on the motion Whitlock, Steiner, Norland, Oachs and Dehen aye; no nays. Motion carried.

Consent Agenda

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

- A. Bills and Appropriations.
- B. Res. No. 55-21 Accepting Donations/Contributions/Grants.
- C. Approved Audio Permit for Dvorak-McLeod Wedding at Spring Lake Park Shelter #2, from 1 pm to 7 pm on September 20, 2021.
- D. Approved Audio Permit for 1516 Lor Ray Drive, on September 11, 2021, from 4:00 pm to 10:00 pm.
- E. Approved Parade Permit for Mankato Youth Place on October 17, 2021, on Commerce Drive.
- F. Approved Block and Audio Permit for Oak Terrace Court on August 28, 2021, with music from 4 pm to 9 pm.
- G. Approved Seasonal Extension of Patio Premise for Big Dog Sports Café at 1712 Commerce Drive.
- H. Res. No. 56-21 Waiving Waiting Period for Exemption from Lawful Gambling License for Holy Rosary Church.

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

Set Public Hearing for 7 pm on September 7, 2021, to consider the Adoption of an Ordinance Authorizing the Issuance of Bonds of the North Mankato Port Authority Commission in an Amount Not to Exceed \$4,500,000.

City Administrator Harrenstein noted setting the public hearing and passing the Ordinance would fulfill obligations made in the settlement agreement with HyLife Foods. The purchase amount in the settlement agreement is \$3,250,000, and additional funds are being secured to address structural issues or complete a parcel for the redevelopment of the property. Mary Ippel Counsel from Taft Law Offices reported the motion would set a Public Hearing to adopt an ordinance authorizing the issuance of bonds of the North Mankato Port Authority Commission in an amount not to exceed \$4,500,000 to which the full faith, credit, and taxing powers of the City of North Mankato are pledged. The proceeds of the bonds are proposed to finance the acquisition and betterment of certain property within the Webster Avenue Industrial Development District. **Council Member Norland moved, seconded by Council Member Whitlock, to set a Public Hearing for 7 pm on September 7, 2021, to consider the Adoption of an Ordinance Authorizing the Issuance of Bonds of the North Mankato Port Authority Commission in an Amount Not to Exceed \$4,500,000. Vote on the motion Whitlock, Steiner, Norland, Oachs and Dehen aye; no nays. Motion carried.**

Set Fall Drop-off Dates for October 7-10, 2021.

A discussion was held concerning the request from some residents to return to a pick-up. Public Works Director Host noted the plan is to hold the drop-off on October 7-10, 2021. He is working on getting a paper shredding truck for the Saturday of the event. He noted that as in this past spring, staff would go out and assist those unable to bring their items to the drop-off. Public Works Director Host indicated the plan would be to conduct a pick-up in the spring. Additional discussion was held concerning timing, manpower, and cost associated with a pick-up vs. drop-off. Council Member Steiner noted the recommendation from staff is to conduct the City's traditional fall drop-off and return to a pick-up in the spring of 2022. **Council Member Norland moved, seconded by Council Member Whitlock, to set fall drop-off dates for October 7-10, 2021, and return to a Spring pick-up in 2022. Vote on the motion Whitlock, Steiner, Norland, Oachs and Dehen aye; no nays. Motion carried.**

Open Forum

Tom Hagen, 927 Lake Street, appeared before Council and requested a Council Member speak with him concerning the Wingert Development agreement. He is dissatisfied with the explanation he received from City Administrator Harrenstein and City Attorney Kennedy. Mr. Hagen reported a letter was sent to 229 Allen Avenue, and he assisted the resident in removing the buckthorn and expressed his displeasure that the letter was sent.

Lance Voegele-Allore, 491 Forest Lane, appeared before Council and thanked the City staff for assistance in setting a memorial bench for his wife. He indicated the staff was professional and empathetic throughout the process.

Barb Church, 102 Wheeler Avenue, appeared before Council and reported she helped remove the buckthorn from the residence at 229 Allen Avenue and also expressed her displeasure that a letter was sent to the resident.

City Administrator and Staff Comments

City Administrator Harrenstein remarked that the Farmers' Market is a wonderful North Mankato resource and a staff member provided a small petting zoo for those that attended the August 16th market.

Public Works Director Host reported Cliff Court and Countryside Drive would be paved soon, bringing reconstruction projects to a close.

Public Works Director Host reported the soccer field artificial turf curb is being installed, and the earthwork is scheduled to be completed by the end to the middle of next week in time for the Pack the Stands event.

City Administrator Harrenstein reported the Youth Football program has over 800 participants registered, which is in line with what was anticipated when the City took over the program.

Finance Director McCann reported the budget process continues, and a budget Council Work Session will be held soon. Preliminary growth indicated a 4% overall growth and 1.3% new growth.

Mayor and Council Comments

Council Member Oachs expressed her well-wishes to the resident at 229 Allen Avenue.

Council Member Whitlock invited everyone to Symphony on the Prairie at Benson Park on September 11, 2021. It will be a patriotic celebration.

Council Member Norland thanked Mankato Clinic for their donation to provide swim lesson scholarships for kids.

Council Member Steiner expressed his well-wishes to the resident at 229 Allen Avenue.

Mayor Dehen noted the final Adult Night Pool Party was scheduled for August 27, 2021.

Mayor Dehen invited everyone out to Concerts on Commerce on August 26, 2021, at 1960 Commerce Drive from 11 am to 1 pm for music and food trucks.

Mayor Dehen invited residents to attend the Music in the Park series held on Thursdays in September, hosted by the Library.

At 7:25 pm, on a motion by Council Member Norland, seconded by Council Member Oachs, the Council Meeting was adjourned.

Mayor

City Clerk



CITY OF NORTH MANKATO

OFFICE OF THE MAYOR

PROCLAMATION

WHEREAS, September 17, 2021, marks the two-hundred-thirty-fourth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW THEREFORE I, Mark Dehen, Mayor of North Mankato, by virtue of the power vested in me as Mayor of the City of North Mankato do hereby proclaim September 17 through 23 as:

CONSTITUTION WEEK

And ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Dated this 7th day of September 2021.



*Mark Dehen, Mayor
City of North Mankato*

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 8	Dept: Finance	Council Meeting Date: 9/7/21
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TITLE OF ISSUE: Public Hearing, Consider the Adoption of an Ordinance Authorizing the Issuance of Bonds of the North Mankato Port Authority Commission in an Amount Not to Exceed \$4,500,000.

BACKGROUND AND SUPPLEMENTAL INFORMATION:

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Public Hearing.

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other (specify) _____

☐ Workshop

☒ Regular Meeting

☐ Special Meeting

☐ Refer to: _____

☐ Table until: _____

☐ Other: _____

The Free Press

THE LAND

MEDIA

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: 08/27/21, 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: 45.69.

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
08/27/2021

Notary Public

Public Notice

August 27, 2021

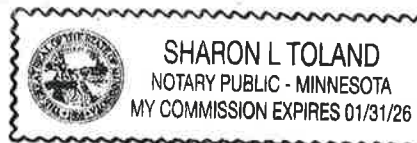
CITY OF NORTH MANKATO
COUNTIES OF NICOLLET AND
BLUE EARTH

STATE OF MINNESOTA
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Tuesday, September 7, 2021, commencing at 7:00 P.M. in the Council Chambers of the North Mankato Municipal Building, 1001 Belgrade Avenue, in North Mankato, Minnesota, to consider the adoption of an ordinance authorizing the issuance of bonds of the North Mankato Port Authority Commission (the "Authority") in an amount not to exceed \$4,500,000, to which the full faith, credit, and taxing powers of the City of North Mankato are to be pledged. The proceeds of the bonds are proposed to finance the acquisition of and betterment of certain property within the Webster Avenue Industrial Development District.

A copy of the proposed ordinance is available upon request by contacting 507-625-4141 or visiting the City website at www.northmankato.com.

All interested persons may appear at the public hearing and present their views.

April Van Genderen
City Clerk
City of North Mankato,
Minnesota



ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS BY THE PORT AUTHORITY OF NORTH MANKATO IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,500,000 FOR THE PURPOSE OF SECURING FUNDS AS NEEDED BY THE CITY OF NORTH MANKATO TO FINANCE THE ACQUISITION OF PROPERTY WITHIN THE WEBSTER AVENUE INDUSTRIAL DEVELOPMENT DISTRICT IN FURTHERANCE OF SAID PORT AUTHORITY'S PROGRAM OF ECONOMIC DEVELOPMENT AND REDEVELOPMENT; AND AUTHORIZING SAID PORT AUTHORITY TO PLEDGE THE FULL FAITH, CREDIT AND RESOURCES OF THE CITY OF NORTH MANKATO AND THE LEVY OF AD VALOREM PROPERTY TAXES FOR THE SECURITY OF SAID BONDS.

WHEREAS, The Council of the City of North Mankato, being duly advised in the premises, finds and determines that it is necessary for the Port Authority of North Mankato to issue and sell bonds in the aggregate principal amount of \$4,500,000 for the purpose of securing funds as needed by the City of North Mankato to finance the acquisition of property within the Webster Avenue Industrial Development District as set forth in the Webster Avenue Industrial Development District Plan in furtherance of the program of economic development and redevelopment authorized by Minnesota Statutes, Sections 469.048 through 469.068; and it is necessary and proper for the Council, pursuant to said laws, to authorize the issuance and sale of said bonds and the pledge of the full faith, credit and resources of the City of North Mankato and the levying of ad valorem property taxes for the security thereof, and to prescribe and consent to the form and terms of said bonds when and as issued by the Port Authority under the authorization granted by this ordinance;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF NORTH MANKATO DOES ORDAIN:

Section 1. That pursuant to and in accordance with the provisions, terms and conditions of this ordinance and of Minnesota Statutes Section 469.048 through 469.068, and 469.079, authority is hereby granted to the Port Authority of North Mankato to issue and sell its bonds as authorized by Minnesota Statutes, Section 469.060 and Chapter 475 and that said bonds are authorized to be issued and sold in the aggregate principal amount not to exceed \$4,500,000 for the purpose of securing funds as needed by the City, in said aggregate amount, to finance the acquisition and betterment of property required for the Port Authority's program of economic development and redevelopment, within the Webster Avenue Industrial Development District.

Section 2. That as security for the prompt and faithful payment of both principal and interest on said bonds, said Port Authority is hereby authorized to pledge the full faith, credit and resources of the City of North Mankato and to levy and ad valorem property taxes therefor as provided in Section 469.060, Minnesota Statutes, and that the bonds issued and sold pursuant to this ordinance shall be issued and sold by the Port

Authority in the manner provided by law, and subject to such terms and conditions as the Port Authority may determine and the City Council may approve by resolution.

Section 3. That said Port Authority shall provide for the exercise of the authority hereby granted for its issuance and sale of its said bonds, and the pledge of the full faith, credit and resources of said City of North Mankato as security for the payment of the same by appropriate resolutions; and that in each such instance said Port Authority shall make due compliance with all applicable requirements of this ordinance, Minnesota Statutes, Sections 469.048 through 469.068 and Chapter 475, and all other applicable laws.

Section 4. After adopting, signing and attestation, this Ordinance shall be posted as required by law, and shall be published once in the official newspaper of the City and shall be effective upon such publication.

The foregoing Ordinance was introduced by Councilmember _____, who moved its adoption. The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember _____ and upon a vote being taken thereon, the following Councilmembers voted in favor thereof:

and the following voted against the same:

Whereupon said Ordinance was declared duly passed and adopted this 7th day of September, 2021.

Mayor

Attest:

City Clerk

Published in the Mankato Free Press this ____ day of _____, 2021.



City of North Mankato, MN

Claims List - Regular

By Vendor Name

Date Range: 9-7-21

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
00009	A-1 KEY CITY LOCKSMITHS, INC	08/25/2021	Regular	0	93.00	94680
00031	AIM ELECTRONICS, INC.	09/07/2021	Regular	0	455.00	94719
03606	ALS ASSOCIATION MN/ND/SD CHAPTER	09/07/2021	Regular	0	100.00	94720
02434	AUSTIN'S AUTO REPAIR CENTER, INC.	09/07/2021	Regular	0	32.46	94721
00124	BAUER'S UPHOLSTERY	09/07/2021	Regular	0	175.00	94722
02169	BLUE LINE SHARPENING & SALES	09/07/2021	Regular	0	168.00	94723
00232	CEMSTONE CONCRETE MATERIALS, LLC	08/25/2021	Regular	0	1,565.00	94681
02757	CINTAS	08/25/2021	Regular	0	108.64	94682
02757	CINTAS	09/07/2021	Regular	0	185.48	94724
00255	CITY OF MANKATO	08/25/2021	Regular	0	8,753.29	94683
03422	COURTYARD BY MARRIOTT	09/07/2021	Regular	0	1,364.54	94725
00353	DITTRICH MECHANICAL & FABRICATION	09/07/2021	Regular	0	35.00	94726
03156	DVS RENEWAL	08/27/2021	Regular	0	14.25	94717
03156	DVS RENEWAL	08/27/2021	Regular	0	14.25	94718
03476	FIRST CHOICE SECURITY	08/25/2021	Regular	0	2,134.00	94684
00432	FLEETPRIDE	09/07/2021	Regular	0	257.72	94727
00473	GENERATOR SYSTEM SERVICES, INC.	09/07/2021	Regular	0	2,580.00	94728
03310	GERDES, DOUG	08/25/2021	Regular	0	500.00	94685
02969	GORDY SERBUS & SONS GRAVEL LLC	08/25/2021	Regular	0	9,484.23	94686
00499	GRAINGER	08/25/2021	Regular	0	70.93	94687
03604	GREEN, ALEX	09/07/2021	Regular	0	140.24	94729
00595	HY-VEE, INC.	08/25/2021	Regular	0	93.08	94688
00595	HY-VEE, INC.	09/07/2021	Regular	0	99.32	94730
02818	JIM SCHMIDT CONCRETE AND MASONRY LLC	08/25/2021	Regular	0	500.00	94689
03297	JONES METAL	08/25/2021	Regular	0	600.00	94690
03543	KIESLER POLICE SUPPLY	08/25/2021	Regular	0	1,106.00	94691
03543	KIESLER POLICE SUPPLY	09/07/2021	Regular	0	300.00	94731
02737	KWS, LLC	08/25/2021	Regular	0	19,930.97	94692
03174	LAKES SPORTS BAR & GRILL	08/25/2021	Regular	0	594.98	94693
00724	LEAGUE OF MINNESOTA CITIES INSURANCE TR	08/25/2021	Regular	0	138.46	94694
00812	MANKATO BEARING COMPANY	09/07/2021	Regular	0	61.34	94732
00832	MANKATO TENT & AWNING CO.	08/25/2021	Regular	0	50.40	94695
02898	MARTIN-MCALLISTER	08/25/2021	Regular	0	450.00	94696
00847	MATHESON TRI-GAS, INC.	09/07/2021	Regular	0	188.80	94733
00849	MAYBA	08/20/2021	Regular	0	614.77	94678
02179	MES (MUNICIPAL EMERGENCY SERVICES)	09/07/2021	Regular	0	600.00	94734
03602	MEYER PLUMBING, LLC	08/25/2021	Regular	0	222.74	94697
00920	MINNESOTA DEPARTMENT OF HEALTH	09/07/2021	Regular	0	12,915.00	94735
00904	MINNESOTA STATE FIRE CHIEFS ASSOCIATION	08/25/2021	Regular	0	1,125.00	94698
02060	NORTHERN COMFORT	08/25/2021	Regular	0	280.86	94699
02060	NORTHERN COMFORT	09/07/2021	Regular	0	189.00	94736
03594	ON THE SPOT, LLC	09/07/2021	Regular	0	6,220.00	94737
03605	PETERSON COMPANIES, INC.	09/07/2021	Regular	0	425,562.76	94738
01106	PETTY CASH	09/07/2021	Regular	0	109.05	94739
02956	PI SPORTS, LLC	09/07/2021	Regular	0	10,000.00	94740
02769	PRESENCE MAKER INC.	08/25/2021	Regular	0	325.00	94700
03149	RADEMAKER, CHAD	09/07/2021	Regular	0	624.00	94741
03069	RINK SYSTEMS	08/25/2021	Regular	0	24,567.00	94701
03563	SAFE-FAST, INC	08/25/2021	Regular	0	284.50	94702
03563	SAFE-FAST, INC	09/07/2021	Regular	0	1,089.90	94742
01252	SCHMIDT, RONALD	08/25/2021	Regular	0	2,100.00	94703
01278	SHERWIN-WILLIAMS CO.	08/25/2021	Regular	0	730.83	94704
02108	SIREK'S HYDRAULIC SERVICE, INC.	09/07/2021	Regular	0	1,542.98	94743
02052	SUBWAY	08/25/2021	Regular	0	390.06	94705
03035	TOW DISTRIBUTING CORPORATION	08/25/2021	Regular	0	353.60	94706
01433	TYLER TECHNOLOGIES	08/25/2021	Regular	0	600.00	94707
03307	VINNIES MINN. SNO PENTICO ICE & MFG	08/25/2021	Regular	0	618.00	94709

02112	WATER CONSERVATION SERVICES, INC.	08/25/2021	Regular	0	4,650.00	94710
01515	WELLS FARGO BANK, N.A.	08/25/2021	Regular	0	750.00	94711
02033	AMAZON.COM	08/30/2021	Bank Draft	0	77.07	DFT0005866
02033	AMAZON.COM	08/30/2021	Bank Draft	0	67.95	DFT0005867
02033	AMAZON.COM	08/31/2021	Bank Draft	0	62.02	DFT0005874
00101	AT&T MOBILITY	08/20/2021	Bank Draft	0	49.77	DFT0005845
00137	BENCO ELECTRIC COOPERATIVE	08/31/2021	Bank Draft	0	37,338.24	DFT0005875
00241	CHARTER COMMUNICATIONS	08/20/2021	Bank Draft	0	267.43	DFT0005844
03248	FREDRIKSON & BYRON, P.A.	08/31/2021	Bank Draft	0	650.00	DFT0005871
00447	FREE PRESS	08/31/2021	Bank Draft	0	393.46	DFT0005868
00506	GREATER MANKATO GROWTH, INC.	08/24/2021	Bank Draft	0	2,225.00	DFT0005852
00511	GREENCARE	08/12/2021	Bank Draft	0	182.88	DFT0005836
03599	ICOR TECHNOLOGY	08/17/2021	Bank Draft	0	230.00	DFT0005840
00608	INGRAM LIBRARY SERVICES	08/12/2021	Bank Draft	0	2,627.93	DFT0005834
03560	KAPPY SHACK PROMOTIONS	08/24/2021	Bank Draft	0	398.95	DFT0005850
02202	KIRBY BUILT	08/31/2021	Bank Draft	0	995.78	DFT0005872
00733	LAKES GAS CO #10	08/20/2021	Bank Draft	0	132.50	DFT0005847
00815	MANKATO CLINIC, LTD.	08/20/2021	Bank Draft	0	95.00	DFT0005846
03539	METRONET	08/15/2021	Bank Draft	0	5,466.57	DFT0005813
03539	METRONET	08/20/2021	Bank Draft	0	112.20	DFT0005848
00910	MINNESOTA VALLEY TESTING LAB, INC.	08/10/2021	Bank Draft	0	77.00	DFT0005833
00910	MINNESOTA VALLEY TESTING LAB, INC.	08/17/2021	Bank Draft	0	72.00	DFT0005841
00910	MINNESOTA VALLEY TESTING LAB, INC.	08/20/2021	Bank Draft	0	247.00	DFT0005853
00910	MINNESOTA VALLEY TESTING LAB, INC.	08/26/2021	Bank Draft	0	61.75	DFT0005863
00910	MINNESOTA VALLEY TESTING LAB, INC.	08/27/2021	Bank Draft	0	72.00	DFT0005864
01322	SPRINT	08/24/2021	Bank Draft	0	35.28	DFT0005851
01335	STAPLES ADVANTAGE	08/16/2021	Bank Draft	0	288.99	DFT0005839
01335	STAPLES ADVANTAGE	08/18/2021	Bank Draft	0	125.48	DFT0005842
01335	STAPLES ADVANTAGE	08/23/2021	Bank Draft	0	42.22	DFT0005849
02591	UNITED TEAM ELITE	08/12/2021	Bank Draft	0	363.32	DFT0005837
02591	UNITED TEAM ELITE	08/20/2021	Bank Draft	0	26.00	DFT0005843
02591	UNITED TEAM ELITE	08/31/2021	Bank Draft	0	2,358.50	DFT0005870
01470	VERIZON WIRELESS	08/12/2021	Bank Draft	0	33.16	DFT0005835
03221	ZIBSTER	08/27/2021	Bank Draft	0	31.00	DFT0005865
00551	A.H. HERMEL COMPANY	08/27/2021	EFT	0	2,991.65	4275
00551	A.H. HERMEL COMPANY	09/09/2021	EFT	0	610.26	4308
00028	AFFORDABLE TOWING OF MANKATO, INC.	08/27/2021	EFT	0	100.00	4276
00028	AFFORDABLE TOWING OF MANKATO, INC.	09/09/2021	EFT	0	360.00	4309
03553	ALLEX, MADELYN	09/09/2021	EFT	0	42.00	4310
01090	AMERICAN SOLUTIONS FOR BUSINESS	09/09/2021	EFT	0	2,958.67	4311
00105	AUTO VALUE MANKATO	08/27/2021	EFT	0	178.24	4277
00105	AUTO VALUE MANKATO	09/09/2021	EFT	0	123.87	4312
00172	BOHRER, TOM	09/09/2021	EFT	0	282.90	4313
00174	BOLTON & MENK, INC.	09/09/2021	EFT	0	96,088.50	4314
00195	BROCK WHITE COMPANY LLC	09/09/2021	EFT	0	21.25	4315
03326	BURMEISTER, MATTEA	09/09/2021	EFT	0	378.00	4316
00216	C & S SUPPLY CO, INC.	08/27/2021	EFT	0	89.86	4278
00216	C & S SUPPLY CO, INC.	09/09/2021	EFT	0	163.31	4317
00230	CCP INDUSTRIES, INC.	09/09/2021	EFT	0	143.96	4318
03479	CENTRAL SQUARE TECHNOLOGIES (LETG)	08/27/2021	EFT	0	849.92	4279
02706	CORE & MAIN LP	08/27/2021	EFT	0	720.39	4280
02706	CORE & MAIN LP	09/09/2021	EFT	0	371.72	4319
00310	CRYSTEEL TRUCK EQUIPMENT, INC	09/09/2021	EFT	0	62,796.68	4320
00322	DALCO	08/27/2021	EFT	0	446.69	4281
00322	DALCO	09/09/2021	EFT	0	130.84	4321
00350	DISPLAY SALES, INC.	09/09/2021	EFT	0	1,756.00	4322
00373	ECKERT, LELAND	09/09/2021	EFT	0	178.50	4323
00404	FASTENAL COMPANY	09/09/2021	EFT	0	19.42	4324
03338	FISHCHENICH, WILL	09/09/2021	EFT	0	280.50	4325
00463	G & L AUTO SUPPLY, LLC	09/09/2021	EFT	0	288.00	4326
00460	G AND H READY MIX, LLC	09/09/2021	EFT	0	658.00	4327
01098	GILLETTE GROUP/PEPSI-COLA	08/27/2021	EFT	0	1,801.56	4282
03150	GOETTL, DAVID	09/09/2021	EFT	0	459.00	4328
03331	GRUNDHOFFER, ANDREA	09/09/2021	EFT	0	210.00	4329
03324	HAWKER, MADISON	09/09/2021	EFT	0	189.00	4330
00538	HAWKINS, INC.	08/27/2021	EFT	0	2,110.31	4283
00538	HAWKINS, INC.	09/09/2021	EFT	0	7,648.89	4331

00646	HEINTZ, KATIE	08/27/2021	EFT	0	770.34	4284
00646	HEINTZ, KATIE	09/09/2021	EFT	0	53.45	4332
00577	HOLTMEIER CONSTRUCTION	09/09/2021	EFT	0	101,995.91	4333
03007	I SPACE ENVIRONMENTS	09/09/2021	EFT	0	532.00	4334
03341	JAGERSON, CHRIS	09/09/2021	EFT	0	459.00	4335
00657	JT SERVICES	08/27/2021	EFT	0	4,935.00	4285
03552	KARELS, MICHAELA	09/09/2021	EFT	0	399.00	4336
00691	KENNEDY & KENNEDY LAW OFFICE	09/09/2021	EFT	0	3,178.15	4337
00700	KLEIST, RANDY M.	09/09/2021	EFT	0	232.10	4338
03554	KROSCH, DYLAN	09/09/2021	EFT	0	189.00	4339
00767	LIME VALLEY ADVERTISING, INC.	09/09/2021	EFT	0	275.00	4340
00776	LLOYD LUMBER CO.	08/27/2021	EFT	0	194.97	4286
00776	LLOYD LUMBER CO.	09/09/2021	EFT	0	1,246.10	4341
02575	LOCHER BROS, INC.	08/27/2021	EFT	0	3,804.60	4287
00793	M & M SIGNS, INC.	09/09/2021	EFT	0	240.00	4342
00796	MACQUEEN EQUIPMENT, INC.	09/09/2021	EFT	0	85.50	4343
00819	MANKATO FORD, INC.	08/27/2021	EFT	0	938.84	4288
00825	MANKATO MOTOR COMPANY	08/27/2021	EFT	0	229.03	4289
00825	MANKATO MOTOR COMPANY	09/09/2021	EFT	0	626.44	4344
00874	MENARDS-MANKATO	08/27/2021	EFT	0	268.08	4290
00874	MENARDS-MANKATO	09/09/2021	EFT	0	41.29	4345
03386	METTLER, MEGAN	09/09/2021	EFT	0	231.00	4346
00889	MIDWEST TAPE/HOOPLA	09/09/2021	EFT	0	933.50	4347
03022	MINNESOTA PAVING & MATERIALS	08/27/2021	EFT	0	1,775.17	4291
03022	MINNESOTA PAVING & MATERIALS	09/09/2021	EFT	0	520.30	4348
00997	MTI DISTRIBUTING CO	09/09/2021	EFT	0	6,295.50	4349
01005	MUSCO SPORTS LIGHTING, LLC	08/27/2021	EFT	0	200,118.05	4292
01009	NAPA AUTO PARTS - MANKATO	09/09/2021	EFT	0	15.53	4350
01052	NORTH CENTRAL INTERNATIONAL	09/09/2021	EFT	0	5,458.95	4351
01062	NORTHERN SAFETY TECHNOLOGY, INC.	08/27/2021	EFT	0	4,045.83	4293
03384	NOVAK, QUINTIN	09/09/2021	EFT	0	306.00	4352
02005	PANTHEON COMPUTERS	08/27/2021	EFT	0	2,033.41	4294
02005	PANTHEON COMPUTERS	09/09/2021	EFT	0	6,584.24	4353
01099	PET EXPO DISTRIBUTORS	08/27/2021	EFT	0	75.00	4295
03141	PIPES, ROGER	09/09/2021	EFT	0	663.00	4354
01402	POMPS TIRE	08/27/2021	EFT	0	74.63	4296
01402	POMPS TIRE	09/09/2021	EFT	0	2,429.47	4355
01179	RED FEATHER PAPER CO.	08/27/2021	EFT	0	59.53	4297
01179	RED FEATHER PAPER CO.	09/09/2021	EFT	0	425.87	4356
02281	REINDERS	08/27/2021	EFT	0	180.45	4298
01198	RETROFIT COMPANIES, INC.	08/27/2021	EFT	0	213.83	4299
03607	RISTAU, JERAD	09/09/2021	EFT	0	234.20	4357
01211	RIVER BEND BUSINESS PRODUCTS	08/27/2021	EFT	0	336.67	4300
01211	RIVER BEND BUSINESS PRODUCTS	09/09/2021	EFT	0	621.30	4358
02182	RYAN, JESSICA	09/09/2021	EFT	0	99.20	4359
03286	SANDS, REBEKAH	08/27/2021	EFT	0	4.00	4301
01281	SIGN PRO	08/27/2021	EFT	0	1,300.00	4302
01286	SKARPOHL PRESSURE WASHER SALES	09/09/2021	EFT	0	67.99	4360
01323	SPS COMPANIES, INC.	08/27/2021	EFT	0	93.94	4303
01336	STAPLES OIL CO., INC.	08/18/2021	EFT	0	17,932.47	4274
03334	TOSTENSON, SARA	09/09/2021	EFT	0	525.00	4361
01419	TRAVERSE DES SIOUX LIBRARY COOPERATIVE	08/27/2021	EFT	0	1,978.11	4304
03191	US SOLAR	08/27/2021	EFT	0	5,338.90	4305
03191	US SOLAR	09/09/2021	EFT	0	6,450.10	4362
03144	VELDHUISEN, ROGER	09/09/2021	EFT	0	204.00	4363
01478	VIKING FIRE & SAFETY LLC	08/27/2021	EFT	0	24.00	4306
01478	VIKING FIRE & SAFETY LLC	09/09/2021	EFT	0	12.00	4364
01492	WACO SCAFFOLDING & SUPPLY CO.	09/09/2021	EFT	0	438.43	4365
03146	WESTRUP, CHRISTOPHER	09/09/2021	EFT	0	420.00	4366
03328	WOLLENZIEN, ERIC	09/09/2021	EFT	0	331.50	4367
01552	WW BLACKTOPPING, INC	08/27/2021	EFT	0	2,321.00	4307
01552	WW BLACKTOPPING, INC	09/09/2021	EFT	0	1,229.94	4368
03482	CARDCONNECT	08/03/2021	Bank Draft	0	3,810.35	DFT0005815
00219	CARDMEMBER SERVICE	08/09/2021	Bank Draft	0	89,002.95	DFT0005817
00234	CENTER POINT ENERGY	08/20/2021	Bank Draft	0	2,689.62	DFT0005831
00234	CENTER POINT ENERGY	08/20/2021	Bank Draft	0	24.51	DFT0005832
00234	CENTER POINT ENERGY	08/31/2021	Bank Draft	0	1,270.68	DFT0005876

02181	ETS CORPORATION	08/03/2021	Bank Draft	0	3,390.29	DFT0005816
02003	MINNESOTA DEPT OF REVENUE	08/17/2021	Bank Draft	0	20,728.00	DFT0005818
02003	MINNESOTA DEPT OF REVENUE	08/19/2021	Bank Draft	0	915.19	DFT0005822
02003	MINNESOTA DEPT OF REVENUE	08/26/2021	Bank Draft	0	6,945.43	DFT0005858
02003	MINNESOTA DEPT OF REVENUE	08/26/2021	Bank Draft	0	25.00	DFT0005861
00966	MINNESOTA PUBLIC FACILITIES AUTHORITY (P	08/20/2021	Bank Draft	0	16,913.11	DFT0005826
03029	OPEN EDGE	08/03/2021	Bank Draft	0	183.43	DFT0005814
01477	VIKING ELECTRIC SUPPLY, INC.	08/12/2021	Bank Draft	0	585.69	DFT0005825
01557	XCEL ENERGY	08/20/2021	Bank Draft	0	18.67	DFT0005828
01557	XCEL ENERGY	08/20/2021	Bank Draft	0	54.61	DFT0005829
01557	XCEL ENERGY	08/20/2021	Bank Draft	0	277.00	DFT0005830
01557	XCEL ENERGY	08/31/2021	Bank Draft	0	13,318.22	DFT0005877
					<u>1,342,712.33</u>	<u>203</u>

Authorization Signatures

All Council

The above manual and regular claims lists for 9-7-21 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:

[illegible]

Adopted by the City Council this 7th day of September 2021.

Mayor

City Clerk

CITY OF NORTH MANKATO

NICOLLET COUNTY, MINNESOTA

**DEVELOPER AGREEMENT FOR
PRIVATELY FINANCED IMPROVEMENTS
WATERS NORTH DEVELOPMENT PHASE 1, PART 2 (WATERS NORTH NO. 2)**

THIS AGREEMENT, made and entered into this 25th day of August, 2021, by and between the City of North Mankato, a municipal corporation, in the State of Minnesota, hereafter called "City", and, Prairie Heights Development, 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. 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.
2. The City will furnish and install street signs, stop signs, and other permanent traffic control signs.

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 – First lift
 - 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. The bituminous wearing course of the Street Improvements shall be completed when all of the houses have been completed, or when the Developer is directed to complete the wearing course by the City, whichever occurs first. Prior to completion of the Improvements, 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 Waters North Phase 2 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 it Number 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 a personal 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.

21. The developer agrees to annually construct five homes in the development until all phases are completed.

22. Developer agrees to commence construction of Waters North Phase 2 Subdivision ("Phase 2") consisting of 27 lots along the northside of Countryside Dr. and the westside of Coventry Lane within 36 months of the date of this Agreement. The City agrees that special assessments for the public improvements describes in paragraph A. 1. that benefit the lots adjacent to Countryside Drive that are included in Phase 2 will be deferred to the earlier of the date of the Developer commences construction of Phase 2 or 36 months of the date of this Agreement; provided that interest will accrue from the date that the special assessments for the public improvements described in paragraphs A. 1. are adopted by the City.

Building Permits

1. The City agrees that building permits may be issued upon approval of the Final Plat by the City Council and completion of the Improvements.

2. 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.

3. 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. Should the recording of the Final Plat occur after July 1, any and all property taxes on any public property dedicated as a part of the plat shall be the responsibility of the Developer. 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

PRAIRIE HEIGHTS DEVELOPMENT, LLC

By 
Its President

STATE OF MINNESOTA

COUNTY OF BLUE EARTH

The foregoing instrument was acknowledged before me this 25 day of August, 2021, by Rich Weyhe, Prairie Development, LLC


Notary Public



EXHIBIT A – LEGAL DESCRIPTION

Description:

Lots 1-13 Block 1 THE WATERS NORTH PHASE 2

EXHIBIT B: ITEMIZED IMPROVEMENT ESTIMATE

HOLTMEIER CONSTRUCTION					
Proj Bid: The Waters North Phase 2A - South Pointe Court Extension					
Contact: Bid Based on Signed Plans dated 3-23-21				Printed:	
Bid Date:				7/19/2021	3:05 PM
Bid Time:					
Addenda:					
ITEM NO	ITEM DESCRIPTION	UNIT	UNIT PRICE	EST. QUANTITY	AMOUNT
BASE BID					
1	MOBILIZATION	LS	\$14,569.00	1	\$14,569.00
2	SAW BIT, PAVEMENT	LF	\$3.50	275	\$962.50
3	REMOVE BIT PAVEMENT	SY	\$3.00	208	\$624.00
4	REMOVE CURB & GUTTER	LF	\$2.50	20	\$50.00
10	COMMON EXCAVATION - FROM STOCKPILE TO BLDG. PADS	CY	\$2.00	6500	\$13,000.00
11	GEOTEXTILE	SY	\$1.40	3930	\$5,502.00
12	12" SELECT GRANULAR BORROW	TON	\$13.50	2360	\$31,860.00
13	8" AGGREGATE BASE, CLASS 5	TON	\$16.50	1570	\$25,905.00
14	2.5" TYPE 12.5 NON WEAR COURSE 3C, 33' wide 2.5" THICK	SY	\$10.95	3198	\$35,018.10
15	1.5" TYPE 12.5 WEARING COURSE 3C, 33' wide 1.5" THICK	SY	\$8.90	3198	\$28,462.20
16	CONCRETE CURB & GUTTER DESIGN S418	LF	\$15.55	1810	\$28,145.50
17	5" CONCRETE SIDEWALK	SF	\$5.65	3040	\$17,176.00
19	TRUNCATED DOMES	SF	\$60.00	6	\$360.00
22	SILT FENCE	LF	\$2.25	3500	\$7,875.00
23	STORM DRAIN INLET PROTECTION	EACH	\$175.00	4	\$700.00
24	SEEDING (MNDOT 25-151, FERT & HYDROMULCH)	AC	\$5,615.00	0.30	\$1,684.50
25	SEEDING (MNDOT 25-131, FERT & STRAW MULCH)	AC	\$2,255.00	6.25	\$14,093.75
				SUBTOTAL - STREETS:	\$225,987.55
STORM SEWER					
26	6" PERFORATED PVC PIPE DRAIN SDR 35	LF	\$11.45	1705	\$19,522.25
27	CONNECT TO EXISTING	EA	\$4,500.00	1	\$4,500.00
28	12" PIPE SEWER, PP	LF	\$34.00	50	\$1,700.00
29	15" PIPE SEWER, PP	LF	\$41.75	315	\$13,151.25
30	CATCH BASIN CASTING R-3067-L	EACH	\$725.00	3	\$2,175.00
31	MANHOLE CASTING 1733-033 Heavy Vented Lid 2 Pick Holes	EACH	\$765.00	4	\$3,060.00
32	2'X3' CATCH BASIN	LF	\$368.00	16.3	\$5,998.40
33	4020-48" DIA. MANHOLE	LF	\$346.20	18.0	\$6,231.60
				SUBTOTAL - STORM SEWER:	\$56,338.50
SANITARY SEWER					
34	CONNECT TO EXISTING	EA	\$4,500.00	1	\$4,500.00
35	8" SDR 35 SANITARY SEWER	LF	\$47.45	626	\$29,703.70
36	MANHOLE	LF	\$352.50	59.2	\$20,868.00
37	MANHOLE CASTING	EACH	\$765.00	4	\$3,060.00
38	8" X 4" WYE	EACH	\$387.00	13	\$5,031.00
39	4" SEWER SERVICE	LF	\$19.00	637	\$12,103.00
40	6" ROCK SUBFOUNDATION	TN	\$17.00		\$0.00
				SUBTOTAL - SANITARY SEWER:	\$75,265.70
WATER					
41	CONNECT TO EXISTING	EA	\$4,390.00	2	\$8,780.00
42	6" WATERMAIN	LF	\$42.80	27	\$1,155.60
43	8" WATERMAIN	LF	\$37.50	882	\$33,075.00
44	6" GATE VALVE & BOX	EACH	\$1,557.40	3	\$4,672.20
45	8" GATE VALVE & BOX	EACH	\$2,138.60	2	\$4,277.20
46	HYDRANT	EA	\$4,548.00	2	\$9,096.00
47	WATERMAIN FITTINGS	LBS	\$9.30	502	\$4,668.60

48	1" CORP STOP	EACH	\$240.50	13	\$3,126.50
49	1" CURB STOP	EACH	\$396.30	13	\$5,151.90
50	1" SERVICE	LF	\$17.15	673	\$11,541.95
		SUBTOTAL - WATER:			\$85,544.95
		TOTAL AMOUNT STREET & UTILITIES			\$443,136.70
	SOUTH POINTE CT. GRADING - COST INCLUDED IN PHASE 1 CONTRACT				
51	1.5' TOPSOIL STRIP - BLDG PADS - PHASE 2 SOUTH POINTE CT	CY	\$3.50	6650	\$23,275.00
52	1.5' TOPSOIL STRIP STREETS - PHASE 2 SOUTH POINTE CT	CY	\$3.50	1685	\$5,897.50
53	COMMON EXCAVATION - FROM PHASE 1 POND CONSTRUCTION	CY	\$3.50	55000	\$192,500.00
54	6" TOPSOIL RESPREAD - BLDG PADS - PHASE 2 SOUTH POINTE	CY	\$3.50	2215	\$7,752.50
		TOTAL AMOUNT GRADING			\$229,425.00
		STREET & UTILITIES			\$443,136.70
		GRADING			\$229,425.00
		TOTAL STREET, UTILITIES & GRADING			\$672,561.70
		Number of Lots			13
		Cost Per Lot			\$51,735.52



1001 Belgrade Avenue
North Mankato, MN 56003
507-625-4141 Fax: 507-625-4151
www.northmankato.com

Audio Permit _____ 2021
Park Permit _____ 2021

Audio Permit

About:

An audio permit is required for anyone operating outdoor amplified sound (i.e., a loudspeaker, public address system, or sound amplifying equipment). All Audio Permits must be approved by the Council. The sound system cannot be operated before 7:00 am or after 10:00 pm. There is a \$25 fee.

Audio Permit Responsibilities:

- An onsite event coordinator must be available by mobile during the event.
- An applicant will provide a schedule of any music or entertainment proposed to occur during the event.
- A beginning and end time must be supplied on the application, and the event coordinator must ensure compliance.
- Applicants must comply with City Code Ordinance 90.045 and Minnesota Rules Chapter 7030, which limits noise.
- Noise levels cannot exceed 60 dBA more than 50 percent of the time.

What happens if there is a noise complaint?

- A North Mankato Patrol Officer will meet with the complainant and evaluate and measure the noise using a decibel reader at the location of the complainant.
- If the noise is found out of compliance, the Patrol Officer will contact the onsite event coordinator, and the amplified sound must be turned down.
- If the onsite event coordinator does not comply, the event will be immediately terminated, and the group will be disbursed.
- Failure to comply will affect future ability to obtain an audio permit.

AMPLIFIED SOUND:



LIVE MUSIC/BAND
DJ/KARAOKE MACHINE
OTHER: _____

DATE OF EVENT: 9/25/2021
BEGIN TIME: 6:00 pm
END TIME: 10:00 pm

LOCATION / SHELTER:

Arlington Lane - street

EVENT NAME:

Arlington End of the summer party

ONSITE COORDINATOR:

PRINT NAME:

Megan Alvarado

MOBILE NUMBER:

507-508-6447

☒ I, THE UNDERSIGNED, HAVE RECEIVED THE AUDIO PERMIT AND UNDERSTAND THAT FAILURE TO COMPLY WITH THE AUDIO POLICY MAY TERMINATE THE EVENT AND PREVENT FUTURE ABILITY TO OBTAIN AN AUDIO PERMIT.

SIGNATURE:

Megan Alvarado

DATE:

9/16/2021

CITY CLERK:

☐ DENIED ☐ APPROVED



BOOK POLICE



ONLINE



\$25.00 FEE

STAFF INITIALS



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 - *400 298 364* *(AP)*

Thirty (30) days in advance of the parade date.

Name of Applicant <i>Sarah Cornish</i>	Address <i>812 W Pleasant St</i>	Phone <i>507-469-5608</i>	Email <i>Sarahc@hickorytown.net</i>
Sponsoring Organization Name <i>Mount Olive</i>	Address <i>Mankato 1123 Marsh St,</i>	Phone <i>507-345-4564</i>	
Contact during event <i>Sarah Cornish</i>		Phone <i>507-469-5608</i>	
Event Location <i>Spring Lake Park up to culvers and back.</i>	Date <i>7-24-21</i>	From Time <i>8 AM</i>	To <i>1 PM</i>
Occasion for Parade <i>School event</i>			
Parade Description / Composition <i>Walking as a school up to culvers and back.</i>			
Estimated Number of Participants: <i>250</i>			

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.

[Signature]
Applicant

7-19-21
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.

[Signature]
Chief of Police

8/23/21
Date

Caswell Sports Director

Date

3D

14

Bluff Park

Hiniker Pond

16

Webster Ave

Spring Lake Park

Spring Lake



CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 11A	Dept: Finance	Council Meeting Date: 9/7/21																																																										
TITLE OF ISSUE: Consider the Adoption of Ordinance No. 144 Authorizing the Issuance of Bonds by the Port Authority of North Mankato in the Maximum Principal Amount of \$4,500,000 for the Purpose of Securing Funds as Needed by the City of North Mankato to Finance the Acquisition of Property within the Webster Avenue Industrial Development District.																																																												
BACKGROUND AND SUPPLEMENTAL INFORMATION: Bond Counsel Tammy Omdal from Northland Securities will provide additional information concerning the Ordinance.																																																												
<i>If additional space is required, attach a separate sheet</i>																																																												
REQUESTED COUNCIL ACTION: Adopt Ordinance No. 144 Authorizing the Issuance of Bonds by the Port Authority of North Mankato in the Maximum Principal Amount of \$4,500,000 for the Purpose of Securing Funds as Needed by the City of North Mankato to Finance the Acquisition of Property within the Webster Avenue Industrial Development District.																																																												
For Clerk's Use: Motion By: _____ Second By: _____ <table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">Vote Record:</td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Oachs</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Vote Record:	Aye	Nay			_____	_____	Steiner		_____	_____	Norland		_____	_____	Oachs		_____	_____	Whitlock		_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td colspan="5">Other (specify) _____</td> </tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> </table>	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) _____					_____					_____					_____					_____				
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Other (specify) _____																																																												

<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: _____																																																											

ORDINANCE NO. 144

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS BY THE PORT AUTHORITY OF NORTH MANKATO IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,500,000 FOR THE PURPOSE OF SECURING FUNDS AS NEEDED BY THE CITY OF NORTH MANKATO TO FINANCE THE ACQUISITION OF PROPERTY WITHIN THE WEBSTER AVENUE INDUSTRIAL DEVELOPMENT DISTRICT IN FURTHERANCE OF SAID PORT AUTHORITY'S PROGRAM OF ECONOMIC DEVELOPMENT AND REDEVELOPMENT; AND AUTHORIZING SAID PORT AUTHORITY TO PLEDGE THE FULL FAITH, CREDIT AND RESOURCES OF THE CITY OF NORTH MANKATO AND THE LEVY OF AD VALOREM PROPERTY TAXES FOR THE SECURITY OF SAID BONDS.

WHEREAS, The Council of the City of North Mankato, being duly advised in the premises, finds and determines that it is necessary for the Port Authority of North Mankato to issue and sell bonds in the aggregate principal amount of \$4,500,000 for the purpose of securing funds as needed by the City of North Mankato to finance the acquisition of property within the Webster Avenue Industrial Development District as set forth in the Webster Avenue Industrial Development District Plan in furtherance of the program of economic development and redevelopment authorized by Minnesota Statutes, Sections 469.048 through 469.068; and it is necessary and proper for the Council, pursuant to said laws, to authorize the issuance and sale of said bonds and the pledge of the full faith, credit and resources of the City of North Mankato and the levying of ad valorem property taxes for the security thereof, and to prescribe and consent to the form and terms of said bonds when and as issued by the Port Authority under the authorization granted by this ordinance;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF NORTH MANKATO DOES ORDAIN:

Section 1. That pursuant to and in accordance with the provisions, terms and conditions of this ordinance and of Minnesota Statutes Section 469.048 through 469.068, and 469.079, authority is hereby granted to the Port Authority of North Mankato to issue and sell its bonds as authorized by Minnesota Statutes, Section 469.060 and Chapter 475 and that said bonds are authorized to be issued and sold in the aggregate principal amount not to exceed \$4,500,000 for the purpose of securing funds as needed by the City, in said aggregate amount, to finance the acquisition and betterment of property required for the Port Authority's program of economic development and redevelopment, within the Webster Avenue Industrial Development District.

Section 2. That as security for the prompt and faithful payment of both principal and interest on said bonds, said Port Authority is hereby authorized to pledge the full faith, credit and resources of the City of North Mankato and to levy and ad valorem property taxes therefor as provided in Section 469.060, Minnesota Statutes, and that the bonds issued and sold pursuant to this ordinance shall be issued and sold by the Port

Authority in the manner provided by law, and subject to such terms and conditions as the Port Authority may determine and the City Council may approve by resolution.

Section 3. That said Port Authority shall provide for the exercise of the authority hereby granted for its issuance and sale of its said bonds, and the pledge of the full faith, credit and resources of said City of North Mankato as security for the payment of the same by appropriate resolutions; and that in each such instance said Port Authority shall make due compliance with all applicable requirements of this ordinance, Minnesota Statutes, Sections 469.048 through 469.068 and Chapter 475, and all other applicable laws.

Section 4. After adopting, signing and attestation, this Ordinance shall be posted as required by law, and shall be published once in the official newspaper of the City and shall be effective upon such publication.

The foregoing Ordinance was introduced by Councilmember _____, who moved its adoption. The motion for the adoption of the foregoing Ordinance was duly seconded by Councilmember _____ and upon a vote being taken thereon, the following Councilmembers voted in favor thereof:

and the following voted against the same:

Whereupon said Ordinance was declared duly passed and adopted this 7th day of September, 2021.

Mayor

Attest:

City Clerk

Published in the Mankato Free Press this ____ day of _____, 2021.

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 11B	Dept: Engineering	Council Meeting Date: 9/7/21
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TITLE OF ISSUE: Consider Resolution Ordering Preparation of Report on Improvement for Project No. 21-05 ABCDEF Lor Ray Drive Street and Utility Improvement Project and Project No. 21-06 ABCDEF McKinley Avenue Street and Utility Improvement Project.

BACKGROUND AND SUPPLEMENTAL INFORMATION: City Engineer Sarff will review the proposed projects and the process.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Adopt Resolution Ordering Preparation of Report on Improvement for Project No. 21-05 ABCDEF Lor Ray Drive Street and Utility Improvement Project and Project No. 21-06 ABCDEF McKinley Avenue Street and Utility Improvement Project.

For Clerk's Use:

Motion By: _____

Second By: _____

Vote Record:

	Aye	Nay	
	<input type="checkbox"/>	<input type="checkbox"/>	Steiner
	<input type="checkbox"/>	<input type="checkbox"/>	Norland
	<input type="checkbox"/>	<input type="checkbox"/>	Oachs
	<input type="checkbox"/>	<input type="checkbox"/>	Whitlock
	<input type="checkbox"/>	<input type="checkbox"/>	Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution	Ordinance	Contract	Minutes	Map
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify) _____				

<input type="checkbox"/> Workshop <input checked="" type="checkbox"/> Regular Meeting <input type="checkbox"/> Special Meeting	
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<input type="checkbox"/>	Refer to: _____
<input type="checkbox"/>	Table until: _____
<input type="checkbox"/>	Other: _____

To: John Harrenstein, City Administrator
From: Kevin McCann, Finance Director
CC: Nate Host, Public Works Director
 April Van Genderen, City Clerk
 Dan Sarff, P.E., City Engineer

Subject: 2022 Street & Utility Reconstruction Projects

Date: August 23, 2019

Included in the council packet is a resolution ordering preparation of the feasibility report for the proposed 2022 Street and Utility Reconstruction Projects:

- Project No. 21-05 ABCDEF Lor Ray Dr. Street & Utility Improvement Project
- Project No. 21-06 ABCDEF McKinley Ave. Street & Utility Improvement Project

The following is a summary of the preliminary estimated project costs and anticipated funding:

Project Area	Estimated Costs		
	Lor Ray Dr.	McKinley Ave.	2022 TOTAL
Total Estimated Project Costs	\$3,700,000	\$1,500,000	\$5,200,000
Anticipated Funding Sources			
Coronavirus Relief Fund	\$1,000,000	\$200,000	\$1,200,000
Local Road Improvement Program (LRIP) Funds	\$575,000	\$0	\$575,000
Municipal State Aid Advance	\$325,000	\$0	\$325,000
G.O. Bonds	\$1,800,000	\$1,300,000	\$3,100,000

Although the preparation of the 2022 budget and the 2022-2026 capital improvement program is in progress and has not been adopted by the Council, both projects are included in the preliminary budget and are accounted for in the debt service projections. The LRIP funds for Lor Ray Drive are available in 2022, so that project will need to be constructed next year. Public Works Director Host and City Engineer Sarff also recommend that the McKinley Avenue project also be constructed in 2022. However, it would be possible to delay that project until 2023 or beyond if dictated by the Council's preference for 2022 bonding and/or project priorities.

Since both projects would utilize special assessments, it is recommended that the Council adopt the resolution ordering preparation of report at this time to begin the required processes and timelines required for preparation of reports, notices, public hearings, design, and bidding to accommodate a late winter/early spring bidding schedule.

Public Works Director Host, City Engineer Sarff, and I will be available at the September 7 Council meeting to answer any questions.

RESOLUTION NO.

RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT
FOR
PROJECT NO. 21-05 ABCDEF LOR RAY DRIVE STREET AND UTILITY IMPROVEMENT
PROJECT
AND
PROJECT NO. 21-06 ABCDEF MCKINLEY AVENUE STREET AND UTILITY
IMPROVEMENT PROJECT

WHEREAS, it is proposed to improve McKinley Avenue from Sherman Street to Range Street; and

WHEREAS, it is proposed to improve Lor Ray Drive from a point approximately 350 feet north of White Oak Drive to Somerset Lane, and

WHEREAS, such improvements may include sanitary sewer improvements, watermain improvements, storm sewer improvements, street improvements, sidewalk/trail improvements, street lighting improvements, turf establishment/erosion control, and other related improvements; and

WHEREAS, it is proposed to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429;

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

That the proposed improvements, called City Project No. 21-05 ABCDEF and City Project No. 21-06 ABCDEF be referred to the City Engineer for study and that that person is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

Adopted by the City Council this 7th day of September 2021.

Mayor

ATTEST:

City Clerk