

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 4, 2013. Mayor Dehen introduced the new City Administrator, John Harrenstein. The Mayor called the meeting to order at 7:00 p.m. asking that everyone join in the Pledge of Allegiance. The following were present for the meeting, Mayor Dehen, Council Members Steiner, Norland, Freyberg and Spears, City Administrator Harrenstein, Finance Director Thorne, City Clerk Gehrke, Attorney Kennedy, Engineer Malm and Planner Fischer.

Approval of Agenda

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

Approval of Minutes

Council Member Norland moved, seconded by Council Member Freyberg, to approve the minutes of the Council meeting of February 19, 2013. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen, aye; no nays. Motion carried.

Correspondence

Letters from Cliff Court Residents

Mayor Dehen referenced letters received from Cliff Court residents regarding the Cliff Court reconstruction project.

2013 City of Excellence Awards

The Mayor reported he has received an application for the League of Minnesota Cities 2013 City of Excellence Awards.

Public Hearing, 7 p.m. – Project No. 13-01ABCDEF, Cliff Court Reconstruction

Engineer Malm reported Engineer Sarff gave a PowerPoint presentation for the reconstruction of Cliff Court and a feasibility report was presented and accepted by the Council at the February 4, 2013 Council meeting. An improvement hearing was set for the March 4, 2013 Council meeting. He reported a neighborhood informational meeting was held at 7 p.m. on Thursday, February 28, 2013, which included the PowerPoint presentation and additional information regarding access and garbage collection during the construction. Notice of the Public Hearing was published in the *Free Press* and notice was sent to all affected property owners. The Mayor opened the hearing to the public for comment.

Bruce Johnson, 113 Cliff Court

Bruce Johnson, 113 Cliff Court, appeared before the Council and reported he has lived at this address for 37 years and everything seems to work fine with the exception of the numerous water main breaks. He asked if the water main could be updated and the balance of the street left alone. He also stated his objection to installing sidewalks in this area reporting the majority of the residents in the neighborhood do not want sidewalks and a fair amount of trees would be lost with the installation of the sidewalks changing the look and feel of the neighborhood.

Curt and Diane Anderson, 225 Allan Avenue

Curt and Diane Anderson, 225 Allan Avenue, appeared before the Council and expressed their concern that only a 28' corner of their property abuts Cliff Court yet the proposed assessment roll reflects an assessment of nearly \$4,000 for their property. Mr. Anderson reported that their driveway is located on Allan Avenue. He asked the Council to consider removing his property from the Cliff Court Reconstruction Assessment roll.

Sandra Jaeger, 105 Cliff Court

Sandra Jaeger, 105 Cliff Court, appeared before the Council asking for their reconsideration of the installation of sidewalks on the Cliff Court Reconstruction Project. She stated she believes the time and money saved by removing the sidewalks could be saved for other projects.

Michael Danberry, 110 Cliff Court

Michael Danberry, 110 Cliff Court, appeared before the Council and thanked them for considering the Cliff Court Reconstruction Project. He reported his only concern is the installation of the sidewalk and the number of trees that would be removed. He asked the Council to please consider removing the sidewalks from this project.

David Allan, 114 Cliff Court

David Allan, 114 Cliff Court, appeared before the Council and stated Cliff Court is the quietest street in North Mankato and asked if it made sense to put a sidewalk on such a short street. He stated the beauty of the street will be destroyed with the removal of the trees.

Maralyn Flinger, 121 Cliff Court

Maralyn Flinger, 121 Cliff Court, appeared before the Council stating Cliff Court is a wonderful place to live. She expressed her concern regarding the holes that are appearing in the ravine and stated there is not enough drainage in this area.

With no one else appearing before the Council, the Mayor closed this portion of the meeting.

Scott Thompson, Minnesota Department of Transportation – Roundabout Discussion

Scott Thompson, Minnesota Department of Transportation (MnDOT), appeared before the Council and gave a PowerPoint presentation on roundabouts specifically for use at the north intersection of Highway 14 and Lookout Drive. Mr. Thompson referenced the 2010 Bolton & Menk Traffic Study and the 2011 MnDOT Intersection Control Evaluation (ICE) for this area. The 2010 Bolton & Menk Traffic Study reported and the MnDOT 2011 ICE Study confirmed the north ramps (westbound) met volume requirements for signals. However, the ICE Study determined that a signal wouldn't be the best solution. He reviewed the signal versus roundabout pros and cons reporting the cost for the signal would be approximately \$300,000 and the cost of a roundabout would be \$1 million. Some discussion was held about the property necessary to accommodate a roundabout and whether an easement or property acquisition would be necessary. Engineer Malm reported the cost of the roundabout also includes pavement repair and is not just an intersection project. Mr. Thompson reported a consensus would need to be reached between the City of North Mankato and MnDOT regarding which traffic controls will be installed in this area. If an agreement is reached to build a roundabout, it will be necessary for the City to adopt a resolution agreeing to participate with MnDOT 50/50 in the cost of a roundabout, determine when to build the roundabout and to continue the public education campaign regarding the use of roundabouts. Mr. Thompson reported one of the first items

that need to be completed is approval from the Council regarding support of the application for federal funding for this project in 2017 which will add another funding source for the project. He also noted that MnDOT is looking for a soft commitment for this improvement to begin in 2016 or 2017 and will bring a Resolution of Intent to Support the Project before the Council in the near future. **Council Member Freyberg moved, seconded by Council Member Norland to support submission of the application for federal funding for this project. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen, aye; no nays. Motion carried.**

Open the Meeting to the Public for the First Time

Barbara Church, 102 E. Wheeler Avenue

Barbara Church, 102 E. Wheeler Avenue, appeared before the Council and welcomed the new City Administrator. She thanked the Mayor for his work on the noise level of Riverfront Drive. She also asked when the development agreement for the Marigold Project became void. Ms. Church reported that she received a notice that it was necessary to license her dogs. She asked how many dog licenses have been issued in the past two years, 2011 and 2012, and how many letters went out to residents. Staff will obtain this information for Ms. Church. She also stated her concern about the City Code regarding dogs and will speak of this at another time.

Sharon Schaller, Sharon's Craft-N-Floral Center, 241 Belgrade Avenue

Sharon Schaller, Sharon's Craft-N-Floral Center, 241 Belgrade Avenue, appeared before the Council and stated her concern about roundabouts. She reported she acts as a tour guide and has noted that tour bus drivers avoid roundabouts but with the large number of roundabouts, it is getting harder to avoid them.

Nicollet County Board Actions

The Mayor reported the chip spreader has been jointly purchased by Nicollet County and the City of North Mankato and should be available for use when needed.

Consent Agenda

Council Member Steiner moved, seconded by Council Member Freyberg, to approve the Consent Agenda which includes:

- A. Application for Final Stretch, Inc. to hold North Mankato Triathlon, Sunday, June 30, 2013, from 8 a.m. to 11 a.m.
- B. Application for Parade Permit for Golden Heart 5K Fun Run & Kids Run, Benson Park, Saturday, May 11, 2013 from 7 a.m. to 1 p.m.
- C. Audio and Large Group Permit for Golden Heart 5K Fun Run & Kids Run, Benson Park, Saturday, May 11, 2013, from 7 a.m. to 1 p.m.
- D. Audio and Large Group Permit for Carlson Craft Company Picnic, Spring Lake Park, Sunday, September 22, 2013 from 8 a.m. to 5 p.m.

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

Staff Reports**City Administrator****Schools and Conferences**

Council Member Norland moved, seconded by Council Member Freyberg, to approve actual and necessary expenses for the following schools and conferences:

1. AWWA Metro School, Bloomington, April 2-4 for 1 Water Serviceman.
2. Minnesota Municipal Clerks Institute, Brooklyn Center, April 22-26 for Senior Records Clerk.

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

City Clerk**Audio and Large Group Permit for Las Fronteras Cinco de Mayo Celebration, 503 Belgrade Avenue**

Clerk Gehrke presented an audio and large group permit for Las Fronteras to hold a Cinco de Mayo celebration at 503 Belgrade Avenue on Sunday, May 5, 2013 from 2 p.m. to 9 p.m. Maria Hidalgo of Las Fronteras, and Yolanda Martinez, BPA South Central College, appeared before the Council in support of the celebration. Ms. Hidalgo reported 10 percent of the profits raised would be used to sponsor the South Central College Spanish Club and students going to nationals in May and 10 percent of the profits would be used for KMSU equipment updates. She also reported that the music would end at 8 p.m., then tear down of equipment would begin. The Clerk reported that all the necessary insurance is in place and the Police Department has reviewed the area where the celebration will be held. **Council Member Steiner moved, seconded by Council Member Norland, to approve the audio and large group permit for the Las Fronteras Cinco de Mayo Celebration to be held at 503 Belgrade Avenue from 2 p.m. to 9 p.m. on Sunday, May 5, 2013. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen, aye; no nays. Motion carried.**

City Engineer**Res. No. 21-13 Ordering Improvement and Plans & Specifications for Project No. 13-01ABCDEF, Cliff Court Reconstruction**

Engineer Malm reviewed the feasibility report for Project No. 13-01ABCDEF, Cliff Court Reconstruction which calls for a sidewalk to be included as part of the project. He stated the City Code states that all new street improvement projects will include a sidewalk and it has been the policy of the City Council for the past 10 years to include sidewalks in new and reconstruction projects. Some discussion was held regarding a Sidewalk Master Plan for the City. **Council Member Spears moved, seconded by Council Member Freyberg, to adopt Resolution No. 21-13 Ordering Improvements and Ordering Plans and Specifications for Project No. 13-01ABCDE, Cliff Court Reconstruction without the sidewalk for two reasons: 1) This is a cul de sac; and 2) the cul de sac is less than 1,000 lineal feet. Vote on the Resolution: Steiner, Norland, Freyberg, Spears and Dehen, aye; no nays. Motion carried. The Council directed that a Sidewalk Master Plan be addressed at a later date.**

City Attorney

Attorney Kennedy apologized for not being in attendance at the February 19, 2013 Council meeting reporting that he scheduled an appointment on this Tuesday forgetting about the President's Day holiday which moved the Council meeting.

Report from Council Members

Council Member Steiner

Council Member Steiner reported the North Mankato Civic & Commerce Association will be seeking pledges to purchase the "Circle of Friends" sculpture for placement in front of the North Mankato Taylor Library. He reported the cost of the sculpture is \$35,000 and to date he has received \$700.

Council Member Norland

Council Member Norland presented information from Region 9 regarding the Minnesota Solar Challenge. Anyone interested in more information may contact laurac@mnrenewables.org.

Report from Mayor

Riverfront Park Sound Complaints

Mayor Dehen presented the document regarding the Riverfront Park sound complaints reporting he attended a public forum on this matter. He reported prior to any summer activities held in 2013, Mankato City park staff will measure ambient noise levels in affected neighborhoods prior to any event to determine normal decibel readings and again during the events. In addition, PA speakers will be directed into the Amphitheater Bowl, a 10 p.m. closing will be instituted for all weekday events with the exception of RibFest and all weekend events will conclude prior to 11 p.m. Mankato City staff may seek the assistance of a professional to assist in providing reasonable suggestions and solutions to help mitigate the sound. The Mayor also reported that large conifers will be planted behind the amphitheater stage which should help to absorb the sound that would be moving in that direction.

"Coffee with the Council"

The Mayor reported "Coffee with the Council" will be held from 10 a.m. to 12 noon on Saturday, March 16, 2013 at the North Mankato Police Annex Community Room. He reported John Harrenstein, the new City Administrator will be in attendance and this is a good opportunity for residents to meet him.

Pedal Past Poverty

The Mayor thanked everyone who participated in the Pedal Past Poverty event held on Saturday, March 2, 2013 and reported that a total of \$68,000 was raised from this event. He also reported that Dancing with the Stars raised a total of \$53,000.

Open the Meeting to the Public for the Second Time

David Allen, 114 Cliff Court

David Allen, 114 Cliff Court, appeared before the Council and thanked the Council for removing the sidewalks from the Cliff Court Reconstruction Project and for saving the trees on this street.

Bills and Appropriations

Council Member Steiner moved, seconded by Council Member Norland, to approve all bills and appropriations in the amounts of \$7,662.81 and \$570,573.92. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 8:34 p.m. on a motion by Council Member Norland, seconded by Council Member Steiner. Vote on the motion: Steiner, Norland, Freyberg, Spears and Dehen, aye; no nays. Motion carried.

Mayor

City Clerk



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
THE DEPUTY SECRETARY
WASHINGTON, DC 20410-0050

March 4, 2013

The Honorable Mark Dehen
Mayor of North Mankato
1001 Belgrade Avenue
P.O. Box 2055
North Mankato, MN 56002-2055

Dear Mayor Dehen:

As you are likely aware, due to the failure of Congress to reach a deal on balanced deficit reduction to avoid sequestration, the President was required by law to issue a sequestration order on March 1 canceling approximately \$85 billion in budgetary resources across the Federal Government for the remainder of the federal fiscal year (FY). As partners with the Department of Housing and Urban Development, you are entitled to timely and clear information about how these unfortunate budget cuts impact us, and, in turn, what it means for program beneficiaries in North Mankato City.

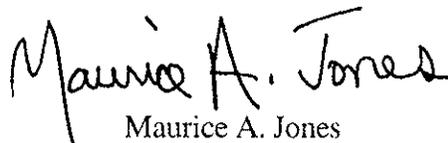
At this time, HUD is taking every step possible to mitigate the effects of these cuts. However, based on our initial analysis, it is likely that your full-year FY 2013 formula program funding will be lower than it was in FY 2012 due to the sequester, which may affect your workforce and planning for this year, and possibly beyond. You can expect 5 percent reductions from the FY 2013 annualized Continuing Resolution levels for the formula programs you are eligible for, including the Community Development Block Grant (CDBG), HOME, Housing Opportunities for Persons With AIDS (HOPWA), and Emergency Solutions Grants for the homeless (ESG) programs.

In testimony to Congress in January, Secretary Donovan estimated some of the impacts sequestration would have on participants. For example, cuts to the HOPWA program would result in 7,300 fewer low-income households receiving permanent and short-term supportive housing assistance, including rent or utility assistance, while a sequester of HOME program funds will result in 2,100 fewer affordable housing units produced for low-income families. As you know, every dollar of HOME funding is leveraged with almost four dollars of other funds.

Once Congress has passed and the President has signed a full-year FY 2013 appropriation for HUD, the exact funding levels you will be receiving for these programs will be set, and, depending upon your program year start date, your individual FY 2013 program grant agreements will subsequently be sent to you.

Thank you for your continued partnership with HUD, and for your cooperation as we work together to manage through these unfortunate circumstances.

Sincerely,

A handwritten signature in black ink that reads "Maurice A. Jones". The signature is written in a cursive style with a large, prominent "M" and "J".

Maurice A. Jones

THESE ARE DRAFT MINUTES AND NOT YET APPROVED BY THE BOARD

OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF NICOLLET

March 12, 2013

The Nicollet County Board of Commissioners met in regular session on Tuesday, March 12, 2013 at 9:00 a.m. with Chair David Haack presiding. Commissioners Marie Dranttel, Dr. Bruce Beatty, James Stenson, and Jack Kolars were present. Also present were County Attorney Michelle Zehnder Fischer, County Administrator Ryan Krosch, Auditor-Treasurer Bridgette Kennedy, and Recording Secretary Margo Brown.

Upon a motion by Commissioner Beatty and seconded by Dranttel, it was moved to approve the minutes of the February 26, 2013 Board meeting. The motion carried unanimously.

Upon a motion by Commissioner Kolars and seconded by Stenson, it was moved to approve the County bills as presented. On a roll call vote, all Commissioners voted yes and the motion carried unanimously.

Social Services Director Joan Tesdahl appeared before the Board to request approval of the Social Service bills. Upon a motion by Commissioner Stenson and seconded by Kolars, it was moved to approve the Social Services bills as presented. On a roll call vote, all Commissioners voted yes and the motion carried unanimously.

Social Services Director Tesdahl requested that the Board consider approval of a Sioux Trails Purchase of Service Agreement. Upon a motion by Commissioner Stenson and seconded by Beatty, it was moved to accept the recommendation of the Social Services Director and approve the 2013 Purchase of Service Agreement with Sioux Trails for mental health services. The motion carried unanimously.

Mr. Bob Goede from Minnesota Counties Intergovernmental Trust (MCIT) appeared before the Board to provide updates on events of the organization over the past year. He also provided information on issues such as workers' compensation claims, property/casualty/other types of claims, dividends, rates and rate changes, workshops and trainings, available programs, and other resources.

Ms. Chris Wersal, representing the Women Celebrating Women, appeared before the Board to request approval of a proclamation declaring March as Women's History Month. Upon a motion by Commissioner Stenson and seconded by Dranttel, it was moved to approve the proclamation denoting March as Women's History Month in Nicollet County. The motion carried unanimously.

PROCLAMATION

WHEREAS, during Women's History Month we celebrate the many accomplishments of our community's women; and,

WHEREAS, the theme for the 2013 Women's History Month celebration is "Women Inspiring Innovation through Imagination"; and,

WHEREAS, this year's theme further celebrates women in science, technology, engineering and mathematics; and,

WHEREAS, the 2013 Women Celebrating Women event will recognize a local woman who has been an inspiration in innovation;

NOW, THEREFORE BE IT RESOLVED that the month of March be designated to celebrate the many ways women have inspired innovation in the Nicollet County Community;

BE IT FURTHER RESOLVED that the Nicollet County Board of Commissioners proclaim March 2013 as

WOMEN'S HISTORY MONTH IN NICOLLET COUNTY

Ms. Wersal also requested that the Board consider authorizing an expense of \$80 for sponsorship of a table at the upcoming banquet entitled 'Women Inspiring Innovation' to be held on Tuesday, March 19, 2013. Upon a motion by Commissioner Stenson and seconded by Beatty, it was moved to approve the expense of \$80 for a table at the upcoming Women Celebrating Women banquet on March 19, 2013. The motion carried unanimously.

Rush River Grants Coordinator Brady Swanson addressed the Board to request approval of a resolution authorizing him to submit a proposal for the Rush River SSTS Project. Upon a motion by Commissioner Beatty and seconded by Dranttel, it was moved to accept the recommendation of the Rush River Grants Coordinator and authorize the submittal of a proposal for the Rush River – Nicollet County SSTS Project. On a roll call vote, all Commissioners voted yes and the motion carried unanimously.

MINNESOTA CLEAN WATER PARTNERSHIP RESOLUTION

BE IT RESOLVED by the County of Nicollet to submit a proposal with the Minnesota Pollution Control Agency (MPCA) to conduct the following Project:

Rush River – Nicollet County SSTS Project

BE IT FURTHER RESOLVED that Brady Swanson, Watershed Coordinator, be authorized to submit the proposal for the above-mentioned Project and shall have the authority to represent this body in all matters that do not specifically require the action of this body.

BE IT FURTHER RESOLVED that submittal of a proposal does not obligate this body to accept a grant and/or a loan if so offered.

Public Works Director Seth Greenwood requested that the Board authorize him to advertise for gravel crushing for 2013. Upon a motion by Commissioner Dranttel and seconded by Kolars, it was moved to accept the recommendation of the Public Works Director and authorize him to advertise for gravel crushing for 2013 with bid opening on April 8, 2013 at 11:00 a.m. The motion carried unanimously.

Director Greenwood discussed a proposed special events application form. He noted that the Public Works Department receives requests each year for events to be held within the highway right-of-way and processing of these events is time consuming.

By utilizing an application form, it can streamline the process necessary for approval. Upon a motion by Commissioner Kolars and seconded by Beatty, it was moved to accept the recommendation of the Public Works Director and approve the Special Events Permit Application Form and authorize the Public Works Department to utilize this form when considering requests for events to be held within the County highway right-of-way. The motion carried unanimously. A copy of the form is available from the Public Works Department.

Public Works Director Greenwood discussed issues with the Board relating to a drainage issue at the Lafayette Shop. He provided photos showing the damage to the floor, due mainly to issues relating to the floor drain. It was the consensus of the Board that the Public Works Director be authorized to proceed with repairs to the floor of the Lafayette Shop due to problems relating to the floor drain.

At this time, Chair Haack recessed the County Board meeting and called the meeting of the Ditch Authority to order in order to consider matters as a County Ditch Authority.

The Public Works Director reviewed issues with the Board relating to County Ditch 90 pump system issues. He noted that there has been severe degradation of the pump system and requested that the Board provide direction on how to proceed with repair/replacement, etc. Mr. Marvin Gieseke provided additional information and input relating to the problems surrounding the pump system. Upon a motion by Commissioner Beatty and seconded by Stenson, it was moved to accept the recommendation of the Public Works Director and authorize him to proceed with the hiring of an engineering firm to prepare a plan and design for repair or replacement of the pump system on County Ditch 90. The motion carried unanimously.

At this time, Chair Haack adjourned the meeting of the County Ditch Authority and reconvened the County Board meeting.

Environmental Services Deputy Zoning Administrator Jon Hammel addressed the Board, along with Environmental Services Director Mandy Landkamer, to discuss and request approval of a conditional use permit. They provided information to the Board via a power point presentation, as well as pictures, maps and information on an i-pad. There was discussion relating to concerns of a Ms. Teresa Olson that include erosion, setback, reclamation, etc. Mr. Gene Dorn, a member of GRT Lands, the company that is requesting the permit, provided information relating to their request, including concerns about the location of the entrance/exit driveway. Mr. Marvin Drill appeared on behalf of Teresa Olson and noted issues relating to her main concern of erosion. Commissioner Stenson suggested that an amendment could be proposed that no mining could take place in phase 3 until an adequate setback is negotiated. It was noted by Environmental Services staff that the DNR has been involved in issues surrounding this request; however, they stated that this request is out of their prevue and they subsequently made no comment on the issue. Upon a motion by Commissioner Stenson and seconded by Dranttel, it was moved to accept the Planning and Zoning Advisory Commission's February 25, 2013 report, recommendations, and findings as submitted therein, which includes the following conditional use permits:

Brian Thompson

On a roll call vote, all Commissioners voted yes and the motion carried unanimously.

Auditor-Treasurer Bridgette Kennedy addressed the Board to request approval of an application for abatement. Upon a motion by Commissioner Kolars and seconded by Beatty, it was moved to accept the recommendation of the Auditor-Treasurer and approve the application for abatement for Harold Blumenshein of 1706 Hodgson Road, North Mankato MN for property located at parcel no. 18.480.0190 in North Mankato, for taxes payable in 2012 in the amount of \$280.00. The motion carried with Commissioner Stenson absent for the vote.

Auditor-Treasurer Kennedy provided information about a request for a renewal of the consumption and display permit for the Nicollet Conservation Club. Upon a motion by Commissioner Beatty and seconded by Dranttel, it was moved to accept the recommendation of the Auditor-Treasurer and renew the consumption and display permit for the Nicollet Conservation Club in Nicollet. The motion carried unanimously.

Auditor-Treasurer Bridgette Kennedy provided updated information to the Board relating to a forfeited tax parcel. She provided written information relating to a 2.36 acre parcel in question. She noted that the parcel could be leased to the adjacent landowner if the County Board would decide to do that. She noted that approximately ½ of that parcel is under production by the landowner. The landowner is not interested in purchasing the parcel at the appraised price of \$2,250.00 per acre plus costs. Upon a motion by Commissioner Dranttel and seconded by Beatty, it was moved to authorize the County Auditor-Treasurer to charge the landowner that is farming a 2.36 tax forfeited parcel in Traverse Township, rent at \$225.00 per 'tillable' acre. The motion carried unanimously.

Human Resources Director Jamie Haefner addressed the Board to provide information about several new and replacement hirings:

Sheriff David Lange has hired several new/replacement staff:

Joni Anderson was hired to fill the new 911 Dispatcher position. Ms. Anderson began her position on February 29, 2013 at a salary of \$15.43 per hour, which represents pay step 3 of pay grade 12 (of the 2012 scale).

Colin Hulke was hired to replace Leslie Bianchi. Mr. Hulke begins his position on March 11, 2013 at a salary of \$15.43 per hour, which represents pay step 3 of pay grade 12 of the 2012 pay scale.

Auditor-Treasurer Bridgette Kennedy has hired two replacement staff:

Barbara Blashack was hired to fill the 20 hours per week shared position of Financial Assistant. Ms. Blaschack begins her position on February 25, 2013 at a salary of \$10.71 per hour which represents pay step 1 of pay grade 7.

Amanda Harju was hired to fill the vacant Clerk 2 position vacated by Rebecca DeYonge. Ms. Harju begins her duties on February 22, 2013 at a salary of \$10.71 per hour, which represents pay step 1 of pay grade 7.

Human Resources Director Haefner also requested approval of an end of probation request for 911 Dispatcher Derrek Harju. Upon a motion by Commissioner Stenson and seconded by Kolars, it was moved to accept the recommendation of the

Human Resources Director for the County Sheriff and approve the end of probation request for 911 Dispatcher Derrek Harju, and declare that he is a regular Nicollet County employee, effective March 13, 2013. The motion carried unanimously.

At this time, Director Haefner provided information to the Board relating to the recent Compensation Study completed by Fox Lawson. She presented information about the project and requested approval of a resolution in that regard. There were comments by several Commissioners noting how the compensation study process was completed, how it will be paid for, and how the implementation of the plan will be beneficial to the employees. It was noted that the study will be implemented in three phases – April 1, 2013, October 1, 2013 and April 1, 2014. Upon a motion by Commissioner Beatty and seconded by Stenson, it was moved to accept the recommendation of the Human Resources Director for the Compensation Committee and approve the resolution approving recommendations following the compensation system study for non-union employees. On a roll call vote, Commissioners Beatty, Stenson, Kolars and Haack voted yes and Commissioner Dranttel voted no. The motion carried 4-1. List resolution

At this time, Administrator Krosch addressed the Board regarding the level two grievance appeal. The grievant, Ms. Karen Gerhardson, was given the option under the Open Meeting Law of having the meeting closed or open. Ms. Gerhardson requested the meeting remain open. The hearing concluded following brief discussion. Upon a motion by Commissioner Stenson and seconded by Dranttel, it was moved to affirm the disciplinary action of August 3, 2012 by Ms. Dawn Michels and Ms. Joan Tesdahl, as further affirmed by Acting County Administrator Bridgette Kennedy on October 30, 2012, with respect to the verbal reprimand given to Ms. Karen Gerhardson on or about August 3, 2012 based upon the evidence provided at the Level 2 grievance hearing, which included the testimony of Ms. Gerhardson, Ms. Michels, and Ms. Tesdahl and the written e-mail correspondence and notes of the August 3, 2012 disciplinary meeting with Ms. Gerhardson. On a roll call vote, all Commissioners voted yes and the motion carried unanimously.

At this time, the Chair closed the Board meeting under the Open Meeting Law to discuss an attorney-client issue.

Chair Haack reopened the meeting.

County Administrator's report included information about the following items/meetings:

- No report

Commissioner and Chair David Haack reported on the following meetings:

- Various Board meetings
- North Mankato Liaison Meeting
- Meeting with State Auditor's Office representatives
- Traverse des Sioux Library Budget Committee

The Commissioners reported on various past and future activities/meetings, including:

Commissioner Marie Dranttel

- Attended various Board and budget meetings
- Personnel Committee
- Brown/Nicollet Community Health Meeting
- Ditch Committee Meeting
- Planning & Zoning Advisory Commission meeting

Commissioner Bruce Beatty

- Various Board meetings
- Minnesota River Board
- Connecting Nicollet County
- Personnel Policy meeting
- Ditch Committee meeting
- Brown/Nicollet Community Health Executive Committee meeting

Commissioner James Stenson

- Various County Board meetings
- Compensation Study meetings
- Building Committee meeting
- Liaison Committee meeting with North Mankato officials
- Individual Department meeting with Social Services Director Joan Tesdahl
- Policy/Personnel Committee meeting
- Brown/Nicollet Community Health Executive Meeting

Commissioner Jack Kolars

- Various Board meetings
- Legislative Meeting
- Building Committee meeting
- Election Canvas Board
- Connecting Nicollet County meeting/luncheon

Upon a motion by Commissioner Stenson and seconded by Dranttel, it was moved to approve the expenses and per diems for the meetings noted above during the Commissioner reports and/or listed on the Claims Listing, and authorize payment of those expenses and per diems by the Auditor-Treasurer's Office. The motion carried unanimously.

Chair Haack adjourned the meeting at 12:31 p.m. The motion carried unanimously.

CLAIM REPORT
FOR REGULAR COUNCIL MEETING OF MARCH 18, 2013

74497	Interstate Auto Center, Inc.	2005 Ford F350 Dump Truck-Equipment Certificates	\$11,700.00
74498	C & S Supply Co., Inc.	equipment parts & supplies-All Depts.	\$736.80
74499	Harrenstein, John	Cobra April health insurance-Admin	\$1,614.03
74500	ICMA Retirement Trust - 457	employee payroll deductions	\$4,193.85
74501	ICMA Retirement Trust - Roth IRA	employee payroll deductions	\$460.00
74502	PowerPlan	equipment parts-Street & Sanitation	\$233.39
74503	Verizon Wireless	cell phone bill-Comm Dev, Port Auth & Public Access	\$168.16
74504	Xcel Energy	electric bill-All Depts.	\$22,075.02
74505	Charter Communications	high speed data service-Pol, Fire, Contingency & P/A	\$442.96
74506	HickoryTech	telephone & internet bill-All Depts.	\$3,324.04
74507	AT & T Mobility	cell phone bill-Bookmobile	\$24.11
74508	Cardmember Service	charge card items-All Depts.	\$8,659.47
74509	Minnesota Department of Health	Class "C" water license-Water Dept.	\$23.00
74510	Navitor	business cards-Admin & Water	\$233.09
74511	Mayflower Transit	moving expense-Admin	\$6,611.25
	Ameripride Services	gloves, mats, uniform & towel service-All Depts.	\$754.33
	Arnold's of North Mankato	equipment parts-Park Dept.	\$521.15
	Bauer's Upholstery	equipment repair-Street Dept.	\$190.16
	Beacon Athletics	supplies-Caswell	\$518.28
	Blanshan, Dale	Community Read presentation-Library	\$237.50
	Braun Intertec	geo engineering fee-Sales Tax Construction	\$1,232.50
	Caretaker's Inc.	snow removal-Public Assess	\$82.60
	Carquest Auto Parts Stores	equipment parts & supplies-All Depts.	\$1,175.35
	Centurion Holdings, LLC	license maint fee renewal-Adm, Library & P/A	\$395.48
	City Center Partnership	2013 contribution City/Art Walking Sculpture tour	\$3,000.00
	City of Mankato	water bill-Public Access	\$24.33
	Computer Technology Solutions	server rack/cabinets-Finance, Police & Water	\$826.79
	Connect Business Magazine	ad-Comm Dev	\$479.00
	Crysteel Truck Equipment	lift gate for new vehicle-Sewer Dept.	\$1,974.90
	Display Sales	flag poles-Street Dept.	\$277.57
	Express Services, Inc.	temporary crossing guards-Police Dept.	\$772.20
	Fastenal Companies	equipment parts & supplies-Street & Park Depts.	\$112.67
	Ferguson Enterprises, Inc.	plumbing supplies-Caswell & Park Depts.	\$343.30
	Flags USA	flags-Mun Bldg	\$525.00
	FleetPride	equipment parts-Street & Park Depts.	\$1,044.32

CLAIMS CONTINUED

Forrey Septic Systems & Excavating	road sand-Street Depts.	\$515.66
Free Press	ads-Mun Bldg & Comm Dev	\$197.43
Freyberg Petroleum Sales, Inc.	oil-All Depts.	\$2,216.34
G & L Auto Supply	equipment parts-Police, Fire, Street & Park Depts.	\$231.81
Gale Group	book-Library	\$25.59
Gopher State One-Call	one-call locates-Inspections	\$42.45
Grainger	exhaust fan-Park Dept.	\$332.82
Hansen Sanitation	refuse pickup-Shop, Park, Sanit & Public Access	\$159.12
Ingram Library Services	books-Library & Bookmobile	\$1,248.14
Keller, J.J. & Associates, Inc.	drug testing-All Depts.	\$767.20
Kennedy & Kennedy Law Office	legal services-Attorney	\$8,039.35
LJP Enterprises of St. Peter	gaylords & wire baling-Sanitation	\$220.00
LJP Waste & Recycle	transportation charges-Sanitation	\$358.40
Lawson Products, Inc.	supplies-Shop	\$931.00
L.M.C.I.T.	amended property insurance 5/2012 to 5/2013-All Depts.	\$271.00
Little Falls Machine, Inc.	equipment parts-Street Dept.	\$118.08
Long-Term Care	long term care payment employee reimbursed	\$163.64
MacQueen Equipment, Inc.	equipment parts-Street Dept.	\$1,963.25
MacTools Distributor	supplies-Shop	\$53.68
Mankato Bearing Co.	lubricant-Shop	\$124.21
Mankato Ford, Inc.	equipment parts-Mun Bldg	\$304.72
Mankato Motor Company	equipment parts-Street & Water Depts.	\$201.28
Matheson Tri-Gas	welding supplies-Shop	\$102.60
Mayo Clinic Health System	physicals-Fire & Library	\$4,019.00
McGowan Water Conditioning	salt for softener-Library	\$52.20
Menards-Mankato	supplies & shop vac-Mun Bldg, Street, Park & Water	\$612.34
Minnesota Department of Health	Class "B" water license renewal-Water Dept.	\$23.00
Minnesota Iron & Metal Company	equipment parts & supplies-Street & Caswell	\$499.33
Minnesota Petroleum Service	additive for fuel tanks-Shop	\$210.99
Minnesota Pipe & Equipment	equipment parts-Water Dept.	\$885.75
Minnesota Valley Testing Lab	water testing-Water Dept.	\$158.75
Minnesota Waste Processing Co.	processing fees-Sanitation	\$16,174.84
Moss & Barnett	legal service-Public Access	\$839.00
MTI Distributing, Inc.	equipment parts-Caswell & Park	\$739.45
North Central International	equipment parts-Street Dept.	\$233.48
Northland Securities, Inc.	debt study-Finance	\$340.00
Nuss Truck & Equipment	equipment parts-Mun Bldg	\$423.95
Overhead Door Co. of Mankato, Inc.	overhead door repair-Fire Dept.	\$80.95
Petty Cash, Clara Thorne	petty cash items-All Depts.	\$359.41
Plunkett's Pest Control, Inc.	professional service-Street & Shop	\$121.98

CLAIMS CONTINUED

Quality Overhead Door Co., Inc.	door repair at cold storage-Street Dept.	\$280.00
Quest Diagnostics	drug testing-Fire Dept.	\$103.75
River Bend Business Products	copier maintenance-Police & Library	\$134.55
Sherwin-Williams	paint-Park Dept.	\$261.90
Shine-Way Janitorial Service, Inc.	carpet cleaning-Library	\$65.00
Southern Minnesota Construction	sand-Street & Water Depts.	\$317.19
Southwest MN Chapter of ICC	2013 membership-Inspections	\$160.00
Tactical Solutions	radar & laser calibration-Police Dept.	\$203.00
Tire Associates	tires-Street, Caswell & Park Depts.	\$1,802.93
Tool Sales Co.	supply-Shop	\$8.59
Turfwerks	equipment parts-Caswell	\$97.25
US Postal Service	postage-All Depts.	\$3,000.00
Verizon Wireless	cell phone & internet bill-Adm, Pol, Insp & Bookmobile	\$215.09
Viking Electric Supply	electrical supplies-Mun Bldg, Street Lighting & Park	\$671.62
Winter Equipment Co.	plow blades-Street Dept.	\$6,263.43
		<hr/>
Total		<u>\$132,933.09</u>

CLAIMS CONTINUED

General	\$73,276.67
Library	\$6,683.09
Bookmobile	\$756.09
Community Development	\$3,938.34
Contingency	\$128.99
Port Authority	\$52.72
Equipment Certificates	\$11,700.00
Local Option Sales Tax Construction	\$1,232.50
2013 Construction	\$53.72
Water	\$7,977.47
Sewer	\$5,762.57
Sanitary Collection	\$18,367.60
Storm Water	\$1,065.48
Public Access	<u>\$1,937.85</u>
Total	<u><u>\$132,933.09</u></u>

PORT AUTHORITY INVOICES
FOR REGULAR COUNCIL MEETING OF MARCH 18, 2013

Verizon Wireless	cell phone bill-Port Authority	<u>\$52.72</u>
Total		<u><u>\$52.72</u></u>

List of Port Authority Bills in the Amount of \$52.72

Council Meeting of March 18, 2013

Mayor Mark Dehen

Council Member Kim Spears

Council Member Diane Norland

Council Member William Steiner

Council Member Robert Freyberg

List of Bills in the Amount of \$132,933.09

Council Meeting of March 18, 2013

Mayor Mark Dehen

Council Member Kim Spears

Council Member Diane Norland

Council Member William Steiner

Council Member Robert Freyberg

PRELIMINARY AND FINAL PLAT
OF BENSON WEST

OUTLOT A, ROLLING GREEN ADDITION NO. 3

A REQUEST FROM MIKE DRUMMER/RIST FAMILY

THE CITY OF NORTH MANKATO

SUBJECT: Preliminary and Final Plat of Benson West
APPLICANT: Mike Drummer/Rist Family
LOCATION: Outlot A, Rolling Green Addition No. 3
EXISTING ZONING: OR-1, Office-Residential
DATE OF HEARING: March 14, 2013
DATE OF REPORT: March 7, 2013
REPORTED BY: Michael Fischer, City Planner

APPLICATION SUBMITTED

Request to replat Outlot A, Rolling Green Addition.

COMMENT

The applicants are proposing to replat Outlot A, Rolling Green Addition No. 3 to accommodate the development of multiple-family dwellings between Lookout Drive and Rolling Green Lane. Attached as Exhibit A is Rolling Green Addition No. 3. As shown on Exhibit B, the proposal consists of 6 six-unit and 15 four-unit dwellings for a total of 96 units on 10.76 acres of undeveloped property.

The property is currently zoned OR-1, Office-Residential and is regulated by Section 156.050 of the City Code. As stated within the permitted uses, one-, two- and multiple-family dwellings are permitted. The proposed layout of the development as shown on Exhibit B consists of twenty-one (21) individual lots and Outlot A. Each lot either has a four-unit or six-unit residential dwelling shown. Outlot A would be reserved for parking and green space. The final plat is shown on Exhibit C.

According to Section 156.050, the following regulations are applicable to this request:

Minimum lot size –	10,000 square feet
Minimum lot frontage –	100 feet
Building setbacks:	
Front -	30 feet
Side -	10 feet
Rear -	25 feet

Maximum ground coverage - 60 percent of lot
Maximum building height - 45 feet
Maximum curb openings - 24 feet

With the exception of Lot 3, Block 1 (NW corner of plat) all lots conform to the regulations set forth in 156.050. Specifically, the lot does not have 100 feet of lot frontage. However, there is 216 feet of frontage along Lookout Drive. Furthermore, the access to Lot 3 is considered a private driveway and would not be maintained by the City.

When platting new residential subdivisions, there are design standards as regulated by Section 155.45 through 155.99. The standards regulate the design of streets, alleys, sidewalks, easements, utilities, etc... After review of the proposed development, all criteria have been addressed.

RECOMMENDATION

Should Lot 3, Block 1, be modified to meet the lot frontage requirement, staff recommends approval of the preliminary and final plat of Benson West.

ROLLING GREEN ADDITION NO. 3 CITY OF NORTH MANKATO NICOLLET COUNTY, MINNESOTA

INCORPORATION OF RESOLUTION
 Where all men by their persons, that is, John A. Rist and Patricia J. Rist, husband and wife, Loren E. Rist, and Linda A. Rist, husband and wife, Albert J. Rist and Corneille E. Rist, husband and wife and Janet L. Rist, a single person, owners of the following described property to wit:
 Parcel A, Block Rolling Green Addition, according to the plat thereof on file and of record with the Nicollet County Recorder. Containing 13.76 acres.
 do hereby declare that we have covered the above described property to be surveyed and platted and monuments to be set, that we have named said plat and the plat of Rolling Green Addition No. 3, and that we desist to the public use of the same, when hereon.

John A. Rist
 Patricia J. Rist
 Linda A. Rist
 Albert J. Rist
 Corneille E. Rist
 Janet L. Rist

NOTARY PUBLICS
 State of Minnesota
 County of Nicollet
 In Attest that on this _____ day of _____, 2022, before me a Notary Public within and for said County, personally appeared John A. Rist, husband and wife, Loren E. Rist, husband and wife, Albert J. Rist and Corneille E. Rist, husband and wife and Janet L. Rist, a single person, who being duly sworn and acknowledged in the foregoing instrument, and who being duly sworn and acknowledged in their first and true names and surnames as therein stated.

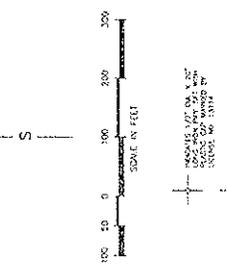
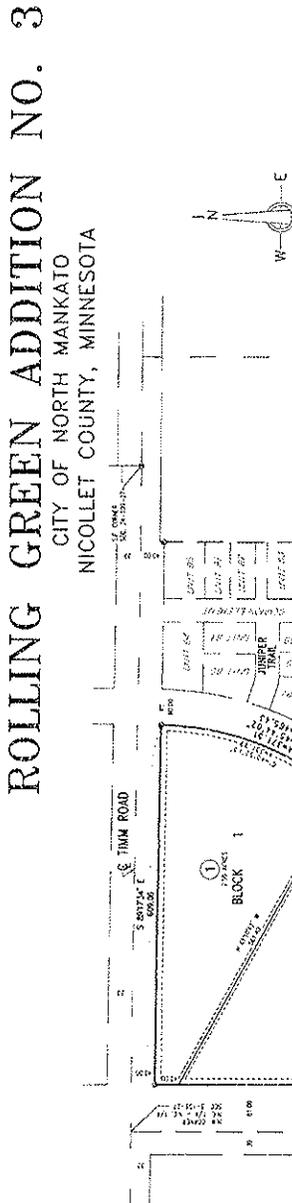
NOTARY PUBLIC
 I, Karen P. Smith, Professional Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on this plat; prepared this plat or directly supervised the preparation of this plat of Rolling Green Addition No. 3; that this plat is a correct and true and accurate representation of the land as shown on the ground and that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 50B.02, Subd. 3, as of the date of this plat, have been shown and located on this plat, and all public ways are shown and located on this plat.

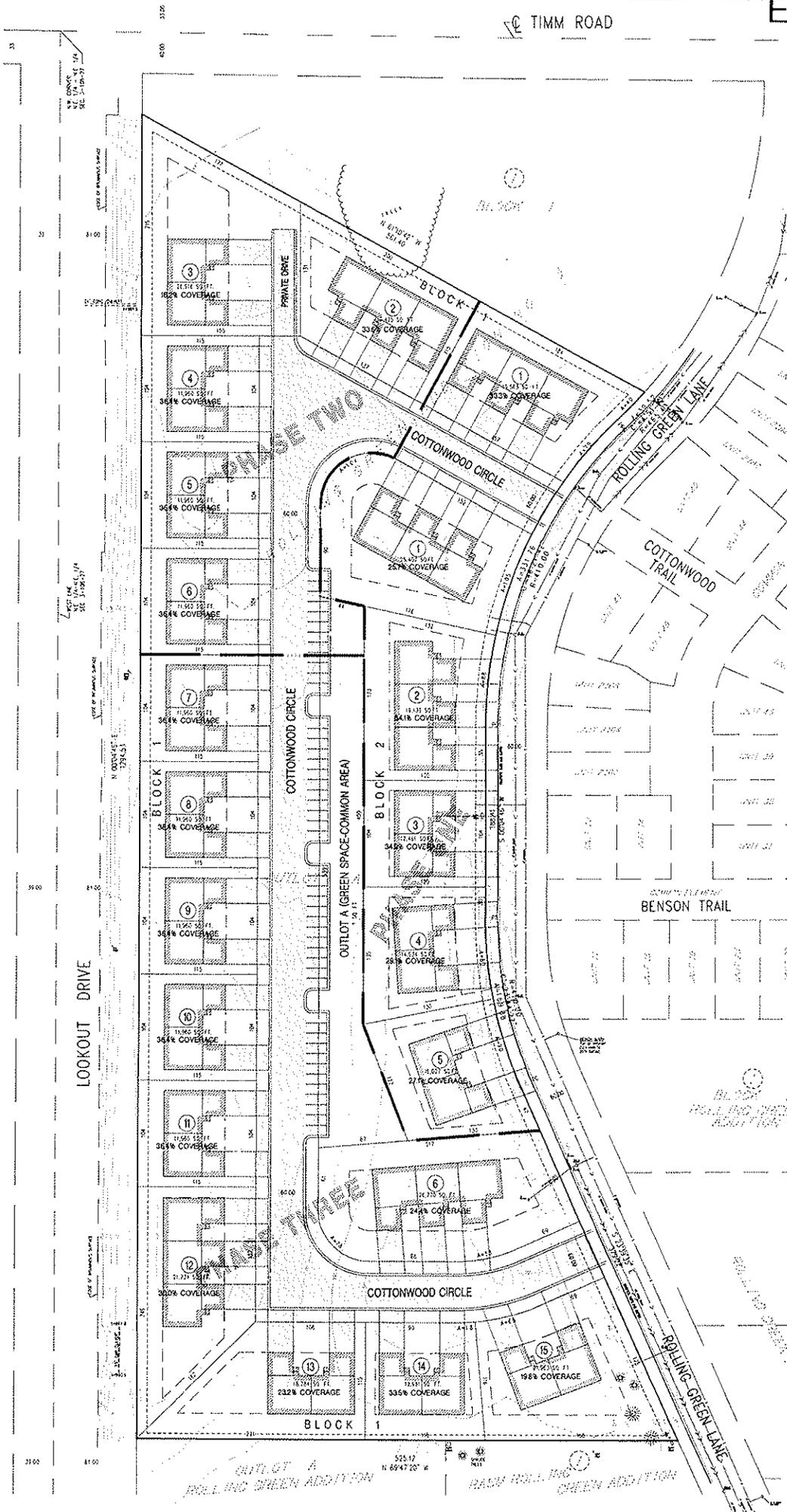
Dated this _____ day of _____, 2022.
 Karen P. Smith, Professional Land Surveyor
 Minnesota License No. 147201

APPROVALS
 We, the Board of Commissioners of the City of North Mankato, do hereby approve this plat of Rolling Green Addition No. 3.
 Mayor _____
 Clerk _____
 Secretary _____

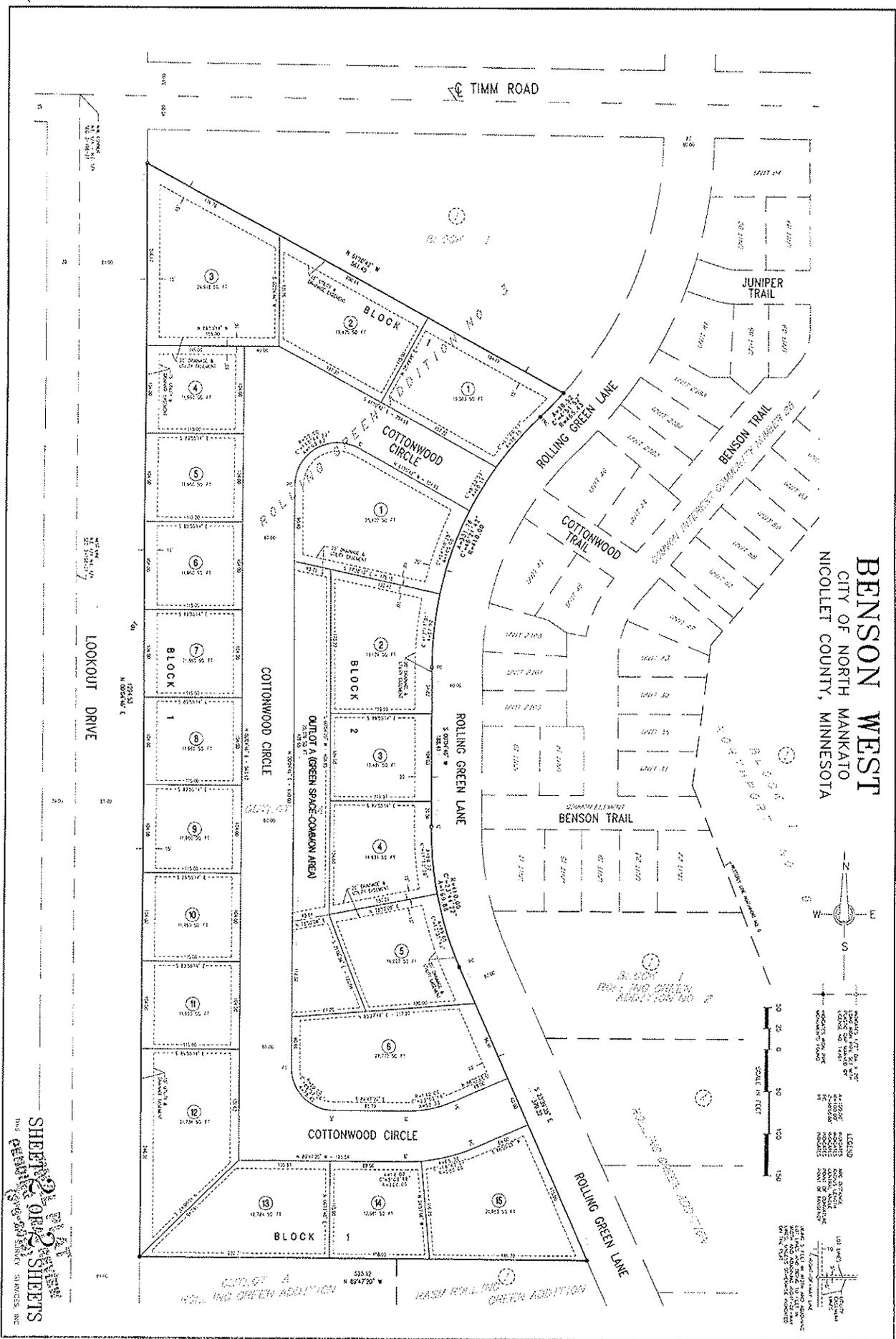
FILE OPINION
 I, Howard F. Hays, a licensed attorney in the State of Minnesota, do hereby certify that the owners on this plat have paid all existing taxes and charges on the land depicted by this plat.
 Howard F. Hays, Licensed Attorney

COUNTY AUDITOR'S OPINION
 I hereby certify that there are no delinquent taxes and/or delinquent special assessments, that the current taxes have been paid and that the transfer has been entered on the land described herein on the _____ day of _____, 2022.
 County Auditor/Treasurer





BENSON WEST
CITY OF NORTH MANKATO
NICOLLET COUNTY, MINNESOTA



SHEETS & ASSOCIATES
THE CENTER FOR ENVIRONMENTAL SCIENCE, INC.

Z-3-13

2107 NORTH RIDGE DRIVE

A REQUEST FROM DARCY WENNES -
BELLE HOUSE

THE CITY OF NORTH MANKATO

SUBJECT: Z-3-13

APPLICANT: Darcy Wennes – Belle House

LOCATION: 2107 North Ridge Drive

EXISTING ZONING: R-1, One-Family Dwelling

DATE OF HEARING: March 14, 2013

DATE OF REPORT: March 7, 2013

REPORTED BY: Michael Fischer, City Planner

APPLICATION SUBMITTED

Request to rezone 2107 North Ridge Drive from R-1, One-Family Dwelling to R-2, One- and Two-Family Dwelling.

COMMENT

The applicant is proposing to rezone the residential property addressed as 2107 North Ridge Drive from R-1 to R-2. Currently, the property called Belle House is a state-licensed home for six (6) unrelated recovering alcoholic women. Minnesota Statute 462.357 Subd. 7 states that as a state-licensed residential facility or housing with services establishment registered under Chapter 144D serving six (6) or fewer persons shall be considered a permitted single-family residential use of property for the purposes of zoning.

The applicant is requesting a zoning change from R-1 to R-2 to allow the home to be used as a duplex and accommodate four (4) unrelated persons in each unit. However, State statute would allow up to six (6) persons per unit.

In Septemer of 2012, the applicant made a request to the City Council to grant a Reasonable Accommodation to allow eight (8) unrelated persons to live in the single-family home. As part of the process, a hearing was held and the City Council denied a request for Reasonable Accommodation to allow up to eight (8) unrelated females to live at Belle House. Attached are the findings of fact from the September 2012 hearing.

In 2012, the applicant purchased 2107 North Ridge Drive for use as Belle House. The previous owner used the home as a single-family dwelling and it was never licensed as a duplex. The property was affected by the City-wide downzoning which occurred in 2005 where the property was rezoned from R-2 to R-1. According to building permit records the home was built as a single-family dwelling in 1980. In that same year, a permit was granted to create a basement apartment.

Attached is the policy for rezoning residential properties affected by the 2005 city-wide downzoning. While staff believes policy criteria 1 and 2 can be met, under number 3, the dwelling has not been continually used and licensed as a multiple-family dwelling.

RECOMMENDATION

Staff recommends denial of Z-3-13 as the request does not conform to the rezoning policy adopted by the Planning Commission and City Council in December 2012.

BELLE HOUSE, LLC

Darcy Wennes MSW, LGSW
Belle House, LLC
February 20, 2013

Mike Fisher
City of North Mankato
1001 Belgrade Ave
North Mankato, MN 56002-2055

Dear Mr. Fisher:

Per our previous conversations, I would like to officially request a March 2013 hearing with the zoning and planning commission of North Mankato to request that the Belle House, LLC property at 2107 Northridge Dr. be rezoned under R2 status.

The property, as verified by your office, was originally built as a multiple family duplex. The property was owned and used as a duplex- rented to multiple families for many years, and is currently licensed as a R2 "type" multiple family board and lodge facility since June 6, 2012.

We feel this qualifies Belle House for R-2 consideration under the *City of North Mankato Policy for Rezoning of Residential Properties Affected by 2005 City-Wide Down Zoning*, adopted by the Planning commission on 12/13/12 and by the City council on 12/17/12.

Sincerely,



Darcy Wennes
Owner-Executive Director



2188 Rolling Green Ln
North Mankato, MN
56003

PHONE (507) 420-5671
E-MAIL bellehousemn@gmail.com

In Re:

The Application of Belle House, LLC

After due notice a hearing was held on the 24th day of September, 2012 before the members of the North Mankato City Council appointed to act as a hearing body to determine whether to grant the request for Reasonable Accommodation brought by Applicant. The City Council makes the following

Findings of Fact:

1. Darcy Wennes owns Belle House, LLC.
2. Belle House, LLC serves clients who are recovering female alcoholics.
3. The City of North Mankato stipulated that Darcy Wennes and Belle House, LLC have standing to make the request for Reasonable Accommodation as surrogates for persons who are defined as disabled persons by the Fair Housing Amendments Act of 1988 and the Americans with Disabilities Act.
4. Belle House, LLC, by and through its owner, Darcy Wennes, requested the City of North Mankato provide Reasonable Accommodation by allowing up to eight unrelated female residents to live at 2107 Northridge Drive, North Mankato, Minnesota in a board and care facility for alcoholic women.
5. The property at 2107 Northridge Drive in within an area zoned R-1 (Single family residences) by the City of North Mankato.
6. The property at 2107 Northridge Drive has never been licensed as a rental facility by the City of North Mankato.
7. On August 13, 2012 pursuant to Minnesota Statute 15.99 sub. 3(f) the City of North Mankato extended an additional sixty (60) days the time to consider the initial application of Belle House, LLC. This extended the time for determination from September 2, 2012 to November 1, 2012.

8. Testimony was presented at the hearing of several other similar residential facilities existing in similar size communities serving a maximum of six (6) residents at a time.

9. Testimony was presented at the hearing that no more than two (2) unrelated persons are allowed to reside in a single residence in an area zoned R-1 in North Mankato.

10. Minnesota Statute 462.357 Sub. 7 states a state licensed residential facility or a housing with services establishment registered under Chapter 144D serving six (6) or fewer persons shall be considered a permitted single family residential use of property for the purposes of zoning.

11. Testimony was presented at the hearing that exceeding the number of persons allowed under Minnesota Statute 462.357 Sub. 7 would impose an undue financial or administrative burden on the City of North Mankato.

12. Testimony was presented at the hearing that exceeding the number of persons allowed under Minnesota Statute 462.357 Sub. 7 would create a fundamental alteration of North Mankato's land use and zoning scheme, and it is not a reasonable accommodation.

Conclusions of Law

1. Minnesota Statute 462.357 Sub. 7 establishing six (6) unrelated persons as the maximum allowed in a residential facility where the property is zoned R-1 (Residential) is reasonable and is not discriminatory.

2. Allowing six (6) unrelated persons to reside in a residential facility zoned R-1 exceeds substantially the number of unrelated persons allowed in any residence not covered by the Fair Housing Act or the Americans with Disabilities Act.

3. The accommodation requested by Belle House, LLC is not reasonable in that the current limit of six (6) unrelated persons is already triple what would be allowed any other owner/occupant of land in a R-1 zone in North Mankato.

4. The accommodation requested by Belle House, LLC is not necessary in that other similar homes have been shown to operate with six (6) or fewer occupants.

5. The accommodation requested by Belle House, LLC is not required to afford handicapped persons equal opportunity to use and enjoy housing as the six (6) person capacity already exceeds the opportunity enjoyed by those not protected by the Fair Housing Act or the Americans with Disabilities Act.

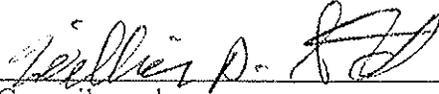
6. The accommodation requested by Belle House, LLC imposes an undue financial or administrative burden on the City of North Mankato.

7. The accommodation requested by Belle House, LLC creates a fundamental alteration to North Mankato's land use and zoning scheme and is not a reasonable accommodation.

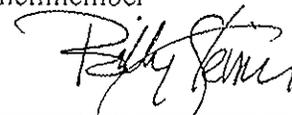
ORDER

1. Belle House, LLC's request for reasonable accommodation to allow up to eight unrelated females to cohabitate at 2107 Northridge Drive, North Mankato, Minnesota is DENIED.

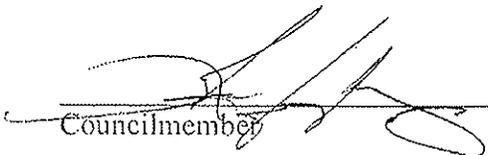
I agree to the above Findings of Fact, Conclusions of Law and vote to DENY the request of Belle House, LLC for a reasonable accommodation to allow up to eight unrelated females to cohabitate at 2107 Northridge Drive, North Mankato, Minnesota.



Councilmember



Councilmember



Councilmember

**CITY OF NORTH MANKATO
POLICY FOR REZONING OF RESIDENTIAL PROPERTIES
AFFECTED BY 2005 CITY-WIDE DOWN ZONING**

In response to the conversion of one-family dwellings into two-family dwellings, in May of 2005 the City Council adopted ordinances which down zoned residential areas within the City from R-2, One- and Two-Family Dwelling to R-1, One-Family Dwelling. As a result, due to the presence of multi-family dwellings in R-1 zoning districts, non-conforming uses were created which can pose challenges for refinancing or resale of certain properties. For this reason, this policy is created to accommodate zoning changes for certain non-conforming uses.

For properties which are considered non-conforming due to the down zoning in 2005, rezoning approval for City-approved districts will be granted by the City of North Mankato if the owner can demonstrate the following:

1. The dwelling was originally permitted and constructed as a multiple-family dwelling.
2. The dwelling was originally located in a zoning district which allowed such use.
3. The dwelling has been continually used and licensed as a multiple-family dwelling.

Approval will be granted by both the Planning Commission and City Council at regular scheduled meetings including proper public notification. The rezoning application fee will be waived; however, the fee for required neighborhood notifications will apply.

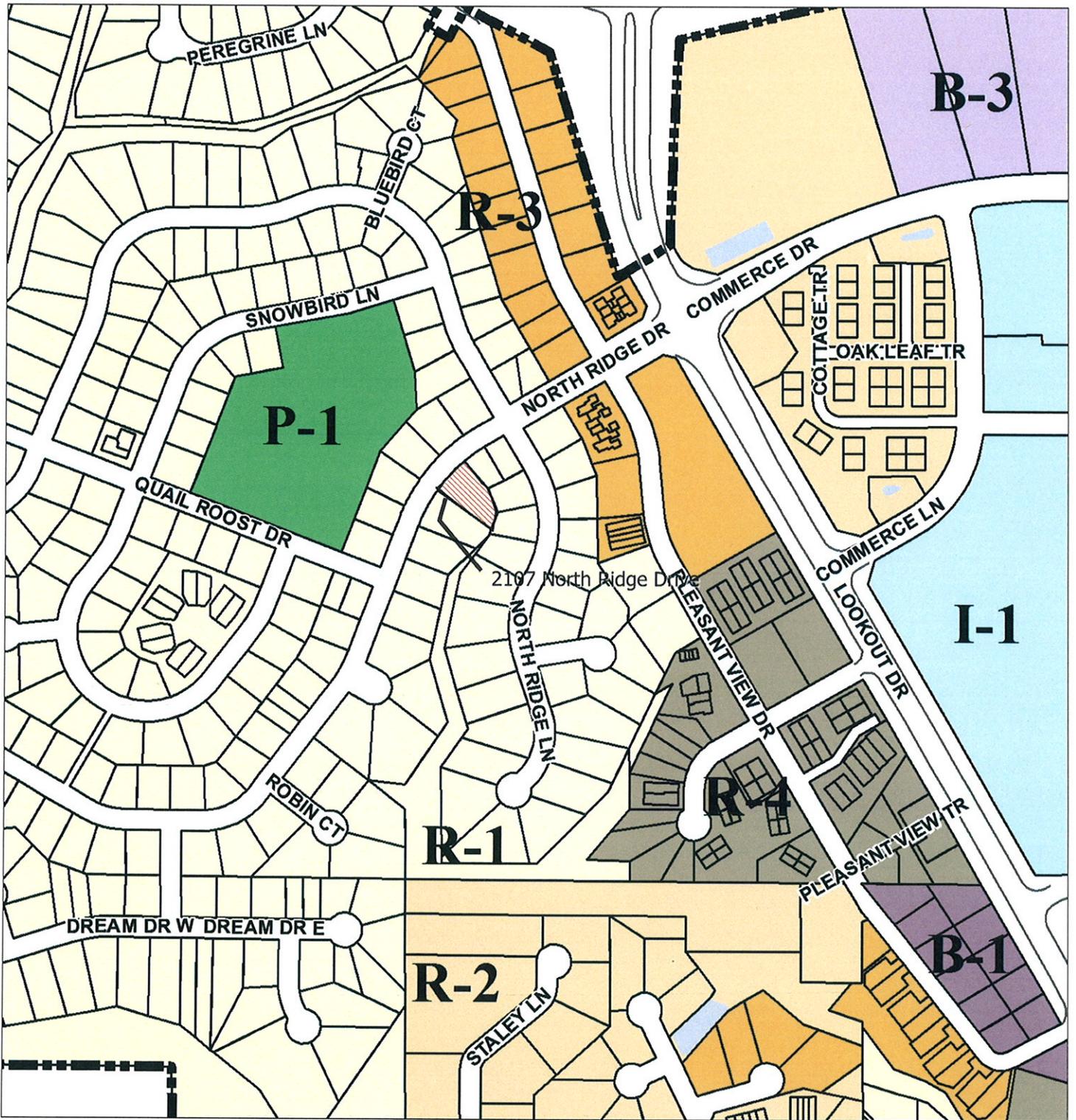
This policy was adopted by the Planning Commission on 12/13/12 and by the City Council on 12/17/12.

PLANNING COMMISSION


Chair

CITY COUNCIL


Mayor



Map Name



March 1, 2013

Dear Resident:

The City of North Mankato has received a request from Darcy Wennes of Belle House to rezone the property addressed as 2107 North Ridge Drive from R-1, One-Family dwelling to R-2, One- and Two-Family dwelling. The requested rezoning would permit the home to be as a two-family dwelling and increase the resident occupancy.

This request will be considered by the North Mankato Planning Commission on March 14, 2013 and by the City Council on March 18, 2013. Both meetings begin at 7 p.m. in the Municipal Building Council Chambers located at 1001 Belgrade Avenue.

As a nearby resident, you have the opportunity to comment on the rezoning request. You may send written comments by March 14, 2013 or appear at either or both meetings.

Sincerely,

THE CITY OF NORTH MANKATO

Michael Fischer
City Planner

MF:ng



Thomas A Paradis
109 Victoria Blvd
Mankato, MN 56001

Kuiper Enterprises LLC
317 Meadow Woods Drive
Mankato, MN 56001

Lawrel V & Kathleen A Woods
1663 Pleasant View Drive
North Mankato, MN 56003

Adrienne M Watts
1667 Pleasant View Drive #5
North Mankato, MN 56003

Lorraine Leslie Anderson
1671 Pleasant View Drive
North Mankato, MN 56003

Neil C & Vicki L Saucier
1675 Pleasant View Drive
North Mankato, MN 56003

Cara L Bruegger
1679 Pleasant View Drive
North Mankato, MN 56003

Joan E Klanderud
1683 Pleasant View Drive
North Mankato, MN 56003

Woodridge LLC
116 Blace Avenue
Eagle Lake, MN 56024

Scott G Nelson
1627 North Ridge Lane
North Mankato, MN 56003

Glen P Meyer Jr
1701 Quail Roost Drive
North Mankato, MN 56003

Barbara F Hinz
2008 North Ridge Drive
North Mankato, MN 56003

Aaron D Bode
1624 North Ridge Lane
North Mankato, MN 56003

Barbara D Sorensen
2104 North Ridge Drive
North Mankato, MN 56003

Charles E & Jo L Johnson
2121 North Ridge Drive
North Mankato, MN 56003

Garry & Colleen Bach
1620 North Ridge Lane
North Mankato, MN 56003

Thomas L & Dawn E Peymann
1629 North Ridge Lane
North Mankato, MN 56003

Robert T & Lynea E Flom
1626 North Ridge Lane
North Mankato, MN 56003

Stefan G Burton
6 Indian Creek Road
Mankato, MN 56001

Polly E Browne
2474 North Ridge Drive
North Mankato, MN 56003

Blaine B & Jessica Boyd
1616 North Ridge Lane
North Mankato, MN 56003

Dennis M & Karen D Wahlstrom
1700 Quail Roost Drive
North Mankato, MN 56003

Todd J & Nancy M Trautman
1623 North Ridge Lane
North Mankato, MN 56003

Gregory & Patricia Sjulstad
1618 North Ridge Lane
North Mankato, MN 56003

David R Sundstrom
2232 St. John Court
North Mankato, MN 56003

Joseph B Butler
1631 Pleasant View Drive
North Mankato, MN 56003

Eric A & Jessica Johnson
14 Cardinal Court
North Mankato, MN 56003

John A & Kristy A Stoffel
1621 North Ridge Lane
North Mankato, MN 56003

Curtis & Dain Fisher
2117 North Ridge Drive
North Mankato, MN 56003

Richard Beerling &
Linda M Danielson
2481 North Ridge Drive
North Mankato, MN 56003

Gilbert D & Sally L Hanson
1622 North Ridge Lane
North Mankato, MN 56003

James Lee & Marlene Ann Jilek
10 Cardinal Court
North Mankato, MN 56003

William K & Joyce J Hankins
2113 North Ridge Drive
North Mankato, MN 56003

Sean P Webb
2108 North Ridge Drive
North Mankato, MN 56003

Theresa L Ahl
2482 North Ridge Drive
North Mankato, MN 56003

David J & Cindy L Maczkowicz
1619 North Ridge Lane
North Mankato, MN 56003

Thomas M & Shawna L Wolfe
2136 North Ridge Drive
North Mankato, MN 56003

John O & Connie M Gleason
2109 North Ridge Drive
North Mankato, MN 56003

Michael R & Teresa R Sellner
2478 North Ridge Drive
North Mankato, MN 56003

Margaret M Schorer
2477 North Ridge Drive
North Mankato, MN 56003

Dale R & Lori L Plemmons
2112 North Ridge Drive
North Mankato, MN 56003

Joshua G & Christine R Ahmann
2103 North Ridge Drive
North Mankato, MN 56003

Thomas M & Nancy K Sorenson
1625 North Ridge Lane
North Mankato, MN 56003

Application for
REZONING

Pursuant to Chapter 156 of the North Mankato City Code, application is hereby made to amend the City of North Mankato Zoning Map as described herein.

LEGAL DESCRIPTION OF PROPERTY:

Lot # 56 Block # 5
Subdivision North Ridge Estates Address 2107 North Ridge Drive

APPLICANT:

Name Darcy Wennes Address 2188 Rolling Green Ln. Phone _____

PROPERTY OWNER (If Other Than Applicant):

Name _____ Address _____ Phone _____

CURRENT ZONING: R-1 CURRENT USE OF PROPERTY: Board and Lodge Facility

PROPOSED ZONING: R-2, One and Two-Family Dwelling

REASON ZONING CHANGE NEEDED: Convert single-family home into a two-family home.

REQUEST PREVIOUSLY CONSIDERED? Yes ___ No X If Yes, date _____

Comments:

SUPPORTING DOCUMENTS:

	Required	Attached		Required	Attached
Plot Plan	_____	_____	Comment Letters	_____	_____
Floor Plan	_____	_____	Performance Test	_____	_____
Landscaping Plan	_____	_____	Petition	_____	_____
Parking/Loading Plan	_____	_____	Development Schedule	_____	_____
Survey	_____	_____	Proposed Regulations	_____	_____
Other _____	_____	_____			

FEES: Application Fee \$ Waived

Notice Charge # 44 @ \$ 2.00 = \$ 88.00

Total Fee \$ 88.00 Receipt # _____

I hereby certify that the information both described in and attached to this application is correct and true.

Signature of Applicant _____ Date _____

ORDINANCE NO. 50, FOURTH SERIES

AN ORDINANCE OF THE CITY OF NORTH MANKATO, 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 rezone 2107 North Ridge Drive from R-1, One-Family Dwelling to R-2, One- and Two-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 18th day of March 2013.

Mayor

ATTEST:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #11D	Department: City Planner	Council Meeting Date: 03/18/13
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TITLE OF ISSUE: V-1-13, Request for lot area, lot width, setback and lot coverage variances at 400 Wall Street, a request from the North Mankato Port Authority and Vanyo Moody

BACKGROUND AND SUPPLEMENTAL INFORMATION: See attached report.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Consider recommendation from the Planning Commission

For Clerk's Use:

Motion By: _____
 Second By: _____

Vote Record:

	Aye	Nay	
_____	_____	_____	Norland
_____	_____	_____	Freyberg
_____	_____	_____	Spears
_____	_____	_____	Steiner
_____	_____	_____	Dehen

SUPPORTING DOCUMENTS ATTACHED

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

Other (specify) V-1-13

<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: _____

V-1-13

400 WALL STREET

A REQUEST FROM NORTH MANKATO PORT AUTHORITY
AND VANYO MOODY

THE CITY OF NORTH MANKATO

SUBJECT: V-1-13
APPLICANT: North Mankato Port Authority/Vanyo Moody
LOCATION: 400 Wall Street
EXISTING ZONING: CBD, Central Business District
DATE OF HEARING: February 14, 2013
DATE OF REPORT: February 5, 2013
REPORTED BY: Michael Fischer, City Planner

APPLICATION SUBMITTED

Request for variances to accommodate the development of an apartment complex.

COMMENT

In December of 2012, the Planning Commission recommended the denial of variances to accommodate the construction of a 6-story 106-unit apartment complex on the balance of the Marigold property. The City Council denied the variance requests as well in December 2012. As a result, the co-applicant Vanyo Moody has revised his proposal to develop the property. The original project consisted of a 6-story 106-unit apartment complex. The revised project consists of a 4-story, 64-unit apartment complex. Due to the fact the project is a residential use in a commercial district, residential setbacks, lot area requirements and lot size requirements do apply and variances are again being requested.

According to Section 156.085(C)(9) of the City Code, no variance application shall be resubmitted for a period of six months from the date of the denial, except the Planning Commission may permit a new application, if in the opinion of the Planning Commission, new evidence or a change of circumstances warrant it. Should the Planning Commission believe that a revised development plan for the property is a change of circumstances, the variance process can continue as proposed. If not, any variance request could not be considered until June 2013.

The Marigold property is located in the Central Business District (CBD) where there are no setback regulations or lot coverage requirements for commercial buildings. However, according to Section 156.045(2) of the City Code, residential uses in the Central Business District shall be regulated by the minimum setbacks set forth in Section 156.040, Limited Multiple Dwelling, R-3. The following is a summary of the Code provisions which apply to the revised proposed project as it is strictly residential:

Lot Area

Based on the number of units proposed, a lot size of 102,500 square feet would be required. The current lot size is 59,677 square feet.

Number of Units

Multiple-family dwellings shall not exceed 12 dwelling units per structure. The proposed project consists of 64 units.

Lot Width and Depth

Based on the Code regulations and based on the number of units within the building, a lot width of 1,320 feet would be required. The maximum width of the lot is 345 feet. The project would meet the lot depth requirement of 100 feet.

Yard Regulations (Setbacks)

Residential setbacks used in Lower North Mankato are as follows:

Front yard – 20 feet

Side yard – 5 feet plus 1 additional foot for each 1 foot of building height in excess of 30 feet

Rear yard – 20 feet

As the proposed project has property frontage on two streets, two front yard setbacks apply. The layout of the property is shown on the attached site plan. As proposed, the building setbacks are as follows:

Front yard – 20 feet

Side yard – 17 feet (20 feet required based on height)

Rear yard – 0 feet (20 feet required)

Regarding the rear yard setback on the south side of the property, the lot line separating Phase 1 and proposed Phase 2 could be relocated to meet the required building setback.

Lot Coverage

In the CBD there are no lot coverage requirements for commercial buildings. In the R-3 district no more than 50% of a lot can be covered by main or accessory buildings. As proposed, the Marigold Phase 2 Project covers 56.5% of the lot.

Attached are colored building elevation drawings which reflect a four-story building. The first level contains 77 indoor parking spaces with 3 floors of apartments above. Also attached is a Letter of Intent from US Bank.

Regarding the review of requested variances, Minnesota law states the applicant must satisfy a statutory three-factor test for practical difficulties. Practical difficulties are a legal standard set forth in law that cities must apply when considering applications for variances. The following is a summary of the three practical difficulties factors:

The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line, or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

The second factor is that the landowner's problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land, and not personal characteristics or preference of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

In an attempt to provide the Planning Commission with information related to the development of this property, attached is a development agreement between the Port Authority and the developer.

RECOMMENDATION

The Planning Commission should review the proposed development and determine if the applicant has met the three-factor test for the granting of variances.



South Elevation



North Elevation

Marigold Apartments

Conceptual Elevations

January 31st, 2013

Sheet

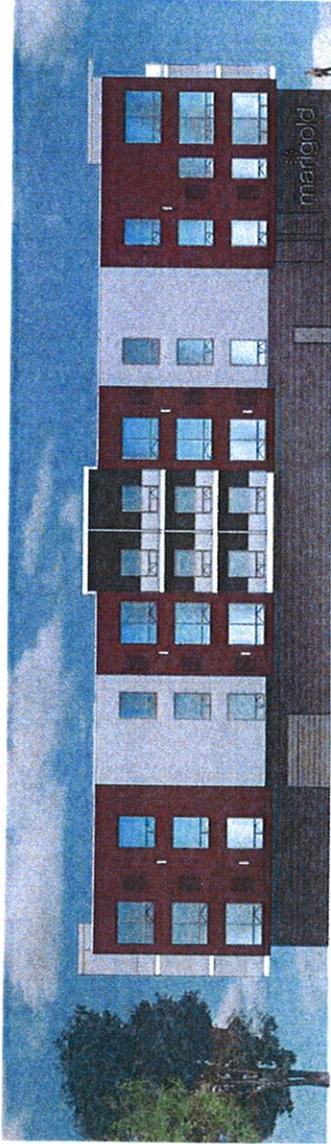
A1



PAULSEN
ARCHITECTS

209 South Second Street, Suite 201 Mankato, MN 56001

Phone: 507.388.9811 Fax: 507.388.1751 www.paulsen-arch.com



West Elevation

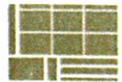


East Elevation

Marigold Apartments

Conceptual Elevations

January 31st, 2013



PAULSEN
ARCHITECTS

209 South Second Street, Suite 201 Mankato, MN 56001

Phone: 507.388.9811 Fax: 507.388.1751 www.paulsen-arch.com

Sheet

A2



All of **us** serving you

115 E. Hickory Street, Suite 200
Mankato, MN 56001
507.387.9486
507.387.9490 fax

LETTER OF INTENT

January 30, 2013

*Vanyo Moody
Marigold Apartments, LLC
15 Capri Drive
Mankato, MN 56001*

Dear Vanyo,

U.S. Bank National Association is pleased to consider your request to provide financing for the proposed Marigold Apartments multi-family development currently in process of being developed. To date, the Bank has received plans & specs, proforma financials and other information qualifying the development and providing a high level of interest by U.S. Bank to provide financing for the project.

It is our intent to obtain revised building plans, specifications, real estate appraisal, environmental reports and other typical due diligence necessary to finance this project in the coming weeks.

As we obtain more information, additional substantive conditions will be required and terms will be defined. In addition, upon completion of our analysis and due diligence and if we obtain credit approval of this proposal, we will prepare loan documentation which will include terms and conditions customary to U.S. Bank, as well as warranties and covenants specific to this transaction.

To that end, this letter is an expression of interest only, and it is not a contract, commitment nor intent to be bound. U.S. Bank does not intend that this letter or discussions relative to the terms of this letter create any legal rights or obligations, implicit or explicit, in favor of or against the other party. Also, no oral discussions and/or written agreements shall be in place of or supersede written loan agreements executed by your business and accepted by U.S. Bank.

Thank you for discussing your financing needs with U.S. Bank. If you have any questions regarding this letter, please contact me at 507-387-9489.

Very truly yours,

U.S. BANK NATIONAL ASSOCIATION

Bryan G. Sowers
Vice President

DEVELOPMENT AGREEMENT
MARIGOLD PROJECT
200 BLOCK BELGRADE AVENUE
NORTH MANKATO, MINNESOTA

This Development Agreement, dated as of May 13, 2010, between the North Mankato Port Authority Commission, hereinafter referred to as "Port" and The Marigold, LLC, as Developer, hereinafter referred to as "Developer" will prescribe the rights and responsibilities of both parties as it relates to the development of Outlot A of the Marigold Subdivision.

Phase 2 Project

Developer proposes to construct a four-story mixed-use commercial/residential structure on the westerly one-half of Outlot A of Marigold Subdivision (See Exhibit A). Developer agrees that the project will have a minimum construction cost of \$5 million and will consist of at least 40,000 square feet of finished space. Developer agrees that the project, when complete, will have an Assessor's Market Value of not less than \$4.25 million which is equal to 85 percent of the anticipated construction costs. Should construction costs exceed \$5 million, the agreed minimum Assessor's Market Value will be equivalent to 85 percent of the actual construction costs.

Pursuant to the commitment of the Developer to construct the project, the Port agrees to provide a project subsidy equal to ten percent of the total construction costs not to exceed \$500,000. The Port agrees to make such site improvements as are necessary, based on soil reports, to prepare the site for building footings and piers.

The Developer must notify Port of his intent to proceed with Phase 2 of the project not later than April 1, 2013. Construction must begin on the project on or before December 31, 2013. The Developer may elect to substitute the Phase 3 Project on the Phase 2 schedule. Should the Developer so elect, the project identified as Phase 2 above will move to the Phase 3 schedule.

Upon approval of the project, the Port agrees to transfer title of the westerly portion of Outlot A sufficient in size to support the proposed Phase 2 development. Final lot lines will be determined and a replat completed as necessary to accomplish the proposed project. Port agrees to sell said real estate to the Developer at a cost of \$1 and other valuable consideration. If for any reason, Developer is unable to proceed with the project within 90 calendar days of the date of real estate closing, Developer agrees that title will revert to the Port upon refund of the purchase price. Port and Developer agree that if construction on Phase 2 has not begun by December 31, 2013, this Agreement shall become null and void.

Phase 3 Project

Developer proposes to construct a four-story residential structure on the easterly one-half of Outlot A of Marigold Subdivision. Developer agrees that the project will have a minimum construction cost of \$4 million and will consist of at least 30,000 square feet of finished space. Developer agrees that the project, when complete, will have an Assessor's Market Value of at least \$3.4 million which is equal to 85 percent of the anticipated construction costs. Should construction costs exceed \$4 million, the agreed minimum Assessor's Market Value will be equivalent to not less than 85 percent of the actual construction costs.

Pursuant to the commitment of the Developer to construct the project, the Port agrees to provide a project subsidy equal to ten percent of the total construction costs not to exceed \$400,000. The Port agrees to make such site improvements as are necessary, based on soil reports, to prepare the site for building footings and piers.

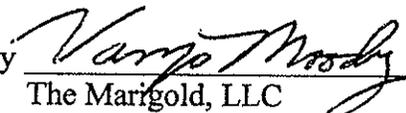
The Developer must notify Port of his intent to proceed with Phase 3 of the project not later than April 1, 2016. Construction must begin on the project on or before December 31, 2016.

Upon approval of the project, the Port agrees to transfer title to the easterly portion of Outlot A of Marigold Subdivision which was previously apportioned and replatted as part of the Phase 2 development. Port agrees to sell said real estate to the developer at a cost of \$1.00 and other valuable consideration. If for any reason, Developer is unable to proceed with the project within 90 calendars days of the date of real estate closing, the Developer agrees the title will revert to the Port upon refund of the purchase price. Port and Developer agree that if construction on Phase 3 has not begun by December 31, 2016, this Agreement shall become null and void.

IN WITNESS WHEREOF, the Port Authority has caused this Agreement to be duly executed in its name and on its behalf and its seal to be hereunto duly affixed, and the Developer has caused this Agreement to be duly executed in his name and on his behalf, on or as of the date first above written.

DEVELOPER

NORTH MANKATO PORT AUTHORITY

By 
The Marigold, LLC

By 
Its Wendell Sande, Executive Vice President

STATE OF MINNESOTA)
) ss
COUNTY OF NICOLLET)

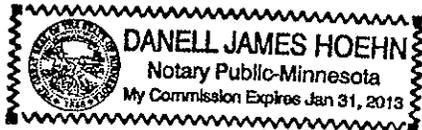
The foregoing instrument was acknowledged before me this 14th day of June, 2010, by Wendell Sande, the Executive Vice President of the North Mankato Port Authority.



Danell J. Hoehn
Notary Public

STATE OF MINNESOTA)
) ss
COUNTY OF NICOLLET)

The foregoing instrument was acknowledged before me this 14th day of June, 2010, by Vanya Moody for the Developer.



Danell J. Hoehn
Notary Public



CITY OF NORTH MANKATO

February 1, 2013

Dear Resident:

The City of North Mankato has received a request from the Port Authority Commission and Vanyo Moody for certain variances to accommodate the proposed construction of a 64-unit apartment complex at 400 Wall Street (Marigold site). The requested variances pertain to lot area, lot width, building setbacks, lot coverage and maximum number of units. Attached is a site drawing of the proposed development showing the building setbacks and color elevation drawings.

These variances will be considered by the Planning Commission on February 14, 2013 and by the City Council on February 19, 2013. Both meetings begin at 7 p.m. in the Municipal Building Council Chambers at 1001 Belgrade Avenue.

As a nearby property owner, you have the opportunity to comment on these requests. You may either send written comments by February 14, 2013 or appear at either or both meetings.

Sincerely,

THE CITY OF NORTH MANKATO

Michael Fischer
City Planner

MF:ng

Enclosure



Hawkeye Holdings, LLC
530 S Front St; Suite 100
Mankato, MN 56001

Phillip M Miller & Jillian Padgett
511 Wall Street
North Mankato, MN 56003

Norman L & Judith K Douglas
240 Wheeler Avenue
North Mankato, MN 56003

Gerald L Troidahl
414 Range Street
North Mankato, MN 56003

Bradley C Hanson
105 Rosewood Drive
Mankato, MN 56001

Adam Huiras
P.O. Box 2111
North Mankato, MN 56002

Kevin S & Donna L Briggs
304 Moreland Avenue
Mankato, MN 56001

Shannon M Finnegan
509 Wall Street
North Mankato, MN 56003

John & Jackie Ellis
218 Wheeler Avenue
North Mankato, MN 56003

Charles Edward Hoffman
521 Wall Street
North Mankato, MN 56003

Donald J & Phylis A Enz
515 Wall Street
North Mankato, MN 56003

Lori Schmidt
105 Cleveland Avenue
North Mankato, MN 56003

Kenneth Hull
526 Lyndale Street
North Mankato, MN 56003

Taylor Bancshares Inc
245 Belgrade Avenue
North Mankato, MN 56003

Allison J & Sharon A Schaller
241 Belgrade Avenue
North Mankato, MN 56003

P-Jack Properties
1812 S Riverfront Drive
Mankato, MN 56001

Lisa Hughes
247 Wheeler Avenue
North Mankato, MN 56003

John Todtleben &
Cheryl L Kastning
522 Lyndale Street
North Mankato, MN 56003

Ryan E Luedtke
1216 Albion Avenue
Fairmont, MN 56031

Thomas J & John C Bohrer
232 Belgrade Avenue
North Mankato, MN 56003

Staples & Roozen
P.O. Box 243
Windom, MN 56101

Steven A Schmahl
524 Lyndale Street
North Mankato, MN 56003

Jessica A Malakowsky
418 Range Street
North Mankato, MN 56003

Claudia F Vosbeck
245 Wheeler Avenue
North Mankato, MN 56003

Elaine Y Shea
241 Wheeler Avenue
North Mankato, MN 56003

Carl R & Sandra A Kiewatt
235 Wheeler Avenue
North Mankato, MN 56003

Kenneth C Lundberg
521 Lyndale Street
North Mankato, MN 56003

Gregory T Rueff
520 Wall Street
North Mankato, MN 56003

Kenneth & Diana Stoll
216 Wheeler Avenue
North Mankato, MN 56003

James G Newsom
511 Lyndale Street
North Mankato, MN 56003

Michael M & Brenda K Burger
238 Wheeler Avenue
North Mankato, MN 56003

Kelley ML & Katherine Brigman
209 Viking Drive
Mankato, MN 56001

Richard & Sharon L Haman
513 Lyndale Street
North Mankato, MN 56003

William J Lee
237 Belgrade Avenue
North Mankato, MN 56003

T.O.B.E. Properties LLC
2313 Snowbird Lane
North Mankato, MN 56003

David L Mutch
231 Belgrade Avenue
North Mankato, MN 56003

Theresa M Kopischke
502 Range Street
North Mankato, MN 56003

Barbara A Church
102 Wheeler Avenue
North Mankato, MN 56003

Paul J & Jena L Osterman
516 Lyndale Street
North Mankato, MN 56003

Jeffrey J Kenne
42462 Kerns Drive
North Mankato, MN 56003

Corey Brunton
300 St. Andrews Drive
Suite 110
Mankato, MN 56001

Natural Pathways
229 Belgrade Avenue
North Mankato, MN 56003

Loon Lake Properties LLC
2201 Dream Drive W
North Mankato, MN 56003

James J Padil III &
Paula Grabau Padil
518 Wall Street
North Mankato, MN 56003

Jay P Dengel &
Pamela K Weller-Dengel
410 Range Street
North Mankato, MN 56003

Ai Yun Zhang Kretsch
477 Marvin Boulevard
North Mankato, MN 56003

Robert W & Heather J Milton
244 Wheeler Avenue
North Mankato, MN 56003

Frandsen Bank
245 Belgrade Avenue
North Mankato, MN 56003

James L & Joni J Spenger
54137 State Hwy 68
Mankato, MN 56001

To: Planning Commission & City Council

Re: Marigold Proposal Changes and Required Variances

From: Heather Milton, 244 Wheeler Ave, North Mankato

I request that the commission and thereby the city council again deny the variance requests from Mr. Moody. The discussion at a previous planning commission meeting focused heavily on the fact that there is no overall strategic growth plan for North Mankato. Until there is a plan in place that can adequately address what the goals and intentions of the citizens and administration of the city have agreed upon as a common goal there should not be variances allowed or changes made to the city code.

The city code has been the standard developers have been required to meet for many years in North Mankato. I was surprised that Moody came back with a downsized project proposal since he made it clear himself how vital the size and scope of the project was for it to be viable. I am against the city giving the property to him for his profit. There still must be profit in the downscaled plans or Moody would not have changed his proposal or continued to pursue this project. I venture to speculate that the interest in the property is because he is not required to pay market value for it, which means that when he sells it he will make an instant and large profit. Moody is a wise businessman, I do not fault him for seeing and wanting to capitalize on the profit potential.

This property is the gateway into North Mankato – it is the first impression many will have of our city. I enjoy the openness and view of Mankato skyline (great place to view MSU fireworks) and would welcome a green space and some permanent parking for the current downtown businesses and the many gatherings that have been hosted on Belgrade.

In my opinion this project and/or any future project that does not fit within the standards of the city code should be refused any variance request until there is a broader work compiled on the strategic growth initiatives of the city. I will add that even a new document for strategic growth should not have the power to override city code as it currently exists for established and currently zoned areas. People have chosen to purchase homes and invest in businesses in areas that meet their needs. By changing the dynamics of a neighborhood or business area it will have immeasurable effects to those currently in the area. For one, traffic patterns. I find it entertaining that Mr. Moody complained of the traffic and requested a speed limit change after he built Phase 1 right up to the street. He continued to mention how unsafe it was and requested a crosswalk be painted from Wall St. across Belgrade for safety, yet he wanted to add additional traffic to the area by having 108 units that would most likely house more than one driver. Therefore increasing the traffic and safety concerns he already expressed concern about.

I do not feel this project it in the best interest of this area of North Mankato. In fact, I would like to remind people that it was the city that removed several residential properties to expand the CBD zoning to attract businesses to the historic area of lower North. The initial reasons behind that was a large project that wanted to use the TIF on the Marigold site. However, the TIF only covered a small sliver of the project and the completed project had to be entirely on the TIF for it to be granted. It also was due to expire soon. Why the city did not let it expire and sell the then Marigold land for market value baffles me, but instead the city spent taxpayer money to clear the land, rezone and re-qualify for TIF which left it vacant for several years rather than collecting taxes from the original homesteads.

In closing, I ask the city, why this project was brought forth for the Marigold property (noting most of the current property was not part of the original Marigold property)? I have heard rumors of other proposals throughout the years that were never allowed to be brought forth for public comment. They were dismissed early in the game. I would like to know what the other proposals for this site have been and who or what body was able to veto the further development or due process of public comment.

Respectfully Submitted, February 13, 2013, Heather J. Milton

Michael Fischer

From: Hughes, Lisa (DEED) [lisa.hughes@state.mn.us]
Sent: Thursday, February 14, 2013 10:35 AM
To: Mike Fischer
Cc: markdehen@northmankato.com; northmankato@aol.com
Subject: Planning Commission February 14, 2013

Hi Mike,

This message is in reference to V-1-13, Request for lot area, lot width, setback and lot coverage variances at 400 Wall Street, a request from the North Mankato Port Authority and Vanyo Moody.

As a follow-up to my previous email this week, I am opposed to the granting of the requested variances at 400 Wall Street. The request to vary lot width, setbacks, lot area, lot coverage and maximum number of permissible units (as noted in the letter I received) does not meet the practical difficulties test. The property has an existing reasonable use; the situation is created by the landowner – not circumstances unique to the property; and, an economic argument by the land owner/developer/Port Authority does not constitute a practical difficulty. The use as proposed alters the essential character of the locality, is out of scale, out of place and inconsistent with the surrounding area. In addition, as far as I know, the city does not have a comprehensive plan which the request is required to be consistent with and is most certainly not in harmony with the general purposes and intent of the zoning ordinance.

In the future we need to talk about the increased amount of water that is ponding on my property. Strangely enough, in these drought conditions, I have more standing water in my back yard than ever before in the 11 years I've lived there. I'm concerned that the storm water run-off issues were never addressed and adding more lot coverage will only exacerbate the problem. This is only one concern.

As you know, I'm not one to become involved in these issues. However, the possibility, even if remote, that the city would grant this request for several dimensional and even possibly a use variance (density), which is specifically prohibited by law, is of such concern, I felt I had no option but to put my opposition in writing.

Sincerely,

Lisa Hughes

Application for
VARIANCE

Pursuant to Chapter 156 of the North Mankato City Code, application is hereby made for a modification in the zoning regulations described herein:

LEGAL DESCRIPTION OF PROPERTY:

Lot # Outlot A Block # 1
Subdivision Marigold Subdivision Address 400 Wall Street

APPLICANT:

Name Vanyo Moody Address 200 Belgrade Avenue Phone (507)388-3880
North Mankato, MN 56003

PROPERTY OWNER (If Other Than Applicant):

Name North Mankato Port Authority Address 1001 Belgrade Avenue Phone (507)625-4141
North Mankato, MN 56003

CURRENT ZONING: CBD CURRENT USE OF PROPERTY: Vacant

VARIANCE REQUESTED: Reduce building setbacks; including lot area, lot widths and ground coverage.

REASON FOR VARIANCE: Accomodate development of an apartment complex.

ZONING REGULATION APPLIED: Section 156.040 Subdivision (B)(2) (F)(4) (G)(4) (H) (I)

REQUIREMENT OF REGULATION:

REQUEST PREVIOUSLY CONSIDERED? Yes No If Yes, date December 17, 2012

ADDITIONAL COMMENTS:

SUPPORTING DOCUMENTS:

	Required	Attached		Required	Attached
Plot Plan	_____	_____	Comment Letters	_____	_____
Floor Plan	_____	_____	Performance Test	_____	_____
Landscaping Plan	_____	_____	Petition	_____	_____
Parking/Loading Plan	_____	_____	Development Schedule	_____	_____
Survey	_____	_____	Proposed Regulations	_____	_____
Other _____	_____	_____			

FEES: Application Fee \$ 335.00

Notice Charge # 49 @ \$2.00 = \$ 98.00

Total Fee \$ 433.00 Receipt # _____

I hereby certify that the information both described in and attached to this application is correct and true.

Signature of Applicant _____ Date _____

MEMORANDUM

TO: Planning Commission

FROM: Michael Fischer, City Planner

DATE: February 13, 2013

SUBJECT: Revised Marigold Plans

Attached is a revised site plan and building elevation drawings for the Marigold project as submitted by the developer. These are different than what was sent to you in your V-1-13 packet. Notable changes include the reduction of units from 64 to 58 and the redesign of the indoor parking.

WHEELER AVENUE

35

24.9

17.0

PATIO &
GARDEN
AREA

LN10c

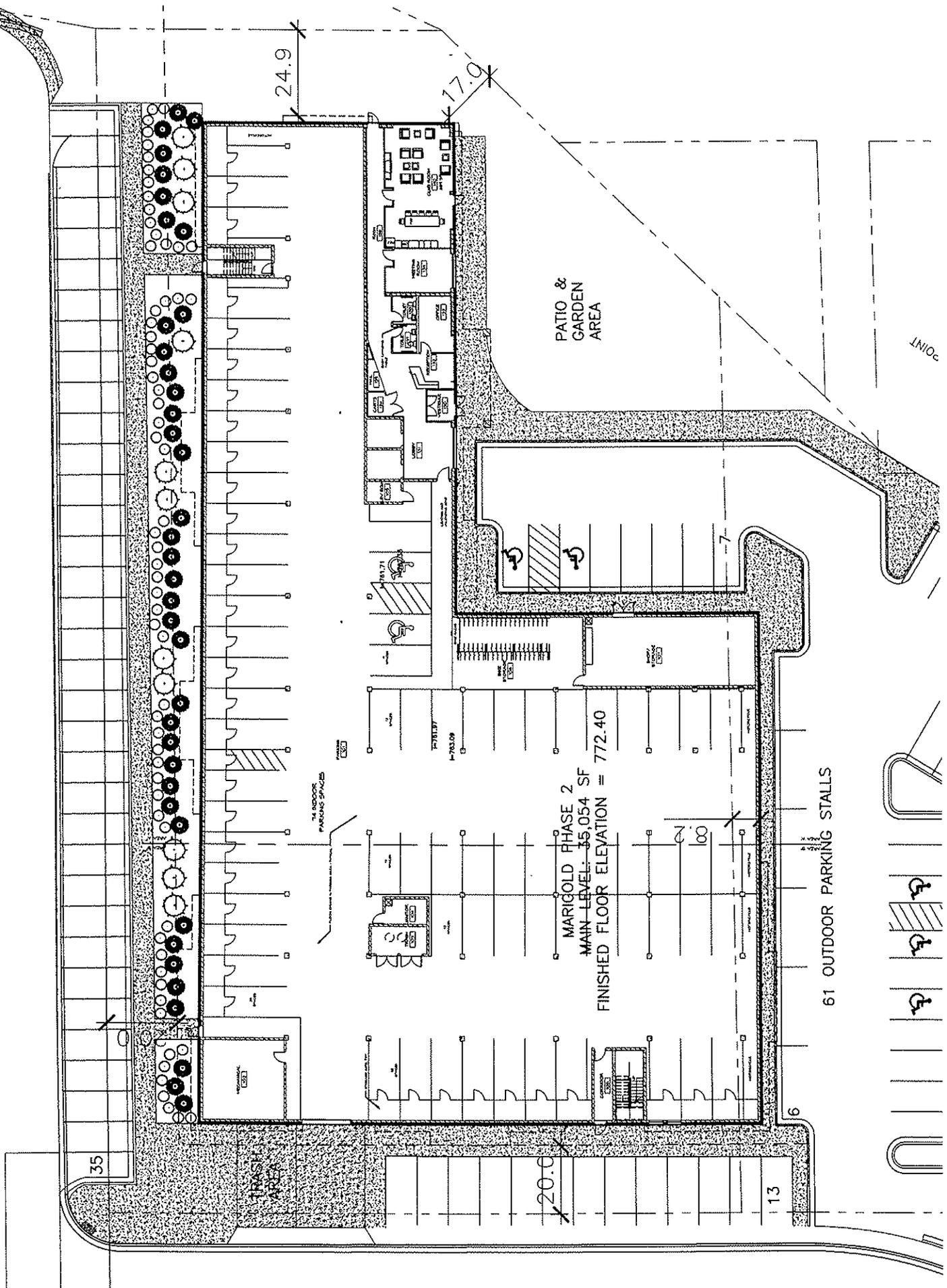
74 INDOOR
PARKING SPACES

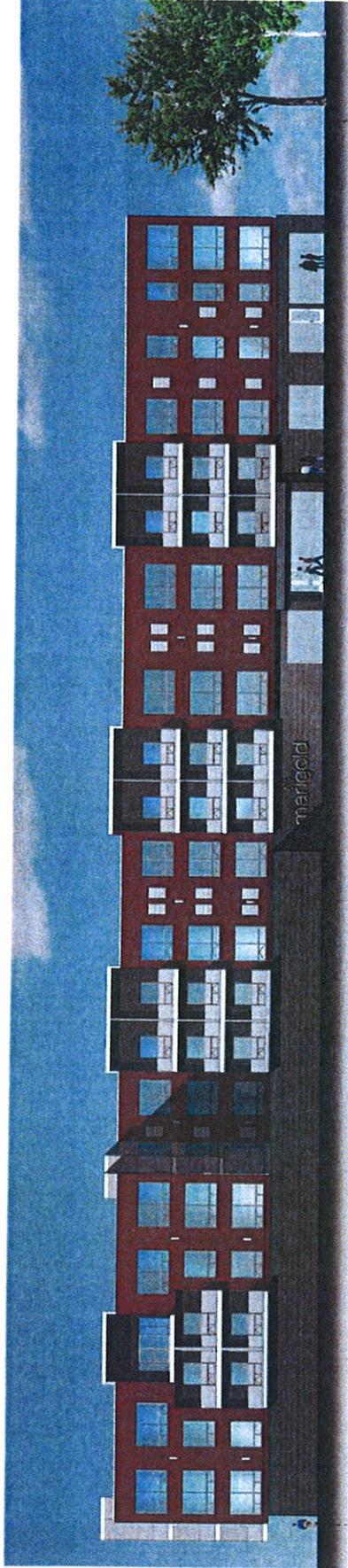
MARIGOLD PHASE 2
MAIN LEVEL: 35,054 SF
FINISHED FLOOR ELEVATION = 772.40

61 OUTDOOR PARKING STALLS

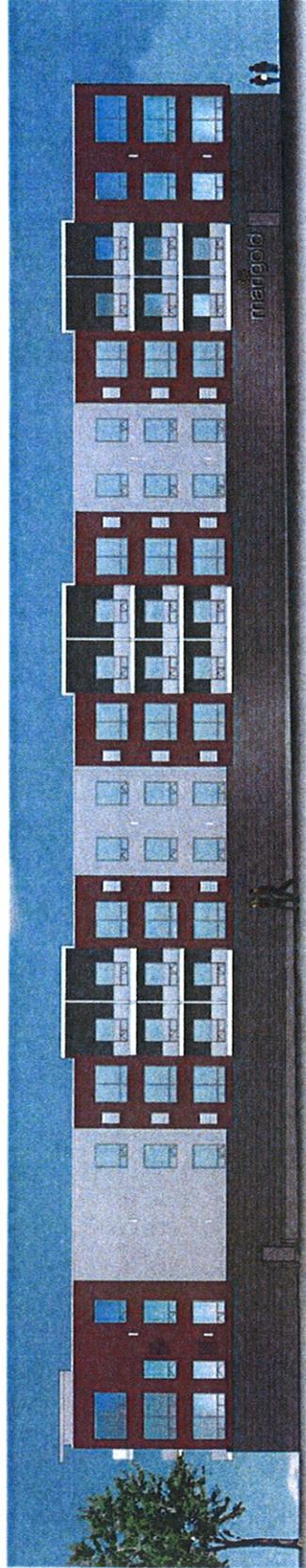
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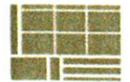




South Elevation



North Elevation



PAULSEN
ARCHITECTS

209 South Second Street, Suite 201 Mankato, MN 56001
Phone: 507.388.9811 Fax: 507.388.1751 www.paulsen-arch.com

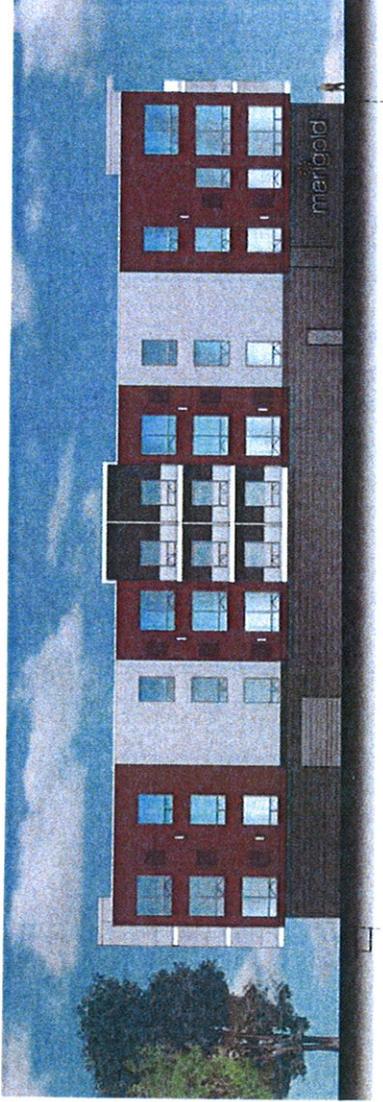
Marigold Apartments

Conceptual Elevations

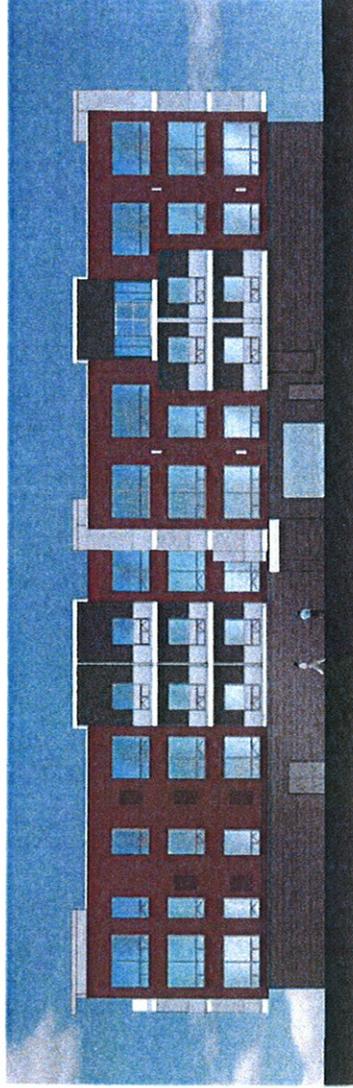
February 07, 2013

Sheet

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West Elevation



East Elevation

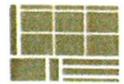
Marigold Apartments

Conceptual Elevations

February 07, 2013

Sheet

A2



PAULSEN
ARCHITECTS

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CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #11E	Department: City Planner	Council Meeting Date: 03/18/13
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TITLE OF ISSUE: Set Public Hearing for 7 p.m. on Monday, April 15, 2013, to Approve 2013 Community Development Block Grant Program (CDBG) Action Plan

BACKGROUND AND SUPPLEMENTAL INFORMATION: It is necessary to set and hold a public hearing to approve a 2013 Action Plan for the use of HUD entitlement funds. While our 2013 CDBG allocation is unknown at this time, it is expected to be less than our \$58,591 allocation in 2012. Subject to HUD regulations, eligible uses of CDBG funds include but are not limited to: activities related to housing, public facilities, economic development and assistance to community-based organizations. Furthermore, CDBG funds can be used for the development of comprehensive plans. Should the City Council wish to begin a comprehensive planning process in 2013 or 2014, HUD funds may be available.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Set Public Hearing

For Clerk's Use:

Motion By: _____
 Second By: _____

Vote Record:

	Aye	Nay	
_____	_____	_____	Norland
_____	_____	_____	Freyberg
_____	_____	_____	Spears
_____	_____	_____	Steiner
_____	_____	_____	Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution	Ordinance	Contract	Minutes	Map
<input type="checkbox"/>				
Other (specify)		Notice of Public Hearing		

<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:	_____

NOTICE OF PUBLIC HEARING TO APPROVE 2013 COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM (CDBG) ACTION PLAN
CITY OF NORTH MANKATO

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 15th day of April, 2013, to hold a public hearing to approve the 2013 Community Development Block Grant Program (CDBG) Action Plan.

Such persons as desire to be heard with reference to this issue should appear at this meeting.

Dated this 18th day of March 2013.

Nancy Gehrke, CMC
City Clerk
City of North Mankato, Minnesota

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #13A	Department: City Clerk	Council Meeting Date: 03/18/13
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TITLE OF ISSUE: Res. Approving Loyola Booster Club Gambling License

BACKGROUND AND SUPPLEMENTAL INFORMATION: Attached is an application for Loyola Booster Club to conduct lawful gambling at Big Dog Sports Café, 1712 Commerce Drive. In order to fulfill the requirements concerning the right to conduct gambling in North Mankato, 40 percent of their members must be North Mankato residents or 80 percent of their members must reside in the Mankato School District. According to the membership list provided, the Loyola Booster Club meets the 80 percent requirement.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Adopt resolution

For Clerk's Use:

Motion By: _____
 Second By: _____

Vote Record:

	Aye	Nay	
	_____	_____	Norland
	_____	_____	Freyberg
	_____	_____	Spears
	_____	_____	Steiner
	_____	_____	Dehen

SUPPORTING DOCUMENTS ATTACHED

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

<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.

RESOLUTION APPROVING
LOYOLA BOOSTER CLUB
GAMBLING LICENSE

WHEREAS, Loyola Booster Club has submitted a gambling license premise permit application to conduct lawful gambling at Big Dog Sports Cafe, 1712 Commerce Drive, located within the City of North Mankato, Minnesota; and

WHEREAS, said application was received by the City on February 28, 2013; and

WHEREAS, Loyola Booster Club fulfills all the requirements of law concerning the right to possess such a license; and

WHEREAS, Loyola Booster Club agrees to donate 10% of their net profits to the City of North Mankato's 10% Contribution Fund;

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

1. The premise permit gambling license application is approved.
2. The sixty-day waiting period for local approval is waived.

Adopted by the City Council this 18th day of March 2013.

Mayor

Attest:

City Clerk

MINNESOTA LAWFUL GAMBLING
LG214 Premises Permit Application

7/12 Page 1 of 2
Annual Fee \$150

Required Attachments to LG214

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
2. \$150 annual premises permit fee, for each permit. Make check payable to "State of Minnesota."

Mail the application and required attachments to:
 Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113

Questions? Call 651-639-4000 and ask for Licensing.

Organization Information

1. Organization name LOYOLA BOOSTER CLUB License number _____
2. Chief executive officer (CEO) DOUG SMITH Daytime phone 587 317 5199
3. Gambling manager GENE RANTAR Daytime phone 587 317 2216

Gambling Premises Information

4. Current name of site where gambling will be conducted BIG DOG
5. List any previous names for this location _____
6. Street address where premises is located 1712 COMMERCE DR AND
 Do not use a P.O. box number or mailing address.

7. City <u>NORTH MANKATO</u>	Township <u>OR</u>	County <u>NICOLLET</u>	Zip code <u>56003</u>
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8. Does your organization own the building where the gambling will be conducted?
 ___ Yes No If no, attach LG215 Lease for Lawful Gambling Activity.
 A lease is not required if only a raffle will be conducted.
9. Is any other organization conducting gambling at this site? Yes ___ No ___ Don't know
10. Has your organization previously conducted gambling at this site? ___ Yes No ___ Don't know

Gambling Bank Account Information. Must be in Minnesota.

11. Bank name COMMUNITY BANK Bank account number 1401703
12. Bank street address 300 ST ANDREWS City MANKATO State MN Zip code 56001

All Temporary and Permanent Off-site Storage Spaces

13. Address (Do not use a P.O. box number) 1261 POHL ROAD City MANKATO State MN Zip code 56001
14. Address (Do not use a P.O. box number) _____ City _____ State MN Zip code _____

Acknowledgment by Local Unit of Government: Approval by Resolution

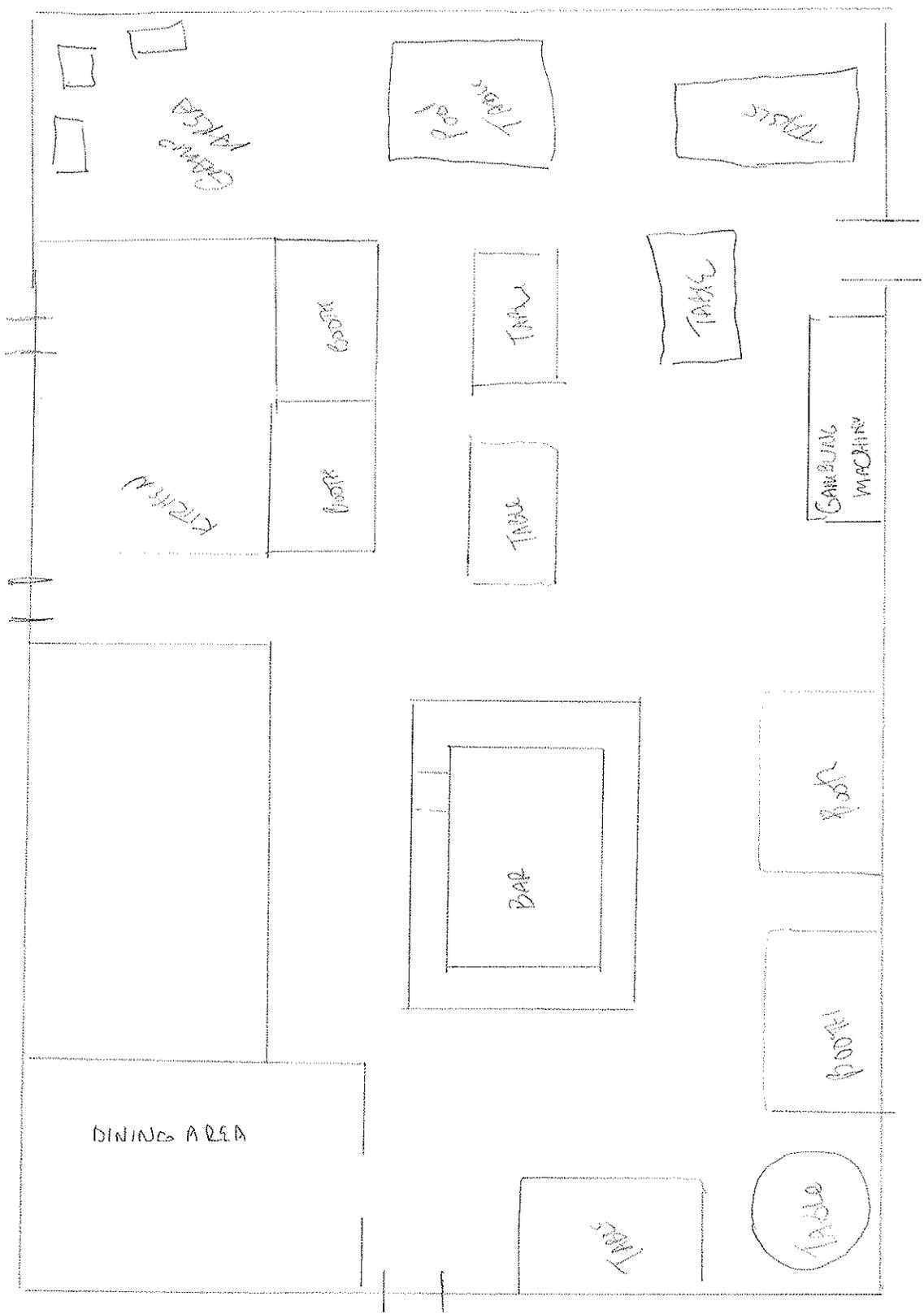
<p>CITY APPROVAL for a gambling premises located within city limits</p>	<p style="border: 1px solid black; padding: 2px;">Local unit of government must sign</p>	<p>COUNTY APPROVAL for a gambling premises located in a township</p>
City name		County name
Date approved by city council		Date approved by county board
Resolution number		Resolution number
Signature of city personnel		Signature of county personnel
Title	Date signed	Title
		TOWNSHIP NAME
		Complete below only if required by the county. On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. {A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.}
		Print township name
		Signature of township officer
		Title
		Date

Acknowledgment and Oath

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises. 2. The Board and its agents, and the commissioners of revenue and public safety and their agents are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law. 3. I have read this application and all information submitted to the Board is true, accurate, and complete. 4. All required information has been fully disclosed. | <ol style="list-style-type: none"> 5. I am the chief executive officer of the organization. 6. I assume full responsibility for the fair and lawful operation of all activities to be conducted. 7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them. 8. Any changes in application information will be submitted to the Board no later than 10 days after the change has taken effect. 9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license. |
|---|---|

<p>Signature of Chief Executive Officer (designee may not sign)</p> <p><i>Doug Smith</i></p>	<p>Date</p> <p>2-28-13</p>
<p>Print name <u>Doug Smith</u></p>	

<p>Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public information when received by the</p>	<p>Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public</p>	<p>Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.</p>
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North Mankato Bicycle Commission

Minutes

2/27/2013

1. Called to Order @ 7:05 PM
2. Attendance: Chair Jon Andersen, Commissioner Tom Schwinghammer, John Maiers, Jo Robbins, Mayor Mark Dehen
3. Minutes of 1/16/2013 were approved
4. New Business
 - a. Trail Signage meeting report
 - i. Mayor Dehen attended the meeting w/ representatives from the City of Mankato, Blue Earth County Parks Dept., GMG Convention & Visitors Bureau, Greater Mankato Bike Walk Advocates & City Center Partnership. The group discussed biking & decided to focus on bicycle tourism first. In doing so, creating consistent trail signage across the greater community w/ way finding & maps will be prioritized. A task force will work on sign design, while the Greater Mankato Bike Walk Advocates were requested to identify signage locations. The group will gather again in late March to discuss with a goal of signage implementation this spring to enhance bicycle tourism this summer.
 - b. Mankato Multi Modal Committee
 - i. Mayor Dehen will try facilitate a meeting between our commission & this group for trail/Safe to School program coordination
 - c. Pedal Past Poverty
 - i. This charitable indoor bicycle race is 3/2. Mayor Dehen was soliciting for an additional rider to fill out his team in support of the Partners for Affordable Housing. This event will also promote the healthy bicyclability of our community.
 - d. League of American Bicyclists
 - i. Chair Andersen recommended review of the League web site @ www.bikeleague.org for project ideas for National Bicycle Week, May 13-17
 - ii. Joint proclamation for National Bicycle Week, May 13-17 in North Mankato & Mankato
 - e. Bike Commission Documents
 - i. Per Greta Alquist recommendation the Commission created a draft written Bicycle Action Plan. See attached.
5. Old Business
 - a. North Mankato bicycle routes
 - i. The Commission adopted the proposed bicycle routes & will recommend them to the City Council for implementation
 - ii. Open House/Introduction

1. Per Council approval, discussion was made on educating riders, students & public on bicycle routes including returning "Mike the Bike" to schools w/ the North Mankato Police Department, Bicycle Safety event at Taylor Library on 6/26/2013, public open houses, publication of maps, etc.

6. Next meeting was set for Wednesday, March 27 @ 7:00 PM @ Big Dog

7. Adjournment @ 8:15

Respectfully submitted,

Dr. Mark D. Dehen
Mayor, City of North Mankato

City of North Mankato Bicycle Action Plan

The Bicycle Action Plan is a long-range plan which identifies proposed new and improved bicycle facilities for the City of North Mankato. It identifies a strategy to implement the plan and also help develop a number of education and encouragement actions to improve conditions and facilities for bicycling tourism and transportation.

General Public Interest Purposes

The general public interest purposes implicit in this Bicycle Action Plan are:

- To promote public health and safety, bicycle tumors and, access to community facilities and businesses for all, regardless of age, physical capacity, weather conditions and time of day, and to promote diverse modes of transportation.

Purpose of the Plan:

- To increase bicycle use/tourism
- To promote our community as a bicycle destination
- To identify existing and potential bicycle trails and facilities
- To identify strategies to accomplish the preceding purposes

Objectives of the Plan:

- To identify locations for improved facilities or engineering improvements which:
 - Connect neighborhoods to adjacent existing schools, parks, recreational facilities, businesses and transit stops:
 - Close gaps between the existing trails and facilities
 - Facilitate travel between residential neighborhoods and key employment, recreation, shopping centers, e.g. Central Business District, Commerce Drive
- To identify actions which promote safe bicycling through education and encouragement.
- To outline an implementation strategy for the actions identified any action plan

A Resolution of Adopting a Policy For the Enhancement of Bicycle Facilities Within the City of North Mankato

WHEREAS, it is the goal of the City of North Mankato to accommodate the needs of existing bicyclists; and

WHEREAS, it is the goal of the City at North Mankato to encourage greater use of bicycles as an alternative mode of transportation and promote bicycle towards the awareness; and

WHEREAS, the City of North Mankato endorses the objective to "develop and maintain a system of safe and efficient bikeways (on-street bike lanes/preferred routes and off-street paths within parks) designed to contribute to City-wide mobility, connecting neighborhoods with activity centers, schools, parks and other neighborhoods"; and

WHEREAS, the Bicycle Commission recommends the City "I did not revised roadways standards incorporating on- street bike lanes, including a commitment to include bike lanes in roadways resurfacing projects where feasible; and

WHEREAS, variable circumstances exist in the City of North Mankato such as photography, helical speed and volume, independence such as parked vehicles, drainage grades or raise reflectors, access to public facilities and activity centers and available right of way.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of North Mankato, that:

- Within the Planning Jurisdiction of the City of North Mankato, the appropriate design, type and width of bicycle facilities will be assessed on an individual and site-specific basis depending on circumstances that exists.
- Bicycle lanes will normally be provided I newly constructed or reconstructed Arterial Streets; however, when existing Arterial Streets that do not currently have bicycle lanes are resurfaced they will normally be restricted with bicycle lanes to the extent practicable.
- Either bicycle lanes or wide outside lanes may be appropriate on Collector Streets depending on site-specific circumstances. Local Streets will not normally include extra with her bicycle facilities.

BE IT FURTHER RESOLVED that the Council directs the City administrator to utilize this policy in reviewing development plans and in the design of roadway improvements within the City of North Mankato Planning Jurisdiction.

BE IT FURTHER RESOLVED that the Bicycle Action Plan include discussions of the type, design and width of bicycle facilities that may be appropriate for different streets within the Planning Jurisdiction of the City of North Mankato. Until such time that the Action Plan is completed and adopted by the City Council, City staff shall recommend bicycle accommodations M. the case bases and coarse with this policy, subject to approval by the North Mankato City Council.

