

Pursuant to due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Municipal Building Council Chambers on August 18, 2014. Mayor Dehen called the meeting to order at 7:00 p.m. asking that everyone join in the Pledge of Allegiance. The following were present for the meeting: Mayor Dehen, Council Members Freyberg, Spears, and Norland, City Administrator Harrenstein, Finance Director Thorne, Attorney Kennedy, City Clerk Gehrke, Planner Fischer, and Public Works Director Swanson. Absent: Council Member Steiner

Approval of Agenda

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

Approval of Minutes

Council Member Spears moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of August 4, 2014. Vote on the motion: Spears, Norland, Freyberg, and Dehen, aye; no nays. Motion carried.

Consent Agenda

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

- A. Bills and Appropriations.
- B. Res. No. 52-14 Approving Donations/Contributions/Grants.
- C. Audio and Large Group Permit for Bridges Community School Picnic, Wheeler Park, Wednesday, August 27, 2014 from 3-9 p.m.
- D. Results of 2014 Primary Election

Vote on the motion: Spears, Norland, Freyberg and Dehen, aye; no nays. Motion carried. Mayor Dehen thanked donors for their generous donations to the Caswell Park North Soccer Complex Concession Building.

Public Comments

The Mayor stated that public comments would be taken by subject. The first comments would be about business item Z-3-14 Request to Rezone North Gate and North Gate No. 2 from R-2, One- and Two-Family Dwelling district to R-1, One-Family Dwelling district. The following individuals appeared to comment on this subject:

Chad Hoppe, 2243 Kodiak Drive, appeared before the council requesting the rezoning of North Gate and North Gate No. 2 from R-2 One- and Two-Family Dwelling to R-1, One-Family Dwelling stating that when he purchased the house he was told it was a single-family neighborhood. He also produced Certified Document No. 270598 filed with Nicollet County which is a Declaration of Protective Covenants and Restrictions, including that the lots 'shall be used exclusively for single-family residential purposes.' Attorney Kennedy asked if when it became apparent that a duplex was being built was the builder confronted, because covenants are enforced by the neighborhood. Mr. Hoppe responded that they did not confront the builder.

Aaron Glade, Farrish Johnson Law Office, appeared before the Council on behalf of developer Troy Donohue. He stated that Mr. Donohue purchased four lots zoned R-2 with the intent of building

duplexes. Mr. Glade asked the Council not to rezone the property to R-1 because Troy Donohue would suffer monetary loss due to the change in zoning.

Jon Hanson, 2225 Fairbanks Drive, appeared before the Council requesting the rezoning of North Gate and North Gate No. 2 from R-2 to R-1, stating the completed duplex does not have its façade completed, tenants have been parking in front of mailboxes, and speeding through the area. Attorney Kennedy asked if when it became apparent that a duplex was being built was the builder told about the covenant. Hanson responded that he was not aware it was a duplex until it was almost completed. Administrator Harrenstein stated it would be difficult to determine it was a duplex in the early stages of development.

Jonathan Dickerman, 2231 Fairbanks Drive, appeared before the Council stating if another duplex is built he will sell his house. He fears the value of his home will decrease due to the rental property.

Nora Hernandez, 2237 Fairbanks Drive, appeared before the Council indicating that the current duplex is not maintained properly, and if more duplexes are built they will sell their home.

Daniel K. Grassman, 2232 Kodiak Drive, appeared before the Council acknowledging that the current duplex cannot be removed. He requested that the zoning on the remaining lots be changed from R-2 to R-1.

Daryl Timmerman, 2209 Fairbanks Drive, appeared before the Council stating additional duplexes would be a safety concern, due to parking and increased number of vehicles.

Aaron Glade, Farrish Johnson Law Office, appeared before the Council on behalf of Troy Donohue to follow up on concerns brought by the residents. He stated that safety and appearance concerns should be dealt with by a call to law enforcement or a phone call to his client, Troy Donohue.

Chadd Hoppe, 2243 Kodiak Drive, responded to Aaron Glade stating he did not want law enforcement responding to these concerns, there were better ways to spend taxpayer's money.

The Mayor closed comments on the Z-3-14 Request to Rezone North Gate and North Gate No. 2 from R-2, One- and Two-Family Dwelling district to R-1, One-Family Dwelling district.

Barb Church 102 E. Wheeler, appeared before the Council with several questions. She asked when a workshop on the possible historic preservation of the Tschohl property would occur, requested the Intergovernmental Committee address concerns about noise from concerts and events, suggested buying a band shell to focus music to the people who want to listen, asked about the posting of the Housing and Redevelopment Authority minutes on the City website, and requested that answers to any of her questions be given in a public forum. Council Member Norland responded that she had not been able to work on the Tschohl property because she had hip surgery. Administrator Harrenstein suggested the materials for historic preservation should be brought together and presented at a workshop or a meeting. Mayor Dehen requested the materials be reviewed by staff and then presented at a Council Workshop. City Clerk Gehrke reported that the Housing and Redevelopment Authority Minutes on the website were current as of July 29, 2014, which was the last scheduled meeting.

Business Items**Z-3-14, Request to Rezone North Gate and North Gate No. 2 from R-2, One- and Two-Family Dwelling District to R-1, One-Family Dwelling District**

Mayor Dehen stated that the Council has heard testimony on the subject of rezoning and asked Planner Fischer to present the Planning Commission's recommendation. Planner Fischer directed the Council to Exhibit B in the packet. The map was color coded with the red lots showing those in forfeiture, the four lots purchased by Donahue were yellow. Lots 14-15 (yellow) face Fairbanks and one has a permit to build a duplex the other has a completed duplex. The two yellow lots facing Kodiak have no plans for development. Planner Fischer was also given notice that a lot was purchased Thursday, August 14, 2014 by another individual to build a duplex. Planner Fischer stated there was considerable discussion by the Planning Commission concerning implementation with concerns about non-conforming use and the potential for problems when refinancing or purchasing a lot with a non-conforming use. The Planning Commission recommended Lots 14-15, Block 5, that are developed or in the process of development remain zoned R-2 and rezone the rest of North Gate and North Gate No. 2 as R-1. Attorney Kennedy noted that homeowners ignored the R-2 zoning when purchasing the property and the Covenant was at odds with the zoning. This does not mean the Covenant was invalid, but the Covenant of Restriction is enforceable by property owners not by the City. The Planning Commission was trying to recommend a fair resolution and this is not spot zoning. Mayor Dehen noted that it is the developers' responsibility to look at covenants. Administrator Harrenstein suggested rezoning everything except the lot with the completed duplex and the other lot with the foundation.

Council Member Freyberg moved, seconded by Council Member Norland, to adopt Ord. No. 59, Fourth Series, Rezoning North Gate and North Gate No. 2 from R-2, One- and Two-Family Dwelling district to R-1, One-Family Dwelling district, with the exception of Lots 14-15, Block 5, North Gate No. 2 which will remain zoned R-2, One- and Two-Family Dwelling. Vote on Ordinance: Spears, Norland, Freyberg and Dehen, aye; no nays. Motion carried.

Consider Setting Public Hearing for HUD Consolidated Annual Performance Evaluation Report (CAPER) for 7 p.m. on Tuesday, September 2, 2014

Council Member Norland moved, seconded by Council Member Freyberg, to set a Public Hearing to review the HUD Consolidated Annual Performance Evaluation Report (CAPER) for 7 p.m. on Tuesday, September 2, 2014. Vote on the motion: Spears, Norland, Freyberg and Dehen, aye; no nays. Motion carried.

Consider Setting Date for 2015 Budget Workshop

Administrator Harrenstein requested a Budget Workshop be set for 6 p.m. on Monday, August 25, 2014. A second Budget Workshop has already been scheduled for 6 p.m. on Tuesday, September 2, 2014. **Council Member Norland moved, seconded by Council Member Freyberg, to set 2015 Budget Workshop on August 25, 2014 at 6 p.m. Vote on the motion: Spears, Norland, Freyberg and Dehen, aye; no nays. Motion carried.**

City Administrator and Staff Comments

Administrator Harrenstein introduced April Van Genderen as the new City Clerk she will be replacing Nancy Gehrke who will be retiring later this year.

Administrator Harrenstein complimented Public Works Director Swanson on a very successful "Movies in the Park" held at Spring Lake Park on Friday, August 15, 2014. Director Swanson reported that it was a group effort and there were approximately 500 people at the movie. He added that they would like to continue with "Movies in the Park" next year with a possible additional night.

Public Works Director Swanson reported the Old Belgrade Ravine project is moving forward with over 1/2 of the fill completed. He also stated the work is proceeding on the concession building at the Caswell Park North Soccer Field.

Mayor Dehen stated the lights at Spring Lake Park are a nice addition, with Director Swanson reporting they will be working on adding limestone around the bases of the light poles.

Mayor and Council Comments

Council Member Norland indicated that she is doing well after her hip replacement.

Mayor Dehen displayed the post card that residents received outlining the expanded garbage and recycling services and stated if anyone wants to make changes to their cart selection to contact City Hall. Mayor Dehen reported he was able to attend the ground breaking for the Dakota Meadows \$6.7 million addition. Next year, 6th Grade will be at Dakota Meadows and they will be repurposing Garfield School.

Public Comments

Justin Jackson, 257 Butterworth Street, appeared before the Council stating that he recently paid \$55,000 for a lot in North Gate with the intent to build a duplex. Attorney Kennedy asked him if he knew of the possible rezoning of North Gate and if he checked Nicollet County's records for Restrictions of Covenants. Jackson stated he knew about the possible rezoning and thought if he bought the property before the rezoning he would be grandfathered in as R-2. He also stated that he did not check for Restrictions of Covenant, but was not notified by Nicollet County of any covenant.

Jim Whitlock, 332 Belgrade Avenue, appeared before the Council to provide a report on the economic impact of Blues on Belgrade. Jim reported there was an estimated four thousand people sustained, and six thousand during the 11 hours of the production. Revenue was estimated at \$80,000 worth of activity generated that day on Belgrade Avenue. Jim concluded by saying that the economic impact from the Pub Crawl on Friday, July 25th, and Blues on Belgrade on Saturday, July 26th, was over \$250,000 dollars to the region. The direct impact of this is over \$150,000 to our immediate area and \$7,500 in sales tax.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Freyberg, the meeting adjourned at 8:07 p.m.

Mayor

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



| | | |
|----------------|--------------------------|--------------------------------|
| Agenda Item #7 | Department: City Planner | Council Meeting Date: 09/02/14 |
|----------------|--------------------------|--------------------------------|

TITLE OF ISSUE: Public Hearing, 7 p.m. - HUD Consolidated Annual Performance Evaluation Report (CAPER).

BACKGROUND AND SUPPLEMENTAL INFORMATION: As part of our status as a HUD Entitlement Community, we are required to submit a Consolidated Annual Performance and Evaluation Report (CAPER) on the use of 2013 Community Development Block Grant (CDBG) funds which we receive on an annual basis. As part of the process, it is necessary to hold a public hearing to present the CAPER and allow a 15-day comment period after the public hearing. In the 2013 Action Plan, CDBG funds were used for single-family housing rehabilitation, Comprehensive Planning and administration.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Hold Public Hearing and allow 15-day comment period.

For Clerk's Use:

Motion By: _____
 Second By: _____

Vote Record:

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

SUPPORTING DOCUMENTS ATTACHED

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

Other (specify) Notice of Hearing,
2013 CAPER Report

| |
|---|
| <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 FOR
CONSOLIDATED ANNUAL PERFORMANCE
AND EVALUATION REPORT (CAPER)
CITY OF NORTH MANKATO

Notice is hereby given that the City Council of the City of North Mankato will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, at 7 p.m. on the 2nd day of September 2014 to hold a public hearing to present the Consolidated Annual Performance and Evaluation Report (CAPER) to report on the use of the 2013 Community Development Block Grant (CDBG) funds. A copy of the CAPER is available for review at the North Mankato Municipal Building, 1001 Belgrade Avenue.

Such persons as desire to be heard with reference to this issue should appear at this meeting. Public comments may be sent to the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, MN 56001. All comments must be received by September 16, 2014.

Dated this 18th day of August 2014.

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

CITY OF NORTH MANKATO



2013 Consolidated Annual Performance and Evaluation Report

Executive Summary

2013 was the fourth year the City of North Mankato became an Entitlement Community and subsequently the fourth year of a Five-Year Consolidated Plan for housing and community development. The City of North Mankato's proposed 2013 CDBG expenditures were consistent with the 2010-2014 Consolidated Plan and One-Year Action Plan.

The Consolidated Plan identified the following areas for the use of CDBG funds during 2010-2014:

- ◆ Parks and Recreation Facilities
- ◆ Parking Facilities
- ◆ Infrastructure Improvements
- ◆ Building Acquisition/Construction/Rehabilitation
- ◆ Development of Affordable Rental Units
- ◆ Single-Family Direct Homeownership Assistance
- ◆ Single-Family Residential Rehabilitation
- ◆ Commercial Rehabilitation

The 2013 Action Plan specified that CDBG funds would be used as follows:

| | |
|--------------------------------------|--------------|
| Single-Family Housing Rehabilitation | \$43,903 |
| Comprehensive Planning | 9,169 |
| 238 Nicollet Avenue | 5,000 |
| Administration | <u>3,056</u> |
| | \$61,128 |

Regarding the housing rehabilitation program, \$39,513 has been committed for use by six (6) income-qualified homeowners and project administration by Minnesota Valley Action Council. The funds allocated for the Comprehensive Plan have been used and general administration funds have been drawn. Regarding the 238 Nicollet Avenue project, \$5,000 additional funds were requested by the City to relocate and rehabilitate this home. However, due to project timing issues, that project was eliminated and the funds still remain in the CDBG account for future use.

- I. Summary of Resources and Distribution of Funds for FY2013. \$61,128 was made available to the City through a 2013 formula allocation.
- II. Assessment of Five-Year Goals and Objectives
The following are the City of North Mankato's goals and objectives as listed in its 2010-2014 Consolidated Plan:

Parks and Recreation Facilities

Over the 5-year plan, approximately \$100,000 may be used for redevelopment activities that will include replacement of existing park amenities and accessibility improvements for persons with physical disabilities.

Parking Facilities

As part of downtown redevelopment efforts, CDBG funds may be used to create off-street parking opportunities in the Central Business District. Over the 5-year plan, one parking facility may be constructed for an approximated cost of \$100,000.

Infrastructure Improvements

CDBG funds will be used to rehabilitate existing water, sewer, street and sidewalks in areas which principally benefit low- and moderate-income persons. Over the 5-year plan, approximately \$200,000 may be spent on water/sewer improvements, and \$100,000 may be used on street improvements.

Building Acquisition/Construction/Rehabilitation

CDBG funds will be used to purchase both commercial and residential buildings which contribute to slum and blight conditions. To date \$105,500 of CDBG funds have been used to acquire single-family properties for future redevelopment projects.

Development of Affordable Rental Rents

CDBG funds may be used to construct affordable rental units in the Central Business District. Through a local Envision 2020 community planning process, the creation of urban villages was identified as a high priority.

Single-Family Direct Homeownership Assistance Grant Program

During the first program year, CDBG funds were used to provide grants to low- to moderate-income persons to help pay for the down payment and/or closing costs with the acquisition and construction of single-family residential dwellings. It was originally planned that eleven (11) grants of up to \$8,000 would be allocated in the first year. Due to limited interest in the initiative, this activity was replaced with an alternative initiative.

Single-Family Residential Rehabilitation

CDBG funds may be used to provide grants/loans to low- to moderate-income persons to rehabilitate existing single-family dwellings.

Economic Development Technical Assistant

CDBG funds may be used to assist funding the South Central Small Business Development Center.

Commercial Rehabilitation

CDBG funds may be used for the rehabilitation of existing commercial buildings which contribute to slum and blight conditions.

Property Acquisition

Purchase vacant parcels with re-use of the parcels in compliance with all HUD regulations.

Planning

Use CDBG funds to engage a professional planning consultant to assist with the preparation of a Comprehensive Plan.

Accessibility

Use CDBG funds to make accessibility improvements to public buildings.

The following is a breakdown of the CDBG funds allocated toward the 2010, 2011 and 2012 goals and objectives:

2010

- Provide two \$8,000 homebuyer assistance grants including program administration

2011

- Purchase of 202 Christensen Street - \$30,500
- Purchase of 706 Range Street - \$75,000

2012

- No CDBG funds were expended.

Due to the limited CDBG funds available to the City of North Mankato on an annual basis, it is extremely difficult to accomplish all its goals and objectives set forth in its Consolidated Plan.

See Tables 1C, 2A, 3B

Affirmatively Furthering Fair Housing

In 2010, the City of North Mankato prepared an Analysis of Impediments to Fair Housing. While the Analysis did not identify any significant impediments, based on the information gathered to produce the Analysis, the following conclusions and recommendations were made:

1. In the City of North Mankato, local land use policies, regulations, zoning ordinances, building codes and site selection policies do not discriminate or limit the availability of fair housing.

While currently the City's policies and procedures do not limit the availability of fair housing, this will be monitored continuously to ensure no future limitations will appear.

2. The City of North Mankato understands there is a need for affordable housing and the importance and benefits that affordable housing brings to a community.

Providing affordable housing and ensuring fair housing is a complex and difficult task. High development costs and low incentives for developers play a large role. The City of North Mankato will investigate funding opportunities to provide more affordable and fair housing opportunities.

3. The maintenance of records in regards to fair housing.

The City of North Mankato will keep accurate records of items relating to fair housing and the Analysis of Impediments to Fair Housing and Fair Housing Plan. The City will

document actions taken to eliminate impediments, and plans to ensure fair housing opportunities in the future.

The following activities were conducted in 2013 to affirmatively further Fair Housing Choice:

- ◆ On July 23, 2013, in partnership with the Cities of Mankato, St. Peter and Madelia, a one-day housing training program was offered and held at the Mankato Civic Center. The agenda included property management, fair housing, lease agreements and legal issues. All North Mankato landlords received an invitation to this event.
- ◆ In January of 2013, the City submitted an application to the Minnesota Housing Finance Agency to secure funding through the Minnesota City Participation Program to provide below-market interest rate home mortgage loans for income-qualified first-time homebuyers. In 2013, the City received an allocation of \$218,523 which was expended during that year.

Affordable Housing

In the Consolidated Plan, the 2010 goal was to provide eleven (11) grants to income-qualified persons to purchase single-family dwellings. While there was sufficient interest in the program, only two persons were able to meet the income guidelines. Both recipients qualified as low-income persons and both persons and purchases were in compliance with all Section 215 requirements.

While the City intended to use CDBG funds in 2012 to rehabilitate an existing affordable rental dwelling, the project has been eliminated for consideration.

Continuum of Care

As there are no known homeless persons in North Mankato, no attempt was made to address needs in this area. Special needs of persons that are not homeless are being addressed by other State and Federal funding services.

Other Actions

Projects and initiatives set forth in the Consolidated Plan and Annual Action Plan were previously implemented utilizing CDBG funds. Specifically, two properties were acquired where the re-use of the property for residential purposes will have a direct benefit to LMI persons.

In an attempt to complement CDBG funds, the City actively seeks grant opportunities for parks, housing and transportation improvements. Furthermore, the City worked with area cities and counties as part of the formation of a Metropolitan Planning Organization (MPO) to address area transportation issues.

Leveraging Resources

No other public or private resources were obtained to complement CDBG funding in 2013.

Citizen Comment

On September 2, 2014, a public hearing was held to present the CAPER. A 15-day comment period was made available after the public hearing.

The City does not have HUD approved neighborhood revitalization strategies or Section 108 loan guarantees.

Program Income

Through past federal grants obtained by the City, the City has \$800,518.28 of federal program income. The funds are held in a separate revolving loan fund bank account to be used for future community and economic development projects.

Transition Table 1C
Summary of Specific Housing/Community Development Objectives
 (Table 1A/1B Continuation Sheet)

| Obj # | Specific Objectives | Sources of Funds | Performance Indicators | Expected Number | Actual Number | Outcome/Objective* |
|-------|---------------------------------|------------------|------------------------|-----------------|---------------|--------------------|
| | Homeless Objectives | | | | | |
| 0 | | 0 | 0 | 0 | 0 | 0 |
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| | Special Needs Objectives | | | | | |
| 0 | | 0 | 0 | 0 | 0 | 0 |
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| | Other Objectives | | | | | |
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*Outcome/Objective Codes

| | Availability/Accessibility | Affordability | Sustainability |
|-----------------------------|----------------------------|---------------|----------------|
| Decent Housing | DH-1 | DH-2 | DH-3 |
| Suitable Living Environment | SL-1 | SL-2 | SL-3 |
| Economic Opportunity | EO-1 | EO-2 | EO-3 |

Table 2A
Priority Housing Needs/Investment Plan Table

| PRIORITY HOUSING NEEDS (households) | | Priority | | Unmet Need |
|--|------------------------------|----------|---|------------|
| Renter | Small Related | 0-30% | H | |
| | | 31-50% | L | |
| | | 51-80% | L | |
| | Large Related | 0-30% | L | |
| | | 31-50% | L | |
| | | 51-80% | L | |
| | Elderly | 0-30% | M | |
| | | 31-50% | L | |
| | | 51-80% | L | |
| | All Other | 0-30% | L | |
| | | 31-50% | L | |
| | | 51-80% | L | |
| Owner | Small Related | 0-30% | L | |
| | | 31-50% | L | |
| | | 51-80% | H | |
| | Large Related | 0-30% | L | |
| | | 31-50% | L | |
| | | 51-80% | L | |
| | Elderly | 0-30% | H | |
| | | 31-50% | L | |
| | | 51-80% | M | |
| | All Other | 0-30% | L | |
| | | 31-50% | L | |
| | | 51-80% | L | |
| Non-Homeless Special Needs | Elderly | 0-80% | L | |
| | Frail Elderly | 0-80% | L | |
| | Severe Mental Illness | 0-80% | L | |
| | Physical Disability | 0-80% | L | |
| | Developmental Disability | 0-80% | L | |
| | Alcohol/Drug Abuse | 0-80% | L | |
| | HIV/AIDS | 0-80% | L | |
| | Victims of Domestic Violence | 0-80% | L | |

Table 2A
Priority Housing Needs/Investment Plan Goals

| Priority Need | 5-Yr. Goal Plan/Act | Yr. 1 Goal Plan/Act | Yr. 2 Goal Plan/Act | Yr. 3 Goal Plan/Act | Yr. 4 Goal Plan/Act | Yr. 5 Goal Plan/Act |
|-----------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Renters | | | | | | |
| 0 - 30 of MFI | | | | | | |
| 31 - 50% of MFI | | | | | | |
| 51 - 80% of MFI | | | | | | |
| Owners | | | | | | |
| 0 - 30 of MFI | | | | | | |
| 31 - 50 of MFI | | | | | | |
| 51 - 80% of MFI | 11 | 2 | 0 | 0 | 6 | |
| Homeless* | | | | | | |
| Individuals | | | | | | |
| Families | | | | | | |
| Non-Homeless Special Needs | | | | | | |
| Elderly | | | | | | |
| Frail Elderly | | | | | | |
| Severe Mental Illness | | | | | | |
| Physical Disability | | | | | | |
| Developmental Disability | | | | | | |
| Alcohol/Drug Abuse | | | | | | |
| HIV/AIDS | | | | | | |
| Victims of Domestic Violence | | | | | | |
| Total | 11 | 2 | 0 | 0 | 6 | |
| Total Section 215 | | | | | | |
| 215 Renter | | | | | | |
| 215 Owner | | | | | | |

* Homeless individuals and families assisted with transitional and permanent housing

Table 2A
Priority Housing Activities

| Priority Need | 5-Yr. Goal Plan/Act | Yr. 1 Goal Plan/Act | Yr. 2 Goal Plan/Act | Yr. 3 Goal Plan/Act | Yr. 4 Goal Plan/Act | Yr. 5 Goal Plan/Act |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| CDBG | | | | | | |
| Acquisition of existing rental units | 1 | 0 | 1 | 0 | 0 | |
| Production of new rental units | 0 | 0 | 0 | 0 | 0 | |
| Rehabilitation of existing rental units | 0 | 0 | 0 | 0 | 0 | |
| Rental assistance | 0 | 0 | 0 | 0 | 0 | |
| Acquisition of existing owner units | 1 | 1 | 1 | 0 | 0 | |
| Production of new owner units | 0 | 0 | 0 | 0 | 0 | |
| Rehabilitation of existing owner units | 10 | 0 | 0 | 0 | 6 | |
| Homeownership assistance | 11 | 2 | 0 | 0 | 0 | |
| HOME | | | | | | |
| Acquisition of existing rental units | | | | | | |
| Production of new rental units | | | | | | |
| Rehabilitation of existing rental units | | | | | | |
| Rental assistance | | | | | | |
| Acquisition of existing owner units | | | | | | |
| Production of new owner units | | | | | | |
| Rehabilitation of existing owner units | | | | | | |
| Homeownership assistance | | | | | | |
| HOPWA | | | | | | |
| Rental assistance | | | | | | |
| Short term rent/mortgage utility payments | | | | | | |
| Facility based housing development | | | | | | |
| Facility based housing operations | | | | | | |
| Supportive services | | | | | | |
| Other | | | | | | |
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Table 3B
ANNUAL AFFORDABLE HOUSING COMPLETION GOALS

| Grantee Name: Program Year: | Expected Annual Number of Units To Be Completed | Actual Annual Number of Units Completed | Resources used during the period | | | |
|--|---|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | CDBG | HOME | ESG | HOPWA |
| BENEFICIARY GOALS (Sec. 215 Only) | | | | | | |
| Homeless households | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Non-homeless households | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Special needs households | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Total Sec. 215 Beneficiaries* | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| RENTAL GOALS (Sec. 215 Only) | | | | | | |
| Acquisition of existing units | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> |
| Production of new units | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> |
| Rehabilitation of existing units | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rental Assistance | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> |
| Total Sec. 215 Affordable Rental | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| HOME OWNER GOALS (Sec. 215 Only) | | | | | | |
| Acquisition of existing units | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Production of new units | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Rehabilitation of existing units | 6 | 6 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| Homebuyer Assistance | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> |
| Total Sec. 215 Affordable Owner | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| COMBINED RENTAL AND OWNER GOALS (Sec. 215 Only) | | | | | | |
| Acquisition of existing units | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> |
| Production of new units | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> |
| Rehabilitation of existing units | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Rental Assistance | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> |
| Homebuyer Assistance | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> |
| Combined Total Sec. 215 Goals* | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| OVERALL HOUSING GOALS (Sec. 215 + Other Affordable Housing) | | | | | | |
| Annual Rental Housing Goal | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Annual Owner Housing Goal | 0 | 0 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Total Overall Housing Goal | 6 | 6 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

* The total amounts for "Combined Total Sec. 215 Goals" and "Total Sec. 215 Beneficiary Goals" should be the same number.

CLAIM REPORT
 BILLS PAID AFTER THE COUNCIL MEETING OF AUGUST 18, 2014
 END OF MONTH

| | | | |
|-------|---|---|-------------|
| 78593 | Cardmember Service | charge card items-All Depts. | \$5,839.60 |
| 78594 | HyVee, Inc. | food/Election Judge & items for concessions | \$922.28 |
| 78595 | Delta Dental | employee payroll deductions | \$834.73 |
| 78596 | Effah, Benjamin | stipend-Gen Gov | \$960.00 |
| 78597 | Kwik Trip, Inc. | unleaded & diesel fuel-All Depts. | \$26,244.23 |
| 78598 | National Insurance Services of WI, Inc. | life insurance September | \$575.10 |
| 78599 | National Insurance Services of WI, Inc. | long term disability insurance September | \$1,194.97 |
| 78600 | National Insurance Services of WI, Inc. | voluntary life insurance September | \$68.50 |
| 78601 | Sprint | PCS connection card data plan-Police & 2014 Const | \$74.40 |
| 78602 | Telrite Corporation | long distance phone bill-Gen Gov | \$286.91 |
| 78603 | ICMA Retirement Trust - 457 | employee payroll deductions | \$3,773.85 |
| 78604 | ICMA Retirement Trust - Roth IRA | employee payroll deductions | \$685.00 |
| 78605 | Law Enforcement Labor Service | employee payroll deductions | \$360.00 |
| 78606 | NCPERS Minnesota-Unit 662400 | employee payroll deductions | \$176.00 |
| 78607 | United Way | employee payroll deductions | \$225.62 |
| 78608 | Void | Void | \$0.00 |
| 78609 | Enventis | telephone bill-All Depts. | \$476.07 |
| 78610 | Navitor Midwest | business cards-Comm Dev | \$102.76 |
| 78611 | John Deere Financial | equipment parts-Park Dept. | \$293.10 |
| | Total | | \$43,093.12 |

CLAIMS CONTINUED

| | |
|-------------------|---------------------------|
| General | \$38,026.31 |
| 2014 Construction | \$130.45 |
| Water | \$4,229.60 |
| Sewer | \$333.12 |
| Recycling | \$295.04 |
| Storm Water | \$29.57 |
| Public Access | <u>\$49.03</u> |
| Total | <u><u>\$43,093.12</u></u> |

PORT AUTHORITY INVOICES
BILLS PAID AFTER THE COUNCIL MEETING OF AUGUST 18, 2014
END OF MONTH

None to report

CLAIM REPORT
FOR REGULAR COUNCIL MEETING OF SEPTEMBER 2, 2014

| | | |
|-------------------------------------|---|--------------|
| Abdo, Eick & Meyers, LLP | audit fees TIF-Port Authority | \$2,700.00 |
| Ameripride Services | mats-Library | \$60.76 |
| Apt Machining & Fabricating, Inc. | equipment parts-Park Dept. | \$60.00 |
| Baker & Taylor | books-Library & Bookmobile | \$131.55 |
| Barnes & Noble | summer reading prizes-Library | \$1,250.00 |
| | | |
| Benco Electric Cooperative | electric bill-All Depts. | \$34,780.94 |
| Blue Valley Sod | sand-Park Dept. | \$82.00 |
| Border States Electric Supply | electrical supplies for SLP trail lights-Park Dept. | \$1,568.74 |
| Bromeling Excavating, Inc. | MPCA service compliance-Water & Sewer Depts. | \$6,660.00 |
| Cemstone | concrete-Park, Water & Storm Water | \$3,759.50 |
| | | |
| City of Mankato | wastewater fee for September-Sewer | \$50,000.00 |
| City of St. Peter | Lenco Bearcat-Capital Facilities | \$49,549.33 |
| Coca-Cola Refreshments | pop for concessions-Caswell | \$418.08 |
| Computer Technology Solutions, Inc. | equipment parts-Police & Library | \$365.00 |
| Connecting Nicollet County | tuition fee for Leadership Program-Police Dept. | \$399.00 |
| | | |
| Cross Country Underground, Inc. | install conduit parking lot lights Soccer Fields | \$2,730.00 |
| Daico | supplies- Gen Gov, Police, Fire & Library | \$319.60 |
| Doran, Heather | mileage-Public Access | \$195.44 |
| Electric Pump | pump inspection-Sewer Dept. | \$600.00 |
| Emergency Automotive Technologies | equipment parts-Fire Dept. | \$139.30 |
| | | |
| Fastenal Company | equipment parts-Water Dept. | \$62.15 |
| Ferguson Enterprises, Inc. | building supplies-Gen Gov | \$15.29 |
| Full Circle Organics LLC | brush disposal-Solid Waste | \$915.00 |
| Gale/Cengage Learning | books-Library & Bookmobile | \$348.69 |
| Grainger | fan-Recycling | \$34.57 |
| | | |
| Green Tech Recycling | recycle electronics-Recycling | \$1,628.00 |
| Hansen Sanitation | refuse pickup-Solid Waste | \$49,213.68 |
| Hawkins, Inc. | chemicals & equipment parts-Swim Fac & Water | \$4,440.07 |
| Holtmeier Construction | Estimate #1 RoeCrest/Noretta/Belgrade Ravine | \$292,929.40 |
| Hoogendyk, Otto | refund water bill credit | \$8.79 |
| | | |
| Hoogendyk, Otto | refund water bill credit | \$23.83 |
| Horvick, Inc. | equipment parts-Park Dept. | \$9.12 |
| Ingram Library Services | books-Library & Bookmobile | \$2,268.89 |
| JM Promotions | hats & book bags-Street, Park, Library & Water | \$1,682.76 |
| Jetter Clean | cleaned sewer line-Sewer Dept. | \$199.00 |

CLAIMS CONTINUED

| | | |
|---|--|---------------------|
| Kennedy & Graven Chartered | legal services-Port Authority | \$481.00 |
| Lakes Gas Co. | LP gas-Recycling | \$160.00 |
| Larkstur Engineering | equipment parts-Street & Recycling | \$71.56 |
| L.M.C.I.T. | Claim #C0032637-Park Dept. | \$2,241.69 |
| Lowry, Lucy | supplies, books & DVD's-Library | \$186.38 |
| MT Balloons | professional service-Park Dept. | \$70.00 |
| Madden, Galanter, Hansen LLP | legal services-Gen Gov | \$1,948.43 |
| Mid-States Equipment & Supply | equipment parts-Street Dept. | \$980.66 |
| Minnesota State Fire Chiefs Assn. | registration fee for MSFCA conference-Fire Dept. | \$960.00 |
| Minnesota Truck & Tractor, Inc. | equipment parts-Recycling | \$71.20 |
| Minnesota Valley Testing Lab | water & sample testing-Water & Sewer | \$218.00 |
| MN Dept Employment/Economic Dev | Thin Film grant repayment-Port Auth State Rev Loan | \$2,414.02 |
| MRCI | wages for MRCI employees-Recycling | \$14,105.40 |
| Newman Traffic Signs | signs-Street & Park Depts. | \$161.71 |
| Nicollet Fire Dept. | annual fee for e-dispatch-Fire Dept. | \$1,089.00 |
| OverDrive | downloadable audio/ebooks-Library | \$647.76 |
| Overhead Door Co. of Mankato, Inc. | overhead door repair-Police Dept. | \$184.92 |
| Petty Cash, Clara Thorne | petty cash items-All Depts. | \$104.09 |
| Reliance Electric of Southern Minnesota | repair HVAC-Gen Gov | \$343.04 |
| River Bend Business Products | copier maintenance-Gen Gov | \$386.53 |
| Schwicker's | service HVAC-Fire & Public Access | \$1,287.34 |
| Seppmann, Jadd & Sons | portable restroom rental-Park Dept. | \$445.00 |
| Sherwin-Williams | paint-Park & Water Depts. | \$93.45 |
| Sign Pro | letters for Welcome Sign-Park Dept. | \$113.00 |
| Southern Minnesota Construction | asphalt-Street Dept. | \$375.00 |
| Spring Touch | spray weeds & cut trees on dike-Storm Water | \$7,300.00 |
| SPS Companies, Inc. | plumbing supplies-Park, Sales Tax & Sewer | \$465.24 |
| Staples Advantage | supplies-All Depts. | \$1,204.52 |
| Stone & Steel Design | paver-Unallocated | \$42.44 |
| Titan Machinery | equipment parts-Street Dept. | \$130.14 |
| Tool Sales Co. | supply-Shop | \$75.00 |
| Tyler Technologies, Inc. | software maintenance-Water, Sewer & Recycling | \$11,459.78 |
| US Foods | items for concessions-Caswell | \$1,401.94 |
| US Postal Service | postage-All Depts. | \$1,000.00 |
| Upper Midwest Community Policing Inst. | registration fee for training-Police Dept. | \$250.00 |
| Van Genderen, April | summer reading supplies-Library | \$59.00 |
| Viking Electric Supply | equipment parts-Water Dept. | \$72.29 |
| Voyageur Web | retainer contract-Gen Gov | \$1,800.00 |
| Waco Scaffolding & Supply Co. | building material supplies-Gen Gov & Sales Tax | \$279.85 |
| Zahl Equipment Service | equipment parts-Street Dept. | \$143.00 |
| Total | | <u>\$564,370.86</u> |

CLAIMS CONTINUED

| | |
|--|----------------------------|
| General | \$45,933.79 |
| Sales Tax | \$2,927.91 |
| Port Authority | \$3,181.00 |
| Capital Facilities & Equipment Replacement-General | \$49,549.33 |
| Port Authority State Revolving Loan Fund | \$2,414.02 |
| 2014 Construction | \$292,929.40 |
| Water | \$29,634.12 |
| Sewer | \$59,905.56 |
| Recycling | \$18,429.61 |
| Storm Water | \$8,900.00 |
| Solid Waste | \$50,128.68 |
| Public Access | <u>\$437.44</u> |
| Total | <u><u>\$564,370.86</u></u> |

PORT AUTHORITY INVOICES
FOR REGULAR COUNCIL MEETING OF SEPTEMBER 2, 2014

| | | |
|-----------------------------------|--|--------------------------|
| Abdo, Eick & Meyers, LLP | Tax Increment reporting to State-Port Authority | \$2,700.00 |
| Kennedy & Graven Chartered | legal services-Port Authority | \$481.00 |
| MN Dept Employment & Economic Dev | Thin Film grant repayment-Port Auth State Rev Loan | <u>\$2,414.02</u> |
| Total | | <u><u>\$5,595.02</u></u> |

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



| | | |
|-----------------|----------------------------|--------------------------------|
| Agenda Item #8C | Department: Administration | Council Meeting Date: 09/02/14 |
|-----------------|----------------------------|--------------------------------|

TITLE OF ISSUE: Consider Resolution Consent to Change of Control of Hickory Tech Cable Television Franchise.

BACKGROUND AND SUPPLEMENTAL INFORMATION: HickoryTech is the authorized holder of a cable communications franchise that serves the City of North Mankato, Minnesota (Franchisee). Enventis Corporation is the ultimate parent company of Hickory Tech and merged with Consolidated Communications Holding, Inc. on June 29, 2014. Sky Merger Sub Inc., a newly formed, wholly-owned subsidiary of Consolidated will obtain control of all the cable systems owned by Enventis and will merge with Consolidated, with Consolidated as the surviving ultimate parent corporation. Upon closing of the merger transaction North Mankato, Minnesota shall remain bound by the lawful terms and conditions of the Franchise. This Resolution shall have the force of a continuing agreement with Franchisee, and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of Franchisee and Consolidated.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Consider Resolution Consent to Change of Control of Hickory Tech Cable Television Franchise.

For Clerk's Use:

Motion By: _____
 Second By: _____

Vote Record:

| | Aye | Nay | |
|--|-------|-------|----------|
| | _____ | _____ | Spears |
| | _____ | _____ | Steiner |
| | _____ | _____ | Norland |
| | _____ | _____ | Freyberg |
| | _____ | _____ | 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) <u>Resolution</u> | | | | |
| _____ | | | | |
| _____ | | | | |
| _____ | | | | |

| | |
|---|--|
| <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. _____

CONSENT TO CHANGE OF CONTROL

WHEREAS, Crystal Communications, Inc., d/b/a HickoryTech, ("Franchisee") is the duly authorized holder of a cable communications franchise, as amended to date (the "Franchise"), authorizing Franchisee to serve the City of North Mankato, Minnesota (the "Franchise Authority") and to operate and maintain a cable television system therein; and

WHEREAS, Enventis Corporation ("Enventis") is the ultimate parent company of Franchisee; and

WHEREAS, Enventis and Consolidated Communications Holdings, Inc. ("Consolidated") have agreed to a merger pursuant to an Agreement and Plan of Merger dated June 29, 2014; and

WHEREAS, Sky Merger Sub Inc., a newly formed, wholly-owned subsidiary of Consolidated will obtain control of all of the cable systems owned by Enventis and will then merge with Consolidated, with Consolidated as the surviving ultimate parent corporation (the "Merger"); and

WHEREAS, as a result of the Merger, Enventis, and thus Franchisee, will become a wholly-owned subsidiary of Consolidated; and

WHEREAS, Franchisee has filed an FCC Form 394 with the Franchise Authority with respect to the Merger; and

WHEREAS, the Franchise Authority has considered and approves of the Merger.

NOW, THEREFORE, BE IT RESOLVED BY THE FRANCHISE AUTHORITY AS FOLLOWS:

1. The foregoing recitals are approved and incorporated herein by reference;
2. The Franchise Authority consents to the Merger;
3. The Franchise Authority confirms that the Franchise is valid and outstanding and in full force and effect and there are no defaults under the Franchise. Subject to compliance with the terms of this Resolution, all actions necessary to approve the change of control of the Franchisee to Consolidated has been duly and validly taken.
4. Consolidated or Franchisee may: (a) assign or transfer its assets, including the Franchise, provided that such assignment or transfer is to an entity directly or indirectly controlling, controlled by or under common control with Consolidated; (b) restructure debt or change the ownership interests among existing equity participants in Consolidated; (c) pledge or grant a security interest to any lender(s) of Consolidated's assets, including but not limited to the Franchise, or of interest in Consolidated, for purposes of securing any indebtedness; and (d) sell equity interests in Consolidated or any of Consolidated's affiliates.
5. Upon closing of the merger transaction, and except as modified herein, Franchisee shall remain bound by the lawful terms and conditions of the Franchise;
6. This Resolution shall be deemed effective upon adoption;

7. This Resolution shall have the force of a continuing agreement with Franchisee, and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of Franchisee and Consolidated.

PASSED, ADOPTED AND APPROVED this ____ day of _____, 2014.

By: _____

Name: _____

Title: _____

ATTEST:

Clerk



*****AUTO**ALL FOR AADC 553
199 T4 P1
ATTN: STEVE MORK, FINANCE DIRECTOR
CITY OF NORTH MANKATO
1001 BELGRADE AVE
NORTH MANKATO MN 56003-3501



July 29, 2014

Dear City of North Mankato:

As one of our valued business partners, we want to let you know about an agreement recently announced to merge Enventis with Consolidated Communications (NASDAQ: CNSL).

We are very proud of our long history and are excited about this business combination where together with Consolidated Communications we will continue to build on our success.

Consolidated Communications is a telecommunications company much like Enventis with roots going back more than a century and strong ties to its customers and the communities it serves. They have transformed much like Enventis and today are a leading business and broadband solutions provider. We share similar core values and a commitment to delivering excellent service to our customers at competitive prices. We believe the combined company will make us a stronger competitor with greater scale and resources that will benefit our customers with expanded services across an 11-state, fiber-rich network.

We expect the merger to be complete later this year following the necessary approvals. Until then, Enventis will continue to operate as an independent company. As we move forward, we will keep you updated on any pertinent new information that may affect our account. In the meantime, if you have any questions, please contact our Accounts Payable Department at 507-386-3518.

Sincerely,

John Finke
President and Chief Executive Officer
Enventis Corporation



July 30, 2014

City of North Mankato
PO Box 2055
North Mankato, MN 56002-2055

Re: Enventis Corporation / Consolidated Communications Holdings, Inc. Transaction

Dear City of North Mankato:

As you may have read, Enventis Corporation ("Enventis"), the parent company of the entity (Crystal Communications, Inc.) holding a cable franchise in your community, has entered into a merger agreement ("Agreement") with Consolidated Communications Holdings, Inc. ("Consolidated") to merge Enventis into Consolidated. Pursuant to the Agreement, Consolidated will become the parent company of the entity Crystal Communications, Inc., and thus your cable franchisee, will become a wholly-owned subsidiary of Consolidated.

By this letter, the consent of Addressee ("City") to the Merger is requested. We have enclosed copies of the Federal Communications Commission's ("FCC") Form 394, other information, and a draft consent resolution to help facilitate the consent process. Please forward a copy of the executed resolution or other indication of consent to my attention at the address above.

- **FCC Form 394.** FCC Form 394 (required copies enclosed) is designed to provide you with the relevant information needed to assess the financial, legal, and technical qualifications of Consolidated to be the ultimate parent entity of your cable franchisee.
- **Timing.** In accordance with Section 10.5 of the franchise, the City has thirty (30) days from the time of this request to reply in writing and indicate approval of the request or determine that a public hearing is necessary.
- **Consent Resolution.** In accordance with Section 7 of the franchise, the City's approval is required and shall not be unreasonably withheld. Should you choose to affirmatively consent to the transaction, we have enclosed a draft consent resolution to be used to expedite the consent process. We would request that a consent resolution, if needed, be placed on your agenda for consideration at your earliest convenience. Please forward a copy of the executed resolution to my attention at the address above.

City of North Mankato
Page Two

All of us at Enventis and Consolidated are excited about the opportunity to continue digital tv service to your community. I invite you to visit <http://ir.consolidated.com/releasedetail.cfm?ReleaseID=856991> for additional information about the merger and Consolidated. If you have any questions about the FCC Form 394, the consent resolution, or any of the enclosed documents, please give me a call at 507-386-3667 or send an email to carrie.rice@enventis.com

Sincerely,



ENVENTIS

Carrie Rice
Regulatory Affairs Manager

cc:
none

Attachments and Enclosures

RESOLUTION NO.

RESOLUTION APPOINTING
WELLHEAD PROTECTION MANAGER

WHEREAS, as part of the Wellhead Protection Plan the Minnesota Department of Health is requiring a Wellhead Protection Manager be appointed;

WHEREAS, the Wellhead Protection Plan is being developed over the next three years for the City of North Mankato; and

WHEREAS, the City of North Mankato will implement the plan to ensure the protection of our water sources;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, that Water Superintendent Duane Rader be appointed as the Wellhead Protection Manager.

Adopted by the City Council this 2nd day of September 2014.

Mayor

ATTEST:

City Clerk



CITY OF NORTH MANKATO
APPLICATION FOR PARADE PERMIT

This application, accompanied by a map of the parade route and the required application fee, shall be submitted to our office at least thirty (30) days in advance of the parade date. This parade permit is pending until approval by the City Council and Chief of Police.

Applicant Information

Name: Julee Johnson
 Address: 40299 Judson Bottom Road
 City: No. Mankato State: MN Zip: 56003
 Telephone: 507-382-4554 or 388-5251
 Sponsoring Organization: Remembering Our Loved Ones
 Address: _____
 City: same State: _____ Zip: _____
 Telephone: _____
 Occasion for Parade: Walk in Memory of Loved Ones
 Date of Parade: 9-27-14 Estimated Length of Parade: 3k
 Estimated Starting Time: 8:00 Estimated Finish Time: noon
 Estimated Number of Participants: 100
 General Composition of Parade: people walking

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

Julee Johnson Applicant Date 9-19-14

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

[Signature] #701 Chief of Police Date 08-19-14

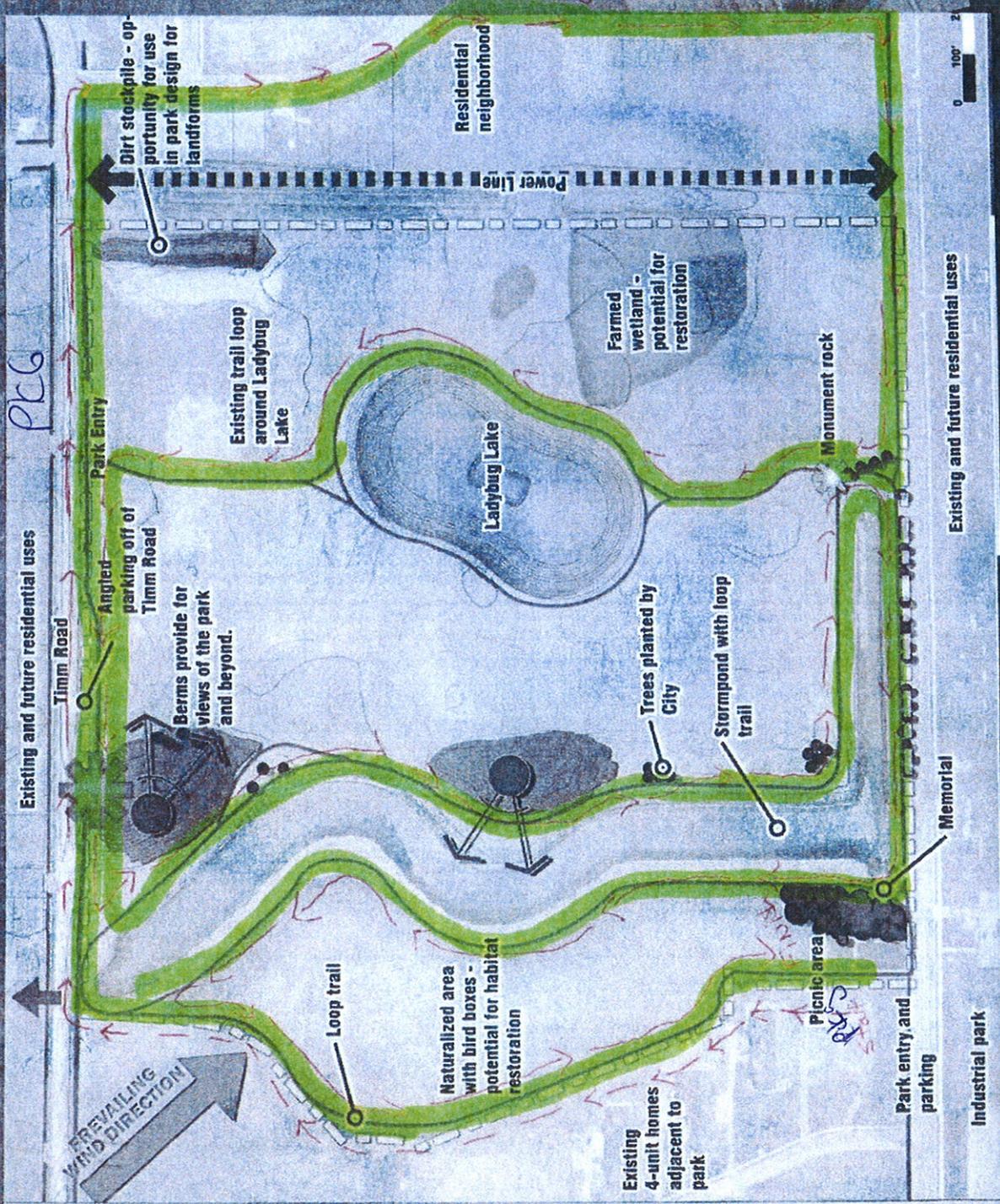
COMMENTS/ADDITIONAL STIPULATIONS:

We'd like to park on Carlson Drive again.
 I think you put bags over the no parking signs - Thank you!

Council Sept 2 Council meets

Existing Conditions

- Strengths**
- Storm ponds act as focal points
 - Two existing berms provide spectacular views
 - Existing picnic area has mature trees and pond views
 - Trails provide multiple loops of varying distances for walking
 - Street frontage on Carlson Drive and Timm Road allow for high visibility and community access
 - Park is currently used by nearby residents and office workers
 - Because the park is largely undeveloped, there are few constraints to what it could be in the future
- Issues**
- Storm ponds act as focal points but have poor water quality
 - Farmed area has few natural amenities
 - Strong winds from the north / northwest
- Opportunities**
- Large size (70 acres) will allow park to evolve and develop to meet future regional/community park needs as well as neighborhood park needs for nearby residential areas
 - Park could contain restored natural areas, additional water features as well as formal passive recreation such as trails, fishing, interpretive elements, art, children's play areas and perhaps some specialized uses
 - Stockpiled dirt on in the northeast corner provides an opportunity for land shaping
 - Improved water quality



Arlington Lane

pk6

CITY OF NORTH MANKATO PARK PERMIT

This permit does reserve space in a City Park.

PERMIT #: 97 -2014 SHELTER: Nakato Pkg Lot FEE: —

TYPE OF EVENT: Outside Music DATE VALID: 10/3/14 HOURS: 4-11pm
MUSIC 5pm - 11pm

ORGANIZATION: Nakato B+G, + Spinners B+G SIZE: —

APPLICANT NAME: Jim Downs

ADDRESS: 253 Belgrade Ave CITY: No. Mankato

ZIP: 56003 DAYTIME PHONE #: 381-6587

TENTS: — ELECTRICITY: — ALCOHOL: —

*Area will be gated and
IDs will be checked.*

If keg beer, a \$250 deposit and \$25 fee are required.

AUDIO DEVICES: —

Amplified music or band requires Council approval

2 Bands, 10 Parking lot

OTHER: Request street closure. Close Range St. From the
alley to the corner of Range + Belgrade.

PERMIT APPROVED: — DATE: 8/20/14

PERMIT DENIED: —

REFER TO COUNCIL: ✓

City Clerk

The following rules and regulations have been set by the City Code which apply to all parks and are enforced:

PROHIBITED

- * Vehicles are not allowed to be parked or driven on the grass for any reason unless permission is given from the Park Department.
- * Pets (Allowed in Benson Park and Bluff Park only. Must be on a 6' leash).
- * Glass containers.
- * Bonfires.
- * Snowmobiles, ATVs, golfing, swimming, boating and motorized flotation devices.
- * Audio equipment may not be played so loud as to interfere with the reasonable use of the park by others. All audio devices shall end at 8 p.m.

ALLOWED

- * Personal grills may be brought in.
- * Keg beer is allowed only with a permit.
- * Fishing/Ice fishing on Ladybug Lake and Spring Lake only.
- * Non-motorized canoes and kayaks on Ladybug Lake and Spring Lake. Children under 12 must be accompanied by an adult. Flotation device required.
- * Hog roasts are allowed in the parks on hard-surfaced lots only.

I, the undersigned, understand that the park shelter reservation fee is NOT a deposit and is NOT refundable for any reason other than inclement weather making it impossible to hold a picnic. Cancellation of this park shelter reservation will NOT result in a refund of the fee. **If prior approval is not obtained for the installation of additional tents or stakes and causes disruption of utility services, I agree to be held liable for any repairs to service lines.**

SIGNED: James Downs 8-20-14
Applicant Date

| | | | | |
|---------------------|-----------------|------------|------------|--------------|
| For Office Use Only | Receipt # _____ | Book _____ | Park _____ | Police _____ |
|---------------------|-----------------|------------|------------|--------------|

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



| | | |
|------------------|--------------------------------|-------------------------------|
| Agenda Item #10A | Department: City Administrator | Council Meeting Date: 9/02/14 |
|------------------|--------------------------------|-------------------------------|

TITLE OF ISSUE: Resolution Approving a Proposed Tax Levy

BACKGROUND AND SUPPLEMENTAL INFORMATION: Attached is the Resolution Approving a Proposed Tax Levy in the amount of \$5,596,414 as outlined in the City Administrator's 2015 Proposed Budget.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Consider Adoption of Resolution Approving a Proposed Tax Levy

For Clerk's Use:

Motion By: _____
 Second By: _____

Vote Record:

| | Aye | Nay | |
|--|-------|-------|----------|
| | _____ | _____ | Steiner |
| | _____ | _____ | Norland |
| | _____ | _____ | Freyberg |
| | _____ | _____ | Spears |
| | _____ | _____ | 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) _____ | | | | |
| _____ | | | | |
| _____ | | | | |
| _____ | | | | |

| |
|---|
| <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 APPROVING A PROPOSED TAX LEVY

WHEREAS, Minnesota Statute 275.065 requires that on or before September 15th, each taxing authority shall certify to the County Auditor, the proposed property tax levy for taxes payable in the following year; and

WHEREAS, an estimate of the required property taxes for collection in the City of North Mankato for the tax year payable 2015 has been made;

WHEREAS, the City Council will hold subsequent meetings at which the budget and levy will be discussed and at which public comment will be permitted. The meetings will be held in the Council Chambers of the Municipal building, 1001 Belgrade Avenue, North Mankato, Minnesota as follows:

| | | |
|-------------------|--------|--------------------------------|
| December 1, 2014 | 7 p.m. | Public Hearing |
| December 15, 2014 | 7 p.m. | Public Hearing (if necessary) |
| December 15, 2014 | 7 p.m. | Adopt 2015 Budget and Tax Levy |

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, that a proposed tax levy in the amount of \$5,596,414 be certified to the Nicollet County Auditor on or before September 15, 2014. This levy shall be subject to modification by the City Council.

Adopted by the City Council this 2nd day of September 2014.

Mayor

ATTEST:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



| | | |
|------------------|--------------------------------|--------------------------------|
| Agenda Item #10B | Department: City Administrator | Council Meeting Date: 09/02/14 |
|------------------|--------------------------------|--------------------------------|

TITLE OF ISSUE: Consider Adoption of Ord. No. 60 Fourth Series, Amending North Mankato City Code, Title XV, Land Usage, Chapter 151, Residential Rental Property Licensing Code.

BACKGROUND AND SUPPLEMENTAL INFORMATION: A public hearing was held at the August 4, 2014 Council meeting to consider adoption of Ord. No. 60, Fourth Series, amending the North Mankato City Code, Title XV, Land Usage, Chapter 151, Residential Rental Property Licensing Code. This amendment adds language providing for offender transitional housing.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Adoption of Ord. No. 60, Fourth Series

For Clerk's Use:

Motion By: _____
 Second By: _____

Vote Record:

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

SUPPORTING DOCUMENTS ATTACHED

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

| |
|---|
| <input type="checkbox"/> Workshop |
| <input checked="" type="checkbox"/> Regular Meeting |
| <input type="checkbox"/> Special Meeting |

| | | |
|--------------------------|--------------|-------|
| <input type="checkbox"/> | Refer to: | _____ |
| <input type="checkbox"/> | Table until: | _____ |
| <input type="checkbox"/> | Other: | _____ |

ORDINANCE NO. 60, FOURTH SERIES

AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA,
AMENDING NORTH MANKATO CITY CODE, TITLE XV, LAND USAGE, CHAPTER 151,
RESIDENTIAL RENTAL PROPERTY LICENSING CODE

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

Section 1. Sections of North Mankato City Code, Title XV, Land Usage, Chapter 151, Residential Rental Property Licensing Code, is hereby amended as follows:

§ 151.05 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICANT. Any person making an application for a license under this chapter.

APPLICATION. A form with blanks or spaces thereon, to be filled in and completed by the applicant as his or her request for a license, furnished by the city and uniformly required as a prerequisite to the consideration of the issuance of a license for the rental of residential property.

DWELLING UNIT. Any building, structure or enclosure, including any mobile home, wholly or partly used or intended to be used for living, sleeping, cooking or eating purposes by human occupants, rented or offered for rent by any person to any other persons for use for residential purposes by such other person or persons. "Dwelling Unit" does not include rest homes, convalescent homes, nursing homes, hotels, motels, dormitories or facilities licensed by the State of Minnesota as institutional occupancies.

DORMITORY. Buildings or spaces in buildings where group sleeping accommodations are provided; or a series of closely associated rooms without individual cooking facilities and with common toilet and bathroom facilities.

FAMILY. An individual or 2 or more persons related by blood, marriage, or adoption, including foster children and bona fide domestic servants.

LICENSE. A document issued by the city to an applicant permitting him or her to rent residential property.

LICENSEE. An applicant who, pursuant to his or her application, holds a valid, current, unexpired and unrevoked license from the city allowing him or her to rent residential property.

LICENSE FEE. The money paid to the City pursuant to an application and prior to issuance of a license to rent residential property.

LONG TERM HOTEL DWELLING UNIT. Any dwelling unit in any hotel, as defined by Minnesota Statute § Section 157.01, which dwelling unit is held out or available to the public for sleeping or residential purposes for periods of one week or more.

OCCUPANT. Any person residing in a dwelling or dwelling unit.

OFFENDER TRANSITIONAL HOUSING. The term “offender transitional housing” means a dwelling unit as defined above, dormitory, residential facility, or lodging facility as defined by the North Mankato City Code, intended, or used principally to provide short-term supervised housing to more than one offender and/or sex offender, as defined by Minnesota Statute and Rule, who are on supervised release or conditional release, and who are receiving housing assistance, either directly or indirectly, and supervision from the Minnesota Department of Corrections, or designee, and/or as part of the Minnesota Sex Offender Program, and/or who are required to live in the dwelling, dormitory, residential facility, or lodging facility as a condition of release and supervision program. “Offender transitional housing” does not include housing declared by state law to be a permitted single-family residential use under Chapter 462.357, Subdivision 7. The term “short-term” shall mean a period of time not exceeding 12 months or as otherwise established by Minnesota Statute and Rules. A dwelling unit owned by or leased by the offender, or by a member of the offender’s immediate family, shall not be considered offender transitional housing.

OPERATOR, MANAGER, or CARETAKER. Any person who has charge, care or control of a structure, or part thereof, in which rental dwelling units are let.

OWNER. Any person, firm, corporation or agent, who alone, jointly or severally with others, shall be in actual possession of, or have charge, care or control of any dwelling or dwelling unit.

RENT. Any consideration paid for the exclusive use of the dwelling unit, including but not limited to money, services, or a combination thereof paid or delivered at fixed intervals periodically agreed upon.

RENTAL PROPERTY. Living units rented on a month to month basis or greater. Such property may include single-family homes, duplexes, triplexes or multi-family units. Exempt from such definition shall be motels, hotels, boarding houses, bed and breakfast facilities and any facility exempt from city regulation due to state or federal rules and regulations.

ROOMING HOUSE DWELLING UNIT. Any dwelling unit in any building or structure, which building or structure is used or held out to be a place where sleeping accommodations are furnished to the public as regular roomers for periods of one week or more.

§ 151.15 OFFENDER TRANSITIONAL HOUSING

1. PURPOSE.

In order to provide for the public safety; provide protection and security for crime victims; maintain neighborhood stability; and facilitate supervision for offenders, the City of North Mankato finds necessary to regulate the locations within the City where offender transitional housing can be established subject to the limitations of this Code.

2. SEPARATION AND CONCENTRATION IN ZONING DISTRICTS.

Separation in Zoning Districts. Offender Transitional Housing may be established in a zoning districts only on a parcel that is at least as far as the distances indicated in the table below from another existing, or approved but not yet constructed, Offender Transitional Housing use in any zoning district:

| <u>Zoning Designation Separation Required</u> | <u>Separation Required</u> |
|--|---------------------------------------|
| <u><i>R-1 and PUD's with underlying R-1 zoning</i></u> | <u><i>No less than 1,000 feet</i></u> |
| <u><i>R-2 and PUD's with underlying R-2 zoning</i></u> | <u><i>No less than 800 feet</i></u> |
| <u><i>All other Residential Districts</i></u> | <u><i>No less than 600 feet</i></u> |
| <u><i>All other Zoning Districts</i></u> | <u><i>No less than 500 feet</i></u> |

Concentration in Residential Zones. In residentially zoned areas (R-1 through R-3 and PUDs with underlying residential zoning), a proposed Offender Transitional Housing use may not cause the number of Offender Transitional Housing uses within a radius of 1.5 times the required separation distance of the proposed Offender Transitional Housing use to exceed 0.5% of the total number of dwellings for developed neighborhoods within that radius, or 0.5% of the planned dwellings or permissible dwellings within that radius for partly undeveloped or undeveloped neighborhoods.

3. OFFENDER TRANSITIONAL HOUSING IN NON-RESIDENTIAL ZONES.

In non-residential zones where dwelling and/or lodging units are permitted, a proposed Offender Transitional Housing use that is within 500 feet of a residential zone may not cause the sum of the population capacity of Offender Transitional Housing to exceed 10% of the sum of dwelling units and lodging units in parcels within a radius of 500 feet of a proposed Offender Transitional Housing use, except that where the sum of dwelling and lodging units within 500 feet is fewer than 100, the population capacity of offender transitional housing units shall not exceed 10 persons.

4. OFFENDER TRANSITIONAL HOUSING FOR SEX OFFENDERS.

Any Offender Transitional Housing providing or intending to provide housing to a designated sex offender as defined by state law or administrative rule must meet the separation requirements provided in this subsection. Except where otherwise specified, the separation distances shall be measured from the property lines of both the offender housing and the facility and/or property from which it shall be separated.

- A. Separation by a distance of not less than 1,000 feet is required from the following Facilities:
1. Public Parks in existence at the date of application for a license under this subdivision
 2. A licensed family daycare or child daycare facility in existence at the date of application for a license under this subdivision
 3. Public or private nursery schools, elementary schools, secondary schools, and post-secondary schools, in existence at the date of application for a license under this subdivision
 4. A state licensed residential facility as referenced in Minnesota Statute 462.357, subdivision 7 of the Minnesota Statute, and in existence at the date of application for a license under this subdivision

The residents of the Offender Transitional Housing shall be limited to only those Offenders that were convicted of an offense while residents of Nicollet County and the residents shall only reside in the premises for a period not to exceed 12 months.

5. OFFENDER TRANSITIONAL HOUSING LICENSE.

An Offender Transitional Housing Use must obtain a license prior to any occupancy of such use. The license shall be subject to the occupancy restrictions of the underlying zoning district. In non-residential districts a license shall only be issued if the underlying zoning district permits residential uses.

Previously licensed rental properties may only be used for Offender Transitional Housing if the property conforms to the occupancy restrictions of the underlying zoning district. For the purposes of this Section, properties proposed for Offender Transitional Housing shall be considered a new rental license and a license shall only be granted if the property conforms to the Residential Rental Property Licensing Code.

The license shall be subject to revocation if conditions of approval are violated or if it is determined to be a detrimental use per City Code Section 151.11. If an Offender Transitional Housing Use is discontinued for a period of twelve consecutive months, lapses, or if a license is revoked, there shall be no presumed right to reinstatement and any use at the location shall be considered in the same manner as a new use or as classified by Section 151.13 of the Residential Rental Property Licensing Code, whichever is most restrictive.

Prior to the establishment of Offender Transitional Housing, the state agency responsible for the supervision of the Offender shall send notice to all property owners within 500 feet of the property to be used for Offender Transitional Housing.

The notice shall state the intent of the state agency to establish Offender Transitional Housing and the place and time of a public meeting, to be held within the City limits of

the City of North Mankato, at which meeting the State Agency will provide details to the public regarding the proposed Offender Transitional Housing.

The rental license for a dwelling used for Offender Transitional Housing shall contain the contact information for the State Agency and a local agent that is employed by the State Agency. At the public meeting, the name and contact information of the local contact/agent shall be supplied to the attendees.

6. EXISTING OFFENDER TRANSITIONAL HOUSING.

- A. Offender Transitional Housing Use existing on the date of the enactment of this ordinance shall immediately obtain a license under this subsection and comply with the other provisions of this subsection within 12 months of adoption of this ordinance. If the property currently used for Offender Transitional Housing does not conform to the provisions of this Section, it shall cease operation within 12 months of the adoption of this subsection or adjust the operation of the offender transitional housing to comply with this subsection.

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 this 2nd day of September, 2014.

Mark Dehen
Mayor

ATTEST:

Nancy Gehrke, CMC
City Clerk