

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 3, 2015. 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 roll call: Mayor Dehen, Council Members Freyberg, Spears and Norland, City Administrator Harrenstein, Finance Director Thorne, Attorney Kennedy, City Clerk Van Genderen, City Planner Fischer and Public Works Director Swanson. Absent: Council Member Steiner.

### **Approval of Agenda**

Council Member Spears requested Consent Agenda items #8C Consider Approving Audio Permit for Chris Good Birthday Party at 512 Sherman Street on September 12, 2015 from 6:30-10:30 p.m., #8D Consider Approving Purchase of Street Sweeper in January of 2016 and #8E Consider Approving Purchase of \$337,000.00 Sewer Jetter be removed for separate consideration. **Council Member Norland moved, seconded by Council Member Freyberg, to approve the amended agenda. Vote on the motion: Freyberg, Spears, Norland and Dehen aye; no nays. Motion carried.**

### **Approval of Minutes**

**Council Member Freyberg moved, seconded by Council Member Norland to approve the minutes of the Council meeting of July 20, 2015. Vote on the motion: Freyberg, Spears, Norland and Dehen aye; no nays. Motion carried.**

### **Public Hearing, 7 p.m., Proposed Tax Abatement.**

The Mayor opened the Public Hearing to consider the proposed Tax Abatement. Phil Henry, 1300 Noretta Drive, appeared before Council and stated he did not approve of the use of the Tax Abatement for the construction of Project No. 14-04DF Highway 14 Trail. With no one else appearing before the Council, the Mayor closed this portion of the meeting.

### **Consent Agenda**

**Council Member Norland moved, seconded by Council Member Freyberg, to approve the amended Consent Agenda which included:**

- A. Bills and Appropriations.
- B. Res. No. 63-15 Approving Donations/Contributions/Grants.
- F. Set Fall Drop-Off Dates for October 9-11, 2015.
- G. Set Water Main Flushing for October 5-16, 2015.
- H. Approve Application for a 1 Day Temporary On-Sale Liquor License at 256 Belgrade Avenue at the North Mankato American Legion Parking Lot on Saturday, August 22, 2015.
- I. Res. No. 64-15 Waiving Waiting Period for Exemption from Lawful Gambling License for Holy Rosary Church, 525 Grant Avenue, to Conduct Raffles on November 27, 2015.
- J. Set Public Hearing for 7 pm, August 17, 2015 for the Vacation of Utility Easements- Butterworth Subdivision.

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

**Consider Approving Audio Permit for Chris Good Birthday Party at 512 Sherman Street on September 12, 2015 from 6:30-10:30 p.m.**

Council Member Spears indicated City Code specifies that 10:00 pm to 7:00 am is to be a quiet time in the City and to begin making exceptions was not a wise idea. Mayor Dehen indicated the Council has approved the hours in the past and there have not been any complaints. **Council Member Norland moved, seconded by Council Member Freyberg to Approve the Audio Permit for Chris**

**Good Birthday Party at 512 Sherman Street on September 12, 2015 from 6:30-10:30 pm. Vote on the motion: Freyberg, Spears, Norland and Dehen aye; no nays. Motion carried.**

**Consider Approving Purchase of Street Sweeper in January of 2016.**

Council Member Spears indicated because the Street Sweeper cost \$193,000.00 he wanted clarification on the need for the purchase. Public Works Director Swanson reported the City's Street Sweeper was 18-years old and was becoming unreliable. Public Works Director Swanson indicated that a new Street Sweeper was part of the approved equipment replacement schedule. Council Member Spears requested information on how the City was paying for the Street Sweeper. Administrator Harrenstein indicated the cash funds would be allocated from the Capital Facilities Fund. **Council Member Freyberg moved, seconded by Council Member Norland to Approve the Purchase of a Street Sweeper in January of 2016. Vote on the Motion: Freyberg, Spears, Norland and Dehen aye; no nays. Motion carried.**

**Consider Approving Purchase of \$337,000.00 Sewer Jetter.**

Council Member Spears requested clarification on if the City Staff researched purchasing a used Jetter. Public Works Director Swanson responded that used Jettters would require additional upkeep and were unreliable making the option not feasible. **Council Member Norland moved, seconded by Council Member Freyberg to Approve the Purchase of the \$337,000.00 Sewer Jetter. Vote on the Motion: Freyberg, Spears, Norland and Dehen aye; no nays. Motion carried.**

**Public Comments**

None.

**Business Items**

**Res. No. 65-15 Approving Property Tax Abatement Related to Trail Improvements in the City of North Mankato.**

Administrator Harrenstein introduced Julie Eddington from Kennedy & Graven. Ms. Eddington stated the Public Hearing was held earlier in the evening and this resolution would approve the abatement of 76 parcels for approximately 15-years. The abatement levy would be used to pay a portion of the debt service on the proposed 2015A General Obligation Bonds to be issued to fund the trail improvements. Council Member Spears indicated the levy increase was spread across the entire City not just the 76 parcels indicated. Ms. Eddington stated the abatement does not have any additional impact on the individual parcels. Administrator Harrenstein stated while the abatement levy will increase, the debt service levy will decrease in that amount. The debt service levy will not increase other than what assessed valuation and projected growth will allow. **Council Member Norland moved, seconded by Council Member Freyberg to adopt Res. No. 65-15 Approving the Property Tax Abatement related to Trail Improvements in the City of North Mankato. Vote on the motion: Freyberg, Spears, Norland and Dehen aye; no nays. Motion carried.**

**Res. No. 66-15 Approving Plans and Specifications and Ordering Advertisement for Bids for Project No. 15-01ABCDEF Carlson Drive Extension.**

**Council Member Norland moved, seconded by Council Member Freyberg to adopt Res. No. 66-15 Approving Plans and Specifications and Ordering Advertisement for Bids for Project NO. 15-01ABCDEF Carlson Drive Extension. Vote on the motion: Freyberg, Spears, Norland and Dehen aye; no nays. Motion carried.**

**City Administrator and Staff Comments**

Public Works Director Swanson stated work was progressing as scheduled on the Lookout Drive Reconstruction and Roundabouts.

**Mayor and Council Comments**

Council Member Norland stated she attended the Region 9 Development Commission Meeting. She indicated the website was very informative for those interested in learning about the Commission. Council Member Norland stated she also attended the meeting of Region Nine Area Inc (RNAI) which is the 501C3 that reviews grants and projects. Council Member Spears stated RNAI is acting as the fiscal agent for the Friends of North Mankato.

Mayor Dehen invited Council Members to attend the Scholarship Banquet at SCC on Friday, August 28, 2015. Tickets would be kept at City Hall.

Mayor Dehen indicated he would have City Clerk Van Genderen e-mail out a copy of the REDA Report.

Attorney Kennedy stated he would like to invite the Council to a Closed Session to discuss two real estate matters. He stated price becomes an issue with real estate and staff would like direction. The Parcel Identification Numbers (PINs) of the property are 18.557.0305 and 18.103.0615. Attorney Kennedy requested a Council Member make a motion at the end of the meeting to adjourn to closed session. The session would be taped and the record kept according to law. No Council action would be made during the closed session.

**Public Comments**

Phil Henry, 1300 Noretta Drive, appeared before Council and requested information on if the City made money at Caswell Park. Administrator Harrenstein indicated the City's expenditures were approximately \$58,000 and the City's revenue was approximately \$70,000. Administrator Harrenstein indicated possible revenue options would be reviewed concerning Caswell Park.

Jim Whitlock, 332 Belgrade Avenue, appeared before Council and stated Blues on Belgrade was a success with approximately 7,000 people attending. He thanked City Council and City Staff for assistance with the event. Whitlock stated Bier on Belgrade would be held on September 25, 2015.

**Council Member Norland moved, seconded by Council Member Freyberg at 7:25 p.m. to adjourn to a closed session to discuss Parcel Numbers 18.557.0305 and 18.103.0615 and the potential property sale or acquisition. Vote on the motion: Freyberg, Spears, Norland and Dehen aye; no nays. Motion carried.**

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Mayor

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City Clerk

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #7	Department: City Planner	Council Meeting Date: 8/17/15																											
<b>TITLE OF ISSUE: Public Hearing at 7 p.m. on Monday, August 17, 2015, to Consider Annexation of Land Containing 18.49 Acres Owned by Mayo Clinic Health Systems.</b>																													
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION: As part of the process to annex an 18.49 acre parcel of land owned by Mayo Clinic Health System the City set a Public Hearing to obtain feedback from the public.</b>																													
<i>If additional space is required, attach a separate sheet</i>																													
<b>REQUESTED COUNCIL ACTION: Public Hearing.</b>																													
Motion By: _____ Second By: _____  Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Spears</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Spears	_____	_____	Steiner	_____	_____	Norland	_____	_____	Freyberg	_____	_____	Dehen	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>SUPPORTING DOCUMENTS ATTACHED</b> </div> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) <u>Notice of Public Hearing, Petition for Annexation by Ordinance, Affidavit of Publication</u> _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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### NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of North Mankato, Minnesota, will hold a Public Hearing on Monday, August 17, 2015 at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider adopting an Ordinance of Annexation of Land containing 18.49 acres owned by Mayo Clinic Health Systems legally described as:

That part of the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter, Section 3, Township 108 North, Range 27 West, Nicollet County, Minnesota lying West of Parcel 3N1, North of Parcel 3N4, and South of Parcel 3N5, Nicollet County Right of Way Plat No. 26, according to the recorded plan thereof.

Said annexation parcel contains 18.49 acres of land.

Dated this 6<sup>th</sup> day of July, 2015.

April Van Genderen  
City Clerk  
City of North Mankato

# AFFIDAVIT OF PUBLICATION

State of Minnesota, ss.

County of Blue Earth

John T. Elchert, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The Free Press and The Land, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331.02, 331.06, and other applicable laws, as amended.

(B) The printed \_\_\_\_\_ Notice \_\_\_\_\_

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive weeks; it was first published on Friday, the 10 day of July, 2015, and was thereafter printed and published on every Friday to and including Friday, the 10 day of July, 2015; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

By: John T. Elchert  
Publisher

Subscribed and sworn to before me on this 10 day of July, 2015.

Kristin Moorhouse  
Notary Public



July 10, 2015  
**NOTICE OF PUBLIC**  
Notice is hereby given that the City Council of the City of North Mankato, Minnesota, will hold a Public Hearing on Monday, August 17, 2015 at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider adopting an Ordinance of Annexation of Land containing 18.49 acres owned by Mayo Clinic Health Systems legally described as:  
That part of the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter, Section 3, Township 108 North, Range 27 West, Nicollet County, Minnesota lying West of Parcel 3N1, North of Parcel 3N4, and South of Parcel 3N5, Nicollet County Right of Way Plat No. 26, according to the recorded plan thereof.  
Said annexation parcel contains 18.49 acres of land.  
Dated this 6th day of July, 2015.  
April Van Genderen  
City Clerk  
City of North Mankato

PETITION FOR ANNEXATION BY ORDINANCE

IN THE MATTER OF THE PETITION FOR ANNEXATION OF  
PART OF THE NW ¼ OF THE NW ¼ AND THE SW ¼ OF THE NW ¼, SECTION 3 TOWNSHIP 108  
NORTH, RANGE 27 WEST  
BY THE CITY OF NORTH MANKATO  
FOR ANNEXATION PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 5

Petitioners state that the property owner or a majority of the property owners in number are required to commence a proceeding under M.S. 415.033, Subd. 5.

It is hereby requested by:

  X   the sole property owner; or  
       all of the property owners; or  
       a majority of the property owners of the area proposed for annexation  
to annex certain property described herein lying in the Township of  
Belgrade to the City of North Mankato, County of Nicollet, Minnesota.

The area proposed for annexation is described as follows:

That part of the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter, Section 3, Township 108 North, Range 27 West, Nicollet County, Minnesota lying West of Parcel 3N1, North of Parcel 3N4, and South of Parcel 3N5, Nicollet County Right of Way Plat No. 26, according to the recorded plan thereof.

Said parcel contains 18.49 acres of land.

1. There is one property owner in the area proposed for annexation.
2. The property owner has signed this petition. (If the land is owned by both husband and wife, both must sign the petition to represent all owners.)
3. The population of the annexation area is 0.
4. Said property is unincorporated, abuts on the City's West boundary, and is not included within any other municipality.
5. The area of land to be annexed, in acres, is 18.49.

Platted   0        Unplatted  18.49       Total  18.49 


6. The reason for the requested annexation is commercial development.
7. All of the annexation area is or is about to become urban or suburban in character.

8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to M.S. 414.0325.

The Petitioner requests that pursuant to M.S. 414.033, the property described herein be annexed to and included within the City of North Mankato, Minnesota.

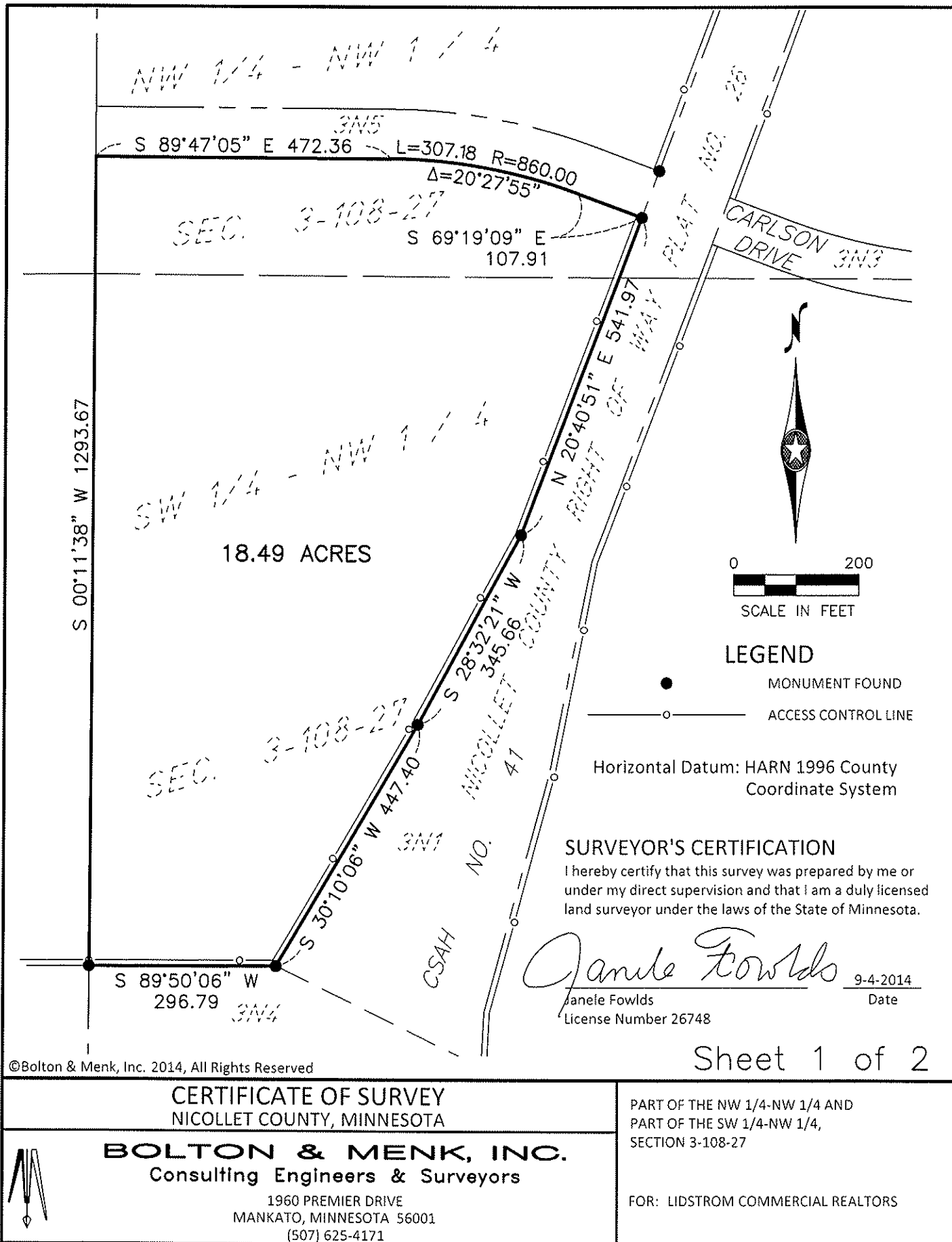
6/18/15

Date

 V.P. OF FACILITIES

Mayo Clinic Health System -Mankato

H:\VMS\M18108792\CAD\C3D\108792BD1.DWG 09-04-2014 10:10a.m.



CERTIFICATE OF SURVEY  
NICOLLET COUNTY, MINNESOTA

**BOLTON & MENK, INC.**  
Consulting Engineers & Surveyors

1960 PREMIER DRIVE  
MANKATO, MINNESOTA 56001  
(507) 625-4171

PART OF THE NW 1/4-NW 1/4 AND  
PART OF THE SW 1/4-NW 1/4,  
SECTION 3-108-27

FOR: LIDSTROM COMMERCIAL REALTORS

Sheet 1 of 2

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #8	Department: City Planner	Council Meeting Date: 8/17/15
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**TITLE OF ISSUE:** Public Hearing at 7 p.m. on Utility Vacation Butterworth Subdivision.

**BACKGROUND AND SUPPLEMENTAL INFORMATION:** As part of the vacating of utility easements in Butterworth Subdivision, it is necessary to set and hold a public hearing to formally vacate existing utility easements. All local utility companies have been notified of the proposed vacation of the utility easement and none have objection to the utility easement vacation.

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

**REQUESTED COUNCIL ACTION:** Item 11C is the adopting resolution for this item.

Motion By: _____ Second By: _____  Vote Record: <table style="margin-left: 20px;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Spears</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Spears	_____	_____	Steiner	_____	_____	Norland	_____	_____	Freyberg	_____	_____	Dehen	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>SUPPORTING DOCUMENTS ATTACHED</b> </div> <table style="width: 100%; text-align: center;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table> Other (specify) <u>Notice of Public Hearing</u> <u>Affidavit of Publication</u> _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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NOTICE OF HEARING ON UTILITY VACATION  
BUTTERWORTH SUBDIVISION

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a Public Hearing on Monday, August 17, 2015, commencing at 7:00 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider the vacation of the following described utility easements:

All utility easements within Lot 2, Block 1, Butterworth Subdivision as listed on the Butterworth Subdivision Plat.

Dated this 3<sup>rd</sup> day of August 2015.

April Van Genderen  
City Clerk  
City of North Mankato, Minnesota

# AFFIDAVIT OF PUBLICATION

State of Minnesota, ss.

County of Blue Earth

John T. Elchert, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The Free Press and The Land, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331.02, 331.06, and other applicable laws, as amended.

(B) The printed \_\_\_\_\_ Notice \_\_\_\_\_

\_\_\_\_\_ which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 2 successive weeks; it was first published on Tuesday, the 4 day of August, 2015, and was thereafter printed and published on every Tuesday to and including Tuesday, the 11 day of August, 2015; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

By: John T. Elchert  
Publisher

Subscribed and sworn to before me on this 11 day of August, 2015.

Kristin Moorhouse  
Notary Public

August 4, 11, 2015  
NOTICE OF HEARING  
ON UTILITY VACATION  
BUTTERWORTH SUBDIVISION  
NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a Public Hearing on Monday, August 17, 2015, commencing at 7:00 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider the vacation of the following described utility easements:  
All utility easements within Lot 2, Block 1, Butterworth Subdivision as listed on the Butterworth Subdivision Plat.  
Dated this 3rd day of August 2015.  
April Van Genderen  
City Clerk  
City of North Mankato, Minnesota





City of North Mankato, MN

## Claims List - Regular

By Vendor Name

Date Range: -

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
	**Void**	08/04/2015	Regular	0	0.00	82580
00104	**Void**	08/07/2015	Regular	0	-125.00	82341
01062	**Void**	08/07/2015	Regular	0	-2887.80	82279
	**Void**	08/17/2015	Regular	0	0.00	82627
00028	AFFORDABLE TOWING OF MANKATO, INC.	08/17/2015	Regular	0	325.00	82593
00032	ALBRIGHT, JAMES E.	08/17/2015	Regular	0	120.00	82594
00101	AT&T MOBILITY	08/12/2015	Regular	0	25.64	82585
00102	AUDIO EDITIONS	08/17/2015	Regular	0	8.00	82595
00113	BAKER & TAYLOR	08/17/2015	Regular	0	64.43	82596
00118	BARNES & NOBLE, INC.	08/17/2015	Regular	0	681.19	82597
00136	BENCHS	08/17/2015	Regular	0	200.00	82598
00137	BENCO ELECTRIC COOPERATIVE	08/04/2015	Regular	0	29847.29	82579
02037	BOBCAT OF MANKATO	08/17/2015	Regular	0	426.43	82599
00181	BOY SCOUT TROOP #29	08/17/2015	Regular	0	192.00	82600
00194	BRICK HOUSE GRAPHICS	08/17/2015	Regular	0	220.00	82601
00216	C & S SUPPLY CO, INC.	08/17/2015	Regular	0	268.08	82602
00227	CARQUEST AUTO PARTS STORE	08/17/2015	Regular	0	520.81	82603
00232	CEMSTONE CONCRETE MATERIALS, LLC	08/17/2015	Regular	0	393.75	82604
00233	CEMSTONE PRODUCTS COMPANY	08/17/2015	Regular	0	61.48	82605
00234	CENTER POINT ENERGY	08/04/2015	Regular	0	902.46	82581
00241	CHARTER COMMUNICATIONS	08/12/2015	Regular	0	371.08	82586
00258	CITY OF MANKATO-WATER BILL	08/17/2015	Regular	0	22.20	82606
02058	CONSOLIDATED COMMUNICATIONS	08/12/2015	Regular	0	3609.02	82587
00305	CROP PRODUCTION SERVICES, INC.	08/17/2015	Regular	0	1462.33	82607
00314	CURTIS 1000, INC. - MIDWEST	08/17/2015	Regular	0	2212.14	82608
00337	DEMCO, INC.	08/17/2015	Regular	0	58.95	82609
00341	DEPARTMENT OF PUBLIC SAFETY	08/17/2015	Regular	0	650.00	82610
00364	DRUMMER'S GARDEN CENTER & FLORAL	08/17/2015	Regular	0	79.88	82611
00388	EMERGENT NETWORKS	08/17/2015	Regular	0	312.74	82612
00410	FERRELLGAS	08/17/2015	Regular	0	362.56	82613
00412	FINDAWAY WORLD LLC	08/17/2015	Regular	0	494.93	82614
02092	FIRST CALL	08/17/2015	Regular	0	132.49	82615
00447	FREE PRESS	08/17/2015	Regular	0	1449.25	82616
00459	FULL CIRCLE ORGANICS LLC	08/17/2015	Regular	0	1500.00	82617
00462	G & K SERVICES	08/17/2015	Regular	0	133.24	82618
00463	G & L AUTO SUPPLY, LLC	08/17/2015	Regular	0	240.84	82619
00493	GOODWIN, TONY	08/17/2015	Regular	0	587.50	82620
00494	GOPHER STATE ONE-CALL	08/17/2015	Regular	0	334.10	82621
00499	GRAINGER	08/17/2015	Regular	0	99.20	82622
00503	GREAT AMERICAN BUSINESS PRODUCTS	08/17/2015	Regular	0	611.96	82623
00538	HAWKINS, INC.	08/17/2015	Regular	0	4906.37	82624
00600	ICMA RETIREMENT TRUST ROTH IRA	08/04/2015	Regular	0	450.00	82583
00601	ICMA RETIREMENT TRUST-457	08/04/2015	Regular	0	2840.00	82584
00606	INDUSTRIAL FABRICATION SERVICES, INC.	08/17/2015	Regular	0	150.00	82625
00608	INGRAM LIBRARY SERVICES	08/17/2015	Regular	0	974.88	82626
00680	J.J. KELLER & ASSOCIATES, INC.	08/17/2015	Regular	0	997.50	82628
00624	JM PROMOTIONS	08/17/2015	Regular	0	223.25	82629
00691	KENNEDY & KENNEDY LAW OFFICE	08/17/2015	Regular	0	8502.60	82630
00720	KWIK TRIP, INC.	08/12/2015	Regular	0	18505.88	82588
00733	LAKES GAS CO #10	08/17/2015	Regular	0	132.00	82631
00749	LAWSON PRODUCTS, INC	08/17/2015	Regular	0	160.71	82632
00723	LJP ENTERPRISES, INC	08/17/2015	Regular	0	600.00	82633
00776	LLOYD LUMBER CO.	08/17/2015	Regular	0	505.84	82634
00796	MAC QUEEN EQUIPMENT, INC.	08/17/2015	Regular	0	2100.00	82635
00812	MANKATO BEARING COMPANY	08/17/2015	Regular	0	129.35	82636
00818	MANKATO FAMILY YMCA	08/17/2015	Regular	0	12608.98	82637
00819	MANKATO FORD, INC.	08/17/2015	Regular	0	28.67	82638

00825	MANKATO MOTOR COMPANY	08/17/2015	Regular	0	899.95	82639
00829	MANKATO PUBLIC SCHOOLS	08/17/2015	Regular	0	8710.00	82640
00833	MANKATO UMPIRE ASSOCIATION	08/12/2015	Regular	0	314.71	82589
00833	MANKATO UMPIRE ASSOCIATION	08/12/2015	Regular	0	298.66	82590
00839	MARK J. TRAUT WELLS, INC.	08/17/2015	Regular	0	72238.00	82641
00847	MATHESON TRI-GAS, INC.	08/17/2015	Regular	0	106.72	82642
00849	MAYBA/ROYALS	08/12/2015	Regular	0	316.25	82591
00874	MENARDS-MANKATO	08/17/2015	Regular	0	133.25	82643
00929	MINNESOTA FIRE SERVICE CERTIFICATION BOA	08/17/2015	Regular	0	600.00	82644
00902	MINNESOTA IRON & METAL CO	08/17/2015	Regular	0	101.00	82645
00935	MINNESOTA PIPE & EQUIPMENT	08/17/2015	Regular	0	1476.41	82646
00938	MINNESOTA RIVER VALLEY DRUG TASK FORCE	08/04/2015	Regular	0	9171.00	82582
00940	MINNESOTA RURAL WATER ASSOCIATION	08/17/2015	Regular	0	275.00	82647
00951	MINNESOTA TRUCK & TRACTOR, INC.	08/17/2015	Regular	0	362.28	82648
00910	MINNESOTA VALLEY TESTING LAB, INC.	08/17/2015	Regular	0	109.25	82649
00956	MINNESOTA WASTE PROCESSING CO.	08/17/2015	Regular	0	25880.28	82650
00985	MOSS & BARNETT	08/17/2015	Regular	0	1891.50	82651
00987	MOTION INDUSTRIES, INC.	08/17/2015	Regular	0	41.25	82652
00997	MTI DISTRIBUTING CO	08/17/2015	Regular	0	69.40	82653
01039	NICOLLET COUNTY AUDITOR-TREASURER	08/17/2015	Regular	0	1172.28	82654
01036	NICOLLET COUNTY RECORDER/ABSTRACTER	08/17/2015	Regular	0	92.00	82655
01058	NORTH STAR SCALE, INC	08/17/2015	Regular	0	578.24	82656
01062	NORTHERN SAFETY TECHNOLOGY, INC.	08/17/2015	Regular	0	2887.80	82657
01071	NUSS TRUCK & EQUIPMENT, INC.	08/17/2015	Regular	0	2107.56	82658
01083	OVERDRIVE, INC.	08/17/2015	Regular	0	308.76	82659
02005	PANTHEON COMPUTERS	08/17/2015	Regular	0	89.90	82660
01090	PARAGON PRINTING, MAILING & SPECIALTIES	08/17/2015	Regular	0	3627.40	82661
01098	PEPSI-COLA OF MANKATO	08/17/2015	Regular	0	617.60	82662
01099	PET EXPO DISTRIBUTORS	08/17/2015	Regular	0	159.99	82663
01106	PETTY CASH	08/17/2015	Regular	0	225.21	82664
01161	QUALITY TREE SERVICE	08/17/2015	Regular	0	2100.00	82665
01170	RAMY TURF PRODUCTS	08/17/2015	Regular	0	105.00	82666
01179	RED FEATHER PAPER CO.	08/17/2015	Regular	0	31.30	82667
01190	REINHART FOODSERVICE LLC	08/17/2015	Regular	0	906.98	82668
01198	RETROFIT COMPANIES, INC.	08/17/2015	Regular	0	198.69	82669
01211	RIVER BEND BUSINESS PRODUCTS	08/17/2015	Regular	0	105.55	82670
01079	SMC-SOUTHERN MINNESOTA CONSTRUCTION	08/17/2015	Regular	0	319.78	82671
01335	STAPLES ADVANTAGE	08/17/2015	Regular	0	451.51	82672
01349	STONE & STEEL DESIGN, LLC	08/17/2015	Regular	0	123.68	82673
01354	SUBURBAN TIRE WHOLESALE, INC.	08/17/2015	Regular	0	377.46	82674
01361	SURVEY SERVICES, INC	08/17/2015	Regular	0	750.00	82675
01402	TIRE ASSOCIATES	08/17/2015	Regular	0	4644.76	82676
01407	TOOL SALES COMPANY	08/17/2015	Regular	0	48.00	82677
01438	UNIFORMS UNLIMITED INC	08/17/2015	Regular	0	211.00	82678
01454	US DEPARTMENT OF HOUSING & URBAN DEVI	08/17/2015	Regular	0	135.37	82679
01470	VERIZON WIRELESS	07/30/2015	Regular	0	291.73	82578
01470	VERIZON WIRELESS	08/12/2015	Regular	0	162.38	82592
01477	VIKING ELECTRIC SUPPLY, INC.	08/17/2015	Regular	0	420.05	82680
01492	WACO SCAFFOLDING & SUPPLY CO.	08/17/2015	Regular	0	29.30	82681
01500	WASECA COUNTY HUMANE SOCIETY	08/17/2015	Regular	0	200.00	82682
01515	WELLS FARGO BANK, N.A.	08/17/2015	Regular	0	800.00	82683
01524	WERNER ELECTRIC SUPPLY	08/17/2015	Regular	0	287.49	82684
01563	ZARNOTH BRUSH WORKS, INC.	08/17/2015	Regular	0	896.00	82685

Bank Code APBNK Summary

	Payable	Payment		
Payment Type	Count	Count	Discount	Payment
Regular Checks	291	106	0.00	251,254.68
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	-3012.80
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	291	110	0.00	248,241.88

**Authorization Signatures**

**All Council**

The above manual and regular claims lists are approved by:

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MARK DEHEN- MAYOR

---

KIM SPEARS- COUNCIL MEMBER

---

DIANE NORLAND- COUNCIL MEMBER

---

WILLIAM STEINER- COUNCIL MEMBER

---

ROBERT FREYBERG- COUNCIL MEMBER

RESOLUTION NO.

RESOLUTION APPROVING DONATIONS/CONTRIBUTIONS/GRANTS

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

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

Donor	Restriction	Amount
Carolyn S. Olson	Library Endowment – General	\$50.00

Adopted by the City Council this 17th day of August 2015.

\_\_\_\_\_  
Mayor

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





Minnesota Department of Public Safety  
Alcohol and Gambling Enforcement Division  
445 Minnesota Street, Suite 222, St. Paul, MN 55101  
651-201-7500 Fax 651-297-5259 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY  
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization		Date organized		Tax exempt number	
Business on Belgrade		July 2009		27-0582897	
Address		City	State	Zip Code	
332 Belgrade Avenue		North Mankato	Minnesota	56003	
Name of person making application		Business phone		Home phone	
James Whitlock		507-469-0415			
Date(s) of event		Type of organization			
September 26, 2015		<input type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious <input checked="" type="checkbox"/> Other non-profit			
Organization officer's name		City	State	Zip	
X James Whitlock		North Mankato	Minnesota	56003	
Add New Officer					

Location where permit will be used. If an outdoor area, describe.  
Central Business District 200 Block Belgrade Avenue North Mankato  
Event: Bier on Belgrade

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.  
West Bend Mutual \$1,000,000 Limit

**APPROVAL**

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City of North Mankato	City/County	Date Approved
\$140.00	City Fee Amount	Permit Date
August 3, 2015	Date Fee Paid	City/County E-mail Address

Signature City Clerk or County Official

Approved Director Alcohol and Gambling Enforcement

**CLERKS NOTICE:** Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

**PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO [AGE.TEMPORARYAPPLICATION@STATE.MN.US](mailto:AGE.TEMPORARYAPPLICATION@STATE.MN.US)**

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 8<sup>th</sup> day of September 2015 to hold a public to present the Consolidated Annual Performance and Evaluation Report (CAPER) to report on the use of the 2014 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 24, 2015.

Dated this 17<sup>th</sup> day of August 2015.

April Van Genderen  
City Clerk  
City of North Mankato, Minnesota

CITY OF NORTH MANKATO



2014 Consolidated Annual  
Performance and Evaluation Report

## Executive Summary

2014 was the fifth year the City of North Mankato became an Entitlement Community and subsequently the fifth year of a Five-Year Consolidated Plan for housing and community development. The City of North Mankato's proposed 2014 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 2014 Action Plan specified that CDBG funds would be used as follows:

Single-Family Housing Rehabilitation	\$27,840
Replace Municipal Building Doors	28,000
Administration	<u>8,000</u>
	\$63,840

For the 2014 program year, funds were available through the North Mankato CDBG program to rehabilitate two (2) owner occupied homes at \$13,000 each. Any funds over \$13,000 in each project would be funded by the homeowners. The housing rehabilitation program is administered by the Minnesota Valley Action Council (MVAC). While a waiting list had been established by MVAC from the previous year, those on the list were either not income eligible or were not interested when funding did become available. Two more households have been identified and MVAC is working with them to move through the process quickly. One is in the bidding process, and the other will be soon.

According to MVAC, area contractors are very busy and it takes time to get bids. There is also a shortage of lead licensed contractors in the area. MVAC is working on recruiting more contractors, and have recently identified a source of funds to provide an incentive for contractors to pursue a lead license.

For these reasons, no CDBG funds were expended for housing rehabilitation during the 2014 program year.

Regarding the door replacement project at the Municipal Building, this activity has been successfully completed. The result is that the entrance doors to the Municipal Building now meet ADA requirements.

- I. Summary of Resources and Distribution of Funds for FY2014. \$63,840 was made available to the City through a 2014 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. To date, six (6) single-family owner-occupied homes have used CDBG funds for rehabilitation.

**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. In 2013, CDBG funds were used to prepare a comprehensive plan.

**Accessibility**

Use CDBG funds to make accessibility improvements to public buildings. In 2014, CDBG funds were used to replace the Municipal Building vestibule in compliance with ADA requirements.

The following is a breakdown of the CDBG funds allocated toward the 2010, 2011, 2012 and 2013 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.

2013

- Single-Family Housing Rehabilitation - \$43,840
- Comprehensive Planning - \$9,169



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 and 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 2014 to affirmatively further Fair Housing Choice:

- ♦ On December 16, 2014 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 2014, 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 2014, the City received an allocation of \$230,691 which was expended after July 1, 2014. This activity provides an

opportunity for income-qualified first-time homebuyers to access funding opportunities to purchase affordable housing.

### **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.

As part of the City's Comprehensive Planning process; goals, policies and objectives were established to benefit all persons residing in North Mankato. Through extensive citizen participation, the plan addresses; land use, housing, transportation, economic development, transportation, utilities, parks, downtown development and community design. The City now has a framework and basis for making policy decisions which affect all those within the City.

### **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.

In the 2013 Action Plan, the City indicated actions it would take related to homeless and other special needs activities. The only area the City addressed was working with Habitat for Humanity on the development and execution of purchase agreements for land to construct new housing to benefit income qualified persons. In 2014, the City sold two (2) vacant properties to Habitat for Humanity where construction of two (2) new homes is underway to benefit income qualified persons.

### **Leveraging Resources**

No other public or private resources were obtained to complement CDBG funding in 2014.

**Citizen Comment**

On September 8, 2015, 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 an unexpended balance of \$794,349.21 of federal program income as of June 30, 2014. The funds are held in a separate revolving loan fund bank account to be used for future community and economic development projects. An additional \$89,677.76 of repayments on past economic development loans was received and loan disbursements of \$400,000 paid out by the City bringing the balance to \$484,026.97.

As part of the single family housing rehabilitation program, there were no funds received from the repayment of loans for this activity. In compliance with 570.504(b)(iii), the following is a calculation of any program earned:

2014 Grant:	\$27,840
Times 1/12:	x1/12
Allowed Balance:	2,320
Program Income Balance:	\$0

In 2013, a total of six (6) housing rehabilitation loans were granted in the amount of \$39,513. The loans were 0% 5 year deferred loans forgiven 20% each year. Of the six (6) loans granted, zero (0) have gone into default. In 2014, zero (0) loans were issued.

Regarding the balance of the Federal RLF, the City issued a loans in the amount of \$300,000 on September 19, 2014 and \$100,000 on May 18, 2015.

**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*
	<b>Homeless Objectives</b>					
	0	0	0	0	0	0
	<b>Special Needs Objectives</b>					
	0	0	0	0	0	0
	<b>Other Objectives</b>					
	0	0	0	0	0	0

\*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 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
<b>CDBG</b>						
Acquisition of existing rental units	1	0	1	0	0	0
Production of new rental units	0	0	0	0	0	0
Rehabilitation of existing rental units	0	0	0	0	0	0
Rental assistance	0	0	0	0	0	0
Acquisition of existing owner units	1	1	1	0	0	0
Production of new owner units	0	0	0	0	0	0
Rehabilitation of existing owner units	10	0	0	0	6	2
Homeownership assistance	11	2	0	0	0	0
<b>HOME</b>						
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						
<b>HOPWA</b>						
Rental assistance						
Short term rent/mortgage utility payments						
Facility based housing development						
Facility based housing operations						
Supportive services						
<b>Other</b>						

**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
<b>Renters</b>						
0 - 30 of MFI						
31 - 50% of MFI						
51 - 80% of MFI						
<b>Owners</b>						
0 - 30 of MFI						
31 - 50 of MFI						
51 - 80% of MFI	11	2	0	0	6	2
<b>Homeless*</b>						
Individuals						
Families						
<b>Non-Homeless Special Needs</b>						
Elderly						
Frail Elderly						
Severe Mental Illness						
Physical Disability						
Developmental Disability						
Alcohol/Drug Abuse						
HIV/AIDS						
Victims of Domestic Violence						
<b>Total</b>	11	2	0	0	6	2
<b>Total Section 215</b>						
215 Renter						
215 Owner						

\* Homeless individuals and families assisted with transitional and permanent housing



**Table 2A**  
**Priority Housing Needs/Investment Plan Table**

<b>PRIORITY HOUSING NEEDS (households)</b>		<b>Priority</b>		<b>Unmet Need</b>
<b>Renter</b>	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	
<b>Owner</b>	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	
<b>Non-Homeless Special Needs</b>	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 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
<b>BENEFICIARY GOALS</b> (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"/>
<b>Total Sec. 215 Beneficiaries*</b>	0	0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>RENTAL GOALS</b> (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"/>
<b>Total Sec. 215 Affordable Rental</b>	0	0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>HOME OWNER GOALS</b> (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	2	0	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Homebuyer Assistance	0	0	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
<b>Total Sec. 215 Affordable Owner</b>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>COMBINED RENTAL AND OWNER GOALS (Sec. 215 Only)</b>						
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"/>
<b>Combined Total Sec. 215 Goals*</b>	0	0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>OVERALL HOUSING GOALS</b> (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"/>
<b>Total Overall Housing Goal</b>	2	0	<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.

**CITY OF NORTH MANKATO**  
**REQUEST FOR COUNCIL ACTION**



Agenda Item #11A	Department: City Administrator	Council Meeting Date: 8/17/15																												
<b>TITLE OF ISSUE: A Representative from Greater Mankato Growth will Report on the Regional Economic Development Association (REDA).</b>																														
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION: Presentation.</b>																														
<i>If additional space is required, attach a separate sheet</i>																														
<b>REQUESTED COUNCIL ACTION: No action.</b>																														
Motion By: _____ Second By: _____  Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Spears</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Spears	_____	_____	Steiner	_____	_____	Norland	_____	_____	Freyberg	_____	_____	Dehen	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>SUPPORTING DOCUMENTS ATTACHED</b> </div> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____ _____		Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #11B	Department: City Planner	Council Meeting Date: 8/17/15										
<b>TITLE OF ISSUE: Resolution Vacating Utility Easements in Butterworth Subdivision.</b>												
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> As part of the vacation of utility easements within Butterworth Subdivision it is necessary to adopt a resolution. A Public Hearing was held and all local utility companies have been notified of the proposed vacation of the utility easements. No local utility company has an objection to the utility easement vacation.												
<i>If additional space is required, attach a separate sheet</i>												
<b>REQUESTED COUNCIL ACTION: Adoption of Resolution Vacating Utility Easements in the Butterworth Subdivision.</b>												
<div style="margin-bottom: 10px;">           Motion By: _____            Second By: _____         </div> <div>           Vote Record:      Aye      Nay                                     _____      _____ Spears                                     _____      _____ Steiner                                     _____      _____ Norland                                     _____      _____ Freyberg                                     _____      _____ Dehen         </div>	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>SUPPORTING DOCUMENTS ATTACHED</b> </div> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; width: 20%;">Resolution</td> <td style="text-align: center; width: 20%;">Ordinance</td> <td style="text-align: center; width: 20%;">Contract</td> <td style="text-align: center; width: 20%;">Minutes</td> <td style="text-align: center; width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <div>           Other (specify)    <u>Petition for Vacation</u>            _____            _____            _____         </div>		Resolution	Ordinance	Contract	Minutes	Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Resolution	Ordinance	Contract	Minutes	Map								
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<div style="margin-bottom: 10px;"> <input type="checkbox"/> Workshop  <input checked="" type="checkbox"/> Regular Meeting  <input type="checkbox"/> Special Meeting         </div>	<div style="margin-bottom: 10px;"> <input type="checkbox"/> Refer to: _____         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Table until: _____         </div> <div> <input type="checkbox"/> Other: _____         </div>											

RESOLUTION NO.

RESOLUTION VACATING UTILITY EASEMENTS  
BUTTERWORTH SUBDIVISION

WHEREAS, a petition has been submitted, executed by 100 percent of the abutting property owners, requesting vacation of utility easements all located in Butterworth Subdivision, North Mankato, Nicollet County, Minnesota and described as follows:

Lot 2, Block 1, Butterworth Subdivision as listed on the Butterworth Subdivision Plat.

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

1. Such utility easements are vacated.
2. The City Clerk shall prepare a notice of completion of these proceedings pursuant to statute and shall present the same to the County Auditor and County Recorder.

Adopted by the City Council this 17<sup>th</sup> day of August 2015.

---

Mayor

---

City Clerk

## PETITION FOR VACATION

The undersigned property owner hereby petitions the City Council of the City of North Mankato, Minnesota, to vacate the following described utility easements:

All utility easements within Lot 2, Block 1, Butterworth Subdivision as listed on the Butterworth Subdivision Plat.

Dated this 28<sup>th</sup> day of JULY 2015.

Heather Anderson  
Witness

Douglas C. Anderson, Pres.  
Douglas C. Anderson, President

Received by City Clerk:

7/28/15  
Date

Amy J. Van Gend  
City Clerk





**CITY OF NORTH MANKATO**  
**REQUEST FOR COUNCIL ACTION**



Agenda Item #11C	Department: City Planner	Council Meeting Date: 8/17/15																											
<b>TITLE OF ISSUE: Consider Approving Preliminary and Final Plat of DDD Subdivision, a Request from Doug Anderson.</b>																													
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION: See attached report</b>																													
<i>If additional space is required, attach a separate sheet</i>																													
<b>REQUESTED COUNCIL ACTION: Approve preliminary and final plat.</b>																													
<b>For Clerk's Use:</b>  Motion By: _____ Second By: _____  Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center; width: 50px;">Aye</td> <td style="text-align: center; width: 50px;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Spears</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Spears	_____	_____	Steiner	_____	_____	Norland	_____	_____	Freyberg	_____	_____	Dehen	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>SUPPORTING DOCUMENTS ATTACHED</b> </div> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; width: 15%;">Resolution</td> <td style="text-align: center; width: 15%;">Ordinance</td> <td style="text-align: center; width: 15%;">Contract</td> <td style="text-align: center; width: 15%;">Minutes</td> <td style="text-align: center; width: 15%;">Map</td> </tr> <tr> <td style="text-align: center;"><div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div></td> <td style="text-align: center;"><div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div></td> <td style="text-align: center;"><div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div></td> <td style="text-align: center;"><div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div></td> <td style="text-align: center;"><div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div></td> </tr> </table> Other (specify <u>Preliminary and Final Plat</u> ) _____ _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div>	<div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div>
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PRELIMINARY & FINAL PLAT OF DDD SUBDIVISION

A REQUEST FROM DOUG ANDERSON

## THE CITY OF NORTH MANKATO

SUBJECT: Preliminary & Final Plat of DDD Subdivision

APPLICANT: Doug Anderson

LOCATION: 1111 Range Street

EXISTING ZONING: B-3, General Commercial

DATE OF HEARING: August 6, 2015

DATE OF REPORT: July 30, 2015

REPORTED BY: Michael Fischer, City Planner

### APPLICATION SUBMITTED

Request to replat Lot 2, Block One, Butterworth Subdivision and Lots 1,2,3 and 4, Poliquin's Subdivision and part of Block 36, Wendel Hodapp's Addition.

### COMMENT

The applicant is the owner of the Best Western located along Highway 169. The property owned by the applicant is shown on Exhibit A. As shown on this exhibit, there is vacant property located to the north of the Best Western on a separate lot. It is the intent of the applicant to sell this vacant property for future development by others. While the vacant property is on a separate lot, the applicant is proposing to replat the lot to increase its size and provide more street frontage along Range Street. The proposed replat is shown on Exhibit B consisting of two (2) lots. The existing conditions are shown on Exhibit C.

As proposed, the replatted property line between Best Western and the vacant property would separate a portion of the existing parking lot used by Best Western. Specifically, there are 41 parking spaces which Best Western would lose if proposed Lot 2, DDD Subdivision is created. However, the applicant would prefer to maintain the parking and access onto Range Street until proposed Lot 2 is sold. The loss of 41 parking spaces would leave 252 parking spaces which would exceed the number of parking spaces needed based on the number of rooms, size of conference center and restaurant.

According to the City Code, a ten (10) foot wide setback is require for parking lots. As the proposed property line between Lots 1 and 2 would be located over the existing parking lot, the replatted lot would not allow for the necessary parking lot setback. According to the applicant, he would create the appropriate setback upon sale of proposed Lot 2.

As part of the proposed replatting request, it is necessary to vacate some of the existing utility easements. As shown on Exhibit B, new utility easements would be incorporated into the new plat.

#### RECOMMENDATION

Staff recommends approval of the Preliminary & Final Plat of the DDD Subdivision subject to the appropriate parking lot setbacks are addressed upon sale of Lot 2, Block 1 DDD Subdivision.





- Legend**
- City Limits
  - Parcels (6-1-2014)
  - Lakes & Ponds
  - Minnesota River



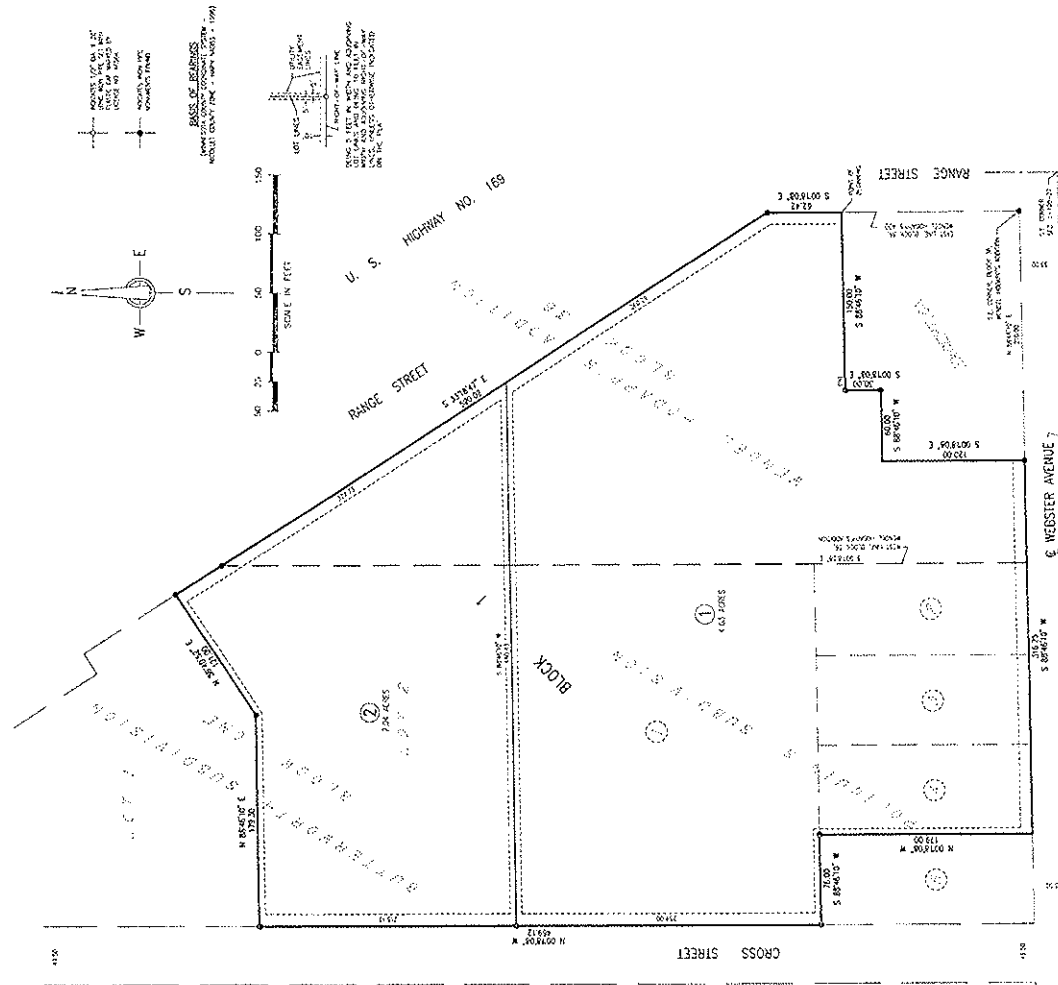
**Disclaimer:**  
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of North Mankato is not responsible for any inaccuracies herein contained.



0 176 Feet



D D D SUBDIVISION  
CITY OF NORTH MANKATO  
NICOLLET COUNTY, MINNESOTA



ANSWER: RE CERTIFICATION

Know all men of these presents, that we, D. D. Welch Corporation, a Minnesota corporation, and Douglas Anderson, a single person, for ourselves and the following described property to-wit:

Lot 2, Block One, Baitersburg Subdivision and Lots 2, 3, 4 and 5, Block 4, Subdivision on the title and of record with the Nicollet County Recorder, all more particularly described as

[illegible]

do hereby declare that we have reviewed the above described property to be surveyed and  
 located and monuments to be set, that we have caused said platting and B. C. 30-10-10-10  
 and that we designed to the public use the documents shown herein.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by Douglas C. Anderson, president of

BBWaste Corporation  
Douglas C. Anderson, president  
Dated this ..... day of ..... 2015 by Douglas C. Anderson, a single person.  
\_\_\_\_\_  
Douglas C. Anderson.

STATE OF MISSISSIPPI  
COUNTY OF WILKINSON

On this 14th day of November, 2015, before me, a Notary Public in and for the State of Mississippi, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 14th day of November, 2015, at \_\_\_\_\_, Mississippi.

Notary Public in and for the State of Mississippi

My commission expires \_\_\_\_\_

[illegible]

On this fine sunny day of September 20th, before me a happy Public witness for each other's personal happiness, I have joined together a young man and woman who are both free and single persons, and who are entering into matrimony as the laws of our state demand.

Notary Public

My Comm. Expires Dec. 31st, 1907. My Qualification Exp. July 1st, 1908.

[illegible]

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me a Notary Public in and for said County, appeared \_\_\_\_\_, and being duly sworn she said that she executed the foregoing \_\_\_\_\_

Notary Public  
\_\_\_\_\_  
Notary Public, Licensed Land Surveyor  
Minnesota license No. 147401

# History of the

Clerks

We it known that on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019, the Planning Commission  
of the City of North Monmouth did duly review that plot of D & B Development.

\_\_\_\_\_  
Secretary

WFOG  
 City of North Weymouth did duly approve this plan of U.B. Administration  
 11:16 AM  
 City Clerk

[illegible]

I hereby certify that there are no delinquent taxes and/or delinquent articles assessed against the above named taxpayer as of the date hereof, and that the current taxes have been paid by the taxpayer. No such certificate was filed on the day of \_\_\_\_\_, 2015.

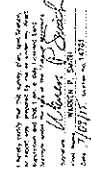
\_\_\_\_\_  
County Auditor

NOTARIAL PUBLIC STATE OF MISSISSIPPI  
My Comm. Expires 12-31-2016

I hereby certify that this instrument was filed on \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., in \_\_\_\_\_ County, \_\_\_\_\_ State of \_\_\_\_\_, and that the same is a true and correct copy of the original as the same appears from the records of said County.

THIS WAS PREPARED BY SURVEY SERVICES, INC.  
FOR THE U.S. DEPARTMENT OF COMMERCE

~~EXHIBIT C~~



LOT 2, BLOCK ONE, BUTTERNUT SURF. LOT 4,  
POCONO SURF. & PART OF BLOCK 20, MONTEL  
-COOPER'S ADD

FOR ANDERSON, BOOZE  
DATE: JULY 2019 PAGE: 15/2020

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #11D	Department: City Planner	Council Meeting Date: 8/17/15																																														
<b>TITLE OF ISSUE:</b> Consider Adoption of Ordinance of Annexation of Land, Mayo Addition.																																																
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> The City of North Mankato received a Petition for Annexation by Ordinance from the sole owner of 18.49 acres, Mayo Health Systems. In cases where the procedure is initiated by service of a petition on a municipality, the City must not pass an Ordinance of Annexation until 90 days after the township has been served, unless the town board signs a waiver stating they have not objection to the annexation. The Belgrade Township signed the waiver of annexation and the City Council is presented with an Ordinance of Annexation.																																																
<i>If additional space is required, attach a separate sheet</i>																																																
<b>REQUESTED COUNCIL ACTION:</b> Adopt Ordinance of Annexation by the City of North Mankato of Certain Land.																																																
Motion By: _____ Second By: _____  <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Vote Record:</td> <td style="width: 15%; text-align: center;">Aye</td> <td style="width: 15%; text-align: center;">Nay</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Spears</td> <td></td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> <td></td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> <td></td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> <td></td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> <td></td> <td></td> </tr> </table>	Vote Record:	Aye	Nay					_____	_____	Spears				_____	_____	Steiner				_____	_____	Norland				_____	_____	Freyberg				_____	_____	Dehen			<div style="text-align: center; font-weight: bold; margin-bottom: 10px;">SUPPORTING DOCUMENTS ATTACHED</div> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>Other (specify) <u>Waiver of Annexation Signed by the Belgrade Township</u></p> <p>_____</p> <p>_____</p> <p>_____</p>		Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ORDINANCE NO. 71, FOURTH SERIES  
AN ORDINANCE OF ANNEXATION BY THE CITY OF NORTH MANKATO, MINNESOTA,  
OF CERTAIN LAND TO-WIT:  
PART OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ AND THE SOUTHWEST ¼ OF THE  
NORTHWEST 1/4 , SECTION 3 TOWNSHIP 108 NORTH, RANGE 27 WEST  
FOR ANNEXATION PURSUANT TO MINNESOTA STATUTES 415.033, SUBD. 5.

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

Section 1. The described tract of unincorporated property abuts the municipal limits of the City of North Mankato, Minnesota.

Section 2. The legal description of said land is as follows:

That part of the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter, Section 3, Township 108 North, Range 27 West, Nicollet County, Minnesota lying West of Parcel 3N1, North of Parcel 3N4, and South of Parcel 3N5, Nicollet County Right of Way Plat No. 26, according to the recorded plan thereof.

Total annexation parcel contains 18.49 acres, subject to any and all easements of record.

Section 3. Such land is now or is about to become urban or suburban in character.

Section 4. The land proposed for annexation is unplatted and contains. 18.49 acres.

Section 5. The North Mankato City Council received a petition dated June 18, 2015, bearing signatures of one hundred percent (100%) of the ownership interest in such land petitioned for annexation into the City.

Section 6. The City of North Mankato, pursuant to Minnesota Statute §414.036 and established Annexation Reimbursement Agreement Between the City of North Mankato and Belgrade Township with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to Belgrade Township of \$1,360.00 for estimated taxes. Belgrade Township shall not receive any further property tax income from the land commencing with the tax year 2016.

Section 7. Such land is hereby annexed to the City of North Mankato, Minnesota, and is declared to be included within its municipal limits.



Section 8. This ordinance shall be published once in the official newspaper of the City after adoption, signing and attestation and following this ordinance is approved by the Municipal Board of the State of Minnesota. The ordinance shall be in effect on and after the day following such publication.

Adopted by the Council this 17<sup>th</sup> day of August, 2015.

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Mayor

ATTEST:

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City Clerk

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #11E	Department: Administration	Council Meeting Date: 8/17/15
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**TITLE OF ISSUE:** Consider Adopting a Resolution Awarding the Sale of General Obligation Refunding Bonds, Series 2015A, in the Original Aggregate Principal Amount of \$2,060,000.

**BACKGROUND AND SUPPLEMENTAL INFORMATION:** On July 20, 2015 the City Council adopted a resolution approving the Sale of General Obligation Bonds. The resolution before you awards the Sale of Bonds. Proceeds of the Bonds will be used to finance the construction of various infrastructure improvements to public infrastructure in the City.

If additional space is required, attach a separate sheet

**REQUESTED COUNCIL ACTION:** Adopt the Resolution Awarding the Sale of General Obligation Bonds, Series 2015A, in the Original Aggregate Principal Amount of \$2,060,000.

<p>Motion By: _____</p> <p>Second By: _____</p> <p>Vote Record:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"></td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td style="width: 50%;"></td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Spears</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Steiner</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Norland</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Freyberg</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Dehen</td> </tr> </table>		Aye	Nay		_____	_____	_____	Spears	_____	_____	_____	Steiner	_____	_____	_____	Norland	_____	_____	_____	Freyberg	_____	_____	_____	Dehen	<p style="text-align: center;"><b>SUPPORTING DOCUMENTS ATTACHED</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>Other (specify) _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	Resolution	Ordinance	Contract	Minutes	Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AWARDING THE SALE OF GENERAL  
OBLIGATION BONDS, SERIES 2015A, IN THE ORIGINAL  
AGGREGATE PRINCIPAL AMOUNT OF \$2,060,000; FIXING  
THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR  
EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR  
PAYMENT**

BE IT RESOLVED By the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City") as follows:

Section 1.      Sale of Bonds.

1.02.    Authorization. Pursuant to a resolution adopted by the City Council of the City on July 20, 2015, the City Council of the City provided preliminary approval to the issuance of the City's General Obligation Bonds, Series 2015A (the "Bonds"). Proceeds of the Bonds will be used to (i) finance the construction of various infrastructure improvements to public infrastructure in the City, including trail improvements (the "Infrastructure"), pursuant to Minnesota Statutes, Chapter 475, as amended, and Sections 469.1812 through 469.1815, as amended (collectively, the "Abatement Act"); and (ii) finance the construction of certain assessable public improvements in the City, including sanitary sewer system, storm sewer system, water system, and street improvements in the City designated as the West Carlson Drive Improvements (City Project No. 15-01ABCDEF) (the "Assessable Improvements"), pursuant to Minnesota Statutes, Chapters 429 and 475, as amended (collectively, the "Improvement Act").

1.02.    Award to the Purchaser and Interest Rates. The proposal of \_\_\_\_\_ (the "Purchaser") to purchase the Bonds is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$\_\_\_\_\_ (par amount of \$2,060,000, [plus original issue premium of \$\_\_\_\_\_,] [less original issue discount of \$\_\_\_\_\_,] less underwriter's discount of \$\_\_\_\_\_), plus accrued interest to date of delivery, for Bonds bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2016	%	2024	%
2017		2025	
2018		2026	
2019		2027	
2020		2028	
2021		2029	
2022		2030	
2023			

1.03.    Purchase Contract. The sum of \$\_\_\_\_\_, being the amount proposed by the Purchaser in excess of \$2,034,250, shall be credited to the accounts in the Debt Service Fund hereinafter created or deposited in the accounts of the Construction Fund hereinafter created, as determined by the Finance Director of the City in consultation with the City's municipal advisor. The Finance Director is directed to

retain the good faith check of the Purchaser, pending completion of the sale of the Bonds, and to return the good faith checks of the unsuccessful proposers. The Mayor and City Administrator are directed to execute a contract with the Purchaser on behalf of the City.

1.04. Terms and Principal Amounts of the Bonds. The City will forthwith issue and sell the Bonds pursuant to the Abatement Act and the Improvement Act (together, the "Act"), in the total principal amount of \$2,060,000, originally dated as of September 1, 2015, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1, upward, bearing interest as above set forth, and maturing serially on December 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2016	\$	2024	\$
2017		2025	
2018		2026	
2019		2027	
2020		2028	
2021		2029	
2022		2030	
2023			

(a) \$580,000 of the Bonds (the "Abatement Bonds"), maturing on the dates and in the amounts set forth below, are being used to finance the construction of the Infrastructure:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2016	\$	2024	\$
2017		2025	
2018		2026	
2019		2027	
2020		2028	
2021		2029	
2022		2030	
2023			

(b) The remainder of the Bonds in the principal amount of \$1,480,000 (the "Improvement Bonds"), maturing on the dates and in the amounts set forth below, are being used to finance the construction of the Assessable Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2016	\$	2024	\$
2017		2025	
2018		2026	
2019		2027	
2020		2028	
2022		2029	
2023		2030	

1.05. Optional Redemption. The City may elect on December 1, 2022, and on any day thereafter to prepay Bonds due on or after December 1, 2023. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 7 hereof) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

[1.06. Mandatory Redemption; Term Bonds. To be completed if Term Bonds are requested by the Purchaser.]

## Section 2. Registration and Payment.

2.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.

2.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on June 1 and December 1 of each year, commencing June 1, 2016, to the registered owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day.

2.03. Registration. The City will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar"). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of Bonds. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

2.04. Appointment of Initial Registrar. The City appoints U.S. Bank National Association, Saint Paul, Minnesota, as the initial Registrar. The Mayor and the City Administrator are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each

principal or interest due date, without further order of this Council, the Finance Director must transmit to the Registrar moneys sufficient for the payment of all principal and interest then due.

2.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the City Administrator and executed on behalf of the City by the signatures of the Mayor and the City Administrator, provided that those signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of a Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this resolution. When the Bonds have been so prepared, executed and authenticated, the City Administrator will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

2.06. Temporary Bonds. The City may elect to deliver in lieu of printed definitive Bonds one or more typewritten temporary Bonds in substantially the form set forth in EXHIBIT B attached hereto with such changes as may be necessary to reflect more than one maturity in a single temporary bond. Upon the execution and delivery of definitive Bonds the temporary Bonds will be exchanged therefor and cancelled.

### Section 3. Form of Bond.

3.01. Execution of the Bonds. The Bonds will be printed or typewritten in substantially the form set forth in EXHIBIT B.

3.02. Approving Legal Opinion. The City Administrator is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or accompany each Bond.

### Section 4. Payment; Security; Pledges and Covenants.

4.01. Debt Service Fund. The Bonds will be payable from the General Obligation Bonds, Series 2015A Debt Service Fund (the "Debt Service Fund") hereby created. The Debt Service Fund shall be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The City will maintain the following accounts in the Debt Service Fund: the "Abatement Account" and the "Assessable Improvements Account." Amounts in the Abatement Account are irrevocably pledged to the Abatement Bonds, and amounts in the Assessable Improvements Account are irrevocably pledged to the Improvement Bonds.

(a) Abatement Account. The Finance Director shall timely deposit in the Abatement Account of the Debt Service Fund the property tax abatement (the "Abatements") for certain property in the City identified in the resolution approving the Abatements adopted by the City Council of the City on August 3, 2015 (the "Abatement Resolution") and ad valorem taxes levied hereunder, which Abatements and ad valorem taxes are pledged to the Abatement Account. There is also appropriated to the Abatement Account a pro rata portion of (i) capitalized interest financed from the proceeds of the Bonds, if any; (ii) amounts over the minimum purchase price paid by the

Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof; and (iii) accrued interest paid by the Purchaser upon closing and delivery of the Bonds.

(b) Assessable Improvements Account. The proceeds of general taxes hereinafter levied and special assessments levied or to be levied for the Assessable Improvements described herein are hereby pledged to the Assessable Improvements Account of the Debt Service Fund. There is also appropriated to the Assessable Improvements Account a pro rata portion of (i) capitalized interest financed from the proceeds of the Bonds, if any; (ii) amounts over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof; and (iii) accrued interest paid by the Purchaser upon closing and delivery of the Bonds.

4.02. Construction Fund. The City hereby creates the General Obligation Bonds, Series 2015A Construction Fund (the "Construction Fund"). The City will maintain the following accounts in the Construction Fund: the "Abatement Account" and the "Assessable Improvements Account." Amounts in the Abatement Account are irrevocably pledged to the Abatement Bonds, and amounts in the Assessable Improvements Account are irrevocably pledged to the Improvement Bonds.

(a) Abatement Account. Proceeds of the Abatement Bonds, less the appropriations made in Section 4.01(a) hereof, will be deposited in the Abatement Account of the Construction Fund to be used solely to defray expenses of the Infrastructure described herein and in the Abatement Resolution. When the Infrastructure is completed and the cost thereof paid, the Abatement Account of the Construction Fund is to be closed and any funds remaining may be deposited in the Abatement Account of the Debt Service Fund.

(b) Assessable Improvements Account. Proceeds of the Improvement Bonds, less the appropriations made in Section 4.01(b) hereof, will be deposited in the Assessable Improvements Account of the Construction Fund to be used solely to defray expenses of the Assessable Improvements and the payment of principal of and interest on the Improvement Bonds prior to the completion and payment of all costs of the Assessable Improvements. Any balance remaining in the Assessable Improvements Account after completion of the Assessable Improvements may be used to pay the cost in whole or in part of any other improvement instituted under the Improvement Act under the direction of the City Council. When the Assessable Improvements are completed and the cost thereof paid, the Assessable Improvements Account is to be closed and subsequent collections of special assessments and ad valorem taxes for the Assessable Improvements are to be deposited in the Assessable Improvements Account of the Debt Service Fund.

4.03. City Covenants with Respect to the Improvement Bonds. It is hereby determined that the Improvements will directly and indirectly benefit abutting property, and the City hereby covenants with the holders from time to time of the Bonds as follows:

(a) The City has caused or will cause the special assessments for the Assessable Improvements to be promptly levied so that the first installment will be collectible not later than 2016 and will take all steps necessary to assure prompt collection, and the levy of the special assessments is hereby authorized. The City Council will cause to be taken with due diligence all further actions that are required for the construction of each Assessable Improvement financed wholly or partly from the proceeds of the Improvement Bonds, and will take all further actions



necessary for the final and valid levy of the special assessments and the appropriation of any other funds needed to pay the Bonds and interest thereon when due.

(b) In the event of any current or anticipated deficiency in special assessments and ad valorem taxes, the City Council will levy additional ad valorem taxes in the amount of the current or anticipated deficiency.

(c) The City will keep complete and accurate books and records showing receipts and disbursements in connection with the Assessable Improvements, special assessments and ad valorem taxes levied therefor and other funds appropriated for their payment, collections thereof and disbursements therefrom, monies on hand and, the balance of unpaid special assessments.

(d) The City will cause its books and records to be audited at least annually and will furnish copies of such audit reports to any interested person upon request.

(e) At least twenty percent (20%) of the cost of the Assessable Improvements described herein will be specially assessed against benefited properties.

4.04. General Obligation Pledge. For the prompt and full payment of the principal and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City will be and are hereby irrevocably pledged. If the balance in the Debt Service Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of monies in the general fund of the City which are available for such purpose, and such general fund may be reimbursed with or without interest from the Debt Service Fund when a sufficient balance is available therein.

4.05. Pledge of Tax Levy. For the purpose of paying a portion of the interest on the Bonds, there is levied a direct annual irrevocable ad valorem tax (the "Taxes") upon all of the taxable property in the City, which will be spread upon the tax rolls and collected with and as part of other general taxes of the City. The Taxes will be credited on a pro rata basis to the Abatement Account and the Assessable Improvements Account of the Debt Service Fund above provided and will be in the years and amounts as attached hereto as EXHIBIT C.

4.06. Certification to County Auditor-Treasurer as to Debt Service Fund Amount. It is hereby determined that the estimated collections of Abatements, special assessments, and Taxes will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levy herein provided is irrevocable until all of the Bonds are paid, provided that at the time the City makes its annual tax levies the Finance Director may certify to the County Auditor-Treasurer of Nicollet County, Minnesota (the "County Auditor-Treasurer") the amount available in the Debt Service Fund to pay principal and interest due during the ensuing year, and the County Auditor-Treasurer will thereupon reduce the levy collectible during such year by the amount so certified.

4.07. Registration of Resolution. The City Administrator is authorized and directed to file a certified copy of this resolution with the County Auditor-Treasurer and to obtain the certificate required by Section 475.63 of the Act.

## Section 5. Authentication of Transcript.

5.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of

proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, will be deemed representations of the City as to the facts stated therein.

5.02. Certification as to Official Statement. The Mayor, the City Administrator, and the Finance Director are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

5.03. Other Certificates. The Mayor, the City Administrator, and the Finance Director are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the Bonds or the organization of the City or incumbency of its officers, at the closing the Mayor, the City Administrator, and the Finance Director shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the Finance Director shall also execute and deliver a certificate as to payment for and delivery of the Bonds.

#### Section 6. Tax Covenant.

6.01. Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

6.02. Rebate. The City will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States.

6.03. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

6.04. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

- (a) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;
- (b) the City designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;

(c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds that are not qualified 501(c)(3) bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 2015 will not exceed \$10,000,000; and

(d) not more than \$10,000,000 of obligations issued by the City during calendar year 2015 have been designated for purposes of Section 265(b)(3) of the Code.

6.05. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 7. Book-Entry System; Limited Obligation of City.

7.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.04 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns ("DTC"). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

7.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the "Participants") or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Administrator of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co." will refer to such new nominee of DTC; and upon receipt of such a notice, the City Administrator will promptly deliver a copy of the same to the Registrar and Paying Agent.

7.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

7.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

7.05. Payments to Cede & Co. Notwithstanding any other provision of this resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and all notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

#### Section 8. Continuing Disclosure.

8.01. Execution of Continuing Disclosure Certificate. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Mayor and City Administrator and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

8.02. City Compliance with Provisions of Continuing Disclosure Certificate. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this resolution, failure of the City to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

Section 9. Defeasance. When all Bonds and all interest thereon have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

The motion for the adoption of the foregoing resolution was duly seconded by Member \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

**EXHIBIT A**  
**PROPOSALS**

## EXHIBIT B

### FORM OF BOND

No. R-\_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
COUNTY OF NICOLLET  
CITY OF NORTH MANKATO

\$\_\_\_\_\_

GENERAL OBLIGATION BOND  
SERIES 2015A

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
-------------	-----------------	-----------------------------------	--------------

December 1, 20__	September 1, 2015		
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Registered Owner: Cede & Co.

The City of North Mankato, Minnesota, a duly organized and existing municipal corporation in Nicollet County, Minnesota (the "City"), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the principal sum of \$\_\_\_\_\_ on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above, payable June 1 and December 1 in each year, commencing June 1, 2016, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by U.S. Bank National Association, Saint Paul, Minnesota, as Bond Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on December 1, 2022, and on any day thereafter to prepay Bonds due on or after December 1, 2023. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify The Depository Trust Company ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

This Bond is one of an issue in the aggregate principal amount of \$2,060,000 all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the City Council on August 17, 2015 (the "Resolution"), for the purpose of providing money to defray the expenses incurred and to be incurred in the construction of certain public infrastructure in the City and certain assessable public improvements, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapter 429, as amended, Sections 469.1812 through 469.1815, as amended, and Chapter 475, as

amended. The principal hereof and interest hereon are payable in part from abatements collected from certain property in the City, ad valorem taxes, and special assessments, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in abatements, taxes, and special assessments pledged, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City Council has designated the issue of Bonds of which this Bond forms a part as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Bond Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Bond Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of North Mankato, Nicollet County, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Administrator and has caused this Bond to be dated as of the date set forth below.

Dated: September 1, 2015

**CITY OF NORTH MANKATO,  
MINNESOTA**

\_\_\_\_\_  
(Facsimile)  
Mayor

\_\_\_\_\_  
(Facsimile)  
City Administrator



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**CERTIFICATE OF AUTHENTICATION**

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

**U.S. BANK NATIONAL ASSOCIATION**

By \_\_\_\_\_  
Authorized Representative

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**ABBREVIATIONS**

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common

UNIF GIFT MIN ACT  
\_\_\_\_\_ Custodian \_\_\_\_\_  
(Cust) (Minor)

TEN ENT -- as tenants by entireties

under Uniform Gifts or Transfers to Minors  
Act, State of \_\_\_\_\_

JT TEN -- as joint tenants with right of  
survivorship and not as tenants in common

Additional abbreviations may also be used though not in the above list.

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**ASSIGNMENT**

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

---

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address:

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(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

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#### PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

Date of Registration

Registered Owner

Signature of  
Officer of Registrar

Cede & Co.  
Federal ID #13-2555119

**EXHIBIT C**  
**TAX LEVY SCHEDULES**

**Tax Levy Schedule for the Abatement Bonds**

<u>YEAR *</u>	<u>TAX LEVY</u>
2016	
2017	
2018	
2019	
2020	
2021	
2022	
2023	
2024	
2025	
2026	
2027	
2028	
2029	
2030	

*\* Year tax levy collected.*

**Tax Levy Schedule for the Improvement Bonds**

<u>YEAR *</u>	<u>TAX LEVY</u>
2016	
2017	
2018	
2019	
2020	
2022	
2023	
2024	
2025	
2026	
2027	
2028	
2029	
2030	

*\* Year tax levy collected.*

STATE OF MINNESOTA                    )  
  )  
COUNTY OF NICOLLET                 ) SS.  
  )  
CITY OF NORTH MANKATO             )

I, being the duly qualified and acting City Clerk of the City of North Mankato, Nicollet County, Minnesota (the "City"), do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on August 17, 2015, with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of the City's General Obligation Bonds, Series 2015A, in the original aggregate principal amount of \$2,060,000.

WITNESS My hand officially as such City Clerk and the corporate seal of the City this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

(SEAL)

\_\_\_\_\_  
City Clerk  
City of North Mankato, Minnesota

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #11F	Department: Administration	Council Meeting Date: 8/17/15
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**TITLE OF ISSUE: Consider Adopting a Resolution Awarding the Sale of General Obligation Refunding Bonds, Series 2015B, in the Original Aggregate Principal Amount of \$5,795,000.**

**BACKGROUND AND SUPPLEMENTAL INFORMATION: On July 20, 2015 the City Council adopted a resolution approving the Sale of General Obligation Bonds. The resolution before you awards the Sale of Bonds. Proceeds of the Bonds will be used to refund outstanding obligations of the City.**

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

**REQUESTED COUNCIL ACTION: Adopt the Resolution Awarding the Sale of General Obligation Bonds, Series 2015B, in the Original Aggregate Principal Amount of \$5,795,000.**

<p>Motion By: _____</p> <p>Second By: _____</p>		<p align="center"><b>SUPPORTING DOCUMENTS ATTACHED</b></p>				
<p>Vote Record:      Aye      Nay</p>		Resolution	Ordinance	Contract	Minutes	Map
<p>_____ Spears</p> <p>_____ Steiner</p> <p>_____ Norland</p> <p>_____ Freyberg</p> <p>_____ Dehen</p>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<p>Other (specify) _____</p> <p>_____</p> <p>_____</p> <p>_____</p>				
<p><input type="checkbox"/> Workshop</p> <p><input checked="" type="checkbox"/> Regular Meeting</p> <p><input type="checkbox"/> Special Meeting</p>		<p><input type="checkbox"/> Refer to: _____</p> <p><input type="checkbox"/> Table until: _____</p> <p><input type="checkbox"/> Other: _____</p>				

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015B, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$5,795,000; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; PROVIDING FOR THEIR PAYMENT; PROVIDING FOR THE ESCROWING AND INVESTMENT OF THE PROCEEDS THEREOF; AND PROVIDING FOR THE REDEMPTION OF BONDS REFUNDED THEREBY**

BE IT RESOLVED By the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City") as follows:

Section 1.     Sale of Bonds.

1.01.   Authorization. Pursuant to a resolution adopted by the City Council of the City on July 20, 2015, the City Council of the City provided preliminary approval to the issuance of the City's General Obligation Refunding Bonds, Series 2015B (the "Bonds"). Proceeds of the Bonds will be used to refund the following outstanding obligations of the City (collectively, the "Refunded Bonds"):

(a)     General Obligation Capital Project Bonds, Series 2005A (the "Series 2005A Bonds"), dated as of February 1, 2005, issued in the original aggregate principal amount of \$2,495,000, the proceeds of which financed the construction of certain assessable public improvements in the City (the "2005 Assessable Improvements") and the construction and equipping of a public works building in the City (the "2005 Utility Improvements"), pursuant to Minnesota Statutes, Chapters 429, 444, and 475, as amended, and which are subject to optional redemption on or after February 1, 2015;

(b)     General Obligation Utility Revenue Bonds, Series 2006B (the "Series 2006B Bonds"), dated as of May 15, 2006, issued in the original aggregate principal amount of \$1,600,000, the proceeds of which financed the construction of improvements to the sanitary sewer system, storm water system, and water system of the City (the "2006 Utility Improvements"), pursuant to Minnesota Statutes, Chapters 444 and 475, as amended (collectively, the "Utility Revenue Act"), and which are subject to optional redemption on or after February 1, 2016;

(c)     General Obligation Improvement Bonds, Series 2006C (the "Series 2006C Bonds"), dated as of December 15, 2006, issued in the original aggregate principal amount of \$1,760,000, the proceeds of which financed the construction of various assessable public improvements in the City (the "2006 Assessable Improvements"), pursuant to Minnesota Statutes, Chapters 429 and 475, as amended (collectively, the "Improvement Act"), and which are subject to optional redemption on or after February 1, 2015;

(d)     General Obligation Utility Revenue Bonds, Series 2007B (the "Series 2007B Bonds"), dated as of August 1, 2007, issued in the original aggregate principal amount of \$890,000, the proceeds of which financed the construction of improvements to the sanitary sewer system, storm water system, and water system of the City (the "2007 Assessable Improvements"),

pursuant to the Utility Revenue Act, and which are subject to optional redemption on or after February 1, 2018;

(e) General Obligation Water Utility Revenue Bonds, Series 2008B (the "Series 2008B Bonds"), dated as of May 1, 2008, issued in the original aggregate principal amount of \$2,295,000, the proceeds of which financed the construction of improvements to the water system of the City (the "2008 Utility Improvements"), pursuant to the Utility Revenue Act, and which are subject to optional redemption on or after February 1, 2018; and

(f) General Obligation State Aid Street and Refunding Bonds, Series 2009D (the "Series 2009D Bonds"), dated as of December 1, 2009, issued in the original aggregate principal amount of \$3,120,000, the proceeds of which (A) financed the construction of the Carlson Drive/CSAH 41/Howard Drive Improvements in the City (the "2009 State Aid Street Improvements"); and (B) refinanced the establishment, location, relocation, construction, reconstruction, and improvement of certain state aid streets in the City (the "1998 State Aid Street Improvements") through the redemption and prepayment of the City's General Obligation State-Aid Street Bonds, Series 1998B, pursuant to Minnesota Statutes, Chapter 475, as amended, and Section 162.18, as amended (collectively, the "State Aid Street Financing Act"), and which are subject to optional redemption on or after April 1, 2017.

1.02. Award to the Purchaser and Interest Rates. The proposal of \_\_\_\_\_ (the "Purchaser") to purchase the Bonds is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$\_\_\_\_\_ (par amount of \$5,795,000, [plus original issue premium of \$\_\_\_\_\_,] [less original issue discount of \$\_\_\_\_\_,] less underwriter's discount of \$\_\_\_\_\_), plus accrued interest to date of delivery, for Bonds bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2015	%	2022	%
2016		2023	
2017		2024	
2018		2025	
2019		2026	
2020		2027	
2021		2028	

1.03. Purchase Contract. The sum of \$\_\_\_\_\_, being the amount proposed by the Purchaser in excess of \$5,737,050, shall be credited to the accounts in the Debt Service Fund hereinafter created, deposited in the Current Refunding Fund hereinafter created, or deposited in the Escrow Fund hereinafter created, as determined by the Finance Director of the City in consultation with the City's municipal advisor. The Finance Director is directed to retain the good faith check of the Purchaser, pending completion of the sale of the Bonds, and to return the good faith checks of the unsuccessful proposers. The Mayor and City Administrator are directed to execute a contract with the Purchaser on behalf of the City.

1.04. Terms and Principal Amounts of the Bonds. The City will forthwith issue and sell the Bonds pursuant to the Improvement Act, the Utility Revenue Act, the State Aid Street Financing Act, and Minnesota Statutes, Section 475.67, subdivisions 3 and 13 (collectively, the "Act"), in the total principal amount of \$5,795,000, originally dated as of September 15, 2015, in the denomination of \$5,000 each or any

integral multiple thereof, numbered No. R-1, upward, bearing interest as above set forth, and maturing serially on December 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2015	\$	2022	\$
2016		2023	
2017		2024	
2018		2025	
2019		2026	
2020		2027	
2021		2028	

(a) \$425,000 in principal amount of the Bonds (the "Series 2005A Refunding Bonds"), maturing in the amounts and on December 1 of the years set forth below, will be used to redeem and prepay the outstanding Series 2005A Bonds on September 21, 2015 and thereby refinance the 2005 Assessable Improvements and the 2005 Utility Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2015	\$	2018	\$
2016		2019	
2017			

(i) Furthermore, \$\_\_\_\_\_ in principal amount of the Series 2005A Refunding Bonds (the "Series 2005A Improvement Refunding Bonds"), maturing in the amounts and on December 1 of the years set forth below, will be used to refund the portion of the Series 2005A Bonds allocated to financing the 2005 Assessable Improvements (the "Series 2005A Improvement Bonds"):

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2015	\$	2018	\$
2016		2019	
2017			

(ii) The remainder of the Series 2005A Refunding Bonds in the amount of \$\_\_\_\_\_ (the "Series 2005A Utility Revenue Refunding Bonds"), maturing in the amounts and on December 1 of the years set forth below, will be used to refund the portion of the Series 2005A Bonds allocated to financing the 2005 Utility Improvements (the "Series 2005A Utility Revenue Revenue Bonds"):

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2015	\$	2018	\$
2016		2019	
2017			



(b) \$725,000 in principal amount of the Bonds (the "Series 2006B Refunding Bonds"), maturing in the amounts and on December 1 of the years set forth below, will be used to redeem in advance of maturity on February 1, 2016 the Series 2006B Bonds maturing after February 1, 2016 and thereby refinance the 2006 Utility Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2016	\$	2019	\$
2017		2020	
2018			

(c) \$445,000 in principal amount of the Bonds (the "Series 2006C Refunding Bonds"), maturing in the amounts and on December 1 of the years set forth below, will be used to redeem and prepay the outstanding Series 2006C Bonds on September 21, 2015 and thereby refinance the 2006 Assessable Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2015	\$	2017	\$
2016			

(d) \$375,000 in principal amount of the Bonds (the "Series 2007B Refunding Bonds"), maturing in the amounts and on December 1 of the years set forth below, will be used to refund in advance of maturity on February 1, 2018 the Series 2007B Bonds maturing after February 1, 2018 and thereby refinance the 2008 Utility Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2018	\$	2021	\$
2019		2022	
2020			

(e) \$1,905,000 in principal amount of the Bonds (the "Series 2008B Refunding Bonds"), maturing in the amounts and on December 1 of the years set forth below, will be used to refund in advance of maturity on February 1, 2018 the Series 2008B Bonds maturing after February 1, 2018 and thereby refinance the 2008 Utility Improvements.

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2018	\$	2024	\$
2019		2025	
2020		2026	
2021		2027	
2022		2028	
2023			

(f) The remainder of the Bonds in the principal amount of \$1,920,000 (the "Series 2009D Refunding Bonds"), maturing in the amounts and on December 1 of the years set forth below, are being issued to refund in advance of maturity on April 1, 2017 the Series 2009D

Bonds maturing after April 1, 2017 and thereby refinance the 2009 State Aid Street Improvements and the 1998 State Aid Street Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2017	\$	2021	\$
2018		2022	
2019		2023	
2020		2024	

1.05. Optional Redemption. The City may elect on December 1, 2022, and on any day thereafter to prepay Bonds due on or after December 1, 2023. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 8 hereof) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

[1.06. Mandatory Redemption; Term Bonds. To be completed if Term Bonds are requested by the Purchaser.]

## Section 2. Registration and Payment.

2.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.

2.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on June 1 and December 1 of each year, commencing December 1, 2015, to the registered owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day.

2.03. Registration. The City will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar"). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount

and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of Bonds.

Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

2.04. Appointment of Initial Registrar. The City appoints U.S. Bank National Association, Saint Paul, Minnesota, as the initial Registrar. The Mayor and the City Administrator are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of the City Council, the City Administrator must transmit to the Registrar moneys sufficient for the payment of all principal and interest then due.

2.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the City Administrator and executed on behalf of the City by the signatures of the Mayor and the City Administrator, provided that those signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of a Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this resolution. When the Bonds have been so prepared, executed and authenticated, the City Administrator will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

2.06. Temporary Bonds. The City may elect to deliver in lieu of printed definitive Bonds one or more typewritten temporary Bonds in substantially the form set forth in EXHIBIT B attached hereto with such changes as may be necessary to reflect more than one maturity in a single temporary bond. Upon the execution and delivery of definitive Bonds the temporary Bonds will be exchanged therefor and cancelled.

### Section 3. Form of Bond.

3.01. Execution of the Bonds. The Bonds will be printed or typewritten in substantially the form set forth in EXHIBIT B.

3.02. Approving Legal Opinion. The City Administrator is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or accompany each Bond.

### Section 4. Payment; Security; Pledges; Covenants; Escrow.

4.01. Debt Service Fund. The Bonds will be payable from the General Obligation Refunding Bonds, Series 2015B Debt Service Fund (the "Debt Service Fund") hereby created. The Debt Service Fund shall be administered and maintained by the Finance Director as a bookkeeping account separate and apart

from all other funds maintained in the official financial records of the City. The City will maintain the following accounts in the Debt Service Fund: the "Assessable Improvements Account," the "Utility Improvements Account," and the "State Aid Street Improvements Account."

(a) Assessable Improvements Account. To the Assessable Improvements Account of the Debt Service Fund, there is hereby pledged and irrevocably appropriated and there will be credited: (i) after September 21, 2015 (the "Series 2005A Bonds Redemption Date"), special assessments collected for the payment of the Series 2005A Improvement Bonds pursuant to levies made in the resolution authorizing the issuance and sale of the Series 2005A Bonds (the "Series 2005A Bonds Resolution"), which levies will not be cancelled except as permitted by Section 475.61, subdivision 3 of the Act; (ii) after September 21, 2015 (the "Series 2006C Bonds Redemption Date"), special assessments collected for the payment of the Series 2006C Bonds pursuant to levies made in the resolution authorizing the issuance and sale of the Series 2006C Bonds (the "Series 2006C Bonds Resolution"), which levies will not be cancelled except as permitted by Section 475.61, subdivision 3 of the Act; (iii) a pro rata portion of any balance remitted to the City upon the termination of the Escrow Agreement (hereinafter defined); (iv) all investment earnings on the Assessable Improvements Account; (v) a pro rata portion of amounts over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof; and (vi) any and all other moneys which are properly available and are appropriated by the City Council to the Assessable Improvements Account. The amount of any surplus remaining in the Assessable Improvements Account when the Series 2005A Improvement Refunding Bonds and the Series 2006C Refunding Bonds and interest thereon are paid will be used as provided in Section 475.61, subdivision 4 of the Act.

(b) Utility Improvements Account. The City will continue to operate and maintain its Water Fund, Storm Sewer Fund, and Sanitary Sewer Fund to which will be credited all gross revenues of the City's water system, storm sewer system, and sanitary sewer system, respectively, and out of which will be paid all normal and reasonable expenses of current operations of the water system, storm sewer system, and sanitary sewer system, respectively. Any balance therein will be deemed net revenues and will be transferred from time to time to the Utility Improvements Account of the Debt Service Fund as set forth herein. To the Utility Improvements Account there is hereby pledged and irrevocably appropriated and there will be credited: (i) net revenues of the water system, storm sewer system, and sanitary sewer system and not otherwise pledged and applied to the payment of other obligations of the City, in an amount, together with other funds which may herein or hereafter from time to time be irrevocably appropriated to the account sufficient to meet the requirements of Section 475.61 of the Act for the payment of the principal of and interest on the Series 2005A Utility Revenue Refunding Bonds, the Series 2006B Refunding Bonds, the Series 2007B Refunding Bonds, and the Series 2008B Refunding Bonds; (ii) a pro rata portion of any balance remitted to the City upon the termination of the Escrow Agreement; (iii) all investment earnings on the Utility Improvements Account; (iv) a pro rata portion of amounts over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof; and (v) any and all other moneys which are properly available and are appropriated by the City Council to the Utility Improvements Account. The amount of any surplus remaining in the Utility Improvements Account when the Series 2005A Utility Revenue Refunding Bonds, the Series 2006B Refunding Bonds, the Series 2007B Refunding Bonds, and the Series 2008B Refunding Bonds and interest thereon are paid will be used as provided in Section 475.61, subdivision 4 of the Act. There will always be retained in the Utility Improvements Account a sufficient amount to pay principal of and interest on all the Series 2005A Utility Revenue Refunding Bonds, the Series 2006B Refunding Bonds, the Series 2007B Refunding

Bonds, and the Series 2008B Refunding Bonds, and the Finance Director must report any current or anticipated deficiency in the Utility Improvements Account to the City Council.

(c) State Aid Street Improvements Account. To the State Aid Street Improvements Account of the Debt Service Fund, there is hereby pledged and irrevocably appropriated and there will be credited: (i) after April 1, 2017 (the "Series 2009D Bonds Redemption Date"), the state aid received from the State of Minnesota's Municipal State-Aid Street Fund ("State Aid") from the City's account in the Municipal State-Aid Street Fund for the payment of the Series 2009D Bonds pursuant to the resolution authorizing the issuance and sale of the Series 2009D Bonds (the "Series 2009D Bonds Resolution"); (ii) a pro rata portion of any balance remitted to the City upon the termination of the Escrow Agreement; (iii) all investment earnings on the State Aid Street Improvements Account; (iv) a pro rata portion of amounts over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof; and (v) any and all other moneys which are properly available and are appropriated by the City Council to the State Aid Street Improvements Account. The amount of any surplus remaining in the State Aid Street Improvements Account when the Series 2009D Refunding Bonds and interest thereon are paid will be used as provided in Section 475.61, subdivision 4 of the Act.

4.03. Current Refunding Fund. All proceeds of the Series 2005A Refunding Bonds and the Series 2006C Refunding Bonds (together, the "Current Refunded Bonds"), less the appropriations made herein and the costs of issuance of the Bonds, will be deposited in a separate fund (the "Current Refunding Fund") to be used solely to redeem and prepay the Series 2005A Bonds and the Series 2006C Bonds. Any balance remaining in the Current Refunding Fund after the redemption of the Series 2005A Bonds on the Series 2005A Bonds Redemption Date and after the redemption of the Series 2006C Bonds on the Series 2006C Bonds Redemption Date shall be deposited in the Assessable Improvements Account of the Debt Service Fund herein created.

4.03. Escrow Fund. A portion of the proceeds of the Bonds in the amount of \$\_\_\_\_\_ will be deposited in a separate fund (the "Escrow Fund") maintained by U.S. Bank National Association, Saint Paul, Minnesota, acting as escrow agent (the "Escrow Agent"). Such funds will be received by the Escrow Agent and applied to fund the Escrow Fund or to pay costs of issuing the Bonds. Proceeds of the Series 2006B Refunding Bonds, the Series 2007B Refunding Bonds, the Series 2008B Refunding Bonds, and the Series 2009D Refunding Bonds (collectively, the "Crossover Refunded Bonds") not used to pay costs of issuance on the Bonds are hereby irrevocably pledged and appropriated to the Escrow Fund, together with all investment earnings thereon. The Escrow Fund will be invested in securities maturing or callable at the option of the holder on such dates and bearing interest at such rates as will be required to provide sufficient funds, together with any cash or other funds retained in the Escrow Fund, to (i) pay when due the interest to accrue on the Bonds to and including December 1, 2017; (ii) pay on February 1, 2016 (the "Series 2006B Bonds Redemption Date") the principal amount of the Series 2006B Bonds then outstanding and maturing after the Series 2006B Bonds Redemption Date; (iii) pay on February 1, 2018 (the "Series 2007B Bonds Redemption Date") the principal amount of the Series 2007B Bonds then outstanding and maturing after the Series 2007B Bonds Redemption Date; (iv) pay on February 1, 2018 (the "Series 2008B Bonds Redemption Date") the principal amount of the Series 2008B Bonds then outstanding and maturing after the Series 2008B Bonds Redemption Date; and (v) pay on April 1, 2017 (the "Series 2009D Bonds Redemption Date") the principal amount of the Series 2009D Bonds then outstanding and maturing after the Series 2009D Bonds Redemption Date. Other than the moneys in the Escrow Fund to be used to pay costs of issuance of the Bonds, the moneys in the Escrow Fund will be irrevocably appropriated to the payment of the interest on the Bonds and the payment of the principal of the Crossover Refunded Bonds until the proceeds of the Bonds therein are applied to prepayment of the Crossover

Refunded Bonds. The moneys in the Escrow Fund will be used solely for the purposes herein set forth and for no other purpose, except that any surplus in the Escrow Fund may be remitted to the City, all in accordance with the Escrow Agreement. Any moneys remitted to the City upon termination of the Escrow Agreement will be deposited in the Debt Service Fund.

4.04. Prior Debt Service Funds. The debt service funds and accounts heretofore established for the Series 2005A Bonds pursuant to the Series 2005A Bonds Resolution and for the Series 2006C Bonds pursuant to the Series 2006C Bonds Resolution shall be terminated on September 21, 2015, following the redemption of the Series 2005A Bonds and the Series 2006C Bonds, and all moneys therein shall hereby be transferred on a pro rata basis to the Assessable Improvements Account and the Utility Improvements Account within the Debt Service Fund herein created. The debt service fund heretofore established for the Series 2006B Bonds pursuant to the resolution authorizing the issuance and sale of the Series 2006B Bonds (the "Series 2006B Bonds Resolution") shall be terminated on February 1, 2016, following the redemption of the Series 2006B Bonds, and all moneys therein shall hereby be transferred to the Utility Improvements Account of the Debt Service Fund herein created. The debt service funds heretofore established for the Series 2007B Bonds and the Series 2008B Bonds pursuant to the resolutions authorizing the issuance and sale of the Series 2007B Bonds and the Series 2008B Bonds (the "Series 2007B Bonds Resolution" and the "Series 2008B Bonds Resolution," respectively) shall be terminated on February 1, 2018, following the redemption of the Series 2007B Bonds and the Series 2008B Bonds, and all moneys therein shall hereby be transferred to the Utility Improvements Account of the Debt Service Fund herein created. The debt service fund heretofore established for the Series 2009D Bonds pursuant to the Series 2009D Bonds Resolution shall be terminated on the Series 2009D Bonds Redemption Date, following the redemption of the Series 2009D Bonds, and all moneys therein shall hereby be transferred to the State Aid Street Improvements Account of the Debt Service Fund.

4.05. Prior Resolution Pledges. The pledges and covenants of the City made by the Series 2005A Bonds Resolution and the Series 2006C Bonds Resolution relating to the special assessments levied for the 2005 Assessable Improvements and the 2006 Assessable Improvements, respectively, are restated and confirmed in all respects. The pledges and covenants of the City made by the Series 2005A Bonds Resolution, the Series 2006B Bonds Resolution, the Series 2007B Bonds Resolution, and the Series 2008B Bonds Resolution relating to the ownership, protection of, and other particulars governing the operation and financial management of the City's water system, storm sewer system, and sanitary sewer system, as the case may be, and the 2005 Utility Improvements, the 2006 Utility Improvements, the 2007 Utility Improvements, and the 2008 Utility Improvements are restated and confirmed in all respects. The provisions of the Series 2005A Bonds Resolution, the Series 2006B Bonds Resolution, the Series 2006C Bonds Resolution, the Series 2007B Bonds Resolution, and the Series 2008B Bonds Resolution are hereby supplemented to the extent necessary to give full effect to the provisions hereof.

4.06. General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City will be and are hereby irrevocably pledged. If the balance in the Debt Service Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of moneys in the general fund of the City which are available for such purpose, and such general fund may be reimbursed with or without interest from the Debt Service Fund when a sufficient balance is available therein.

4.07. Debt Service Coverage. It is hereby determined that the estimated collections of investment earnings (and until the Series 2006B Bonds Redemption Date, the Series 2007B Bonds Redemption Date, the Series 2008B Bonds Redemption Date, and the Series 2009D Bonds Redemption

Date, a pro rata portion of all amounts in the Escrow Fund), special assessments, net revenues of the water system, the storm sewer system, and the sanitary sewer system of the City, State Aid, and other revenues herein pledged for the payment of principal of and interest on the Bonds will produce at least five percent (5%) in excess of the amount needed to meet, when due, the principal and interest payments on the Bonds and that no tax levy is needed at this time.

4.08. Pledge of Taxes. To provide moneys for the payment of the principal of and interest on the Series 2005A Improvement Refunding Bonds and the Series 2006C Refunding Bonds, there is hereby levied a direct annual irrepealable ad valorem tax (the "Taxes") upon all of the taxable property in the City, which will be spread upon the tax rolls and collected with and as part of other general taxes of the City. The Taxes will be credited to the Assessable Improvements Account of the Debt Service Fund above provided and will be in the years and amounts as attached hereto as EXHIBIT C.

4.09. Registration of Resolution. The City Administrator is authorized and directed to file a certified copy of this resolution with the County Auditor-Treasurer of Nicollet County, Minnesota, and to obtain the certificate required by Section 475.63 of the Act.

#### Section 5. Refunding; Findings; Redemption of Refunded Bonds.

5.01. Purpose of Refunding. The Refunded Bonds are the City's Series 2005A Bonds, Series 2006B Bonds, Series 2006C Bonds, Series 2007B Bonds, Series 2008B Bonds, and Series 2009D Bonds. The outstanding Series 2005A Bonds will be called for redemption on the Series 2005A Bonds Redemption Date in the principal amount of \$415,000. The Series 2006B Bonds maturing after the Series 2006B Bonds Redemption Date will be called for redemption on the Series 2006B Bonds Redemption Date in the principal amount of \$710,000. The outstanding Series 2006C Bonds will be called for redemption on the Series 2006C Bonds Redemption Date in the principal amount of \$435,000. The Series 2007B Bonds maturing after the Series 2007B Bonds Redemption Date will be called for redemption on the Series 2007B Bonds Redemption Date in the principal amount of \$360,000. The Series 2008B Bonds maturing after the Series 2008B Bonds Redemption Date will be called for redemption on the Series 2008B Bonds Redemption Date in the principal amount of \$1,810,000. The Series 2009D Bonds maturing after the Series 2009D Bonds Redemption Date will be called for redemption on the Series 2009D Bonds Redemption Date in the principal amount of \$1,855,000. It is hereby found and determined that based upon information presently available from the City's municipal advisor, the issuance of the Bonds, a portion of which will be used to redeem and prepay the Refunded Bonds, is consistent with covenants made with the holders of the Refunded Bonds.

5.02. Findings. It is hereby found and determined that based upon information presently available from the Purchaser, the issuance of the Bonds will result in a reduction of debt service cost to the City on the Crossover Refunded Bonds such that the present value of such debt service or interest cost savings (the "Reduction") is at least three percent (3.0%) of the debt service on the Crossover Refunded Bonds. The Reduction, after the inclusion of all authorized expenses of refunding in the computation of the effective interest rate on the Bonds, is adequate to authorize the issuance of the Bonds as provided by Section 475.67, subdivisions 12 and 13 of the Act.

5.03. Proceeds Pledged to the Escrow Fund. As of the date of delivery of and payment for the Bonds, proceeds of the Bonds are hereby pledged and appropriated and will be deposited in the Escrow Fund as follows: (i) \$\_\_\_\_\_ for the purposes of paying interest on the Bonds to and including December 1, 2017; (ii) \$\_\_\_\_\_ for the purposes of redeeming on the Series 2006B Bonds Redemption Date the principal amount of the Series 2006B Bonds maturing after the Series 2006B Bonds Redemption Date; (iii) \$\_\_\_\_\_ for the purposes of redeeming on the Series 2007B Bonds Redemption Date the



principal amount of the Series 2007B Bonds maturing after the Series 2007B Bonds Redemption Date; (iv) \$\_\_\_\_\_ for the purposes of redeeming on the Series 2008B Bonds Redemption Date the principal amount of the Series 2008B Bonds maturing after the Series 2008B Bonds Redemption Date; and (v) \$\_\_\_\_\_ for the purposes of redeeming on the Series 2009D Bonds Redemption Date the principal amount of the Series 2009D Bonds maturing after the Series 2009D Bonds Redemption Date. Proceeds of the Bonds in the amount of \$\_\_\_\_\_ will also be deposited in the Escrow Fund to pay the costs of issuance of the Bonds.

5.04. Securities to Fund Escrow Fund. Securities purchased, if any, from the moneys in the Escrow Fund will be limited to securities specified in Section 475.67, subdivision 8 of the Act. Northland Securities, Inc. and/or U.S. Bank National Association, as agent for the City, is hereby authorized and directed to purchase for and on behalf of the City and in its name, appropriate securities to fund the Escrow Fund. Upon the issuance and delivery of the Bonds, the securities so purchased will be deposited with the Escrow Agent and held pursuant to the terms of the Escrow Agreement and this resolution.

5.05. Notices of Redemption. The Series 2005A Bonds, the Series 2006B Bonds, the Series 2006C Bonds, the Series 2007B Bonds, the Series 2008B Bonds, and the Series 2009D Bonds will be redeemed and prepaid pursuant to this resolution and in accordance with their terms and with the terms and conditions set forth in the respective form of Notice of Call for Redemption attached hereto as EXHIBITS D-1 through D-6, which terms and conditions are hereby approved and incorporated herein by reference. The registrars for the Refunded Bonds are authorized and directed to send a copy of the respective Notice of Call for Redemption to each registered holder of the Refunded Bonds.

5.06. Escrow Agreement. On or prior to the delivery of the Bonds, the Mayor and the City Administrator are hereby authorized and directed to execute on behalf of the City an escrow agreement (the "Escrow Agreement") with the Escrow Agent in substantially the form now on file with the City Administrator. All essential terms and conditions of the Escrow Agreement, including payment by the City of reasonable charges for the services of the Escrow Agent, are hereby approved and adopted and made a part of this resolution, and the City covenants that it will promptly enforce all provisions thereof in the event of default thereunder by the Escrow Agent.

#### Section 6. Authentication of Transcript.

6.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, will be deemed representations of the City as to the facts stated therein.

6.02. Certification as to Official Statement. The Mayor, the City Administrator, and the Finance Director are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

6.03. Other Certificates. The Mayor, the City Administrator, and the Finance Director are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the

Bonds or the organization of the City or incumbency of its officers, at the closing the Mayor, the City Administrator, and the Finance Director shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the Finance Director shall also execute and deliver a certificate as to payment for and delivery of the Bonds.

6.04. Payment of Costs of Issuance. Costs of issuance of the Bonds will be paid by the Escrow Agent pursuant to the terms of the Escrow Agreement.

Section 7. Tax Covenant.

7.01. Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

7.02. Rebate. The City will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States.

7.03. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

7.04. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

- (a) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;
- (b) the City designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;
- (c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds that are not qualified 501(c)(3) bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 2015 will not exceed \$10,000,000; and
- (d) not more than \$10,000,000 of obligations issued by the City during calendar year 2015 have been designated for purposes of Section 265(b)(3) of the Code.

7.05. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 8. Book-Entry System; Limited Obligation of City.

8.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.04 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns ("DTC"). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

8.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the "Participants") or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Administrator of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co." will refer to such new nominee of DTC; and upon receipt of such a notice, the City Administrator will promptly deliver a copy of the same to the Registrar and Paying Agent.

8.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

8.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

8.05. Payments to Cede & Co. Notwithstanding any other provision of this resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and all notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

Section 9. Continuing Disclosure.

9.01. Execution of Continuing Disclosure Certificate. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Mayor and City Administrator and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

9.02. City Compliance with Provisions of Continuing Disclosure Certificate. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this resolution, failure of the City to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

Section 10. Defeasance. When all Bonds and all interest thereon have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

The motion for the adoption of the foregoing resolution was duly seconded by Member \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

**EXHIBIT A**  
**PROPOSALS**

**EXHIBIT B**  
**FORM OF BOND**

No. R-\_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
COUNTY OF NICOLLET  
CITY OF NORTH MANKATO

\$\_\_\_\_\_

GENERAL OBLIGATION REFUNDING BOND  
SERIES 2015B

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	December 1, 20__	September 15, 2015	

Registered Owner: Cede & Co.

The City of North Mankato, Minnesota, a duly organized and existing municipal corporation in Nicollet County, Minnesota (the "City"), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the principal sum of \$\_\_\_\_\_ on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above, payable June 1 and December 1 in each year, commencing December 1, 2015, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by U.S. Bank National Association, Saint Paul, Minnesota, as Bond Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on December 1, 2022, and on any day thereafter to prepay Bonds due on or after December 1, 2023. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify The Depository Trust Company ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

This Bond is one of an issue in the aggregate principal amount of \$5,795,000 all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the City Council on August 17, 2015 (the "Resolution"), for the purpose of providing money to redeem and prepay certain outstanding obligations of the City and refund in advance of maturity and at their redemption date certain outstanding obligations of the City, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapters 429, 444, and 475, as amended, Section 162.18, and specifically Section 475.67,



subdivisions 3 and 13. The principal hereof and interest hereon are payable in part from special assessments, net revenues of the water system, storm sewer system, and sanitary sewer system of the City, and the City's annual allotments from the State of Minnesota's Municipal State-Aid Street Fund as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy ad valorem taxes on all taxable property in the City in the event of any deficiency in special assessments, net revenues of the water system, storm sewer system, and sanitary sewer system of the City, and the City's annual allotments from the State of Minnesota's Municipal State-Aid Street Fund pledged, which taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City Council has designated the issue of Bonds of which this Bond forms a part as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Bond Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Bond Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of North Mankato, Nicollet County, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Administrator and has caused this Bond to be dated as of the date set forth below.

Dated: September 1, 2015

**CITY OF NORTH MANKATO,  
MINNESOTA**

\_\_\_\_\_  
(Facsimile)  
Mayor

\_\_\_\_\_  
(Facsimile)  
City Administrator

**CERTIFICATE OF AUTHENTICATION**

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

**U.S. BANK NATIONAL ASSOCIATION**

By \_\_\_\_\_  
Authorized Representative

**ABBREVIATIONS**

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common

UNIF GIFT MIN ACT  
\_\_\_\_\_  
Custodian \_\_\_\_\_  
(Cust) \_\_\_\_\_ (Minor)

TEN ENT -- as tenants by entireties

under Uniform Gifts or Transfers to Minors  
Act, State of \_\_\_\_\_

JT TEN -- as joint tenants with right of  
survivorship and not as tenants in common

Additional abbreviations may also be used though not in the above list.

**ASSIGNMENT**

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

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NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address:

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(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

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#### PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

Date of Registration

Registered Owner

Signature of  
Officer of Registrar

Cede & Co.  
Federal ID #13-2555119

## EXHIBIT D-1

### NOTICE OF CALL FOR REDEMPTION FOR SERIES 2005A BONDS

\$2,495,000  
CITY OF NORTH MANKATO, MINNESOTA  
GENERAL OBLIGATION CAPITAL PROJECT BONDS  
SERIES 2005A

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

September 21, 2015

all outstanding bonds of the City designated as General Obligation Capital Project Bonds, Series 2005A (the "Bonds"), dated as of February 1, 2005, having stated maturity dates of February 1 in the years 2016 through 2020, both inclusive, totaling \$415,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2016	\$175,000	660750 5E6
2017	55,000	660750 5F3
2018	60,000	660750 5G1
2019	60,000	660750 5H9
2020	65,000	660750 5J5

The Bonds are being called at a price of par plus accrued interest to September 21, 2015, on which date all interest on said Bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before September 21, 2015.

Registered/Certified Mail:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
P.O. Box 1517  
Minneapolis, MN 55480-1517

Air Courier:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
N9303-121  
6<sup>th</sup> & Marquette Avenue  
Minneapolis, MN 55479

In Person:

**Wells Fargo Bank, N.A.**  
Northstar East Building  
608 2<sup>nd</sup> Ave. So., 12<sup>th</sup> Fl.  
Minneapolis, MN

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2009, the paying agent is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the paying agent is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9, will satisfy the requirements of this paragraph.

Dated: \_\_\_\_\_.

BY ORDER OF THE CITY COUNCIL OF THE  
CITY OF NORTH MANKATO, MINNESOTA

By /s/ John Harrenstein  
City Administrator  
City of North Mankato, Minnesota

## EXHIBIT D-2

### NOTICE OF CALL FOR REDEMPTION FOR SERIES 2006B BONDS

\$1,600,000  
CITY OF NORTH MANKATO, MINNESOTA  
GENERAL OBLIGATION UTILITY REVENUE BONDS  
SERIES 2006B

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

February 1, 2016

all outstanding bonds of the City designated as General Obligation Utility Revenue Bonds, Series 2006B (the "Bonds"), dated as of May 15, 2006, having stated maturity dates of February 1 in the years 2017 through 2021, both inclusive, totaling \$710,000 in principal amount, and with the following CUSIP numbers:

Year of Maturity	Amount	CUSIP Number
2017	\$130,000	660750 6Z8
2018	135,000	660750 7A2
2019	140,000	660750 7B0
2020	150,000	660750 7C8
2021	155,000	660750 7D6

The Bonds are being called at a price of par plus accrued interest to February 1, 2016, on which date all interest on said Bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before February 1, 2016.

Registered/Certified Mail:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
P.O. Box 1517  
Minneapolis, MN 55480-1517

Air Courier:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
N9303-121  
6<sup>th</sup> & Marquette Avenue  
Minneapolis, MN 55479

In Person:

**Wells Fargo Bank, N.A.**  
Northstar East Building  
608 2<sup>nd</sup> Ave. So., 12<sup>th</sup> Fl.  
Minneapolis, MN

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2009, the paying agent is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the paying agent is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9, will satisfy the requirements of this paragraph.

Dated: \_\_\_\_\_.

BY ORDER OF THE CITY COUNCIL OF THE  
CITY OF NORTH MANKATO, MINNESOTA

By /s/ John Harrenstein  
City Administrator  
City of North Mankato, Minnesota



### EXHIBIT D-3

#### NOTICE OF CALL FOR REDEMPTION FOR SERIES 2006C BONDS

\$1,760,000  
CITY OF NORTH MANKATO, MINNESOTA  
GENERAL OBLIGATION IMPROVEMENT BONDS  
SERIES 2006C

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

September 21, 2015

all outstanding bonds of the City designated as General Obligation Improvement Bonds, Series 2006C (the "Bonds"), dated as of December 15, 2006, having stated maturity dates of February 1 in the years 2016 through 2018, both inclusive, totaling \$435,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2016	\$150,000	660750 7M6
2018	285,000	660750 7P9

The Bonds are being called at a price of par plus accrued interest to September 21, 2015, on which date all interest on said Bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before September 21, 2015.

Registered/Certified Mail:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
P.O. Box 1517  
Minneapolis, MN 55480-1517

Air Courier:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
N9303-121  
6<sup>th</sup> & Marquette Avenue  
Minneapolis, MN 55479

In Person:

**Wells Fargo Bank, N.A.**  
Northstar East Building  
608 2<sup>nd</sup> Ave. So., 12<sup>th</sup> Fl.  
Minneapolis, MN

**Important Notice:** In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2009, the paying agent is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the paying agent is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9, will satisfy the requirements of this paragraph.

Dated: \_\_\_\_\_.

BY ORDER OF THE CITY COUNCIL OF THE  
CITY OF NORTH MANKATO, MINNESOTA

By /s/ John Harrenstein  
City Administrator  
City of North Mankato, Minnesota

**EXHIBIT D-4**

**NOTICE OF CALL FOR REDEMPTION FOR SERIES 2007B BONDS**

**\$890,000  
CITY OF NORTH MANKATO, MINNESOTA  
GENERAL OBLIGATION UTILITY REVENUE BONDS  
SERIES 2007B**

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

February 1, 2018

all outstanding bonds of the City designated as General Obligation Utility Revenue Bonds, Series 2007B (the "Bonds"), dated as of August 1, 2007, having stated maturity dates of February 1 in the years 2019 through 2023, both inclusive, totaling \$360,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2019	\$ 65,000	660751 AW8
2021	140,000	660751 AY4
2023	155,000	660751 BA5

The Bonds are being called at a price of par plus accrued interest to February 1, 2018, on which date all interest on said Bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before February 1, 2018.

Registered/Certified Mail:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
P.O. Box 1517  
Minneapolis, MN 55480-1517

Air Courier:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
N9303-121  
6<sup>th</sup> & Marquette Avenue  
Minneapolis, MN 55479

In Person:

**Wells Fargo Bank, N.A.**  
Northstar East Building  
608 2<sup>nd</sup> Ave. So., 12<sup>th</sup> Fl.  
Minneapolis, MN

**Important Notice:** In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2009, the paying agent is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the paying agent is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9, will satisfy the requirements of this paragraph.

Dated: \_\_\_\_\_.

BY ORDER OF THE CITY COUNCIL OF THE  
CITY OF NORTH MANKATO, MINNESOTA

By /s/ John Harrenstein  
City Administrator  
City of North Mankato, Minnesota

## EXHIBIT D-5

### NOTICE OF CALL FOR REDEMPTION FOR SERIES 2008B BONDS

\$2,295,000  
CITY OF NORTH MANKATO, MINNESOTA  
GENERAL OBLIGATION WATER UTILITY REVENUE BONDS  
SERIES 2008B

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

February 1, 2018

all outstanding bonds of the City designated as General Obligation Water Utility Revenue Bonds, Series 2008B (the "Bonds"), dated as of May 1, 2008, having stated maturity dates of February 1 in the years 2020 through 2029, both inclusive, totaling \$1,810,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2020	\$220,000	660751 BX5
2022	290,000	660751 BZ0
2024	315,000	660751 CB2
2026	370,000	660751 CD8
2029	615,000	660751 CG1

The Bonds are being called at a price of par plus accrued interest to February 1, 2018, on which date all interest on said Bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before February 1, 2018.

Registered/Certified Mail:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
P.O. Box 1517  
Minneapolis, MN 55480-1517

Air Courier:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
N9303-121  
6<sup>th</sup> & Marquette Avenue  
Minneapolis, MN 55479

In Person:

**Wells Fargo Bank, N.A.**  
Northstar East Building  
608 2<sup>nd</sup> Ave. So., 12<sup>th</sup> Fl.  
Minneapolis, MN

**Important Notice:** In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2009, the paying agent is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the paying agent is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9, will satisfy the requirements of this paragraph.

Dated: \_\_\_\_\_.

BY ORDER OF THE CITY COUNCIL OF THE  
CITY OF NORTH MANKATO, MINNESOTA

By /s/ John Harrenstein  
City Administrator  
City of North Mankato, Minnesota

## EXHIBIT D-6

### NOTICE OF CALL FOR REDEMPTION FOR SERIES 2009D BONDS

\$3,120,000  
CITY OF NORTH MANKATO, MINNESOTA  
GENERAL OBLIGATION STATE AID STREET AND REFUNDING BONDS  
SERIES 2009D

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

April 1, 2017

all outstanding bonds of the City designated as General Obligation State Aid Street and Refunding Bonds, Series 2009D (the "Bonds"), dated as of December 1, 2009, having stated maturity dates of April 1 in the years 2018 through 2025, both inclusive, totaling \$1,855,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2018	\$205,000	660751 EH7
2019	210,000	660751 EJ3
2020	215,000	660751 EK0
2021	225,000	660751 EL8
2022	235,000	660751 EM6
2023	245,000	660751 EN4
2024	255,000	660751 EP9
2025	265,000	660751 EQ7

The Bonds are being called at a price of par plus accrued interest to April 1, 2017, on which date all interest on said Bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before April 1, 2017.

Registered/Certified Mail:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
P.O. Box 1517  
Minneapolis, MN 55480-1517

Air Courier:

**Wells Fargo Bank, N.A.**  
Corporate Trust Operations  
N9303-121  
6<sup>th</sup> & Marquette Avenue  
Minneapolis, MN 55479

In Person:

**Wells Fargo Bank, N.A.**  
Northstar East Building  
608 2<sup>nd</sup> Ave. So., 12<sup>th</sup> Fl.  
Minneapolis, MN

**Important Notice:** In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2009, the paying agent is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the paying agent is provided with the Social Security Number or Federal

Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9, will satisfy the requirements of this paragraph.

Dated: \_\_\_\_\_.

BY ORDER OF THE CITY COUNCIL OF THE  
CITY OF NORTH MANKATO, MINNESOTA

By /s/ John Harrenstein  
City Administrator  
City of North Mankato, Minnesota



STATE OF MINNESOTA                    )  
  )  
COUNTY OF NICOLLET                ) SS.  
  )  
CITY OF NORTH MANKATO            )

I, being the duly qualified and acting City Clerk of the City of North Mankato, Nicollet County, Minnesota (the "City"), do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on August 17, 2015, with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of the City's General Obligation Refunding Bonds, Series 2015B, in the original aggregate principal amount of \$5,795,000.

WITNESS My hand officially as such City Clerk and the corporate seal of the City this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

(SEAL)

\_\_\_\_\_  
City Clerk  
City of North Mankato, Minnesota

STATE OF MINNESOTA  
COUNTY OF NICOLLET

CERTIFICATE OF COUNTY  
AUDITOR-TREASURER AS TO  
TAX LEVY AND REGISTRATION

I, the undersigned County Auditor-Treasurer of Nicollet County, Minnesota, hereby certify that a certified copy of a resolution adopted by the governing body of the City of North Mankato, Minnesota (the "City"), on August 17, 2015, levying taxes for the payment of the City's General Obligation Refunding Bonds, Series 2015B (the "Bonds"), in the original aggregate principal amount of \$5,795,000, dated as of September 15, 2015, has been filed in my office and said Bonds have been entered on the register of obligations in my office and that such tax has been levied as required by law.

WITNESS My hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**COUNTY AUDITOR-TREASURER,  
NICOLLET COUNTY, MINNESOTA**

By \_\_\_\_\_

Its \_\_\_\_\_

(SEAL)