

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 February 21, 2017. 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 Whitlock, Steiner, Norland, and Freyberg, City Administrator Harrenstein, Finance Director McCann, City Attorney Kennedy, Community Development Director Fischer, Public Works Director Swanson and City Clerk Van Genderen.

Approval of Agenda

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

Approval of Council Meeting Minutes

Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council meeting of February 6, 2017. Vote on the motion: Whitlock, Norland, Freyberg and Dehen aye; Steiner, abstain. Motion carried.

Consent Agenda

Council Member Norland moved, seconded by Council Member Steiner, to approve the Consent Agenda which included:

- A. Bills and Appropriations.
- B. Res. No. 14-17 Approving Donations/Contributions/Grants.
- C. Approved Temporary Liquor License for Vista Prairie at Monarch Meadows on April 27, 2017.
- D. Set Public Hearing for 7 p.m. on March 6, 2017, for Revision of Code of Ordinances.
- E. Set Public Hearing for 7 p.m. on March 6, 2017, to Consider Amending City Code Chapter 91: Animals.
- F. Res. No. 15-17 Set Rates and Fees.
- G. Res. No. 16-17 Waiving Waiting Period for Exemption from Lawful Gambling License for Holy Rosary Church.

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

Public Comments

Barb Church, 102 Wheeler Avenue, appeared before Council and stated she believed the wrong word was used in the proposed ordinance changes. She did not think 'detention' was the right word to use when referencing a detention pond.

Business Items

Res. No. 17-17 Requesting the Advance of Municipal State Aid Funds for Municipal Construction Projects. City Engineer Dan Sarff stated he would discuss both the Advance of Municipal State Aid Funds for Municipal Construction Projects and the Advance of Municipal State Aid Funds for Federal Construction Projects at the same time. City Engineer Sarff reported any City over a population of 5,000 receives Municipal State Aid. The City of North Mankato has borrowed ahead and advanced those State Aid dollars for the completion of both municipal and federal projects. He stated this would be the last advance for the completion of the Lookout Drive project and the Roe

Crest Drive project. **Council Member Steiner moved, seconded by Council Member Norland to adopt Res. No. 17-17 Requesting the Advance of Municipal State Aid Funds for Municipal Construction Projects. Vote on the motion: Whitlock, Steiner, Norland, Freyberg and Dehen aye; no nays. Motion carried.**

Res. No. 18-17 Requesting the Advance of Municipal State Aid Funds for Federal Construction Projects. Council Member Norland moved, seconded by Council Member Steiner to Adopt Res. No. 18-17 Requesting the Advance of Municipal State Aid Funds for Federal Construction Projects. Vote on the motion: Whitlock, Steiner, Norland, Freyberg and Dehen aye; no nays. Motion carried.

2016 Police Department Annual Report. Police Chief Boyer presented the 2016 Police Department Annual Report. Chief Boyer stated the Police Reserve Unit worked over 1,000 hours mainly assisting with special events; they are called out for special crimes if police officers need to secure an area. He reported personal crimes remained steady, property crimes went down, while narcotic crimes remained flat. Chief Boyer stated the statistics for traffic road and driving complaints appear to have increased dramatically, but the increase is due to the new system which creates a report for every police contact or calls whether or not a citation or action is taken. He reported zero car fatalities in the City of North Mankato and only eight injuries that required the accident victims be transported for medical care. Chief Boyer indicated the increased calls for neighborhood support is again related to the new reporting system. Chief Boyer did indicate the number of medical calls had increased, but the police officers are well trained to assist with all of the officers being trained as first responders, EMTs or are paramedics. Mayor Dehen requested information on the number of deer and vehicle collisions in North Mankato as this has been a citizen concern. Chief Boyer reported three incidents occurred in 2016 with two on the Judson Bottom Road and the other on Lookout Drive. Administrator Harrenstein thanked Chief Boyer and all the police officers for their phenomenal work in maintaining a safe community. He indicated Chief Boyer was a responsive and active chief and worked with his officers to ensure the safety of the community. He thanked the Police Reserve for the time and effort they put into providing safety for the community events. City Administrator Harrenstein stated the City of North Mankato has been doing community policing since before it became popular. **Council Member Steiner moved, seconded by Council Member Norland to approve the 2016 Police Department Annual Report. Vote on the motion: Whitlock, Steiner, Norland, Freyberg and Dehen aye; no nays. Motion carried.**

City Administrator and Staff Comments

None.

Mayor and Council Comments

Mayor Dehen read the following proclamation into the record:

***WHEREAS**, March is St. Jude Month and a celebration of philanthropy where people give whatever they are able to give; and*

***WHEREAS**, March is St. Jude Month where citizens of North Mankato work together to share commitments, and rally in the fight to support the St. Jude Children's Research Hospital mission of finding cures, saving children; and*

***WHEREAS**, it is fitting and proper that March is St. Jude Month that will realize and recognize the tremendous impact of philanthropy, volunteerism and community service in the City of North Mankato; and*

WHEREAS, March is St. Jude Month and creates an opportunity to encourage all citizens to serve others throughout this month and during other times during the year; and

WHEREAS, March is St. Jude Month and our regions understanding of the compassion of St. Jude Children's Research Hospitals commitment to families who will never receive a bill for their St. Jude treatment, travel, housing or food-because all a family should worry about is helping their child live; and

WHEREAS, March is St. Jude Month fundraises for the global resource known as St. Jude Children's Research Hospital that is completely focused on childhood cancer and other life-threatening diseases in children, including kids' right in our community.

NOW, THEREFORE, I, Mark Dehen, Mayor of the City of North Mankato, Minnesota, do hereby proclaim March 2017, to be

March is St. Jude Month

in the City of North Mankato, and encourage all North Mankato residents to join me in this special observance.

Mayor Dehen reported Peter Pendergast earned the honor of Eagle Scout Rank.

Mayor Dehen stated Pedal Past Poverty would occur on Saturday, February 25, 2017, with the City staff providing riders for the event.

Public Comments

Tom Hagen, 927 Lake Street, appeared before Council and requested the City pursue a Historic Preservation Commission. Mr. Hagen stated he attended an event hosted by Excel Energy concerning opportunities for sustainable energy. He encouraged the City to improve their sustainable energy practices. Mr. Hagen encouraged the City Council to pursue a deer hunt.

Administrator Harrenstein stated as the Belgrade Avenue Corridor Study, and the Downtown Master Plan draws to a close the City Council can determine if the two studies remain together or if they are separated. He stated it appears the Belgrade Avenue Corridor Study will undergo revisions and may take longer to complete, while the Downtown Master Plan has been in process for over a year and is close to completion. If the studies are divided, the City Council will need to decide how to manage the historic preservation information. Administrator Harrenstein stated it might be beneficial to refer the information to the Planning Commission but the City Council would need to decide how to proceed. Mayor Dehen indicated historic preservation would be a good topic to discuss at the City Council Strategic Planning meeting. Mayor Dehen stated City Electrician Tom Neubert has been working on improving the City of North Mankato's energy efficiency. Public Works Director Swanson indicated the City is working to transition to eco-friendly street lighting and are waiting on bids from three companies.

Barb Church, 102 Wheeler Avenue, appeared before Council and reported her concern about the noise from Mankato's River Front Park. She requested the City Council work with Mankato to reduce the noise.

Gary Zellmer, 1591 Sharon Drive, appeared before Council and expressed his desire to discuss library issues and the direction of the library and the resignation of former Library Director Lucy Lowry.

Brenda Peterson, 488 Marvin Boulevard, appeared before Council and requested clarification on Library Board issues.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Whitlock, the meeting adjourned at 7:41 p.m.

Mayor

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 7	Dept: City Planner	Council Meeting Date: 3/6/17
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TITLE OF ISSUE: Public Hearing-Revision of Code of Ordinances.

BACKGROUND AND SUPPLEMENTAL INFORMATION: Minnesota Statutes authorize the City to cause its ordinances to be revised, updated and compiled. The attached Exhibit A outlines the proposed amendments to the City Code of North Mankato along with the ordinances adopted in 2015 and 2016. A copy of the proposed ordinances to be adopted after the public hearing is held is also attached.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Under Business Item 11A Adopt Ordinance No. 86, Fourth Series, Amending the Code of Ordinances.

For Clerk's Use:

Motion By: _____

Second By: _____

Vote Record:

Aye Nay

		Steiner
		Norland
		Freyberg
		Whitlock
		Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution Ordinance Contract Minutes Map

☐
☒
☐
☐
☐

Other (specify) _____

Notice of Public Hearing
Exhibit A

☐ Workshop

☒ Regular Meeting

☐ Special Meeting

☐

Refer to: _____

☐

Table until: _____

☐

Other: _____

NOTICE OF PUBLIC HEARING
TO AMEND NORTH MANKATO CITY CODE

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, at 7 p.m. on the 6th day of March 2017, to hold a public hearing to amend the City Code of North Mankato to include all Ordinances adopted by the City Council in 2015 and 2016 and other amendments to the Code as necessary.

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

Dated this 21st day of February 2017.

April Van Genderen
City Clerk
City of North Mankato, Minnesota

AFFIDAVIT OF PUBLICATION

State of Minnesota, ss.
County of Blue Earth

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

1. I am the publisher of The Free Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

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

The printed _____ notice _____ which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive weeks; it was first published on Friday, the 24 day of February, 2017, and was thereafter printed and published on every Friday to and including Friday, the 24 day of February, 2017; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$26.88.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue Earth County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

By: Steve Jameson
Steve Jameson, Publisher

Subscribed and sworn to before me on this 24 day of February, 2017.

Sharon Toland

Notary Public

February 24, 2017
NOTICE OF
PUBLIC HEARING TO AMEND
NORTH MANKATO CITY CODE
NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, at 7 p.m. on the 6th day of March 2017, to hold a public hearing to amend the City Code of North Mankato to include all Ordinances adopted by the City Council in 2015 and 2016 and other amendments to the Code as necessary. Such persons as desire to be heard concerning the proposed amendment to the City Code will be heard at this meeting. Dated this 21st day of February 2017.
April Van Genderen
City Clerk
City of
North Mankato, Minnesota



ORDINANCE NO. 86, FOURTH SERIES

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

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

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

Section 1. All portions of the City of North Mankato Code will be revised as outlined in the attached Exhibit A; and

Section 2. Ordinance Nos. 64, 65, 66, 67, 68, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, and 85, Fourth Series, are incorporated into the revised Code of Ordinances;

Section 3. This ordinance amending the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published in the City's official newspaper. The City Clerk shall cause a substantial quantity of the amended Code of Ordinances to be printed for public distribution to the public at actual cost and shall furnish a copy of the amended Code of Ordinances to the County Law Library or its designated depository. The official copy of this amended Code of Ordinances shall be marked and kept in the Office of the City Clerk.

Section 4. The Code of Ordinances is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by Minnesota Statutes by the Courts of the State of Minnesota.

Section 5. This ordinance amending the Code of Ordinances shall take effect upon publication of this ordinance in the City's official newspaper.

Adopted by the City Council of the City of North Mankato this 6th day of March 2017.

Mayor

ATTEST:

City Clerk

EXHIBIT A
TO ORDINANCE NO. 86, FOURTH SERIES
UPDATING CODE OF ORDINANCES
CITY OF NORTH MANKATO

CHAPTER 50: RULES AND REGULATIONS RELATING TO MUNICIPAL UTILITIES

50.04 Rules and Regulations Related to Municipal Utilities

(D) *Ownership of municipal utilities.* Ownership of all municipal utilities, plants, lines, mains, extensions, and appurtenances thereto shall be held by the city, and remain in the city, except for the service line from the structure to the city main, ~~which shall be the property owner's responsibility, including the corporation stop, saddle, curb stop and curb box, which shall be the property owner's responsibility. Provided, however, that private facilities and appurtenances constructed on private property are not intended to be included in municipal ownership.~~

CHAPTER 111: ALCOHOLIC BEVERAGES

111.206 PERSONS ALLOWED ON THE LICENSED PREMISES.

(B) *Age restrictions.*

(2) No person under 21 years of age may enter a licensed premises except to work, consume meals on premises that qualify as a restaurant, or attend social functions ~~that are held in a portion of the premises where liquor is not sold.~~ while accompanied by a legal guardian.

CHAPTER 150: BUILDING REGULATIONS

150.02 Building Permits

(G) Survey Drawing. For every new residential, commercial or industrial building constructed, a survey drawing prepared by a licensed surveyor showing the location of all buildings, parking areas, and storm water detention areas shall be submitted as part of the building permit application process.

150.04 Fees, Charges and Bond Requirements

(B) *Start without a permit.* Where work for which a permit is required is started or pursued prior to issuance of a permit, ~~the building permit fees shall be doubled an investigative fee in the amount of the building fee, not including the state surcharge, will be added to the building cost due at the time the permit is issued.~~ but ~~the~~ The payment of such increased fee shall not relieve any persons from fully complying with the requirements of the law in the execution of the work, nor from any penalties prescribed herein.

CHAPTER 151: RESIDENTIAL RENTAL PROPERTY LICENSING CODE

151.06 Applications

All applications shall be made as follows:

(A) All applications shall be made at the office of the City Clerk, upon forms which have been approved by motion of the City Council;

(B) All such applications must be subscribed, sworn to, and include, but not be limited to, the following:

- (1) Applicant's name, age, and citizenship;
- (2) Applicant's present address and phone number and length of time at that address;
- (3) Address of property to be rented;
- (4) Sketch of property to be rented identifying all rental units by number;
- (5) Parking plan showing the size and location of all off-street parking spaces;
- (6) Name(s) of each occupant of each rental unit;
- (7) Name of person (if other than applicant) responsible for the rental unit;
- (8) Whether or not applicant has ever been convicted of a felony or misdemeanor, including violation of a city ordinance but excluding traffic violations, and, if so, the date and place of conviction and the nature of the offense;
- (9) [Social Security number and Minnesota business identification number of the applicant as required by Minnesota Statutes 270C.72, Subd. 4](#)

(910) Such other information as the Council shall deem necessary considering the nature of the use for which the license application is made.

151.07 Action on Application for Rental License

Upon receipt of a completed application, ~~and~~ payment of all license fees, [and compliance with all applicable property inspections](#) the City Clerk, or his or her designee, shall issue a license to the applicant for the specified property. All residential rental property in North Mankato must obtain a license by January 1, 2003. Such licenses will be valid for a period of 1 year unless canceled or revoked pursuant to this chapter. From January 1, 2004, forward, all licensees will be required to obtain annual renewal of their residential rental licenses on or before January 1 of each year. If by January 1 of each year, a rental license has not been renewed, a \$100 reinstatement fee for each property will be charged in addition to the annual license fee. [An annual rental license renewal will not be granted if the licensee does not provide the City with a Social Security number and Minnesota business identification number of the licensee as required by Minnesota Statutes 270C.72, Subd. 4](#)

CHAPTER 156: ZONING CODE

156.035 Generally

(G) *Accessory buildings.* If an accessory building is attached to the main building, it shall be made a structural part of the main building and shall comply in all respects with the requirements of this chapter applicable to the main building. An accessory building, unless

attached to and made a part of the main building, shall not be closer than 5 feet to the main building or another accessory building. In no event shall an accessory building be permitted on a vacant lot or when not subordinate to and serving the principal use structure on the same lot.

(1) An accessory building larger than 12068 square feet shall be accessible by a hard-surfaced driveway which meets all applicable setback regulations.

(P) *Storage or utility sheds.* Permitted in any residential zoning district subject to the following:

- (1) Maximum floor area shall not exceed 12068 square feet.
- (2) Minimum setback is 5 feet from any rear or side property line.
- (3) Located a minimum of 10 5 feet from any main or accessory building.
- (4) Shall not be located within any front yard.
- (5) Maximum height shall not exceed 14 feet.
- (6) Overhangs shall not exceed 2 feet.
- (7) Access door shall not exceed 6 feet in width.
- (8) No more than 1 storage shed or utility shed is permitted on any lot.
- (9) Minimum setback is 5 feet from any ravine breakline.

(II) For every new attached or detached residential dwelling unit constructed, the following is required: an individual water service and shut-off shall be installed for each dwelling unit. Multi-unit rental apartment buildings are not subject to this provision.

- (1) An individual water service and shut-off shall be installed for each dwelling unit
 - (2) An individual sanitary sewer service shall be installed for each dwelling unit
- Multi-unit rental apartment buildings are not subject to this provision.

(K) *Residential driveways.*

(1) The maximum allowable driveway width measured at the front property line on residential property having a width of less than 80 feet shall not exceed 24 feet. The maximum allowable driveway width measured at the front property line on a residential property having a width of 80 feet or more shall not exceed 30 feet. Beginning at the front property line, the driveway width may be enlarged at an angle not greater than 45 degrees to a point not closer than 10 feet to the side property line. There shall be a minimum of 20 feet of hard surfaced driveway located perpendicular from the face of any garage stall to the street. with no greater than a 45 degree angle back to the main driveway. All driveways shall conform to the required side yard building setbacks for the district it is within.

(X) *Stormwater detention pond.* For any residential, commercial or industrial development utilizing more than 1 acre of land, an on-site stormwater detention pond is required. Prior to issuance of a building permit, a stormwater drainage plan shall be submitted and approved by the Building Inspector. Setbacks for storm water ponds, rain gardens or other storm water retention areas shall be a minimum of 10 feet from any property line.

156.053 Off-Street Parking and Loading

(3) *Construction and maintenance.*

(a) All residential, commercial and industrial parking areas, driveways and access drives shall be surfaced with either a concrete or a bituminous surface. All parking lots in any zoning district designed to accommodate more than six (6) vehicles, shall include B style curb and gutter. A drainage plan may be required for review by the Building Official. The owner of the property shall maintain all parking areas, driveways and access drives in a well-kept condition.

156.054 Performance Standards

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

(a) Fences shall not be located on any property line. ~~and shall be located on the property in a manner that both sides can be maintained from the owner's property.~~

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

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

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

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

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

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

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 8	Dept: Administration	Council Meeting Date: 3/06/17																											
TITLE OF ISSUE: Public Hearing-Amending City Code Chapter 91: Animals.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: In response to public concern and Council direction, City staff is presenting an ordinance prohibiting supplemental deer feeding.																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Under Busines Item 11B Adopt Ordinance No. 87, Fourth Series, City Code, Chapter 91: Animals.																													
For Clerk's Use: Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Steiner	_____	_____	Norland	_____	_____	Freyberg	_____	_____	Whitlock	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ <u>Notice of Public Hearing</u> _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aye	Nay																												
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<input type="checkbox"/> Workshop <input checked="" type="checkbox"/> Regular Meeting <input type="checkbox"/> Special Meeting	<input type="checkbox"/> Refer to: _____ <input type="checkbox"/> Table until: _____ <input type="checkbox"/> Other: _____																												

NOTICE OF PUBLIC HEARING TO AMEND CITY CODE,
CHAPTER 91: ANIMALS

Notice is hereby given that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, March 6, 2017, at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider amending the City Code Chapter 99, Animals, to include a prohibition on feeding deer.

Such persons as desire to be heard concerning this issue should appear at this meeting. Public comments may be sent to the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, MN 56003.

Dated this 21st day of February 2017.

April Van Genderen
City Clerk
City of North Mankato

AFFIDAVIT OF PUBLICATION

State of Minnesota, ss.
County of Blue Earth

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

1. I am the publisher of The Free Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

The printed _____ notice _____ which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive weeks; it was first published on Friday, the 24 day of February, 2017, and was thereafter printed and published on every Friday to and including Friday, the 24 day of February, 2017; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$26.88.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue Earth County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

By: Steve Jameson
Steve Jameson, Publisher

Subscribed and sworn to before me on this 24 day of February, 2017.

Sharon L. Toland

Notary Public



February 24, 2017
NOTICE OF
PUBLIC HEARING TO
AMEND CITY CODE,
CHAPTER 91: ANIMALS
Notice is hereby given that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, March 6, 2017, at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider amending the City Code Chapter 99, Animals, to include a prohibition on feeding deer. Such persons as desire to be heard concerning this issue should appear at this meeting. Public comments may be sent to the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, MN 56003.
Dated this 21st day of February 2017.
April Van Genderen
City Clerk
City of North Mankato

ORDINANCE NO. 87, FOURTH SERIES

AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA, AMENDING NORTH MANKATO CITY CODE, TITLE IX, GENERAL REGULATIONS, CHAPTER 91, ANIMALS

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

Section 1. Sections of North Mankato City Code, Title IX, General Regulations, Chapter 91 Animals, are hereby amended as follows:

§91.19 PROHIBITION ON SUPPLEMENTAL DEER FEEDING

(A) Findings. It is hereby determined that an increasing population of deer within the city poses a threat to public safety by:

- (1) Increasing the likelihood of deer-vehicle collisions
- (2) Contributing to the transmission of diseases to humans from deer
- (3) Posing a threat to native and ornamental plants and animal life by excessive foraging which disturbs natural ecological balances
- (4) Posing a threat to the quality of life by deer-related damage to landscaping and vegetable gardens

(B) Purpose: Prohibition on supplemental deer feeding, which results in unnatural concentrations of deer and can affect the normal movement of deer within the community.

(C) Prohibition: No resident may place or permit to be placed on the ground, or within five (5) feet of the ground surface any grain, salt licks, fruit, vegetables, nuts, seeds, hay or other edible materials which may reasonably be expected to intentionally result in deer feeding, unless such items are screened or protected in a manner that prevents deer from feeding on them. Living fruit trees and other live vegetation shall not be considered as supplemental deer feeding.

(C) Exemptions from Provisions

(1) Veterinarians, city animal control officials or county, state or federal game officials who are in the course of their duties and have deer in their custody or under their management.

(2) Persons are feeding birds using self-enclosed feeding devices or containers.

(3) The use of straw, hay or straw-related materials for erosion control, mulching, gardening or other landscape purposes.

(4) Persons are maintaining a compost pile that is screened or protected to prevent deer from foraging.

Penalty, see §91.99 (C)

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

Adopted by the City Council this 6th day of March 2017.

Mayor

City Clerk



City of North Mankato, MN

Claims List - Regular

By Vendor Name

Date Range: 3-6-17

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
	Void	03/06/2017	Regular	0	-	86973
	Void	03/06/2017	Regular	0	-	87006
02433	ADVANCED AUTO PARTS	03/06/2017	Regular	0	255.45	86953
00093	ARNOLD'S OF MANKATO, INC.	03/06/2017	Regular	0	336.51	86954
02434	AUSTIN'S AUTO REPAIR CENTER, INC.	03/06/2017	Regular	0	30.00	86955
02533	BLUE STAR POWER SYSTEMS, INC.	03/06/2017	Regular	0	32,238.00	86956
00174	BOLTON & MENK, INC.	03/06/2017	Regular	0	819.83	86957
02475	BOONE, KATIE	03/06/2017	Regular	0	2,000.00	86958
00234	CENTER POINT ENERGY	03/06/2017	Regular	0	8,062.60	86959
00255	CITY OF MANKATO	03/06/2017	Regular	0	83,000.00	86960
00305	CROP PRODUCTION SERVICES, INC.	03/06/2017	Regular	0	125.90	86961
00315	CUSHMAN MOTOR CO., INC	03/06/2017	Regular	0	75.30	86962
00343	DH ATHLETICS LLC	03/06/2017	Regular	0	3,306.00	86963
00387	EMERGENCY AUTOMOTIVE TECHNOLOGY, INC	03/06/2017	Regular	0	19.14	86964
00401	EXPRESS SERVICES, INC.	03/06/2017	Regular	0	1,143.82	86965
00432	FLEETPRIDE	03/06/2017	Regular	0	9.95	86966
00453	FREYBERG PETROLEUM SALES, INC.	03/06/2017	Regular	0	741.40	86967
00462	G & K SERVICES	03/06/2017	Regular	0	237.72	86968
00463	G & L AUTO SUPPLY, LLC	03/06/2017	Regular	0	136.70	86969
00473	GENERATOR SYSTEM SERVICES, INC.	03/06/2017	Regular	0	1,033.63	86970
02535	GUERRERO, VIVIAN	03/06/2017	Regular	0	100.00	86971
00608	INGRAM LIBRARY SERVICES	03/06/2017	Regular	0	1,952.55	86972
00627	JACKSON-HIRSH, INC	03/06/2017	Regular	0	73.57	86974
00624	JM PROMOTIONS	03/06/2017	Regular	0	1,599.10	86975
00690	KENNEDY & GRAVEN CHARTERED	03/06/2017	Regular	0	87.50	86976
00776	LLOYD LUMBER CO.	03/06/2017	Regular	0	224.27	86977
00797	MAC TOOLS DISTRIBUTOR	03/06/2017	Regular	0	228.35	86978
00800	MADDEN, GALANTER, HANSEN, LLP	03/06/2017	Regular	0	1,120.87	86979
00812	MANKATO BEARING COMPANY	03/06/2017	Regular	0	149.78	86980
00819	MANKATO FORD, INC.	03/06/2017	Regular	0	2,629.67	86981
00825	MANKATO MOTOR COMPANY	03/06/2017	Regular	0	47.84	86982
00847	MATHESON TRI-GAS, INC.	03/06/2017	Regular	0	105.91	86983
00851	MAYO CLINIC HEALTH SYSTEM - MANKATO	03/06/2017	Regular	0	10,043.00	86984
00874	MENARDS-MANKATO	03/06/2017	Regular	0	215.51	86985
02179	MES (MUNICIPAL EMERGENCY SERVICES)	03/06/2017	Regular	0	458.43	86986
02532	MIKE'S LLC	03/06/2017	Regular	0	170.00	86987
00920	MINNESOTA DEPARTMENT OF HEALTH	03/06/2017	Regular	0	8,113.00	86988
00283	MINNESOTA DEPARTMENT OF TRANSPORTATION	02/28/2017	Regular	0	485.63	86951
00936	MINNESOTA POLLUTION CONTROL AGENCY	02/28/2017	Regular	0	23.00	86952
00904	MINNESOTA STATE FIRE CHIEFS ASSOCIATION	03/06/2017	Regular	0	513.00	86989
00997	MTI DISTRIBUTING CO	03/06/2017	Regular	0	1,615.33	86990
01036	NICOLLET COUNTY RECORDER/ABSTRACTER	03/06/2017	Regular	0	5.00	86992
01037	NICOLLET COUNTY	03/06/2017	Regular	0	8,730.00	86991
01106	PETTY CASH	03/06/2017	Regular	0	90.56	86993
02195	PUB 500	02/22/2017	Regular	0	297.76	86946
01162	QUEST DIAGNOSTICS	03/06/2017	Regular	0	283.14	86994
01170	RAMY TURF PRODUCTS	03/06/2017	Regular	0	250.00	86995
01211	RIVER BEND BUSINESS PRODUCTS	03/06/2017	Regular	0	1,305.09	86996
02534	SIMON & SCHUSTER	03/06/2017	Regular	0	4,480.00	86997
01312	SOUTHWEST MINNESOTA CHAPTER OF ICC	03/06/2017	Regular	0	160.00	86998
02536	USAQUATICS, INC.	03/06/2017	Regular	0	1,500.00	86999
01477	VIKING ELECTRIC SUPPLY, INC.	03/06/2017	Regular	0	949.03	87000
01503	WASSMAN PLUMBING & HEATING LLC	03/06/2017	Regular	0	777.50	87001
01507	WAYNE'S AUTO BODY, INC.	03/06/2017	Regular	0	837.60	87002
01517	WELLS FARGO CORPORATE TRUST SERVICE	03/06/2017	Regular	0	237,750.00	87003
01524	WERNER ELECTRIC SUPPLY	03/06/2017	Regular	0	48.16	87004
01557	XCEL ENERGY	03/06/2017	Regular	0	22,242.50	87005

00241	CHARTER COMMUNICATIONS	02/22/2017	Bank Draft	0	7.76	DFT0000932
02058	CONSOLIDATED COMMUNICATIONS	02/22/2017	Bank Draft	0	158.64	DFT0000927
02058	CONSOLIDATED COMMUNICATIONS	02/22/2017	Bank Draft	0	53.18	DFT0000928
02058	CONSOLIDATED COMMUNICATIONS	02/22/2017	Bank Draft	0	29.78	DFT0000929
02058	CONSOLIDATED COMMUNICATIONS	02/22/2017	Bank Draft	0	31.92	DFT0000930
00606	INDUSTRIAL FABRICATION SERVICES, INC.	02/22/2017	Bank Draft	0	170.00	DFT0000934
00733	LAKES GAS CO #10	03/02/2017	Bank Draft	0	54.20	DFT0000948
00749	LAWSON PRODUCTS, INC	02/28/2017	Bank Draft	0	308.74	DFT0000947
00910	MINNESOTA VALLEY TESTING LAB, INC.	02/23/2017	Bank Draft	0	59.50	DFT0000935
01322	SPRINT	02/22/2017	Bank Draft	0	34.92	DFT0000931
01335	STAPLES ADVANTAGE	02/17/2017	Bank Draft	0	56.79	DFT0000926
01335	STAPLES ADVANTAGE	02/27/2017	Bank Draft	0	238.54	DFT0000946
01377	TELRITE CORPORATION	02/22/2017	Bank Draft	0	231.76	DFT0000933
00216	C & S SUPPLY CO, INC.	03/08/2017	EFT	0	7.47	116
00310	CRYSTEEL TRUCK EQUIPMENT, INC	03/08/2017	EFT	0	205.00	117
00494	GOPHER STATE ONE-CALL	03/08/2017	EFT	0	60.75	118
01275	JADD SEPPMANN & SONS, LLP	03/08/2017	EFT	0	96.42	119
00796	MAC QUEEN EQUIPMENT, INC.	03/08/2017	EFT	0	9,334.27	120
00935	MINNESOTA PIPE & EQUIPMENT	03/08/2017	EFT	0	564.56	121
01009	NAPA AUTO PARTS - MANKATO	03/08/2017	EFT	0	9.32	122
02005	PANTHEON COMPUTERS	03/08/2017	EFT	0	7,151.19	123
01179	RED FEATHER PAPER CO.	03/08/2017	EFT	0	110.30	124
					<hr/> 462,209.61	<hr/> 77

Authorization Signatures

All Council

The above manual and regular claims lists for 3-6-17 are approved by:

MARK DEHEN- MAYOR

DIANE NORLAND- COUNCIL MEMBER

WILLIAM STEINER- COUNCIL MEMBER

ROBERT FREYBERG- COUNCIL MEMBER

JAMES WHITLOCK- COUNCIL MEMBER

Permit #: 22 -2017 Start time: 2:00 pm Fee: \$ 100.00

Date: 10/21/17 Stop time: 5:00 pm

Shelter: ☐ Spring Lake Shelter #1 ☒ Spring Lake Shelter #2 ☐ Wheeler Park Indoor Shelter

Event Name: Peil / Noble Wedding Ceremony
Gazebo / Pier

Name: Crystal Peil

Address: 120 Knollcrest Dr. #B2 Mankato

Phone: 507-720-4874 # of People: 150-200

Use of Tents (or anything requiring staking) ☒ No ☐ Yes *If Yes, Please contact **Gopher State One Call**
*Bounce House requires waiver **800-252-1166** one week prior to event.

Notes: _____

Alcoholic Beverages (wine & beer only) ☒ No ☐ Yes *\$250 refundable deposit and \$25 keg permit

Please specify: Cans Keg Catering* (must contact City Hall)

Audio (requires audio permit) ☐ No ☒ Yes

Allowed

- Personal grills
- Keg beer provided a permit is obtained
- Fishing/ice fishing on Ladybug Lake and Spring Lake only
- Pets in Benson Park and Bluff Park provided they are on a 6' leash
- Canoes and kayaks on Ladybug Lake and Spring Lake (children under 12 must be accompanied by an adult and wear a life preserver)
- Hog roasts provided they are on a hard-surfaced lot

Prohibited

- Vehicles are not allowed to be parked or driven on the grass for any reason unless permission is given from the Parks Department.
- Pets (allowed in Benson Park and Bluff Park only)
- Glass containers
- Campfires / Bonfires / Fire Rings
- Snowmobiles, ATVs, golfing, swimming, boating and motorized
- flotation devices
- Dunk Tanks
- Audio equipment may not be played so loud as to interfere with the reasonable use of the park by others. All audio devices must end at 10 PM

☒ I, the undersigned, understand that the park shelter reservation fee is non-refundable. If prior approval is not obtained for the installation of additional tents or stakes and causes disruption of utility services, I agree to be held liable for any repairs to service lines.

☒ I, the undersigned, have received the Audio Permit Instructions and understand that failure to comply with the audio instructions may terminate the event and prevent future ability to obtain an audio permit.

SIGNED: Crystal Peil

Applicant

2/16/17

Date

☐ APPROVED ☐ DENIED
☒ REFER TO COUNCIL

City Clerk

Date

Receipt # _____ ☒ Book _____ Online _____ Park _____ Police _____ Staff Initials _____

Audio Permit

About:

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

Audio Permit Responsibilities:

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

What happens if there is a noise complaint?

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

AMPLIFIED SOUND:	<input checked="" type="checkbox"/> LIVE MUSIC/BAND	DATE OF EVENT: <u>10-21-17</u>
	<input type="checkbox"/> DJ/KARAOKE MACHINE	BEGIN TIME: <u>3:30</u>
	<input type="checkbox"/> OTHER: _____	END TIME: <u>4:30</u>
LOCATION / SHELTER: <u>SLP Shelter #2 / Pier</u>		
EVENT NAME: <u>P&L / Noble Wedding Ceremony</u>		
ONSITE COORDINATOR: _____	PRINT NAME: <u>Holly Tourville</u>	
	MOBILE NUMBER: <u>507-469-0683</u>	

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

SIGNATURE: Cynthia DeS DATE: 2/16/17

CITY CLERK: _____ ☐ DENIED ☐ APPROVED

☐ BOOK ☐ POLICE ☐ ONLINE ☐ \$25.00 FEE STAFF INITIALS _____



CITY OF *Minnesota*
NORTH MANKATO

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

For Office Use Only

APPROVED _____

DENIED _____

☐ PARK USE

☐ AUDIO USE

Application For PARADE PERMIT

REQUIRED INFORMATION:

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

Thirty (30) days inadvance of the parade date.

Name of Applicant <i>Jackie Murray</i>	Address <i>PO Box 246, Good Thunder, MN</i>	Phone <i>382-5342</i>	Email <i>jackie.m.murray@gmail.com</i>
Sponsoring Organization Name <i>Monroe PTO</i>	Address <i>441 Monroe Ave. North Mankato</i>	Phone <i>387-7889</i>	
Contact during event <i>Jackie Murray</i>		Phone <i>382-5342</i>	
Event Location <i>Spring Lake Park</i>	Date <i>5-6-17</i>	From Time To <i>7am 12pm</i>	
Occasion for Parade <i>Color Run</i>			
Parade Description / Composition <i>Runners/Walkers Fun Run 5K event.</i>			
Estimated Number of Participants: <i>300</i>			

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

Jackie Murray
Applicant

2-21-2017
Date

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

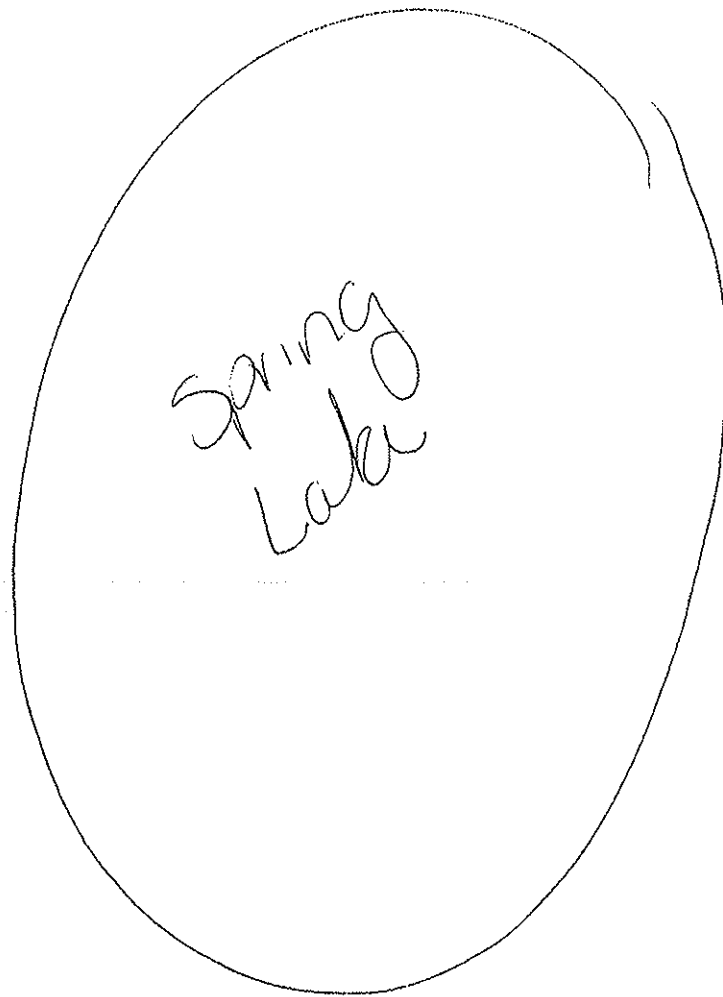
[Signature]
Chief of Police

03-01-2017
Date

Caswell Sports Director

Date

Color Run Route



CITY OF NORTH MANKATO
REQUEST FOR COUNCIL ACTION



Agenda Item # 11A	Dept: City Planner	Council Meeting Date: 3/6/17																																																				
TITLE OF ISSUE: Consider Ordinance No. 86, Fourth Series An Ordinance Amending the Code of Ordinances for the City of North Mankato, Minnesota Revising, Updating and Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances, and Providing Penalties for the Violation of the Code of Ordinances.																																																						
BACKGROUND AND SUPPLEMENTAL INFORMATION: A public hearing was held to consider the revision of the Code of Ordinances. Attached is Ordinance No. 86, Fourth Series, Amending the Code of Ordinances with Exhibit A.																																																						
<i>If additional space is required, attach a separate sheet</i>																																																						
REQUESTED COUNCIL ACTION: Adopt Ordinance No. 86, Fourth Series An Ordinance Amending the Code of Ordinances for the City of North Mankato, Minnesota Revising, Updating and Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances, and Providing Penalties for the Violation of the Code of Ordinances.																																																						
For Clerk's Use: Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Steiner	_____	_____	Norland	_____	_____	Freyberg	_____	_____	Whitlock	_____	_____	Dehen	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="5" style="text-align: center; padding: 5px;">SUPPORTING DOCUMENTS ATTACHED</th> </tr> <tr> <th style="width: 20%; padding: 5px;">Resolution</th> <th style="width: 20%; padding: 5px;">Ordinance</th> <th style="width: 20%; padding: 5px;">Contract</th> <th style="width: 20%; padding: 5px;">Minutes</th> <th style="width: 20%; padding: 5px;">Map</th> </tr> </thead> <tbody> <tr> <td style="text-align: center; padding: 10px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 10px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 10px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 10px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 10px;"><input type="checkbox"/></td> </tr> <tr> <td colspan="5" style="padding: 5px;"> Other (specify) _____ <div style="text-align: right; margin-right: 50px;">Exhibit A</div> </td> </tr> <tr><td colspan="5" style="height: 20px;"></td></tr> <tr><td colspan="5" style="height: 20px;"></td></tr> <tr><td colspan="5" style="height: 20px;"></td></tr> </tbody> </table>	SUPPORTING DOCUMENTS ATTACHED					Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) _____ <div style="text-align: right; margin-right: 50px;">Exhibit A</div>																			
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ORDINANCE NO. 86, FOURTH SERIES

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

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

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

Section 1. All portions of the City of North Mankato Code will be revised as outlined in the attached Exhibit A; and

Section 2. Ordinance Nos. 64, 65, 66, 67, 68, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, and 85, Fourth Series, are incorporated into the revised Code of Ordinances;

Section 3. This ordinance amending the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published in the City's official newspaper. The City Clerk shall cause a substantial quantity of the amended Code of Ordinances to be printed for public distribution to the public at actual cost and shall furnish a copy of the amended Code of Ordinances to the County Law Library or its designated depository. The official copy of this amended Code of Ordinances shall be marked and kept in the Office of the City Clerk.

Section 4. The Code of Ordinances is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by Minnesota Statutes by the Courts of the State of Minnesota.

Section 5. This ordinance amending the Code of Ordinances shall take effect upon publication of this ordinance in the City's official newspaper.

Adopted by the City Council of the City of North Mankato this 6th day of March 2017.

Mayor

ATTEST:

City Clerk

EXHIBIT A
TO ORDINANCE NO. 86, FOURTH SERIES
UPDATING CODE OF ORDINANCES
CITY OF NORTH MANKATO

CHAPTER 50: RULES AND REGULATIONS RELATING TO MUNICIPAL UTILITIES

50.04 Rules and Regulations Related to Municipal Utilities

(D) *Ownership of municipal utilities.* Ownership of all municipal utilities, plants, lines, mains, extensions, and appurtenances thereto shall be held by the city, and remain in the city, except for the service line from the structure to the city main, including the corporation stop, saddle, curb stop and curb box, which shall be the property owner's responsibility.

CHAPTER 111: ALCOHOLIC BEVERAGES

111.206 PERSONS ALLOWED ON THE LICENSED PREMISES.

(B) *Age restrictions.*

(2) No person under 21 years of age may enter a licensed premises except to work, consume meals on premises that qualify as a restaurant, or attend social functions while accompanied by a legal guardian.

CHAPTER 150: BUILDING REGULATIONS

150.02 Building Permits

(G) *Survey Drawing.* For every new residential, commercial or industrial building constructed, a survey drawing prepared by a licensed surveyor showing the location of all buildings, parking areas, and storm water detention areas shall be submitted as part of the building permit application process.

150.04 Fees, Charges and Bond Requirements

(B) *Start without a permit.* Where work for which a permit is required is started or pursued prior to issuance of a permit, an investigative fee in the amount of the building fee, not including the state surcharge, will be added to the building cost due at the time the permit is issued. The payment of such increased fee shall not relieve any persons from fully complying with the requirements of the law in the execution of the work, nor from any penalties prescribed herein.

CHAPTER 151: RESIDENTIAL RENTAL PROPERTY LICENSING CODE

151.06 Applications

All applications shall be made as follows:

(A) All applications shall be made at the office of the City Clerk, upon forms which have been approved by motion of the City Council;

(B) All such applications must be subscribed, sworn to, and include, but not be limited to, the following:

- (1) Applicant's name, age, and citizenship;
- (2) Applicant's present address and phone number and length of time at that address;
- (3) Address of property to be rented;
- (4) Sketch of property to be rented identifying all rental units by number;
- (5) Parking plan showing the size and location of all off-street parking spaces;
- (6) Name(s) of each occupant of each rental unit;
- (7) Name of person (if other than applicant) responsible for the rental unit;
- (8) Whether or not applicant has ever been convicted of a felony or misdemeanor, including violation of a city ordinance but excluding traffic violations, and, if so, the date and place of conviction and the nature of the offense;
- (9) Social Security number and Minnesota business identification number of the applicant as required by Minnesota Statutes 270C.72, Subd. 4
- (10) Such other information as the Council shall deem necessary considering the nature of the use for which the license application is made.

151.07 Action on Application for Rental License

Upon receipt of a completed application, payment of all license fees, and compliance with all applicable property inspections the City Clerk, or his or her designee, shall issue a license to the applicant for the specified property. All residential rental property in North Mankato must obtain a license by January 1, 2003. Such licenses will be valid for a period of 1 year unless canceled or revoked pursuant to this chapter. From January 1, 2004, forward, all licensees will be required to obtain annual renewal of their residential rental licenses on or before January 1 of each year. If by January 1 of each year, a rental license has not been renewed, a \$100 reinstatement fee for each property will be charged in addition to the annual license fee. An annual rental license renewal will not be granted if the licensee does not provide the City with a Social Security number and Minnesota business identification number of the licensee as required by Minnesota Statutes 270C.72, Subd. 4

CHAPTER 156: ZONING CODE

156.035 Generally

(G) *Accessory buildings.* If an accessory building is attached to the main building, it shall be made a structural part of the main building and shall comply in all respects with the requirements of this chapter applicable to the main building. An accessory building, unless

attached to and made a part of the main building, shall not be closer than 5 feet to the main building or another accessory building. In no event shall an accessory building be permitted on a vacant lot or when not subordinate to and serving the principal use structure on the same lot.

(1) An accessory building larger than 168 square feet shall be accessible by a hard-surfaced driveway which meets all applicable setback regulations.

(P) *Storage or utility sheds.* Permitted in any residential zoning district subject to the following:

- (1) Maximum floor area shall not exceed 168 square feet.
- (2) Minimum setback is 5 feet from any rear or side property line.
- (3) Located a minimum of 5 feet from any main or accessory building.
- (4) Shall not be located within any front yard.
- (5) Maximum height shall not exceed 14 feet.
- (6) Overhangs shall not exceed 2 feet.
- (7) Access door shall not exceed 6 feet in width.
- (8) No more than 1 storage shed or utility shed is permitted on any lot.
- (9) Minimum setback is 5 feet from any ravine breakline.

(II) For every new attached or detached residential dwelling unit constructed, the following is required:

- (1) An individual water service and shut-off shall be installed for each dwelling unit
 - (2) An individual sanitary sewer service shall be installed for each dwelling unit
- Multi-unit rental apartment buildings are not subject to this provision.

(K) *Residential driveways.*

(1) The maximum allowable driveway width measured at the front property line on residential property having a width of less than 80 feet shall not exceed 24 feet. The maximum allowable driveway width measured at the front property line on a residential property having a width of 80 feet or more shall not exceed 30 feet. There shall be a minimum of 20 feet of hard surfaced driveway located perpendicular from the face of any garage stall to the street.. All driveways shall conform to the required side yard building setbacks for the district it is within.

(X) *Stormwater detention pond.* For any residential, commercial or industrial development utilizing more than 1 acre of land, an on-site stormwater detention pond is required. Prior to issuance of a building permit, a stormwater drainage plan shall be submitted and approved by the Building Inspector. Setbacks for storm water ponds, rain gardens or other storm water retention areas shall be a minimum of 10 feet from any property line.

156.053 Off-Street Parking and Loading

(3) *Construction and maintenance.*

(a) All residential, commercial and industrial parking areas, driveways and access drives shall be surfaced with either a concrete or a bituminous surface. All parking lots in any zoning

district designed to accommodate more than six (6) vehicles, shall include B style curb and gutter. A drainage plan may be required for review by the Building Official. The owner of the property shall maintain all parking areas, driveways and access drives in a well-kept condition.

156.054 Performance Standards

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

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

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

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

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

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

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

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

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 11B	Dept: Administration	Council Meeting Date: 3/06/17																																	
TITLE OF ISSUE: Consider Ordinance No. 87, Fourth Series An Ordinance of the City of North Mankato, Minnesota, Amending North Mankato City Code, Title IX General Regulations, Chapter 91, Animals.																																			
BACKGROUND AND SUPPLEMENTAL INFORMATION: In response to public concern and Council direction, City staff is presenting an ordinance prohibiting supplemental deer feeding. A public hearing was held earlier in the meeting.																																			
<i>If additional space is required, attach a separate sheet</i>																																			
REQUESTED COUNCIL ACTION: Adopt Ordinance No. 87, Fourth Series An Ordinance of the City of North Mankato, Minnesota, Amending North Mankato City Code, Title IX General Regulations, Chapter 91, Animals.																																			
For Clerk's Use: Motion By: _____ Second By: _____ <table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">Vote Record:</td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Vote Record:	Aye	Nay			_____	_____	Steiner		_____	_____	Norland		_____	_____	Freyberg		_____	_____	Whitlock		_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ORDINANCE NO. 87, FOURTH SERIES

AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA, AMENDING NORTH MANKATO CITY CODE, TITLE IX, GENERAL REGULATIONS, CHAPTER 91, ANIMALS

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

Section 1. Sections of North Mankato City Code, Title IX, General Regulations, Chapter 91 Animals, are hereby amended as follows:

§91.19 PROHIBITION ON SUPPLEMENTAL DEER FEEDING

(A) Findings. It is hereby determined that an increasing population of deer within the city poses a threat to public safety by:

- (1) Increasing the likelihood of deer-vehicle collisions
- (2) Contributing to the transmission of diseases to humans from deer
- (3) Posing a threat to native and ornamental plants and animal life by excessive foraging which disturbs natural ecological balances
- (4) Posing a threat to the quality of life by deer-related damage to landscaping and vegetable gardens

(B) Purpose: Prohibition on supplemental deer feeding, which results in unnatural concentrations of deer and can affect the normal movement of deer within the community.

(C) Prohibition: No resident may place or permit to be placed on the ground, or within five (5) feet of the ground surface any grain, salt licks, fruit, vegetables, nuts, seeds, hay or other edible materials which may reasonably be expected to intentionally result in deer feeding, unless such items are screened or protected in a manner that prevents deer from feeding on them. Living fruit trees and other live vegetation shall not be considered as supplemental deer feeding.

(C) Exemptions from Provisions

(1) Veterinarians, city animal control officials or county, state or federal game officials who are in the course of their duties and have deer in their custody or under their management.

(2) Persons are feeding birds using self-enclosed feeding devices or containers.

(3) The use of straw, hay or straw-related materials for erosion control, mulching, gardening or other landscape purposes.

(4) Persons are maintaining a compost pile that is screened or protected to prevent deer from foraging.

Penalty, see §91.99 (C)

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

Adopted by the City Council this 6th day of March 2017.

Mayor

City Clerk