

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 7, 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, Public Works Director Swanson and City Clerk Van Genderen. Absent: Community Development Director Fischer.

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 July 24, 2017. Vote on the motion: Whitlock, Steiner, Norland, Freyberg and Dehen aye; no nays. Motion carried.

Public Hearing-Consider Amending North Mankato City Code, Chapter 111, Entitled "Alcoholic Beverages."

Barb Church, 102 Wheeler Avenue appeared before Council and requested clarification on fees associated with the proposed seasonal extension of premise permit.

Consent Agenda

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

- A. Bills and Appropriations.
- B. Approved Large Group and Audio Permit for Risen Savior Lutheran School Church Service on August 20, 2017, from 7 am to 2 pm at Spring Lake Park Shelter #2 with audio from 9:00 am to 10:00 am.
- C. Traffic and Safety Committee Meeting on July 25, 2017
- D. Set Public Hearing for August 21, 2017, at 7 pm for the North Mankato Wellhead Protection Plan
- E. Set Fall Drop-Off Dates for October 13-15, 2017
- F. Set Water Main Flushing Dates for October 2-20, 2017.
- G. Set Public Hearing for August 21, 2017, at 7 pm for Consolidated Annual Performance and Evaluation Report (CAPER).
- H. Approved Temporary Intoxicating Liquor License for Business on Belgrade's Bier on Belgrade on September 23, 2017.
- I. Approved Large Group and Audio Permit for Business on Belgrade's Bier on Belgrade on September 23, 2017, from 2:00 pm to 8:00 pm.
- J. Approved Audio Permit for a Neighborhood Gathering at 31 Danbury Court on August 12, 2017, from 6:00 p.m. until 10:00 p.m.
- K. Approved Parade Permit for Mount Olive Charger Challenge Fundraising Walk on September 29, 2017, from 9:00 a.m. until 12:00 p.m.
- L. Accepted Property Owner Petition to Municipality for Annexation by Ordinance of 9.07 Acres by Mark Hiniker.

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 requested clarification on if there would be a Public Comment period on August 18, 2017, concerning IDD No. 1-23 TIF Modification.

Phil Henry, 1300 Noretta Drive appeared before Council and stated he disagreed with the proposed Ordinance raising the tobacco purchasing age to 21.

Business Items

Ord. No. 94-17 Consider Adopting Ordinance No. 94, Fourth Series, an Ordinance of the City of North Mankato, Minnesota Amending North Mankato City Code, Chapter 111, Entitled "Alcoholic Beverages." City Clerk Van Genderen responded to Ms. Church's previous question indicating there will be a fee for the license. City Administrator Harrenstein stated the changes allow establishments to utilize areas for events, expanding options for restaurant and bar owners and providing consistency to all establishments. City Attorney Kennedy stated establishments that extend their premise will forfeit parking. He indicated that the area would be controlled and all laws would be followed. **Council Member Norland moved, seconded by Council Member Steiner to adopt Ord. No. 94-17 Adopting Ordinance No. 94, Fourth Series, an Ordinance of the City of North Mankato, Minnesota Amending North Mankato City Code, Chapter 111, Entitled "Alcoholic Beverages."** **Vote on the motion: Whitlock, Steiner, Norland, Freyberg and Dehen aye; no nays. Motion carried.**

Resolution on the Proposal to Modify Tax Increment Financing District IDD No. 1-23 and Calling for Consultation with Other Affected Jurisdictions and Public Hearing. Council Member Freyberg moved, seconded by Council Member Norland to Adopt Resolution on the Proposal to Modify Tax Increment Financing District IDD No 1-23 and Calling for Consultation with other Affected Jurisdictions and Public Hearing. Vote on the motion: Whitlock, Steiner, Norland, Freyberg and Dehen aye; no nays. Motion carried.

Consider Setting Public Hearing for August 21, 2017, at 7 pm to Consider Amending North Mankato City Code, Chapter 110, Entitled "General Business Regulations." Mayor Dehen stated that this issue was addressed at the intergovernmental meeting, and it was recommended to bring the proposed ordinance to a Public Hearing in both Mankato and North Mankato with a common language. **Council Member Steiner moved, seconded by Council Member Norland to set a public hearing for August 21, 2017, at 7 pm. Vote on the motion: Whitlock, Steiner, Norland, Dehen aye; Freyberg nay. Motion carried.**

Consider Adopting a Resolution Regarding Energy Transmission Lines. City Administrator Harrenstein reported the City has been in correspondence with Xcel Energy concerning the construction of the Huntley-Wilmarth 345 Kilovolt Transmission Line Project. He stated the City acknowledges that a new transmission line is needed, but the proposed transmission line would impede future development in North Mankato. The City requests that Xcel remove from consideration all proposals to the Minnesota Public Utilities Commission that include segments 20, 48, 49, 50, 51, and 53 of the Huntley-Wilmarth 345 Kilovolt Transmission Line Project and failure to do so will result in

the City exercising all legal means available to oppose construction. The map of the proposed transmission line conflicts with existing and planned development in the North Ridge subdivision. The proposed route does not represent a recommendation of the City of North Mankato. City Administrator Harrenstein then presented the City's actions. On January 31, 2017, North Mankato City Administrator and Community Development Director Fischer met with Trisha Rosenfeld and Tim Carlsgaard regarding Xcel Energy's proposed 40-50 mile 345-kilovolt transmission line from the Huntley substation to the Wilmarth substation. At the meeting, staff discussed the need to route a northern line away from the boundary of the City. On June 19, 2017, Xcel Energy appeared before Council and presented information concerning a joint project between Xcel and the Midcontinent Independent System Operator (MISO). On June 21, 2017, ITC Midwest and Xcel Energy hosted an open house in Mankato regarding the proposed 345 KV Line. Several North Mankato residents attended and raised concerns about segment 53 of the proposed route. On July 6, the City Administrator spoke with Tim Carlsgaard at Xcel to discuss the city's opposition to segment 53 and requested information concerning the process and requested removal of segment 53 from the proposal. On July 19, 2017, City Administrator Harrenstein, Community Development Director Fischer, and several property owners met with Trisha Rosenfeld, Tom Hillstrom, Tim Carlsgaard, and Lori Broghammer (ITC) regarding the Huntley-Wilmarth proposal. Specific concerns were discussed about segments 20, 47, 48, 49, 50, 51, and 53. Xcel indicated they would take the comments under consideration. City Administrator Harrenstein suggested that Xcel pursue a more westerly route on 490th avenue. He indicates that this Resolution may be the first of several actions to formally express concerns. Harrenstein indicated that the memo would be posted online. **Council Member Freyberg moved, seconded by Council Member Norland to adopt Resolution Regarding Energy Transmission Lines. Vote on the motion: Whitlock, Steiner, Norland, Freyberg, and Dehen aye; no nays. Motion carried.**

Consider Resolution Authorizing the Advertisement for Bids Project No. 17-03 2017 Spring Lake Park Pool Warming House. City Administrator Harrenstein stated the proposed project would be a year round community asset. **Council Member Freyberg moved, seconded by Council Member Norland to adopt Resolution Authorizing the Advertisement for Bids Project No. 17-03, 2017 Spring Lake Park Pool Warming House. Vote on the motion: Whitlock, Steiner, Norland, Freyberg, and Dehen aye; no nays. Motion carried.**

City Administrator and Staff Comments

Public Works Project update. Public Works Director Swanson updated the Council on current and proposed Public Works Projects, including construction plans for the Spring Lake Pool upgrade, Spring Lake Warming House Addition, Spring Lake Pool Building, Spring Lake Park Hockey Rinks, South Spring Lake Bathroom Structure, Benson Park Shelter, Prairie Restoration, Bluff Park Scenic Overlook, Benson Bridges, Street Overlay Program, Seal Coating and the River Boat Landing. He reported several projects would begin or be completed in 2018 due to time and budget restraints. Council Member Steiner requested information on the boat landing. Public Works Director Swanson reported it would be built on Judson Bottom Road and would be utilized for the Caswell Sports Biathlon on September 30, 2017, which would include boating and biking.

Finance Director McCann stated that he was working on the budget. He informed the Council that the first budget workshop would either be August 21, 2017, or September 5, 2017.

City Administrator Harrenstein discussed the Greater Minnesota Coalition Conference in Fergus Falls. He indicated Mankato, St. Peter and North Mankato would be jointly hosting the conference in 2018.

Mayor and Council Comments

Council Member Norland stated that she walked Benson Park and it looked wonderful. She thanked City Administrator Harrenstein, and consultant Katie Boon for the participatory leadership training offered to the department heads. Staff will take what they learn into community engagement events. The first community engagement will be held by the Police Department discussing the prevention of burglary and fraud.

Council Member Whitlock stated the City used to host business appreciation luncheons and he would like to bring those events back.

Council Member Steiner mentioned that scammers were calling North Mankato residents saying they were from the IRS. He warned residents that these calls were not legitimate.

Mayor Dehen read a certificate of recognition into the record:

CERTIFICATE OF RECOGNITION

WHEREAS, Judge Bradley C. Walker has dedicated his career to public service in our community, and has now announced that he will retire on August 12, 2017; and

WHEREAS, his service includes honorable service in the U.S. Marine Corps, 1973-1977, private law practice from 1977-1998 which included working as City Attorney for the City of North Mankato, his service as the Fifth Judicial District Judge began with an appointment July 15, 1998, and election to service in 2000, 2006, and 2012; and

WHEREAS, he has been an active participant in civic affairs and projects, having held responsible positions on many boards and organizations, and has a powerful influence for good in the growth and progress of the community.

NOW, THEREFORE, I Mark Dehen, Mayor of the City of North Mankato, do hereby proclaim August 12, 2017, as:

JUDGE BRADLEY C WALKER DAY

In the City of North Mankato, and extend to Judge Walker my personal congratulations and also those of the City Council and all our area citizens. We appreciate his many years of dedicated service and extend to him our best wishes for many years of happiness in the future.

Mayor Dehen stated that the United Way tug-of-war will take place on August 16, 2017, from noon to 1:00 p.m. on the Veteran's Memorial Bridge.

Mayor Dehen stated that on August 16, 2017, from 6:30-8:30 pm at MSU's Centennial Student Union there will be a #25by25MN water quality town hall meeting. Governor Dayton and his administration have organized ten town halls to offer Minnesotans an opportunity to discuss the water quality challenges facing their communities and the state.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Steiner, the meeting adjourned at 7:45 p.m.

Mayor

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #8	Department: Public Works	Council Meeting Date: 8/21/17																												
TITLE OF ISSUE: Public Hearing-City of North Mankato Wellhead Protection Plan.																														
BACKGROUND AND SUPPLEMENTAL INFORMATION: City Staff has been working to complete the wellhead protection plan. This public hearing is to discuss issues and address all comments related to the wellhead protection plan.																														
<i>If additional space is required, attach a separate sheet</i>																														
REQUESTED COUNCIL ACTION:																														
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	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </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>Public Hearing Notice, Summary of Wellhead protection plan, 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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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 Tuesday, the 8 day of August, 2017, and was thereafter printed and published on every Tuesday to and including Tuesday, the 8 day of August, 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

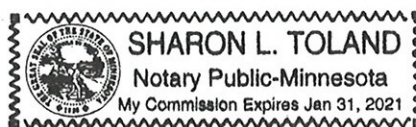
4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$43.00.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue 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 8 day of August, 2017.

Sharon L. Toland
Notary Public



August 8, 2017
NOTICE OF
PUBLIC HEARING CITY OF
NORTH MANKATO WELLHEAD
PROTECTION PLAN
Consistent with the Wellhead Protection Rule (4720.5330, subpart 7), notice is hereby given that the City Council of the City of North Mankato, Minnesota, will hold a Public Hearing on Monday, August 21, 2017 at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to discuss issues and address all comments related to the wellhead protection plan. The City of North Mankato is in the process of developing a wellhead protection plan for its drinking water supply wells which address the following:
1. The inventory of potential contaminants of concern within the Drinking Water Supply Management Area (DWSMA);
2. The data that was considered in this portion of the plan;
3. Issues, problems, and concerns within the DWSMA;
4. Goals, objectives, and action strategies to address the issues and concerns within the DWSMA;
5. A Plan evaluation strategy; and
6. A contingency strategy in the event of water system disruption.
Dated this 7th day of August 2017.
April Van Genderen
City Clerk
City of North Mankato

NOTICE OF PUBLIC HEARING CITY OF NORTH MANKATO
WELLHEAD PROTECTION PLAN

Consistent with the Wellhead Protection Rule (4720.5330, subpart 7), notice is hereby given that the City Council of the City of North Mankato, Minnesota, will hold a Public Hearing on Monday, August 21, 2017 at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to discuss issues and address all comments related to the wellhead protection plan.

The City of North Mankato is in the process of developing a wellhead protection plan for its drinking water supply wells which address the following:

1. The inventory of potential contaminants of concern within the Drinking Water Supply Management Area (DWSMA);
2. The data that was considered in this portion of the plan;
3. Issues, problems, and concerns within the DWSMA;
4. Goals, objectives, and action strategies to address the issues and concerns within the DWSMA;
5. A Plan evaluation strategy; and
6. A contingency strategy in the event of water system disruption.

Dated this 7th day of August 2017.

April Van Genderen
City Clerk
City of North Mankato

North Mankato Wellhead Protection Plan Summary

August 21, 2017

This document presents the wellhead protection (WHP) plan for the City of North Mankato that will help provide for an adequate and safe drinking water supply for community residents. It contains the following components:

- Assessment of the data elements used to prepare the plan;
- Delineation of the wellhead protection area;
- Delineation of the drinking water supply management area;
- Assessments of well and drinking water supply management area vulnerability;
- Impact of land and water use changes on the public water supply well(s) used by the water supplier;
- Issues, problems, and opportunities affecting the well(s), well water, and the drinking water supply management area;
- Wellhead protection goals for this plan;
- Objectives and plan of action for achieving the wellhead protection goals;
- Evaluation program for assessing the effectiveness of this plan; and
- Contingency strategy to address an interruption of the water supply.

The two attached maps provide information regarding the delineation and vulnerability of the two drinking water supply areas (DWSMA). North Mankato's wells are nonvulnerable – good construction and geologic protection.

An inventory of wells was conducted within each DWSMA. Most of the wells are owned by the city. One unused city well (Old Well #1) requires additional efforts to determine location and status. Three private wells were located. A number of private wells have been sealed over the years.

No change in current land use within the Lower DWSMA is anticipated. However, the Upper DWSMA will likely experience long-term growth with associated greater water demands.

The Lower DWSMA boundaries are within multiple jurisdictions: Blue Earth County and the City of Mankato. Also, the City of Mankato's West DWSMA boundary overlaps the Lower DWSMA.

A wellhead protection plan is in effect for ten years after approval by the Minnesota Department of Health. The following is the framework for implementing the plan.

Goals

- Maintain a safe and adequate drinking water supply for community residents which meet all state and federal drinking water standards.
- Increase awareness among public officials, land owners and the general public about the importance of WHP in protecting the public drinking water supply.
- Support ongoing data collection efforts to enhance future WHP activities.

Objectives

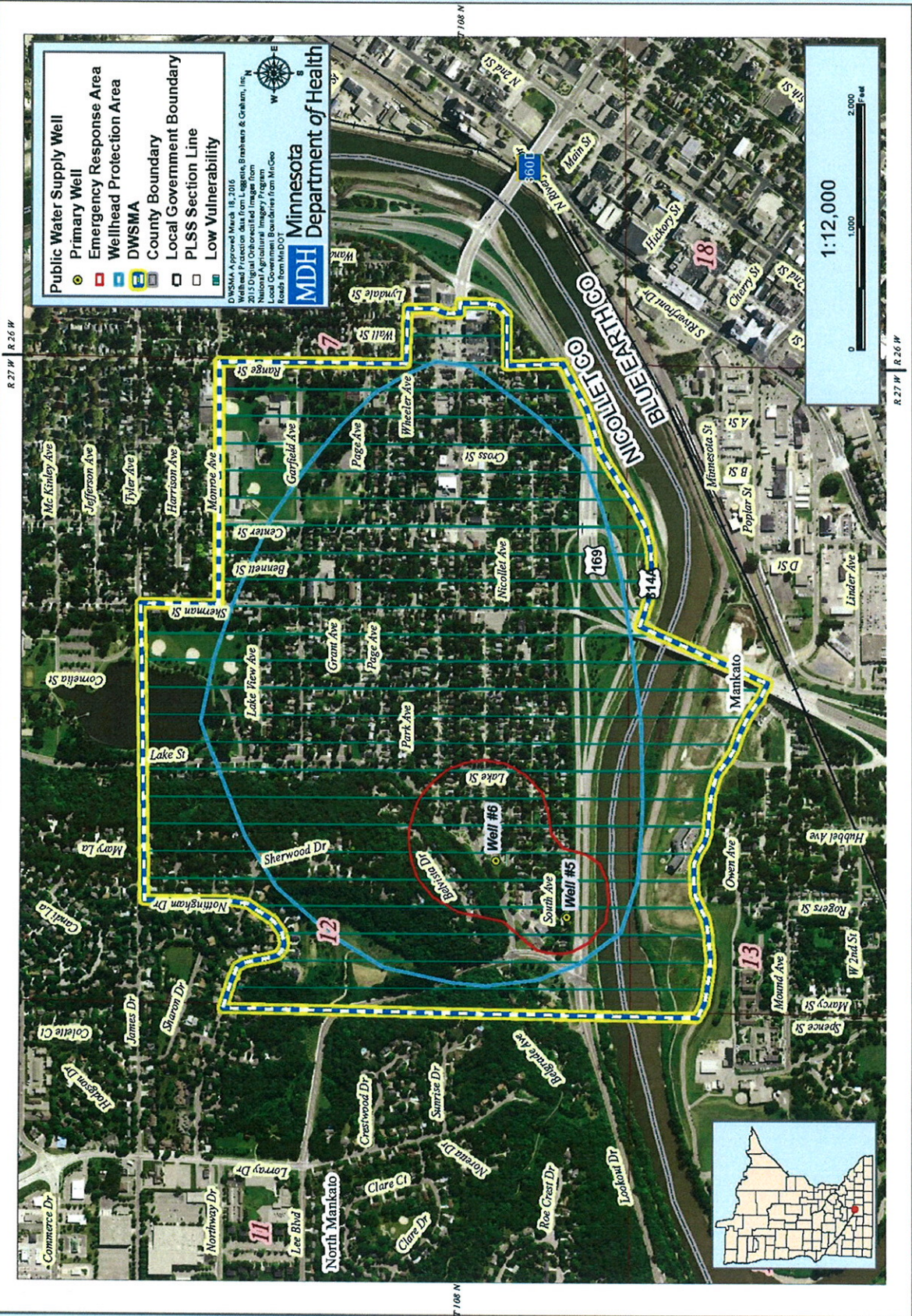
- Communicate with public about wells and wellhead protection.
- Utilize community comprehensive planning to protect drinking water.
- Manage wells that are owned or operated by the community.
- Provide guidance to private well owners to properly manage wells.
- Collect, monitor and evaluate data necessary to support WHP Plan implementation.

Measures

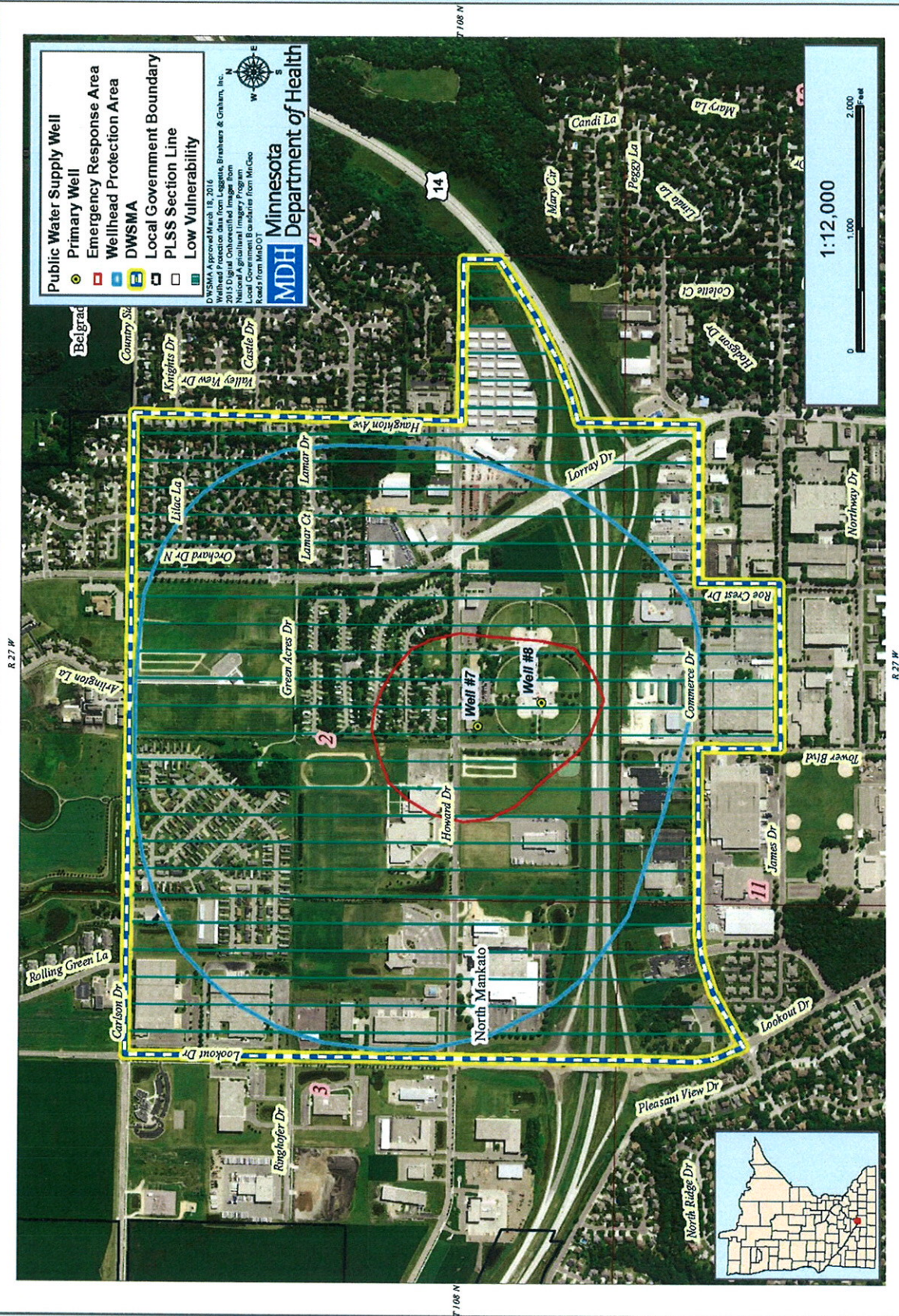
- Education and Outreach
- Well and Contaminant Source Management
- Land Use Planning
- WHP Coordination, Evaluation and Reporting
- Monitoring, Data Collection and Assessment
- Contingency Planning

Source water protection grants are available from the MDH to assist in the implementation of this plan. Please visit MDH's Source Water Protection program for further information: <http://www.health.state.mn.us/divs/eh/water/swp/>.

North Mankato SE Drinking Water Supply Management Area (DWSMA) MN-00865 - Low Vulnerability



**North Mankato NW Drinking Water Supply Management Area
(DWSMA) MN-00866 - Low Vulnerability**



CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #9	Department: Community Dev.	Council Meeting Date: 8/21/17																												
TITLE OF ISSUE: Public Hearing - Consolidated Annual Performance and Evaluation Report (CAPER).																														
BACKGROUND AND SUPPLEMENTAL INFORMATION: The Public Hearing is to report on the use of the 2016 Community Development Block Grant (CDBG) funds and take comment from the public.																														
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REQUESTED COUNCIL ACTION:																														
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	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </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>Public Hearing Notice</u> <u>Report, 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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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:

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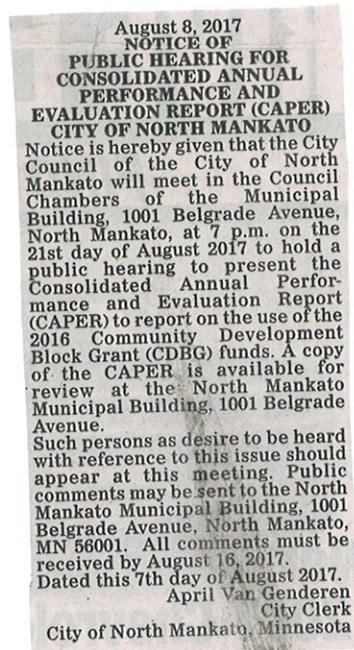
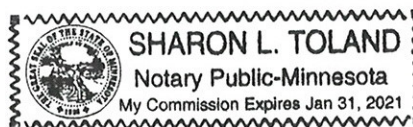
4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$37.63.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue 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 8 day of August, 2017.

Sharon L. Toland
Notary Public



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 21st day of August 2017 to hold a public hearing to present the Consolidated Annual Performance and Evaluation Report (CAPER) to report on the use of the 2016 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 August 16, 2017.

Dated this 7th day of August 2017.

April Van Genderen
City Clerk
City of North Mankato, Minnesota

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

2016 was the second year of a Five-Year Consolidated Plan for housing and community development. The City of North Mankato's proposed 2016 CDBG expenditures were consistent with the 2015-2019 Consolidated Plan and One-Year Action Plan.

The Consolidated Plan identifies the following areas for the use of CDBG funds during 2015-2019:

- Parks & Recreation
- Single Family Residential Rehabilitation
- Property Acquisition
- Commercial Rehabilitation
- Infrastructure Improvements
- Public Facilities
- Non-Profit Assistance
- Planning Projects
- Promote Single-Family Home Ownership Opportunities
- Economic Development
- Public Services

The 2016 Action Plan specified that CDBG funds would be used as follows:

- \$142,522 - Infrastructure Improvements

For the 2016 program year, \$135,646.10 of the budgeted funds were used to make accessibility improvements to the Municipal Building. Specifically, significant changes to the front entrance and parking lot were made to better accommodate disabled and elderly persons.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Infrastructure Improvements	Public Infrastructure	CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	1	0	0.00%			
Infrastructure Improvements	Public Infrastructure	CDBG: \$	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit	Households Assisted	1	0	0.00%			
Infrastructure Improvements	Public Infrastructure	CDBG: \$	Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	0	0		2500	0	0.00%

Parks & Recreation Facilities	Parks & Recreation Facility	CDBG: \$	Other	Other	1	0	0.00%		
Residential Rehabilitation	Affordable Housing	CDBG: \$	Homeowner Housing Rehabilitated	Household Housing Unit	1	0	0.00%		

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The Consolidated Plan identifies the following activities as high priority for use of CDBG funds during 2015-2019:

- Parks & Recreation
- Single Family Residential Rehabilitation
- Property Acquisition
- Commercial Rehabilitation
- Infrastructure Improvements
- Public Facilities
- Non-Profit Assistance
- Planning Projects
- Promote Single-Family Home Ownership Opportunities
- Economic Development
- Public Services

Accessibility improvements to the North Mankato Municipal building was the highest priority for use of CDBG funds for the 2016 program year. Significant changes to the front entry and parking lot were made to remove the existing architectural barriers to the mobility and accessibility of elderly and disabled persons to the Municipal Building. The use of CDBG funds for this purpose was a benefit to certain populations, providing

greater accessibility to the Municipal Building.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG
White	0
Black or African American	0
Asian	0
American Indian or American Native	0
Native Hawaiian or Other Pacific Islander	0
Total	0
Hispanic	0
Not Hispanic	0

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	CDBG	140,756	135,646
HOME	HOME		
HOPWA	HOPWA		
ESG	ESG		
Other	Other		

Table 3 - Resources Made Available

Narrative

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
North Mankato	100		

Table 4 – Identify the geographic distribution and location of investments

Narrative

All investments were made within the City of North Mankato.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

No additional resources were leveraged by federal funds in 2016.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	0	0
Number of Special-Needs households to be provided affordable housing units	0	0
Total	0	0

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	0	0
Number of households supported through Acquisition of Existing Units	0	0
Total	0	0

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

Discuss how these outcomes will impact future annual action plans.

Include the number of extremely low-income, low-income, and moderate-income persons

served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	0	0
Low-income	0	0
Moderate-income	0	0
Total	0	0

Table 7 – Number of Households Served

Narrative Information

No CDBG funds were allocated for housing activities in 2016.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The use of CDBG funds was not dedicated to homeless needs activities in 2016.

Addressing the emergency shelter and transitional housing needs of homeless persons

N/A

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

N/A

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

N/A

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

No actions have been taken in 2016 to address the needs of public housing.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

N/A

Actions taken to provide assistance to troubled PHAs

N/A

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

Accessibility improvements to the municipal building provided benefits to L/M Income Limited Clientele by removing existing architectural barriers to mobility, allowing better access to the Municipal Building for elderly persons and those with disabilities.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

On August 7, 2017 a public hearing will be set to be held August 21, 2017, to present the CAPER. The CAPER will be available online on the city's webpage and hard copies of the document will be available at City Hall and the Taylor Library for the public to review for a period of 15 days from the date of the public hearing.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #10	Department: Administration	Council Meeting Date: 8/21/17																																															
TITLE OF ISSUE: Public Hearing-Proposal to Modify Tax Increment Financing District IDD No. 1-23, D&K Powder Coating.																																																	
BACKGROUND AND SUPPLEMENTAL INFORMATION: Public Hearing to take comment on the proposed modification of Tax Increment Financing District IDD No. 1-23, D&K Powder Coating.																																																	
<i>If additional space is required, attach a separate sheet</i>																																																	
REQUESTED COUNCIL ACTION:																																																	
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	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </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> <tr> <td colspan="5">Other (specify) <u>Public Hearing Notice</u></td> </tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> </table>	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) <u>Public Hearing Notice</u>					_____					_____					_____				
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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

**CITY OF NORTH MANKATO
COUNTY OF NICOLLET
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, August 21, 2017, at a meeting of the Council beginning at approximately 7:00 p.m. at the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, relating to the proposal of the North Mankato Port Authority Commission to modify Tax Increment Financing District IDD No. 1-23, within Industrial Development District No. 1, and adopt a tax increment financing plan relating thereto, all pursuant to Minnesota Statutes, Chapter 469.

A map showing the boundaries of Industrial Development District No. 1 and Tax Increment Financing District IDD No. 1-23 is attached. A copy of the documentation proposed to be considered at the hearing will be on file and available for public inspection at the office of the City Administrator at the Municipal Building.

Any person with residence in the City of North Mankato, or the owner of taxable property in the City, may file a written complaint with the City if the City fails to comply with M.S. § 116 J.993 to 116J.995 (the Business Subsidy Act). No action may be filed against the City for the failure to comply unless a written complaint is filed.

All interested persons may appear at the public hearing and present their views orally or in writing.

Dated: This 11th day of August 2017.

BY ORDER OF THE NORTH MANKATO CITY COUNCIL

/s/April Van Genderen
April Van Genderen, CMC
City Clerk
City of North Mankato

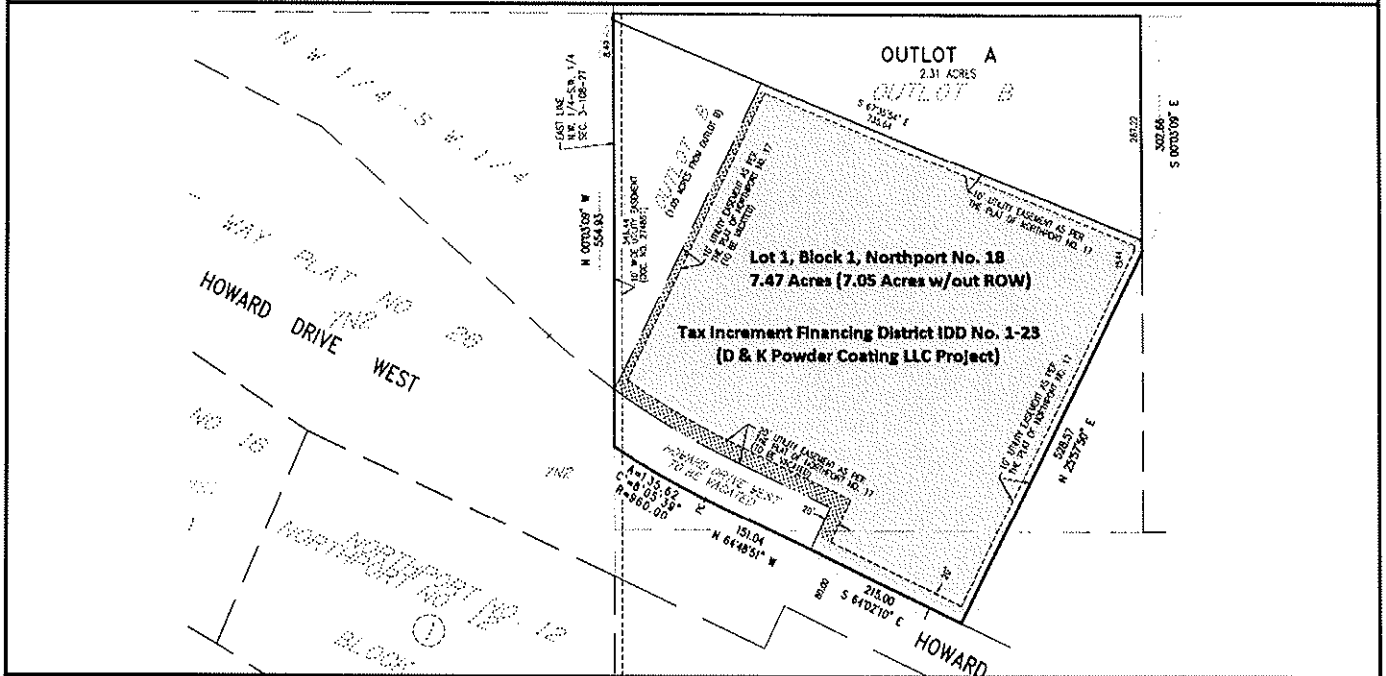
INDUSTRIAL DEVELOPMENT DISTRICT NO. 1

AND

TAX INCREMENT FINANCING DISTRICT IDD NO. 1-23

NORTH MANKATO MINNESOTA

AUGUST 21, 2017



Notice Of Public Hearing North Mankato Port Authority Commission

August 11, 2017

NOTICE OF PUBLIC HEARING CITY OF NORTH MANKATO COUNTY OF NICOLLET STATE OF MINNESOTA

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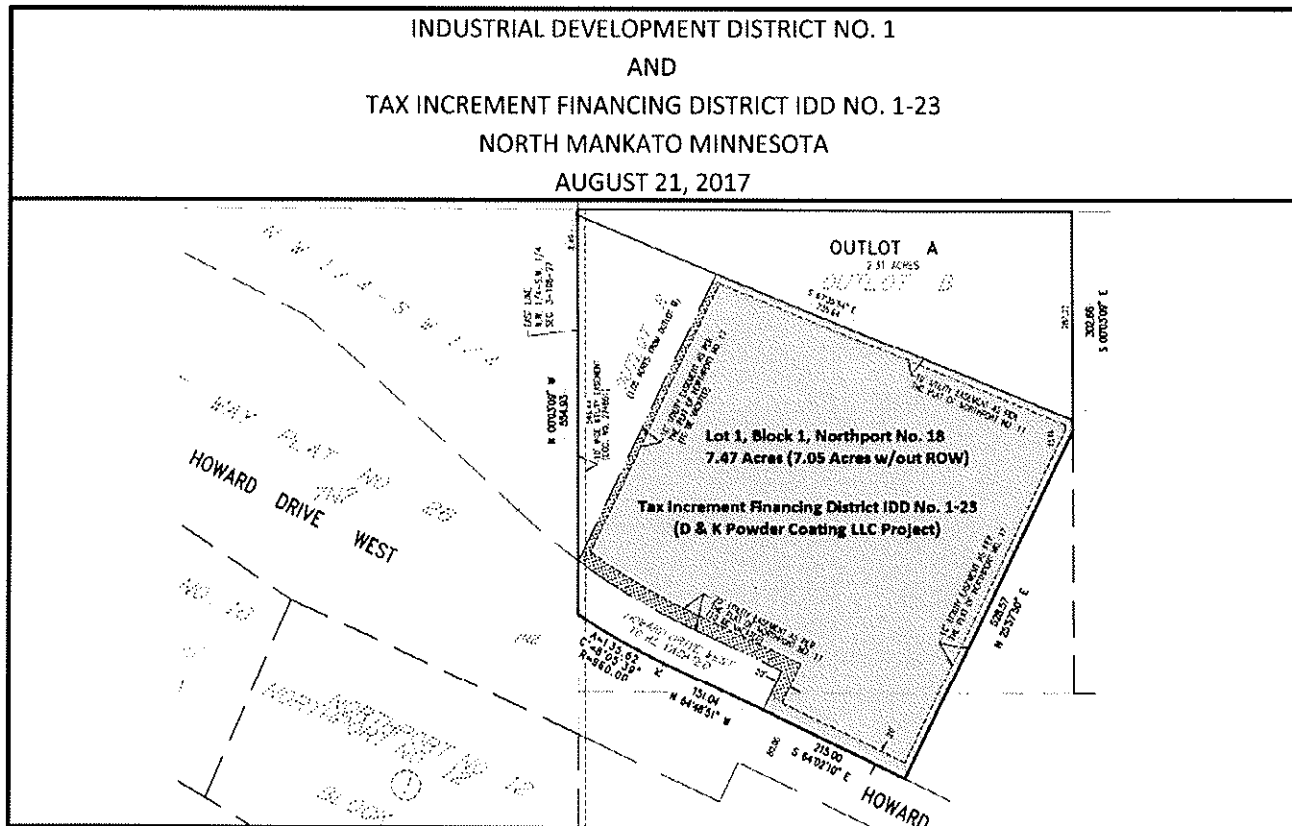
BY ORDER OF THE NORTH MANKATO CITY COUNCIL

/s/April Van Genderen

April Van Genderen, CMC

City Clerk

City of North Mankato





City of North Mankato, MN

Claims List - Regular

By Vendor Name

Date Range: 8-21-17

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
00416	1st LINE/LEEWEES VENTURES LLC	08/21/2017	Regular	0	955.80	87921
00012	ABDO, EICK & MEYERS, LLP	08/21/2017	Regular	0	2,750.00	87922
02254	ALBRIGHT LAWNS	08/21/2017	Regular	0	360.00	87923
00059	AMERICAN LEGAL PUBLISHING CORP.	08/21/2017	Regular	0	296.60	87924
00070	AMLAWN, INC.	08/21/2017	Regular	0	300.00	87925
02434	AUSTIN'S AUTO REPAIR CENTER, INC.	08/21/2017	Regular	0	60.00	87926
00103	AUTO BODY SPECIALTIES	08/21/2017	Regular	0	96.48	87927
00105	AUTO VALUE MANKATO	08/21/2017	Regular	0	235.18	87928
00118	BARNES & NOBLE, INC.	08/21/2017	Regular	0	601.33	87929
00123	BATTERIES+BULBS	08/21/2017	Regular	0	33.96	87930
00137	BENCO ELECTRIC COOPERATIVE	08/21/2017	Regular	0	600,000.00	87931
02655	BENFIELD, MARK	08/21/2017	Regular	0	350.00	87932
02037	BOBCAT OF MANKATO	08/21/2017	Regular	0	90.42	87933
02475	BOONE, KATIE	08/21/2017	Regular	0	750.00	87934
00182	BOYER TRUCKS	08/21/2017	Regular	0	193.37	87935
00195	BROCK WHITE COMPANY LLC	08/21/2017	Regular	0	98.47	87936
00205	BRUNTON ARCHITECTS AND ENGINEERS	08/21/2017	Regular	0	10,396.80	87937
00229	CASEY'S GENERAL STORES, INC.	08/21/2017	Regular	0	68.52	87938
00255	CITY OF MANKATO	08/21/2017	Regular	0	90,075.61	87939
00274	COALITION OF GREATER MINNESOTA CITIES	08/21/2017	Regular	0	500.00	87940
00276	COCA-COLA DISTRIBUTION, LLC	08/21/2017	Regular	0	90.00	87941
00304	CREATIVE AD SOLUTIONS, INC.	08/21/2017	Regular	0	107.25	87942
00305	CROP PRODUCTION SERVICES, INC.	08/21/2017	Regular	0	847.14	87943
00373	ECKERT, LELAND LAVERNE	08/21/2017	Regular	0	400.00	87944
02652	EHNOW, JAMES	08/21/2017	Regular	0	350.00	87945
02237	EMERGENCY RESPONSE SOLUTIONS	08/21/2017	Regular	0	764.80	87946
00432	FLEETPRIDE	08/21/2017	Regular	0	240.60	87947
00447	FREE PRESS	08/21/2017	Regular	0	1,381.39	87948
00462	G & K SERVICES	08/21/2017	Regular	0	175.56	87949
00463	G & L AUTO SUPPLY, LLC	08/21/2017	Regular	0	633.66	87950
00460	G AND H READY MIX, LLC	08/21/2017	Regular	0	506.50	87951
02668	GAYLORD, BRAD	08/21/2017	Regular	0	455.00	87952
00473	GENERATOR SYSTEM SERVICES, INC.	08/21/2017	Regular	0	1,720.00	87953
01098	GILLETTE GROUP/PEPSI-COLA	08/21/2017	Regular	0	58.79	87954
00478	GISH ELECTRIC, LLC	08/21/2017	Regular	0	24,420.00	87955
02560	GOLD MEDAL	08/21/2017	Regular	0	91.40	87956
00503	GREAT AMERICAN BUSINESS PRODUCTS	08/21/2017	Regular	0	1,440.00	87957
02476	HARRISON TRUCK CENTERS	08/21/2017	Regular	0	375.74	87958
00538	HAWKINS, INC.	08/21/2017	Regular	0	7,285.00	87959
02653	HEISLER, DARREN	08/21/2017	Regular	0	350.00	87960
00595	HY-VEE, INC.	08/21/2017	Regular	0	730.09	87961
00596	I & S GROUP, INC.	08/21/2017	Regular	0	2,329.00	87962
02656	IDE, NATHAN	08/21/2017	Regular	0	385.00	87963
02371	KNOCKERBALL MANKATO	08/21/2017	Regular	0	230.00	87964
02657	KNUTSON, GREG	08/21/2017	Regular	0	385.00	87965
00746	LAW ENFORCEMENT LABOR SERVICES, INC.	08/15/2017	Regular	0	637.00	87917
00724	LEAGUE OF MINNESOTA CITIES INSURANCE TR	08/21/2017	Regular	0	2,136.00	87966
00776	LLOYD LUMBER CO.	08/21/2017	Regular	0	420.41	87967
02575	LOCHER BROS, INC.	08/21/2017	Regular	0	301.60	87968
02110	MAKING FACES MANKATO	08/21/2017	Regular	0	250.00	87969
00812	MANKATO BEARING COMPANY	08/21/2017	Regular	0	228.20	87970
00819	MANKATO FORD, INC.	08/21/2017	Regular	0	118.99	87971
00825	MANKATO MOTOR COMPANY	08/21/2017	Regular	0	207.86	87972
00829	MANKATO PUBLIC SCHOOLS	08/21/2017	Regular	0	8,710.00	87973
00832	MANKATO TENT & AWNING CO.	08/21/2017	Regular	0	45.00	87974
00833	MANKATO UMPIRE ASSOCIATION	08/16/2017	Regular	0	343.85	87920
00835	MANKATO WEST ACTIVITIES DEPT	08/21/2017	Regular	0	600.00	87975

00860	MCFOA	08/07/2017	Regular	0	40.00	87912
00874	MENARDS-MANKATO	08/21/2017	Regular	0	19,628.78	87976
02669	MID AMERICA METER, INC.	08/21/2017	Regular	0	2,593.00	87977
00283	MINNESOTA DEPARTMENT OF TRANSPORTATI	08/21/2017	Regular	0	469.86	87978
00966	MINNESOTA PUBLIC FACILITIES AUTHORITY	08/07/2017	Regular	0	152,982.49	87911
00904	MINNESOTA STATE FIRE CHIEFS ASSOCIATION	08/21/2017	Regular	0	1,200.00	87979
00951	MINNESOTA TRUCK & TRACTOR, INC.	08/21/2017	Regular	0	478.00	87980
00956	MINNESOTA WASTE PROCESSING CO.	08/21/2017	Regular	0	22,602.62	87981
00970	MOBILE GLASS SERVICE	08/21/2017	Regular	0	246.18	87982
00996	MT BALLOONS	08/21/2017	Regular	0	225.00	87983
01018	NCPERS MINNESOTA-UNIT 662400	08/15/2017	Regular	0	208.00	87918
01080	ORTHOPAEDIC & FRACTURE CLINIC PA	08/21/2017	Regular	0	1,050.00	87984
01084	OVERHEAD DOOR CO. OF MANKATO, INC.	08/21/2017	Regular	0	207.00	87985
02658	PEARSON, DOUG	08/21/2017	Regular	0	385.00	87986
02379	PERFECTION PACKAGING	08/21/2017	Regular	0	42.00	87987
01106	PETTY CASH	08/21/2017	Regular	0	54.56	87988
02659	POHLMEIER, LUKAS	08/21/2017	Regular	0	245.00	87989
02670	POHLMEIER, RICH	08/21/2017	Regular	0	500.00	87990
02660	POPP, RANDALL	08/21/2017	Regular	0	350.00	87991
01133	POWERPLAN/RDO EQUIPMENT	08/21/2017	Regular	0	815.84	87992
02195	PUB 500	08/21/2017	Regular	0	865.65	87993
02654	PULCINE, VICTORIA	08/21/2017	Regular	0	350.00	87994
01161	QUALITY TREE SERVICE	08/21/2017	Regular	0	1,895.25	87995
01166	RADIO MANKATO	08/21/2017	Regular	0	300.00	87996
01170	RAMY TURF PRODUCTS	08/21/2017	Regular	0	484.50	87997
01190	REINHART FOODSERVICE LLC	08/21/2017	Regular	0	453.76	87998
01191	RELiance ELECTRIC OF SOUTHERN MINNESOT	08/21/2017	Regular	0	67.50	87999
02661	RETTMANN, PAUL	08/21/2017	Regular	0	280.00	88000
01226	RUFFRIDGE JOHNSON EQUIPMENT CO., INC.	08/21/2017	Regular	0	861.62	88001
02671	RYAN PLUMBING AND HEATING	08/21/2017	Regular	0	340.00	88002
02662	SCHMIDT, JOEL	08/21/2017	Regular	0	350.00	88003
02663	SCHUMANN, ADAM	08/21/2017	Regular	0	385.00	88004
02613	SHANK CONSTRUCTORS, INC.	08/21/2017	Regular	0	137,565.00	88005
01278	SHERWIN-WILLIAMS CO.	08/21/2017	Regular	0	49.79	88006
01286	SKARPOHL PRESSURE WASHER SALES	08/21/2017	Regular	0	193.40	88007
01079	SMC-SOUTHERN MINNESOTA CONSTRUCTION	08/21/2017	Regular	0	4,901.22	88008
01296	SNELL POWERSPORTS & EQUIPMENT	08/21/2017	Regular	0	28.99	88009
01297	SOUTH CENTRAL COLLEGE	08/15/2017	Regular	0	1,715.30	87914
02664	SPIESS, LARRY	08/21/2017	Regular	0	280.00	88010
02665	STATHAM, RON	08/21/2017	Regular	0	315.00	88011
01396	THURSTON, KEVIN	08/21/2017	Regular	0	385.00	88012
01402	TIRE ASSOCIATES	08/21/2017	Regular	0	2,217.22	88013
02672	USA SOFTBALL, INC.	08/21/2017	Regular	0	4,800.00	88014
02536	USAQUATICS, INC.	08/21/2017	Regular	0	31,950.00	88015
02640	VALLEY LANDSCAPE SUPPLY	08/21/2017	Regular	0	55.00	88016
01477	VIKING ELECTRIC SUPPLY, INC.	08/21/2017	Regular	0	157.80	88017
01492	WACO SCAFFOLDING & SUPPLY CO.	08/21/2017	Regular	0	149.35	88018
02666	WEBB, CHRISTOPHER	08/21/2017	Regular	0	385.00	88019
01515	WELLS FARGO BANK, N.A.	08/21/2017	Regular	0	800.00	88020
01525	WEST CENTRAL SANITATION, INC.	08/21/2017	Regular	0	26,439.14	88021
02667	WLASIUK, TIM	08/21/2017	Regular	0	280.00	88022
01552	WW BLACKTOPPING, INC	08/21/2017	Regular	0	149,336.22	88023
00101	AT&T MOBILITY	08/14/2017	Bank Draft	0	26.02	DFT0001351
00182	BOYER TRUCKS	08/15/2017	Bank Draft	0	296.95	DFT0001362
00182	BOYER TRUCKS	08/15/2017	Bank Draft	0	264.98	DFT0001363
00241	CHARTER COMMUNICATIONS	08/09/2017	Bank Draft	0	496.58	DFT0001336
02058	CONSOLIDATED COMMUNICATIONS	08/10/2017	Bank Draft	0	30.63	DFT0001339
02058	CONSOLIDATED COMMUNICATIONS	08/10/2017	Bank Draft	0	39.01	DFT0001340
02058	CONSOLIDATED COMMUNICATIONS	08/10/2017	Bank Draft	0	40.64	DFT0001341
02058	CONSOLIDATED COMMUNICATIONS	08/10/2017	Bank Draft	0	30.63	DFT0001342
02058	CONSOLIDATED COMMUNICATIONS	08/10/2017	Bank Draft	0	42.94	DFT0001343
02058	CONSOLIDATED COMMUNICATIONS	08/10/2017	Bank Draft	0	254.94	DFT0001344
02058	CONSOLIDATED COMMUNICATIONS	08/10/2017	Bank Draft	0	3,142.18	DFT0001345
00311	CULLIGAN WATER CONDITIONING	08/04/2017	Bank Draft	0	33.75	DFT0001330
00311	CULLIGAN WATER CONDITIONING	08/04/2017	Bank Draft	0	13.50	DFT0001331
00496	GOVERNMENT FINANCE OFFICERS ASSOCIATI	08/14/2017	Bank Draft	0	150.00	DFT0001350
00608	INGRAM LIBRARY SERVICES	08/17/2017	Bank Draft	0	866.29	DFT0001367

00733	LAKES GAS CO #10	08/17/2017	Bank Draft	0	54.20	DFT0001366
02650	MINNESOTA CIT OFFICER'S ASSOCIATION	08/04/2017	Bank Draft	0	1,250.00	DFT0001329
00910	MINNESOTA VALLEY TESTING LAB, INC.	08/10/2017	Bank Draft	0	59.50	DFT0001338
00910	MINNESOTA VALLEY TESTING LAB, INC.	08/17/2017	Bank Draft	0	192.50	DFT0001364
01335	STAPLES ADVANTAGE	08/09/2017	Bank Draft	0	95.31	DFT0001334
01377	TELRITE CORPORATION	08/15/2017	Bank Draft	0	237.11	DFT0001361
02496	USA SOFTBALL OF MINNESOTA	08/10/2017	Bank Draft	0	2,427.19	DFT0001337
01470	VERIZON WIRELESS	08/14/2017	Bank Draft	0	30.06	DFT0001348
01470	VERIZON WIRELESS	08/14/2017	Bank Draft	0	1,248.17	DFT0001349
01525	WEST CENTRAL SANITATION, INC.	08/09/2017	Bank Draft	0	3,021.75	DFT0001335
00039	ALL AMERICAN TOWING	08/23/2017	EFT	0	40.00	315
00058	AMERICAN ENGINEERING TESTING, INC.	08/23/2017	EFT	0	7,974.80	316
02645	APT CNC, INC.	08/23/2017	EFT	0	80.00	317
00174	BOLTON & MENK, INC.	08/23/2017	EFT	0	33,736.00	318
00216	C & S SUPPLY CO, INC.	08/23/2017	EFT	0	100.44	319
00310	CRYSTEEL TRUCK EQUIPMENT, INC	08/23/2017	EFT	0	378.67	320
00343	DH ATHLETICS LLC	08/23/2017	EFT	0	48.00	321
00691	KENNEDY & KENNEDY LAW OFFICE	08/23/2017	EFT	0	8,802.19	322
00743	LARKSTUR ENGINEERING & SUPPLY, INC.	08/23/2017	EFT	0	2.10	323
00935	MINNESOTA PIPE & EQUIPMENT	08/23/2017	EFT	0	3,075.40	324
00997	MTI DISTRIBUTING CO	08/23/2017	EFT	0	151.11	325
01052	NORTH CENTRAL INTERNATIONAL	08/23/2017	EFT	0	615.96	326
02130	OLSON, GERALD	08/23/2017	EFT	0	184.60	327
01179	RED FEATHER PAPER CO.	08/23/2017	EFT	0	431.50	328
01211	RIVER BEND BUSINESS PRODUCTS	08/23/2017	EFT	0	539.71	329
01263	SCHWICKERT'S TECTA AMERICA LLC	08/23/2017	EFT	0	4,047.00	330
01478	VIKING FIRE & SAFETY LLC	08/23/2017	EFT	0	22.19	331
01568	ZIEGLER, INC.	08/23/2017	EFT	0	255.39	332
					<u>1,415,753.30</u>	<u>152</u>

Authorization Signatures

All Council

The above manual and regular claims lists for 8-21-17 are approved by:

MARK DEHEN- MAYOR

DIANE NORLAND- COUNCIL MEMBER

WILLIAM STEINER- COUNCIL MEMBER

ROBERT FREYBERG- COUNCIL MEMBER

JAMES WHITLOCK- 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
Friends of the Deep Valley Libraries	Summer Reading	\$1000.00
Anonymous	Library	\$140.00
		1,140.00

Adopted by the City Council this 21st day of August 2017.

Mayor

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #11C	Department: Community Dev.	Council Meeting Date: 8/21/17									
TITLE OF ISSUE: Set Public Hearing for 7 p.m. on August 21, 2017 to Consider Adoption of Ordinance of Annexation of Land.											
BACKGROUND AND SUPPLEMENTAL INFORMATION: The City of North Mankato received a Petition for Annexation by Ordinance from the sole owner of 9.07 acres, Mark Hiniker. In cases where the procedure is initiated by service of a petition on a municipality the City must hold a public hearing before passing an Ordinance of Annexation.											
<i>If additional space is required, attach a separate sheet</i>											
REQUESTED COUNCIL ACTION: Set Public Hearing for 7 p.m. on September 18, 2017 to Consider Adoption of Ordinance of Annexation of Land.											
<div style="margin-bottom: 10px;"> Motion By: _____ Second By: _____ </div> <div> Vote Record: Aye Nay <div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 20%; text-align: center;">Steiner</div> </div> <div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 20%; text-align: center;">Norland</div> </div> <div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 20%; text-align: center;">Freyberg</div> </div> <div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 20%; text-align: center;">Whitlock</div> </div> <div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 40%; border-bottom: 1px solid black;"></div> <div style="width: 20%; text-align: center;">Dehen</div> </div> </div>	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </div> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: center;">Resolution</td> <td style="width: 20%; text-align: center;">Ordinance</td> <td style="width: 20%; text-align: center;">Contract</td> <td style="width: 20%; text-align: center;">Minutes</td> <td style="width: 20%; 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 checked="" type="checkbox"/></td> </tr> </table> <div style="margin-top: 10px;"> Other (specify) <u>Notice of Public Hearing, Petition for Annexation</u> _____ _____ _____ _____ </div>	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Resolution	Ordinance	Contract	Minutes	Map							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Workshop </div> <div style="margin-bottom: 10px;"> <input checked="" type="checkbox"/> Regular Meeting </div> <div> <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>										

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, September 18, 2017 at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider Annexation of Land containing 9.07 acres owned by Mark Hiniker legally described as:

That part of the Southwest Quarter of Section 35, Township 109 North Range 27 West. A full legal description is available at the North Mankato City Hall.

Said annexation parcel contains 9.07 acres of land.

Dated this 22nd day of August 2017.

April Van Genderen
City Clerk
City of North Mankato

**PROPERTY OWNER PETITION TO MUNICIPALITY
FOR ANNEXATION BY ORDINANCE - 120 Acres or Less**

IN THE MATTER OF THE PETITION OF CERTAIN PERSONS FOR THE
ANNEXATION OF CERTAIN LAND TO THE CITY OF NORTH MANKATO,
MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 2(3)

TO: Council of the City of North Mankato, Minnesota

PETITIONER(S) STATE: All of the property owners in number are required to commence a proceeding under Minnesota Statutes § 414.033, Subd. 2(3).

It is hereby requested by:

 X the sole property owner; or
 all of the property owners (If the land is owned by both husband and wife, both
must sign the petition to represent all 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 Southwest Quarter of Section 35, Township 109 North Range 27 West, Nicollet County, Minnesota, described as:

Beginning at the northwest corner of Trail's West Estates, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 89 degrees 23 minutes 44 seconds East, (Minnesota County Coordinate System - Nicollet County Zone - HARN NAD83 - 1996), along the north line of said Trail's West Estates and along the north line of North Gate No. 2, according to the plat thereof on file and of record with the Nicollet County Recorder, a distance of 1309.05 feet; thence North 00 degrees 36 minutes 16 seconds East, 125.00 feet; thence North 20 degrees 16 minutes 33 seconds East, 63.72 feet; thence North 00 degrees 36 minutes 16 seconds East, 75.00 feet; thence North 89 degrees 23 minutes 44 seconds West, 1055.91 feet; thence North 54 degrees 24 minutes 23 seconds West, 72.12 feet; thence North 89 degrees 23 minutes 44 seconds West, 125.00 feet; thence North 00 degrees 36 minutes 16 seconds East, 430.00 feet; thence North 89 degrees 23 minutes 44 seconds West, 99.98 feet to the northeasterly corner of Outlot B, Parks Edge Addition, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 00 degrees 08 minutes 19 seconds East, along the easterly line of said Outlot B, a distance of 731.42 feet to the point of beginning. Containing 9.07 acres.

1. There is 1 property owner in the area proposed for annexation. (If a property owner owns more than one parcel in the area proposed for annexation, he/she is only counted once as an owner - the number of parcels owned by a petitioner is not counted.)
2. The land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available.

Except as provided for by an orderly annexation agreement, this clause may not be used to annex any property contiguous to any property previously annexed under this clause within the preceding 12 months if the property is owned by the same owners and annexation would cumulatively exceed 120 acres.

3. Said property is unincorporated, abuts on the city's N S E W (circle one) boundary(ies), and is not included within any other municipality.
4. The area of land proposed for annexation, in acres, is 9.07 acres.
5. The reason for the requested annexation is to accommodate residential development.

PETITIONERS REQUEST: That pursuant to Minnesota Statutes § 414.033, the property described herein be annexed to and included within the City of North Mankato, Minnesota.

Dated: 8-2-17

Signatures: Mark Huie

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 2b, before a municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), a municipality must hold a public hearing and give 30 days' written notice by certified mail to the town or towns affected by the proposed ordinance and to all landowners within and contiguous to the area to be annexed.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 11, when a municipality declares land annexed to the municipality under subdivision 2, clause (3), and the land is within a designated floodplain, as provided by section 103F.111, subdivision 4, or a shoreland area, as provided by section 103F.205, subdivision 4, the municipality shall adopt or amend its land use controls to conform to chapter 103F, and any new development of the annexed land shall be subject to chapter 103F.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 12, when a municipality annexes land under subdivision 2, clause (2), (3) or (4), property taxes payable on the annexed land shall continue to be paid to the affected town or towns for the year in which the annexation becomes effective. If the annexation becomes effective on or before August 1 of a levy year, the municipality may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the town may continue to levy on the annexed area for that levy year, and the municipality may not levy on the annexed area until the following levy year.

NOTE: Pursuant to Minnesota Statutes § 414.033, Subd. 13, at least 30 days before a municipality may adopt an ordinance under subdivision 2, clause (2), (3), or (4), the petitioner must be notified by the municipality that the cost of electric utility service to the petitioner may change if the land is annexed to the municipality. The notice must include an estimate of the cost impact of any change in electric utility services, including rate changes and assessments, resulting from the annexation.

Municipal Boundary Adjustment Unit Contacts

Star Holman star.holman@state.mn.us 651-361-7909

Katie Lin katie.lin@state.mn.us 651-361-7911

(June 2011)

RESOLUTION NO.

RESOLUTION ADOPTING MASTER PARTNERSHIP AGREEMENT WITH THE
MINNESOTA DEPARTMENT OF TRANSPORTATION

WHEREAS , The Minnesota Department of Transportation (MnDOT) wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

WHEREAS, MnDOT and local governments are authorized by Minnesota Statutes sections 471.59, 174.02, and 161.20, to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

WHEREAS, the parties wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write “work orders” against a master contract would provide the greatest speed and flexibility in responding to identified needs.

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

1. That the City of North Mankato enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the Council.
2. That the proper City officers are authorized to execute such contract, and any amendments thereto.
3. That the City Administrator is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts may provide for payment to or from MnDOT, and that the City Administrator may execute such work order contracts on behalf of the City of North Mankato without further approval by this Council.

Adopted by the City Council this 21st day of August 2017.

Mayor

City Clerk

**STATE OF MINNESOTA
AND
CITY OF NORTH MANKATO
MASTER PARTNERSHIP CONTRACT**

This master contract is between the State of Minnesota, acting through its Commissioner of Transportation in this contract referred to as the "State" and the City of North Mankato, acting through its City Council, in this contract referred to as the "Local Government."

Recitals

1. The parties are authorized to enter into this contract pursuant to Minnesota Statutes, §§15.061, 471.59 and 174.02.
2. Minn. Stat. § 161.20, subd. 2, authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining and improving the trunk highway system.
3. Each party to this contract is a "road authority" as defined by Minn. Stat. §160.02, subd. 25.
4. Minn. Stat. § 161.39, subd. 1, authorizes a road authority to perform work for another road authority. Such work may include providing technical and engineering advice, assistance and supervision, surveying, preparing plans for the construction or reconstruction of roadways, and performing roadway maintenance.
5. Minn. Stat. §174.02, subd. 6, authorizes the Commissioner of Transportation to enter into contracts with other governmental entities for research and experimentation; for sharing facilities, equipment, staff, data, or other means of providing transportation-related services; or for other cooperative programs that promote efficiencies in providing governmental services, or that further development of innovation in transportation for the benefit of the citizens of Minnesota.
6. Each party wishes to occasionally purchase services from the other party, which the parties agree will enhance the efficiency of delivering governmental services at all levels. This Master Partnership Contract (MPC) provides a framework for the efficient handling of such requests. This MPC contains terms generally governing the relationship between the parties. When specific services are requested, the parties will (unless otherwise specified) enter into a "Work Order" contracts.
7. After the execution of this MPC, the parties may (but are not required to) enter into "Work Order" contracts. These Work Orders will specify the work to be done, timelines for completion, and compensation to be paid for the specific work.
8. The parties are entering into this MPC to establish terms that will govern all of the Work Orders subsequently issued under the authority of this Contract.

Master Partnership Contract

1. **Term of Master Partnership Contract; Use of Work Order Contracts; Survival of Terms**
 - 1.1. **Effective Date:** This contract will be effective on the date last signed by the Local Government, and all State officials as required under Minn. Stat. § 16C.05, subd. 2.
 - 1.2. A party must not accept work under this Contract until it is fully executed.
 - 1.3. **Expiration Date.** This Contract will expire on June 30, 2022.

- 1.4. **Work Order Contracts.** A work order contract must be negotiated and executed (by both the State and the Local Government) for each particular engagement, except for Technical Services provided by the State to the Local Government as specified in Article 2. The work order contract must specify the detailed scope of work and deliverables for that project. A party must not begin work under a work order until the work order is fully executed. The terms of this MPC will apply to all work orders contracts issued, unless specifically varied in the work order. The Local Government understands that this MPC is not a guarantee of any payments or work order assignments, and that payments will only be issued for work actually performed under fully-executed work orders.
- 1.5. **Survival of Terms.** The following clauses survive the expiration or cancellation of this master contract and all work order contracts: 12. Liability; 13. State Audits; 14. Government Data Practices and Intellectual Property; 17. Publicity; 18. Governing Law, Jurisdiction, and Venue; and 22. Data Disclosure. All terms of this MPC will survive with respect to any work order contract issued prior to the expiration date of the MPC.
- 1.6. **Sample Work Order.** A sample work order contract is available upon request from the State.
- 1.7. **Definition of "Providing Party" and "Requesting Party".** For the purpose of assigning certain duties and obligations in the MPC to work order contracts, the following definitions will apply throughout the MPC. "Requesting Party" is defined as the party requesting the other party to perform work under a work order contract. "Providing Party" is defined as the party performing the scope of work under a work order contract.

2. Technical Services

- 2.1. **Technical Services** include repetitive low-cost services routinely performed by the State for the Local Government. These services may be performed by the State for the Local Government without the execution of a work order, as these services are provided in accordance with standardized practices and processes and do not require a detailed scope of work. Exhibit A – Table of Technical Services is attached.
 - 2.1.1. Every other service not falling under the services listed in Exhibit A will require a work order.
- 2.2. The Local Government may request the State to perform Technical Services in an informal manner, such as by the use of email, a purchase order, or by delivering materials to a State lab and requesting testing. A request may be made via telephone, but will not be considered accepted unless acknowledged in writing by the State.
- 2.3. The State will promptly inform the Local Government if the State will be unable to perform the requested Technical Services. Otherwise, the State will perform the Technical Services in accordance with the State's normal processes and practices, including scheduling practices taking into account the availability of State staff and equipment.
- 2.4. **Payment Basis.** Unless otherwise agreed to by the parties prior to performance of the services, the State will charge the Local Government the State's then-current rate for performing the Technical Services. The then-current rate may include the State's normal and customary additives. The State will invoice the Local Government upon completion of the services, or at regular intervals not more than once monthly as agreed upon by the parties. The invoice will provide a summary of the Technical Services provided by the State during the invoice period.

3. Services Requiring A Work Order Contract

- 3.1. **Work Order Contracts:** A party may request the other party to perform any of the following services under individual work order contracts.
- 3.2. **Professional and Technical Services.** A party may provide professional and technical services upon the request of the other party. As defined by Minn. Stat. §16C.08, subd. 1, professional/technical services

“means services that are intellectual in character, including consultation, analysis, evaluation, prediction, planning, programming, or recommendation; and result in the production of a report or completion of a task.” Professional and technical services do not include providing supplies or materials except as incidental to performing such services. Professional and technical services include (by way of example and without limitation) engineering services, surveying, foundation recommendations and reports, environmental documentation, right-of-way assistance (such as performing appraisals or providing relocation assistance, but excluding the exercise of the power of eminent domain), geometric layouts, final construction plans, graphic presentations, public relations, and facilitating open houses. A party will normally provide such services with its own personnel; however, a party’s professional/technical services may also include hiring and managing outside consultants to perform work provided that a party itself provides active project management for the use of such outside consultants.

- 3.3. **Roadway Maintenance.** A party may provide roadway maintenance upon the request of the other party. Roadway maintenance does not include roadway reconstruction. This work may include but is not limited to snow removal, ditch spraying, roadside mowing, bituminous mill and overlay (only small projects), seal coat, bridge hits, major retaining wall failures, major drainage failures, and message painting. All services must be performed by an employee with sufficient skills, training, expertise or certification to perform such work, and work must be supervised by a qualified employee of the party performing the work.
- 3.4. **Construction Administration.** A party may administer roadway construction projects upon the request of the other party. Roadway construction includes (by way of example and without limitation) the construction, reconstruction, or rehabilitation of mainline, shoulder, median, pedestrian or bicycle pathway, lighting and signal systems, pavement mill and overlays, seal coating, guardrail installation, and channelization. These services may be performed by the Providing Party’s own forces, or the Providing Party may administer outside contracts for such work. Construction administration may include letting and awarding construction contracts for such work (including state projects to be completed in conjunction with local projects). All contract administration services must be performed by an employee with sufficient skills, training, expertise or certification to perform such work.
- 3.5. **Emergency Services.** A party may provide aid upon request of the other party in the event of a man-made disaster, natural disaster or other act of God. Emergency services includes all those services as the parties mutually agree are necessary to plan for, prepare for, deal with, and recover from emergency situations. These services include, without limitation, planning, engineering, construction, maintenance, and removal and disposal services related to things such as road closures, traffic control, debris removal, flood protection and mitigation, sign repair, sandbag activities and general cleanup. Work will be performed by an employee with sufficient skills, training, expertise or certification to perform such work, and work must be supervised by a qualified employee of the party performing the work. If it is not feasible to have an executed work order prior to performance of the work, the parties will promptly confer to determine whether work may be commenced without a fully-executed work order in place. If work commences without a fully-executed work order, the parties will follow up with execution of a work order as soon as feasible.
- 3.6. When a need is identified, the State and the Local Government will discuss the proposed work and the resources needed to perform the work. If a party desires to perform such work, the parties will negotiate the specific and detailed work tasks and cost. The State will then prepare a work order contract. Generally, a work order contract will be limited to one specific project/engagement, although “on call” work orders may be prepared for certain types of services, especially for “Technical Services” items as identified section 2.1.. The work order will also identify specific deliverables required, and timeframes for completing work. A work order must be fully executed by the parties prior to work being commenced. The Local Government will not be paid for work performed prior to execution of a work order contract and authorization by the State.

4. Responsibilities of the Providing Party

- 4.1. ***Terms Applicable to ALL Work Order Contracts.*** The terms in this section 4.1 will apply to ALL work order contracts.
- 4.1.1. Each work order will identify an Authorized Representative for each party. Each party's authorized representative is responsible for administering the work order, and has the authority to make any decisions regarding the work, and to give and receive any notices required or permitted under this MPC or the work order.
 - 4.1.2. The Providing Party will furnish and assign a publicly employed licensed engineer (Project Engineer), to be in responsible charge of the project(s) and to supervise and direct the work to be performed under each work order contract. For services not requiring an engineer, the Providing Party will furnish and assign another responsible employee to be in charge of the project. The services of the Providing Party under a work order contract may not be otherwise assigned, sublet, or transferred unless approved in writing by the Requesting Party's authorized representative. This written consent will in no way relieve the Providing Party from its primary responsibility for the work.
 - 4.1.3. If the Local Government is the Providing Party, the Project Engineer may request in writing specific engineering and/or technical services from the State, pursuant to Minn. Stat. Section 161.39. The work order Contract will require the Local Government to deposit payment in advance. The costs and expenses will include the current State additives and overhead rates, subject to adjustment based on actual direct costs that have been verified by audit.
 - 4.1.4. Only the receipt of a fully executed work order contract authorizes the Providing Party to begin work on a project. Any and all effort, expenses, or actions taken by the Providing Party before the work order contract is fully executed are considered unauthorized and undertaken at the risk of non-payment.
 - 4.1.5. In connection with the performance of this contract and any work orders issued, the Providing Agency will comply with all applicable Federal and State laws and regulations. When the Providing Party is authorized or permitted to award contracts in connection with any work order, the Providing Party will require and cause its contractors and subcontractors to comply with all Federal and State laws and regulations.
- 4.2. ***Additional Terms for Roadway Maintenance.*** The terms of section 4.1 and this section 4.2 will apply to all work orders for Roadway Maintenance.
- 4.2.1. Unless otherwise provided for by contract or work order, the Providing Party must obtain all permits and sanctions that may be required for the proper and lawful performance of the work.
 - 4.2.2. The Providing Party must perform maintenance in accordance with MnDOT maintenance manuals, policies and operations.
 - 4.2.3. The Providing Party must use State-approved materials, including (by way of example and without limitation), sign posts, sign sheeting, and de-icing and anti-icing chemicals.
- 4.3. ***Additional Terms for Construction Administration.*** The terms of section 4.1 and this section 4.3 will apply to all work order contracts for construction administration.
- 4.3.1. Contract(s) must be awarded to the lowest responsible bidder or best value proposer in accordance with state law.
 - 4.3.2. Contractor(s) must be required to post payment and performance bonds in an amount equal to the contract amount. The Providing Party will take all necessary action to make claims against such bonds in the event of any default by the contractor.

- 4.3.3. Contractor(s) must be required to perform work in accordance with the latest edition of the Minnesota Department of Transportation Standard Specifications for Construction.
- 4.3.4. For work performed on State right-of-way, contractor(s) must be required to indemnify and hold the State harmless against any loss incurred with respect to the performance of the contracted work, and must be required to provide evidence of insurance coverage commensurate with project risk.
- 4.3.5. Contractor(s) must pay prevailing wages pursuant to applicable state and federal law.
- 4.3.6. Contractor(s) must comply with all applicable Federal, and State laws, ordinances and regulations, including but not limited to applicable human rights/anti-discrimination laws and laws concerning the participation of Disadvantaged Business Enterprises in federally-assisted contracts.
- 4.3.7. Unless otherwise agreed in a work order contract, each party will be responsible for providing rights of way, easement, and construction permits for its portion of the improvements. Each party will, upon the other's request, furnish copies of right of way certificates, easements, and construction permits.
- 4.3.8. The Providing Party may approve minor changes to the Requesting Party's portion of the project work if such changes do not increase the Requesting Party's cost obligation under the applicable work order contract.
- 4.3.9. The Providing Party will not approve any contractor claims for additional compensation without the Requesting Party's written approval, and the execution of a proper amendment to the applicable work order contract when necessary. The Local Government will tender the processing and defense of any such claims to the State upon the State's request.
- 4.3.10. The Local Government must coordinate all trunk highway work affecting any utilities with the State's Utilities Office.
- 4.3.11. The Providing Party must coordinate all necessary detours with the Requesting Party.
- 4.3.12. If the Local Government is the Providing Party, and there is work performed on the trunk highway right-of-way, the following will apply:
 - 4.3.12.1 The Local Government will have a permit to perform the work on the trunk highway. The State may revoke this permit if the work is not being performed in a safe, proper and skillful manner, or if the contractor is violating the terms of any law, regulation, or permit applicable to the work. The State will have no liability to the Local Government, or its contractor, if work is suspended or stopped due to any such condition or concern.
 - 4.3.12.2 The Local Government will require its contractor to conduct all traffic control in accordance with the Minnesota Manual on Uniform Traffic Control Devices.
 - 4.3.12.3 The Local Government will require its contractor to comply with the terms of all permits issued for the project including, but not limited to, National Pollutant Discharge Elimination System (NPDES) and other environmental permits.
 - 4.3.12.4 All improvements constructed on the State's right-of-way will become the property of the State.

5. Responsibilities of the Requesting Party

- 5.1. After authorizing the Providing Party to begin work, the Requesting Party will furnish any data or material in its possession relating to the project that may be of use to the Providing Party in performing the work.

- 5.2. All such data furnished to the Providing Party will remain the property of the Requesting Party and will be promptly returned upon the Requesting Party's request or upon the expiration or termination of this contract (subject to data retention requirements of the Minnesota Government Data Practices Act and other applicable law).
- 5.3. The Providing Party will analyze all such data furnished by the Requesting Party. If the Providing Party finds any such data to be incorrect or incomplete, the Providing Party will bring the facts to the attention of the Requesting Party before proceeding with the part of the project affected. The Providing Party will investigate the matter, and if it finds that such data is incorrect or incomplete, it will promptly determine a method for furnishing corrected data. Delay in furnishing data will not be considered justification for an adjustment in compensation.
- 5.4. The State will provide to the Local Government copies of any Trunk Highway fund clauses to be included in the bid solicitation and will provide any required Trunk Highway fund provisions to be included in the Proposal for Highway Construction, that are different from those required for State Aid construction.
- 5.5. The Requesting Party will perform final reviews and inspections of its portion of the project work. If the work is found to have been completed in accordance with the work order contract, the Requesting Party will promptly release any remaining funds due the Providing Party for the Project(s).
- 5.6. The work order contracts may include additional responsibilities to be completed by the Requesting Party.

6. Time

In the performance of project work under a work order contract, time is of the essence.

7. Consideration and Payment

- 7.1. **Consideration.** The Requesting Party will pay the Providing Party as specified in the work order. The State's normal and customary additives will apply to work performed by the State, unless otherwise specified in the work order. The State's normal and customary additives will not apply if the parties agree to a "lump sum" or "unit rate" payment.
 - 7.2. **State's Maximum Obligation.** The total compensation to be paid by the State to the Local Government under all work order contracts issued pursuant to this MPC will not exceed \$100,000.00.
- 7.3. **Travel Expenses.** It is anticipated that all travel expenses will be included in the base cost of the Providing Party's services, and unless otherwise specifically set forth in an applicable work order contract, the Providing Party will not be separately reimbursed for travel and subsistence expenses incurred by the Providing Party in performing any work order contract. In those cases where the State agrees to reimburse travel expenses, such expenses will be reimbursed in the same manner and in no greater amount than provided in the current "MnDOT Travel Regulations" a copy of which is on file with and available from the MnDOT District Office. The Local Government will not be reimbursed for travel and subsistence expenses incurred outside of Minnesota unless it has received the State's prior written approval for such travel.
- 7.4. **Payment.**
 - 7.4.1. **Generally.** The **Requesting Party** will pay the Providing Party as specified in the applicable work order, and will make prompt payment in accordance with Minnesota law.
 - 7.4.2. **Payment by the Local Government.**
 - 7.4.2.1. The Local Government will make payment to the order of the Commissioner of Transportation.

7.4.2.2. IMPORTANT NOTE: PAYMENT MUST REFERENCE THE “MNDOT CONTRACT NUMBER” SHOWN ON THE FACE PAGE OF THIS CONTRACT AND THE “INVOICE NUMBER” ON THE INVOICE RECEIVED FROM MNDOT.

7.4.2.3. Remit payment to the address below:

MnDOT
 Attn: Cash Accounting
 RE: MnDOT Contract Number 1028039 and Invoice Number #####
 (See note in 7.4.2.2. above.)
 Mail Stop 215
 395 John Ireland Blvd
 St. Paul, MN 55155

7.4.3. *Payment by the State.*

7.4.3.1. *Generally.* The State will promptly pay the Local Government after the Local Government presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Invoices must be submitted as specified in the applicable work order, but no more frequently than monthly.

7.4.3.2. *Retainage for Professional and Technical Services.* For work orders for professional and technical services, as required by Minn. Stat. § 16C.08, subd. 2(10), no more than 90 percent of the amount due under any work order contract may be paid until the final product of the work order contract has been reviewed by the State's authorized representative. The balance due will be paid when the State's authorized representative determines that the Local Government has satisfactorily fulfilled all the terms of the work order contract.

8. Conditions of Payment

All work performed by the Providing Party under a work order contract must be performed to the Requesting Party's satisfaction, as determined at the sole and reasonable discretion of the Requesting Party's Authorized Representative and in accordance with all applicable federal and state laws, rules, and regulations. The Providing Party will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal or state law.

9. Local Government's Authorized Representative and Project Manager; Authority to Execute Work Order Contracts

9.1. The Local Government's Authorized Representative for administering this master contract is the Local Government's City Administrator, and the City Administrator has the responsibility to monitor the Local Government's performance. The Local Government's Authorized Representative is also authorized to execute work order contracts on behalf of the Local Government without approval of each proposed work order contract by its governing body.

9.2. The Local Government's Project Manager will be identified in each work order contract.

10. State's Authorized Representative and Project Manager

10.1. The State's Authorized Representative for this master contract is the District State Aid Engineer, who has the responsibility to monitor the State's performance.

10.2. The State's Project Manager will be identified in each work order contract.

11. Assignment, Amendments, Waiver, and Contract Complete

- 11.1. **Assignment.** Neither party may assign or transfer any rights or obligations under this MPC or any work order contract without the prior consent of the other and a fully executed Assignment Contract, executed and approved by the same parties who executed and approved this MPC, or their successors in office.
- 11.2. **Amendments.** Any amendment to this master contract or any work order contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original contract, or their successors in office.
- 11.3. **Waiver.** If a party fails to enforce any provision of this master contract or any work order contract, that failure does not waive the provision or the party's right to subsequently enforce it.
- 11.4. **Contract Complete.** This master contract and any work order contract contain all negotiations and contracts between the State and the Local Government. No other understanding regarding this master contract or any work order contract issued hereunder, whether written or oral may be used to bind either party.

12. Liability.

Each party will be responsible for its own acts and omissions to the extent provided by law. The Local Government's liability is governed by Minn. Stat. chapter 466 and other applicable law. The State's liability is governed by Minn. Stat. section 3.736 and other applicable law. This clause will not be construed to bar any legal remedies a party may have for the other party's failure to fulfill its obligations under this master contract or any work order contract. Neither party agrees to assume any environmental liability on behalf of the other party. A Providing Party under any work order is acting only as a "Contractor" to the Requesting Party, as the term "Contractor" is defined in Minn. Stat. §115B.03 (subd. 10), and is entitled to the protections afforded to a "Contractor" by the Minnesota Environmental Response and Liability Act. The parties specifically intend that Minn. Stat. §471.59 subd. 1a will apply to any work undertaken under this MPC and any work order issued hereunder.

13. State Audits

Under Minn. Stat. § 16C.05, subd. 5, the party's books, records, documents, and accounting procedures and practices relevant to any work order contract are subject to examination by the parties and by the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this MPC.

14. Government Data Practices and Intellectual Property

- 14.1. **Government Data Practices.** The Local Government and State must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this MPC and any work order contract, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Local Government under this MPC and any work order contract. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by either the Local Government or the State.
- 14.2. **Intellectual Property Rights**
 - 14.2.1. **Intellectual Property Rights.** The Requesting Party will own all rights, title, and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the Works and Documents created and paid for under work order contracts. Works means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Providing Party, its employees, agents, and subcontractors, either individually or jointly with others in the performance of this master contract or any work order contract. Works includes "Documents." Documents are the originals of any databases, computer programs, reports, notes,

studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Providing Party, its employees, agents, or contractors, in the performance of a work order contract. The Documents will be the exclusive property of the Requesting Party and all such Documents must be immediately returned to the Requesting Party by the Providing Party upon completion or cancellation of the work order contract. To the extent possible, those Works eligible for copyright protection under the United States Copyright Act will be deemed to be "works made for hire." The Providing Party Government assigns all right, title, and interest it may have in the Works and the Documents to the Requesting Party. The Providing Party must, at the request of the Requesting Party, execute all papers and perform all other acts necessary to transfer or record the Requesting Party's ownership interest in the Works and Documents. Notwithstanding the foregoing, the Requesting Party grants the Providing Party an irrevocable and royalty-free license to use such intellectual property for its own non-commercial purposes, including dissemination to political subdivisions of the state of Minnesota and to transportation-related agencies such as the American Association of State Highway and Transportation Officials.

14.2.2. *Obligations with Respect to Intellectual Property.*

14.2.2.1. *Notification.* Whenever any invention, improvement, or discovery (whether or not patentable) is made or conceived for the first time or actually or constructively reduced to practice by the Providing Party, including its employees and subcontractors, in the performance of the work order contract, the Providing Party will immediately give the Requesting Party's Authorized Representative written notice thereof, and must promptly furnish the Authorized Representative with complete information and/or disclosure thereon.

14.2.2.2. *Representation.* The Providing Party must perform all acts, and take all steps necessary to ensure that all intellectual property rights in the Works and Documents are the sole property of the Requesting Party, and that neither Providing Party nor its employees, agents or contractors retain any interest in and to the Works and Documents.

15. Affirmative Action

The State intends to carry out its responsibility for requiring affirmative action by its Contractors, pursuant to Minn. Stat. §363A.36. Pursuant to that Statute, the Local Government is encouraged to prepare and implement an affirmative action plan for the employment of minority persons, women, and the qualified disabled, and submit such plan to the Commissioner of the Minnesota Department of Human Rights. In addition, when the Local Government lets a contract for the performance of work under a work order issued pursuant to this MPC, it must include the following in the bid or proposal solicitation and any contracts awarded as a result thereof:

- 15.1. ***Covered Contracts and Contractors.*** If the Contract exceeds \$100,000 and the Contractor employed more than 40 full-time employees on a single working day during the previous 12 months in Minnesota or in the state where it has its principle place of business, then the Contractor must comply with the requirements of Minn. Stat. § 363A.36 and Minn. R. Parts 5000.3400-5000.3600. A Contractor covered by Minn. Stat. § 363A.36 because it employed more than 40 full-time employees in another state and does not have a certificate of compliance, must certify that it is in compliance with federal affirmative action requirements.
- 15.2. ***Minn. Stat. § 363A.36.*** Minn. Stat. § 363A.36 requires the Contractor to have an affirmative action plan for the employment of minority persons, women, and qualified disabled individuals approved by the Minnesota Commissioner of Human Rights ("Commissioner") as indicated by a certificate of compliance. The law addresses suspension or revocation of a certificate of compliance and contract consequences in that event. A contract awarded without a certificate of compliance may be voided.

15.3. Minn. R. Parts 5000.3400-5000.3600.

15.3.1. *General.* Minn. R. Parts 5000.3400-5000.3600 implement Minn. Stat. § 363A.36. These rules include, but are not limited to, criteria for contents, approval, and implementation of affirmative action plans; procedures for issuing certificates of compliance and criteria for determining a contractor's compliance status; procedures for addressing deficiencies, sanctions, and notice and hearing; annual compliance reports; procedures for compliance review; and contract consequences for non-compliance. The specific criteria for approval or rejection of an affirmative action plan are contained in various provisions of Minn. R. Parts 5000.3400-5000.3600 including, but not limited to, parts 5000.3420-5000.3500 and 5000.3552-5000.3559.

15.3.2. *Disabled Workers.* The Contractor must comply with the following affirmative action requirements for disabled workers:

15.3.2.1. The Contractor must not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The Contractor agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified disabled persons without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

15.3.2.2. The Contractor agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.

15.3.2.3. In the event of the Contractor's noncompliance with the requirements of this clause, actions for noncompliance may be taken in accordance with Minn. Stat. Section 363A.36, and the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.

15.3.2.4. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in a form to be prescribed by the commissioner of the Minnesota Department of Human Rights. Such notices must state the Contractor's obligation under the law to take affirmative action to employ and advance in employment qualified disabled employees and applicants for employment, and the rights of applicants and employees.

15.3.2.5. The Contractor must notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the Contractor is bound by the terms of Minn. Stat. Section 363A.36, of the Minnesota Human Rights Act and is committed to take affirmative action to employ and advance in employment physically and mentally disabled persons.

15.3.3. *Consequences.* The consequences for the Contractor's failure to implement its affirmative action plan or make a good faith effort to do so include, but are not limited to, suspension or revocation of a certificate of compliance by the Commissioner, refusal by the Commissioner to approve subsequent plans, and termination of all or part of this contract by the Commissioner or the State.

15.3.4. *Certification.* The Contractor hereby certifies that it is in compliance with the requirements of Minn. Stat. § 363A.36 and Minn. R. Parts 5000.3400-5000.3600 and is aware of the consequences for noncompliance.

16. Workers' Compensation

Each party will be responsible for its own employees for any workers compensation claims. This MPC, and any work order contracts issued hereunder, are not intended to constitute an interchange of government employees

under Minn. Stat. §15.53. To the extent that this MPC, or any work order issued hereunder, is determined to be subject to Minn. Stat. §15.53, such statute will control to the extent of any conflict between the contract and the statute.

17. **Publicity**

17.1. **Publicity.** Any publicity regarding the subject matter of a work order contract where the State is the Requesting Party must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Local Government individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from a work order contract.

17.2. **Data Practices Act.** Section 17.1 is not intended to override the Local Government's responsibilities under the Minnesota Government Data Practices Act.

18. **Governing Law, Jurisdiction, and Venue**

Minnesota law, without regard to its choice-of-law provisions, governs this master contract and all work order contracts. Venue for all legal proceedings out of this master contract or any work order contracts, or the breach of any such contracts, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

19. **Prompt Payment; Payment to Subcontractors**

The parties must make prompt payment of their obligations in accordance with applicable law. As required by Minn. Stat. § 16A.1245, when the Local Government lets a contract for work pursuant to any work order, the Local Government must require its contractor to pay all subcontractors, less any retainage, within 10 calendar days of the prime contractor's receipt of payment from the Local Government for undisputed services provided by the subcontractor(s) and must pay interest at the rate of one and one-half percent per month or any part of a month to the subcontractor(s) on any undisputed amount not paid on time to the subcontractor(s).

20. **Minn. Stat. § 181.59.** The Local Government will comply with the provisions of Minn. Stat. § 181.59 which requires: Every contract for or on behalf of the state of Minnesota, or any county, city, town, township, school, school district, or any other district in the state, for materials, supplies, or construction shall contain provisions by which the Contractor agrees: (1) That, in the hiring of common or skilled labor for the performance of any work under any contract, or any subcontract, no contractor, material supplier, or vendor, shall, by reason of race, creed, or color, discriminate against the person or persons who are citizens of the United States or resident aliens who are qualified and available to perform the work to which the employment relates; (2) That no contractor, material supplier, or vendor, shall, in any manner, discriminate against, or intimidate, or prevent the employment of any person or persons identified in clause (1) of this section, or on being hired, prevent, or conspire to prevent, the person or persons from the performance of work under any contract on account of race, creed, or color; (3) That a violation of this section is a misdemeanor; and (4) That this contract may be canceled or terminated by the state, county, city, town, school board, or any other person authorized to grant the contracts for employment, and all money due, or to become due under the contract, may be forfeited for a second or any subsequent violation of the terms or conditions of this contract.

21. **Termination; Suspension**

21.1. **Termination by the State for Convenience.** The State or commissioner of Administration may cancel this MPC and any work order contracts at any time, with or without cause, upon 30 days written notice to the Local Government. Upon termination, the Local Government and the State will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

21.2. **Termination by the Local Government for Convenience.** The Local Government may cancel this MPC and any work order contracts at any time, with or without cause, upon 30 days written notice to the State.

Upon termination, the Local Government and the State will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

- 21.3. ***Termination for Insufficient Funding.*** The State may immediately terminate or suspend this MPC and any work order contract if it does not obtain funding from the Minnesota legislature or other funding source; or if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination or suspension must be by written or fax notice to the Local Government. The State is not obligated to pay for any services that are provided after notice and effective date of termination or suspension. However, the Local Government will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the master contract or work order is terminated because of the decision of the Minnesota legislature or other funding source, not to appropriate funds. The State must provide the Local Government notice of the lack of funding within a reasonable time of the State's receiving that notice.

22. Data Disclosure

Under Minn. Stat. §270C.65, subd. 3, and other applicable law, the Local Government consents to disclosure of its federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Local Government to file state tax returns and pay delinquent state tax liabilities, if any.

23. Defense of Claims and Lawsuits

If any lawsuit or claim is filed by a third party (including but not limited to the Local Government's contractors and subcontractors), arising out of trunk highway work performed pursuant to a valid work order issued under this MPC, the Local Government will, at the discretion of and upon the request of the State, tender the defense of such claims to the State or allow the State to participate in the defense of such claims. The Local Government will, however, be solely responsible for defending any lawsuit or claim, or any portion thereof, when the claim or cause of action asserted is based on its own acts or omissions in performing or supervising the work. The Local Government will not purport to represent the State in any litigation, settlement, or alternative dispute resolution process. The State will not be responsible for any judgment entered against the Local Government, and will not be bound by the terms of any settlement entered into by the Local Government except with the written approval of the Attorney General and the Commissioner of Transportation and pursuant to applicable law.

24. Additional Provisions

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LOCAL GOVERNMENT

The Local Government certifies that the appropriate person(s) have executed the contract on behalf of the Local Government as required by applicable ordinance, resolution, or charter provision.

By: _____
 Title: _____
 Date: _____

By: _____
 Title: _____
 Date: _____

COMMISSIONER OF TRANSPORTATION

By: _____
 (with delegated authority)
 Title: Assistant Commissioner or
 Assistant Division Director
 Date: _____

COMMISSIONER OF ADMINISTRATION

As delegated to Materials Management Division

By: _____
 Date: _____

Exhibit A - Table of Tech Serv

Used with TA98 Project IDs

If a source code is not on this list, a work order is needed.

Source Code	Title	Description
0032	Business Unit Management	All expenses of business/office managers for general management and administration of support functions. includes administering central facilities maintenance and facilities capital budgets.
0152	Support Services	Work that supports general office management, system management such as entering data into SWIFT, PPMS, PUMA and other MnDOT systems, attending staff meetings and other indirect support activities.
0400	Equipment Calibration-Mat Insp	Use when performing periodic equipment calibration for equipment used in the materials lab or on construction projects.
0600	General Training Attended	All costs (time, registration, materials, travel expenses, etc.) for attending or participating informal or informal training, including conferences that primarily provide training.
1182	Soils/Foundation Field/Laboratory Tests	All laboratory testing necessary to provide geotechnical information to complete roadway soils recommendations and approvals for use in the development of Final Design Plans and Special Provisions. Lab work includes R-value, resilient modulus, soil classification, gradation, proctor testing, unconfined compression, consolidation, direct simple shear, direct shear, permeability and triaxial tests.
1312	Tech Assist-Outside MnDOT	Use when providing technical assistance to an organization external to MnDOT.
1421	Bridge Management System Operation/Administration/Data	Use for tasks related to the Bridge Management System, including operations, administration, or data entry.
1434	Structural Metals Inspection-Non DOT	Reviewing shop drawings furnished by suppliers, fabricators, and contractors (working drawing or calculations), and for tasks related to structural metals inspection (materials surveys, physical and chemical laboratory testing, material inspection and engineering, and technical services in the field and offices) for local agency projects.
1501	Traffic Management System (TMS)	Used by traffic operations staff for all tasks that support the RTMC's operations center (or TOCC) providing traveler information, managing incidents and monitoring the FMS. Includes dynamic message sign maintenance, ramp meter maintenance, camera maintenance, and loop detection activities. Includes maintenance activities related to any ITS or TMS device such as RTMC cables, monitor wall, switchers, routers, or modems. Use to record all costs for maintenance activities related to traffic management fiber optics. Use for tasks related to maintaining traffic operations software including minor software enhancements and fixes. Use when providing traffic operations technical assistance external to MnDOT.
1513	Traffic Management System (TMS) Integration	For tasks associated with the incorporation of new and existing TMS devices (cameras, loops, DMS, and other ITS devices) into existing infrastructure to ensure proper operation. Use with the Construction/Program Delivery Appropriation.
1520	Pavement Management System	For tasks related to the operation of the pavement management system, including development and maintenance/technical support. Includes tasks to meet needs external to MnDOT.
1716	Record Sampling	Used by Materials and Research Section and district materials staff to verify inspector" sampling and testing procedures and checking inspectors' equipment during project construction as required by FHWA. Use when performing field tests on split sample.
1721	Traffic Sign Work Orders	Use for work involved in preparing work orders for traffic signs. Use only with Maintenance Operations appropriation (T790081).

If a source code is not on this list, a work order is needed.

Exhibit A - Table of Tech Serv

Used with TA98 Project IDs

If a source code is not on this list, a work order is needed.

Source Code	Title	Description
1732	Material Testing & Inspection	Performing construction phase and research physical and chemical laboratory testing, and related technical services in the districts and central labs, and for performing research and construction phase non-destructive testing materials surveys, and related technical services in the field and offices. Includes detour surveys. Non-destructive tests include, skid resistance and falling weight deflectometer (FWD) testing.
1733	Concrete Plant Inspections	Performing QA/QC physical testing at the plant; sampling and transporting of materials from the plant to the lab for lab testing, plant reviews, and operations; investigating plant discrepancies; and other technical services in the plant or office associated with stationary concrete plants or mobile concrete paving plant inspection.
1734	Construction Materials Inspections	Performing construction phase material inspection and engineering, for structural steel, precast and pre-stressed concrete, reinforcement steel, and electrical products and related technical services in the field and office for materials to be used in multiple projects. Includes travel time, sampling, and sample delivery. Includes tasks related to reviewing shop drawings furnished by suppliers or fabricators and contractor working drawings or calculations, and for tasks related to structural metals inspection (materials surveys, physical and chemical laboratory testing, material inspection and engineering, and technical services in the field and offices).
1735	Bituminous Plant Inspection	Performing QA/QC physical testing at the plant; sampling and transporting of materials from the plant to the lab for lab testing, plant reviews, and operations; investigating plant discrepancies; and other technical services in the plant or office associated with bituminous plant inspection.
1738	State Project - Specific Materials Inspection	Performing material inspection for materials designated for a specific construction project (SP). Generally applies to inspection of such things as structural steel, prestressed concrete items, and most precast concrete items and for SP specific tasks related to structural metals inspection (materials surveys, physical and chemical laboratory testing, material inspection and engineering and technical services in the field and offices).
1800	Field Inspection	Occasional construction project field inspection (not cyclical inspection of assets); Includes field inspection of materials such as gradations, densities/DCP, proctors, compaction, slump tests, and field air tests and collecting and transporting samples for lab tests, but not the actual laboratory verifications.
1870	Traffic Signal Maintenance	This work will not substitute for or alter existing cooperative construction agreements or traffic signal maintenance agreements. Work related to the occasional repair and replacement of traffic signal system structures and all electrical maintenance for traffic signal systems including electrical power, labor, equipment materials, GSOC locates, traffic control and responses to public inquiries.
1871	Lighting Maintenance & Utilities	All work related to installing, maintaining, restoring, or removing highway lighting systems and fixtures. Includes repairing, maintaining, or replacing supports necessary for roadway lighting luminaries. Includes patrol highway lighting, inspect lighting structures, electrical service for highway lighting, re-lamping, pump stations, anti-icing systems, truck roll-over warning systems and electrical repairs. Includes traffic control in support of roadway lighting activities. Use for tasks related to public inquiries/complaints, review utility billings, provide data, and conduct field reviews.
1875	Locate One Call	Finding and marking locations of buried conduit, cables, hand holes, loops, etc. in order to maintain or repair the traffic management system, signal systems, or roadway lighting systems.

If a source code is not on this list, a work order is needed.

Exhibit A - Table of Tech Serv

Used with TA98 Project IDs

If a source code is not on this list, a work order is needed.

Source Code	Title	Description
1876	Traffic Counting	Use to record labor, equipment usage, and material costs for activities related to traffic counts made for statewide traffic monitoring or traffic operations. Includes all activities related to traffic counting, such as taking requests, assigning priorities, collecting field data, processing data, and developing new techniques for collection.
2102	Patching	Related source type codes: 2103-Heavy patching, 2104-Bituminous paving, 2105-Blow patching
2142	Overhead Sign Panel Maintenance	Work related to the repair and replacement of overhead sign panels, extruded sign panels mounted on I-beams, and overhead sign structures. Includes related cable locates and traffic control. Does not include structural work.
2210	Guardrail-Install/Repair/Maintenance	Install, repair, or maintain low tension cable, plate beams, and end treatments; cable tension adjustments; and reflector replacement. includes related traffic control.
2222	Sign/Delineation/Marker Repair	Replacing, repairing, and washing signs (including temporary stop signs). Includes re-sequencing intersection signing and repair/replace overhead and extrude signs mounted on I-beams. Includes related cable locates and traffic control.
2316	Brush & Tree Removal	Maintaining, watering, trimming, and removing highway right of way tree and brush. Includes chipping of tree limbs and stump removal/grinding. Includes related traffic control.
2624	Indirect Expense	Indirect shop expenses and shop equipment. Allocate to mobile equipment.
2629	Supplies & Small Tools	Shop tools, small equipment, and supplies that cannot be directly charged to a mobile equipment unit.
2819	Bridge Curb, Walk And Railing	Repairing and maintaining bridge curb, walk, rail, coping, and fencing connected to the rail. Includes glare screen and median barriers on bridges. Includes related traffic control.
2820	Bridge Deck	Work associated with bridge deck and slab repair regardless of removal depth or type of material used for patching. Includes deck or slab overlays and replacements and underside deck delamination. Includes related traffic control.
2822	Miscellaneous Bridge Maintenance	This source code does not include replacement or major repair. Miscellaneous maintenance tasks performed on a specific bridge or structure not covered by other source codes. Includes minor repairs and simple fixes on items such as stairways, drains, fencing, light bases, transient guards, and access doors. Includes transient removal, ordering materials, and picking up equipment. Includes related traffic control.
2824	Bridge Inspection-Non-Federal	All tasks related to inventory, inspection, and load capacity rating work done on trunk highway bridges to meet the requirements of the National Bridge Inspection System and/or Minnesota Bridge Safety Inspection Program or for billing to local governments. Includes related inspection reports and deck condition surveys.
2827	Bridge Expansion, Relief Joints	All maintenance tasks associated with bridge expansion joints, except joint reestablishment. Includes tightening expansion device bolts and replacing seal glands. Includes related traffic control.
2828	Bridge Inspection-Federal Fund	All bridge inspection tasks for non-MnDOT bridges funded by the federal Fracture-Critical Bridge Program (Project Code will begin with TSL and with the local bridge number). Includes related inspection reports. For MnDOT Trunk Highway bridges (Project Code begins with TSO followed by the bridge number) and local and Department of Natural Resources (DNR) (bridge number begins with 9A follow by bridge number) bridge inspections to be billed to the local government or Department of Natural Resources (DNR) use Source Code 2824.

If a source code is not on this list, a work order is needed.

Exhibit A - Table of Tech Serv

Used with TA98 Project IDs

If a source code is not on this list, a work order is needed.

Source Code	Title	Description
2829	Bridge Superstructure	All tasks to repair any bridge component above the bridge seat that is not included in other source codes. Includes repairs to all types of bridge superstructure elements such as girders, beams, floor beams, trusses, stringers, t-beams, precast channels, and box girders. Includes related traffic control.
2830	Bridge Bearing Assemblies	All tasks related to the repair and maintenance of fixed or expansion-bearing assemblies on bridges. Includes related traffic
2834	Waterway Maintenance	All tasks related to waterway maintenance for deck bridges. Includes debris removal, waterway cleanup, channel repair, and channel protection repair that is not part of slope protection. Includes related traffic control.
2838	Bridge Deck Crack Sealing	All tasks related to deck crack sealing. Includes related traffic control.
2863	Traffic Signal Inspection	Work related to cyclical structural and electrical inspection and preventive maintenance checks of traffic signal systems/structures. Includes labor, equipment, materials, and traffic control.
3000	Class Of Frequency Coordination	Use for frequency coordination done with APCO, AASHTO or FCCA.
3002	Radio/Electronic Infrastructure	Use for the repair and preventative maintenance of all equipment associated with wireless two-way radio communications systems (includes mobile radios, portable radios, base stations, console workstations, recorders, etc.). Non-MnDOT equipment - Must use Project number assigned to requesting agency; Department of Public Safety (DPS) includes State Patrol (SP) Bureau of Criminal Apprehension (BCA), Fire Marshall); does not include Department of Natural Resources (DNR). See OSRC Project
3005	Radio - Mobile Equipment	Use for the repair and preventative maintenance of all equipment associated with wireless two-way radio communications systems (includes mobile radios, portable radios, base stations, console workstations, recorders, etc.). Non-MnDOT equipment - Must use Project number assigned to requesting agency (State Patrol, DNR, BCA, Fire Marshall). See OSRC Project Code list.
3009	Radio/Electronic System Upgrade & Installation	Use for the installation and other services needed to provide major system upgrades or improvements to wireless or electronic systems. Use for all work performed to correct or repair deficiencies found in a new installation.
3025	Tower/Building Maintenance	Use for all tasks related to the maintenance of a tower building or site. Includes towers, buildings, generators, LP system, fencing, landscaping, grounding, ice bridge, cable management, climbing ladders, card key systems, and HVAC.
3027	Radio Programming	Creating or modifying radio frequency programs and programming mobile and portable radios. Does not include mobile radios used as fixed base radios as part of the Inter-OP System (Use 3009).
3049	On Call Electronic Communications Infrastructure Maintenance	To be used by Statewide Radio Communications personnel to record on-call time.

If a source code is not on this list, a work order is needed.

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #11E	Department: Community Dev.	Council Meeting Date: 8/21/17																											
TITLE OF ISSUE: Receive Interim Report from the Rental Density Advisory Committee.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: Staff is submitting the Rental Density Advisory Committee Interim Report for Council review. The Rental Density Advisory Committee will continue to meet as authorized by Resolution 79-16 A Resolution Creating the Rental Density Advisory Group. In response to the work completed, staff is beginning inspection of all structures licensed before 2009 and are considering increasing rental licensing fees from \$30.00 to \$45.00.																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Receive Rental Density Advisory Committee Report.																													
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	<div style="text-align: center; font-weight: bold; margin-bottom: 10px;">SUPPORTING DOCUMENTS ATTACHED</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>Report</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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MEMORANDUM

TO: Honorable Mayor & City Council

FROM: Rental Density Advisory Committee

DATE: August 15, 2017

SUBJECT: Interim Recommendations

Background

In September of 2016, the North Mankato City Council approved amendments to the Rental Property Licensing Code including a 10% rental density limitation in R-A, R-1, R-1S and R-2 zoning districts. The rental density amendments were consistent with Comprehensive Plan Policy 2.1.5 "Consider a policy that permits a limited number of rental units in a specified area to minimize turnover of owner-occupied single family homes to rental units within established neighborhoods".

In October of 2016, the City Council adopted a resolution creating a Rental Density Advisory Group to provide feedback to the City Council on the effectiveness of the revisions to the Rental Licensing Code to ensure rental density limits achieve the best living environment possible for both homeowners and renters. Membership was comprised of six members that included two property owners, one renter, one landlord, one rental management professional, and one realtor. All of which were citizens of North Mankato.

The purpose is the Rental Density Advisory Group was to advise the City Administrator, Community Development Director, Chief of Police and City Council regarding the goals and objectives of the Comprehensive Plan and the Rental Density Study as they relate specifically to maintaining residential properties to a high standard while encouraging redevelopment opportunities and as to how the revisions of Chapter 151 of the City Code adopted in 2016 are ensuring rental density limits achieve the best living environment possible for both homeowners and renters. In addition, the Rental Density Advisory Group should review proposed changes to the enforcement standards for rental properties.

Process

The Rental Density Advisory Committee met on the following dates to have meaningful discussions regarding revisions to the Rental Property Licensing Code:

November 17, 2016
January 23, 2017
March 27, 2017
June 26, 2017
August 14, 2017

As part of the process, the Committee reviewed and discussed:

- The 2016 amendments to the Rental Licensing Code
- Past rental strikes and police calls
- The Rental Density Study
- Citizen comments from engagement sessions and public hearings
- Comprehensive Plan policies
- Citizen response to the code changes since adopted
- Rental inspection process
- Rental licensing fees
- Rental housing trends
- Off-street parking requirements
- Lease agreements and tenant screening

Comments/Recommendations

After review and deliberation of the topics listed above, the Rental Density Advisory Committee offers the following comments and recommendations:

Off-Street Parking

- The Committee reaffirms the off-street parking amendment to the Rental Licensing Code where the number of required off-street parking spaces is based on the square footage of sleeping rooms. The amendment applies to all new rental dwellings licensed after the 2016 code changes.

Building Inspections

- Prior to receiving a new rental license, all structures receive a building inspection. Prior to 2009, these inspections did not occur. Staff will begin inspection of all structures licensed prior to 2009 as time allows.
- The inspections department created new guidelines to be used when inspecting rental dwellings, including a number of additional points of safety that will be checked during inspection.
- To address the poor exterior appearance of some rental dwellings, the use of rental strikes should be used to ensure compliance in a timely manner. This would require an ordinance amendment.
- The Committee discussed the potential to use volunteer fire fighters to conduct inspections of rental dwellings.

Safety of Rental Structures

Members of the committee expressed concern or attention be given to the safety of dwelling units being offered for rent by landlords in the community. At this time, staff is unaware of any unsafe living conditions currently licensed for rent within the city limits. Typically, these types of discoveries are made when tenants contact City Hall about an unsafe living condition.

- A resource for tenants has been created on the City's website to report unsafe living conditions.
- Building inspectors will begin moving through previously uninspected licensed dwellings to review living conditions
- Should any unsafe living conditions be found, the property owner will be notified by mail of the corrections needed to comply with all State, City and life safety codes. Failure to comply within a reasonable timeline should result in the issuance of a rental strike. This would require an amendment to the Rental Licensing Code

Landlord Education

- The Police Chief and Deputy City Clerk will begin an effort whereby all new rental license holders will personally meet to discuss expectations and requirements for renting in North Mankato. After any second rental strike, staff will personally meet with the landlord.
- The Police Department has implemented a landlord alert program where landlords receive emails from the Department about certain Police calls at rental properties. The City of St. Paul has implemented such a program.

Rental Density

The group affirms that no more than 10% of the single family lots on any block shall be eligible to obtain a rental license within the R-A, R-1, R-1S and R-2 zoning districts.

Rental Licensing Fees

The Committee recommends an increase to the annual rental licensing fee from \$30 per year not to exceed \$45 per year.

In summary, the Committee believes that all amendments to the Rental Licensing Code made by the City Council in 2016, together with increased inspections and landlord education, achieve the best living environment possible for both homeowners and renters.

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #13A	Department: Administration	Council Meeting Date: 8/21/17																											
TITLE OF ISSUE: Consider Resolution Modifying Tax Increment Financing District IDD No. 1-23, D&K Powder Coating.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: Please review the memo provided by Ed Tschida of Advance Resources for Development, Inc. to the North Mankato Port Authority concerning the modification of Tax Increment Financing District IDD No. 1-23.																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Adopt Resolution Modifying Tax Increment Financing District IDD No. 1-23, D&K Powder Coating.																													
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	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </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 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> Other (specify) <u>TIF Plan</u> Memo _____ _____ _____ _____	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 #_____ - 2017

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF NORTH MANKATO MODIFYING TAX INCREMENT
FINANCING DISTRICT IDD NO. 1-23**

WHEREAS, the City Council of North Mankato (herein called the "City") has held a public hearing to receive input regarding the establishment of Tax Increment Financing District IDD No. 1-23 (herein called the "District") as provided in a report, dated August 21, 2017 (herein called the "Plan"); and

WHEREAS, the City has previously approved a plan for Industrial Development District No. 1 pursuant to Minnesota Statutes, Sections 469.048 to 469.068; thereby creating a Project within the meaning of Minnesota Statutes, Section 469.174, Subdivision 8, which encompasses the District; and

WHEREAS, the Plan sets forth the estimate of the fiscal and economic impact of tax increment financing on the tax capacities of all taxing jurisdictions in which the District is located; and

WHEREAS, the Board of Nicollet County, Minnesota, has been notified of the public hearing for review of the Plan; and

WHEREAS, the School Board of Independent School District No. 77 has been notified of the public hearing for review of the Plan; and

WHEREAS, the City has received and considered the comments of the Nicollet County Board and the School Board of the Independent School District No. 77 with regard to the contents of the Plan; and

WHEREAS, the North Mankato Port Authority Commission has conducted a public hearing on August 7, 2017 and recommended approval of the Plan to the City Council; and

WHEREAS, the City on August 21, 2017, after having published a notice of public hearing in the official newspaper of the City, conducted a public hearing on the Plan and received public comments on the same;

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

Sec. 1. It is hereby found and determined that there is a need for the Project activities in the District.

Sec. 2. It is hereby found and determined that the Project activities set forth in the Plan will establish, for the City of North Mankato, the opportunity to promote economic development of vacant, unused and underused land and that this development will create jobs and enhance the local tax base.

Sec. 3. It is hereby found and determined that the tax increment financing plan as set forth in the Plan having been duly reviewed and considered is hereby approved and adopted, and it reaffirms its finding that the area described in Exhibit A hereto is designated as an Economic Development District pursuant to Minnesota Statutes, Section 469.174, Subdivision 12.

Sec. 4. That, in the opinion of the City, it is hereby found and determined: (i) the proposed development or redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future; and (ii) the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value

estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the Plan.

Sec. 5. It is hereby found and determined that the tax increment financing plan will afford maximum opportunity, consistent with sound needs of the City as a whole, for the development of the Project by private enterprise.

Sec. 6. It is hereby found and determined that the tax increment financing plan set forth in the Plan conforms to the general plan for the development of the City as a whole.

Sec. 7. That the reasons and supporting facts for findings 3, 4, 5 and 6 as set forth on pages 3, 4 and 5 of the Plan are by this reference confirmed and adopted.

Sec. 8. It is hereby found and determined that the provisions of Minnesota Statutes 116J.993 to 116J.985 the Business Subsidy Act apply to this development, which requires an agreement with the recipient of the subsidy.

Sec. 9. That the City Clerk is hereby directed to file a copy of this resolution and a copy of the Plan with the Minnesota Department of Revenue and Office of the State Auditor.

Sec. 10. That the City hereby states its intention to use all of the captured tax capacity for purposes of tax increment financing as per the conditions set forth in the Plan.

The foregoing resolution was offered at a regular meeting of the City Council held on August 21, 2017, by Council Member _____ who moved its adoption, was seconded by Council Member _____ and adopted by the following vote:

AYES:

NAYS:

Whereupon the above resolution was duly adopted.

Attest:

Mark D. Dehen, Mayor

April Van Genderen, City Clerk

EXHIBIT "A"

TO

CITY COUNCIL RESOLUTION NO. _____

The following property is included the District: Lot 1, Block 1 Northport No. 18 (2240 Howard Dr. W.), North Mankato, Minnesota.

[VIA EMAIL]

To: North Mankato City Council
From: Ed Tschida
Re: Proposal to Modify Tax Increment Financing District IDD No. 1-23 (D&K Powder Coating Expansion Project)
Date: August 8, 2017

PRIOR APPROVED ACTIONS

Tax Increment Financing District IDD No. 1-23 (the "TIF District") was created and a Tax Increment Financing Plan ("the TIF Plan") was approved by the North Mankato Port Authority Commission (the "Port Authority") and city of North Mankato (the "City") pursuant to Minnesota statutes, sections 469.174 through 469.1794, as amended, on September 15, 2014. Following approval of the TIF Plan, the Port Authority executed a Contract for Private Development on September 15, 2014, which provided pay-as-you-go, tax increment assistance to D&K Powder Coating LLC ("D&K").

AUGUST 7, 2017 PORT AUTHORITY ACTION

At the August 7, 2017 Port Authority hearing on the TIF District modification, the Port Authority adopted Resolution No. 9-17 Modifying Tax Increment Financing District IDD 1-23 Plan, which modified the TIF District Plan conditioned upon approval thereof by the City Council.

CURRENT PROPOSAL TO MODIFY TAX INCREMENT FINANCING DISTRICT NO. IDD 1-23

Currently D&K occupies a 25,380-ft.² manufacturing facility on Lot 1, Block 1, Northport No. 18 (2240 Howard Dr. W.). D&K is exploring a 20,000-ft.² expansion to accommodate continued growth. D&K is requesting tax increment financing assistance to finance eligible project costs.

The Port Authority and City may modify the District in different circumstances. In this instance, the modification is required, because total estimated tax increment expenditures would increase beyond the amount approved in the original plan. Approval of the modification increases D&K's tax increment reimbursement from \$385,852 to \$474,601. Modification of the TIF plan does not increase the term of the TIF District. The original TIF reimbursement schedule, which provided reimbursement beginning in 2017 and continuing through 2025, remains in place.

D&K PROJECT PERFORMANCE

The table on the following page compares several data points regarding the D&K project, which compare information presented in the original TIF plan, actual performance to date, and estimate of performance for the entire project following the plant expansion.

OBSERVATION AND RECOMMENDATION

Observation: The development proposal meets Port Authority and City goals for financial assistance, and is compatible with community plans and City ordinances. The TIF Plan modification is within the parameters of community development guidelines and TIF statutes.

COMPARISON OF PROJECT GOALS VERSUS ACTUAL PERFORMANCE			
	09/14/2014 TIF Plan Estimates	07/15/2017 Actual Performance	08/21/2017 Modified TIF Plan Estimates
Project Size	25,200-ft. ²	25,380-ft. ²	45,380-ft. ²
Taxable Value	\$2,104,071	\$1,671,100	\$2,848,400
Property Tax Total	\$73,661	\$60,034	\$96,614
Tax Increment	\$45,129	\$34,991	\$63,913
Annual TIF Benefit	\$42,872	\$33,241	\$60,717
Number of Jobs	10	25	35
Wages	\$27,060 annual or \$13/hr.	\$36,000 or \$18/hr.	\$38,000 or \$19/hr.

Recommendation: Provided the city Council concurs with the above observations, it should adopt the resolution approving the TIF Plan modifications.

ATTACHMENTS

- TIF Plan
- City Council Resolution



TAX INCREMENT
FINANCING
DISTRICT IDD NO. 1-23
(D & K Powder Coating
LLC Project)

NORTH MANKATO,
MINNESOTA

Adopted
September 15, 2014

Modified
August 21, 2017

Business Finance and
Economic Development
Specialists

**TAX INCREMENT FINANCING DISTRICT IDD NO. 1-23
(D & K Powder Coating LLC Project)
CITY OF NORTH MANKATO, MINNESOTA**

**ADOPTED SEPTEMBER 15, 2014
MODIFIED AUGUST 21, 2017**

*PREPARED BY
ADVANCE RESOURCES FOR DEVELOPMENT, INC.
MANKATO, MINNESOTA*

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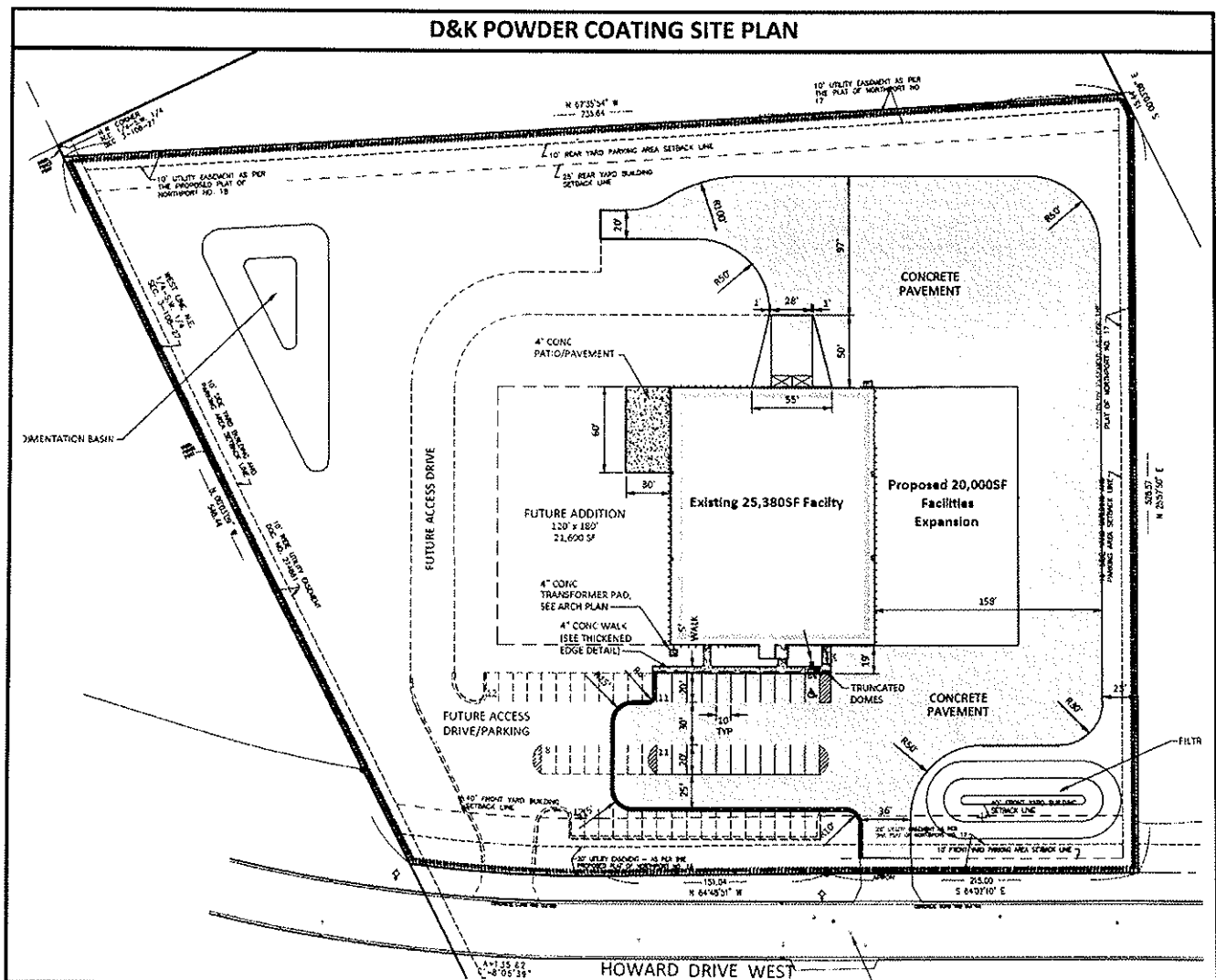
INTRODUCTION

PRIOR APPROVED ACTIONS

Tax Increment Financing District IDD No. 1-23 (the "TIF District") was created and a Tax Increment Financing Plan ("the TIF Plan") was approved by the North Mankato Port Authority Commission (the "Port Authority") and city of North Mankato (the "City") pursuant to Minnesota statutes, sections 469.174 through 469.1794, as amended, on September 15, 2014.

CURRENT PROPOSAL TO MODIFY TAX INCREMENT FINANCING DISTRICT NO. IDD 1-23

Currently D&K Powder Coating (D&K) occupies a 25,380-ft.² manufacturing facility on Lot 1, Block 1, Northport No. 18 (2240 Howard Dr. W.). D&K is exploring a 20,000-ft.² expansion to accommodate continued growth. Below is the site plan showing the existing and proposed facilities.



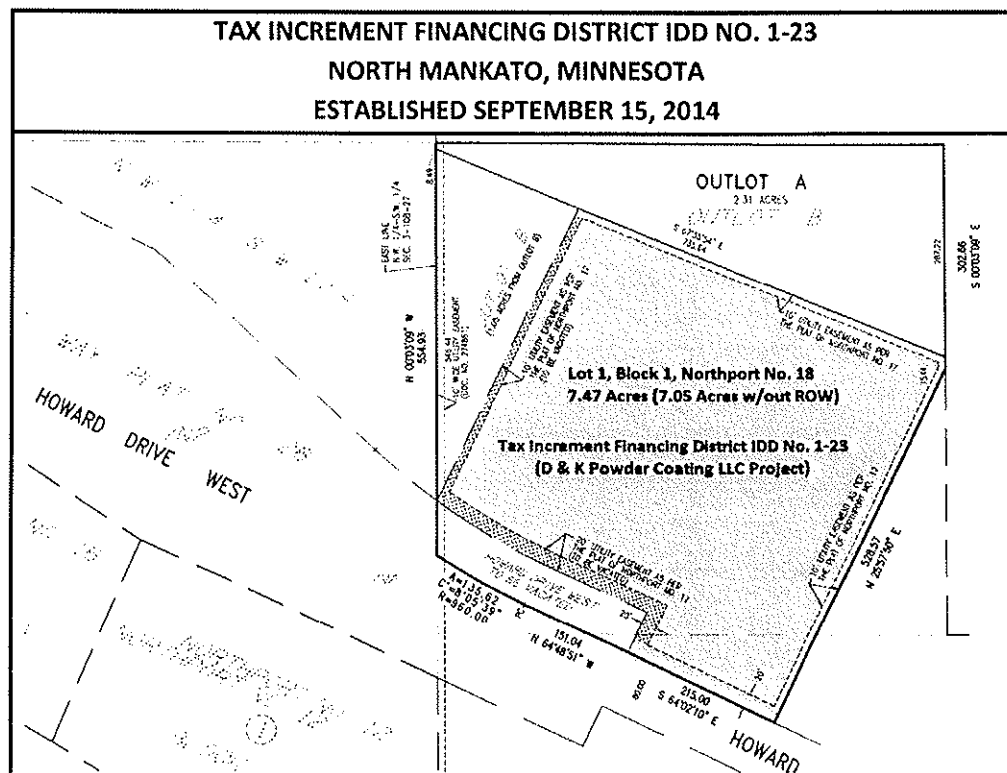
D&K PROJECT PERFORMANCE

The following table compares several data points regarding the D&K project, which compare information presented in the original TIF plan, actual performance to date, and estimate of performance for the entire project following the plant expansion.

COMPARISON OF PROJECT GOALS VERSUS ACTUAL PERFORMANCE			
	09/14/2014 TIF Plan Estimates	07/15/2017 Actual Performance	08/21/2017 Modified TIF Plan Estimates
Project Size	25,200-ft. ²	25,380-ft. ²	45,380-ft. ²
Taxable Value	\$2,104,071	\$1,671,100	\$2,848,400
Property Tax Total	\$73,661	\$60,034	\$96,614
Tax Increment	\$45,129	\$34,991	\$63,913
Annual TIF Benefit	\$42,872	\$33,241	\$60,717
Number of Jobs	10	25	35
Wages	\$27,060 annual or \$13/hr.	\$36,000 or \$18/hr.	\$38,000 or \$19/hr.

LOCATION

Tax Increment Financing District IDD No. 1-23 is located, on company-owned property described as Lot 1, Block 1 Northport No. 18 (2240 Howard Dr. W.), North Mankato, Minnesota and is shown on the map below.



TAX INCREMENT FINANCING PLAN

INCORPORATION OF PREVIOUS PLANS

The Port Authority and City created the TIF District and approved the TIF Plan pursuant to Minnesota statutes, sections 469.174 through 469.179, as amended, on September 15, 2014. The current modification constitutes the first amendment of the TIF Plan. All provisions of the TIF Plan adopted on September 15, 2014 are hereby incorporated by reference except to the extent that Minnesota statutes, sections 469.174 to 469.179, inclusive and amended, requires changes and except to the extent that any such provision is explicitly contrary to a provision of this modification. The Port Authority and City hereby adopt and incorporate the September 15, 2014 TIF Plan, except as so modified, by this reference.

PROPERTY CONDITIONS AND DESCRIPTION OF DEVELOPMENT PROPOSAL

D&K Powder Coating proposes to construct an approximate 20,000-ft.² expansion of its manufacturing facility located on Lot 1, Block 1 Northport No. 18 (2240 Howard Dr. W.). D&K is requesting the City and Port Authority approve tax increment financing assistance to finance land acquisition. The estimated taxable value of the expansion is \$1,083,600. D&K proposes to increase its existing employment from 25 to 35 full-time positions creating 10 new jobs.

FINDINGS

Minnesota Statutes, section 469.175, Subdivision 3, requires that prior to municipality approval of a tax increment financing plan certain statutory findings must be made and the reasons for those findings must be set forth in writing along with supporting facts for each determination.

1. FINDING. That the proposed tax increment financing district is an economic development district.

SUPPORTING FACTS. Tax Increment Financing District IDD No. 1-23 is an "Economic Development District" as defined in Minnesota Statutes, section 469.174, subdivision 12. As originally established on September 15, 2014, the TIF District qualified as an "Economic Development District" pursuant to the above statute because project activities will result in increased employment and preservation and enhancement of the tax base of the state. This finding is reconfirmed because the proposed D&K expansion project will increase the tax base and create additional jobs.

2. FINDING. That, in the opinion of the City:

(i) the proposed development or redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future; and

(ii) the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the TIF District permitted by this TIF Plan.

SUPPORTING FACTS. *The proposed development or redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future.* The City supports this finding based on the facts that the costs of the proposed facilities expansion, including constructing, equipping and operating the facility are not financially viable without public financial assistance. To address this situation the City is participating in a public/private-financing package consisting of private financing and tax increment assistance. The City will use tax increment financing to reimburse D&K for land acquisition. Development proposed in this TIF Plan meets the objectives of the City of North Mankato Tax Increment Financing Policy. The City believes that public/private financing, including the use of tax increment, is significant to the completion of this project, and that without this assistance the project would not occur in the City.

Furthermore, the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the TIF District permitted by this TIF Plan. A comparative analysis, of estimated market values both with and without District modification and the use of tax increments, has been performed as described above. If all development proposed to be assisted with tax increment were to occur in the TIF District, it is estimated that the new construction market value would increase by \$1,083,600 and the total market value upon completion of the plant expansion would be \$2,848,400. The estimated present value of tax increments from the plant expansion in the TIF District is \$ 145,957. It is the City's finding that no development with a market value of greater than \$1,031,343 would occur without tax increment assistance within the remaining duration of the TIF District (refer to Table 1 on page 7. This finding is based upon evidence from general past experience that industry is hampered in its efforts to secure sufficient conventional bank financing, and that in order to move forward, funding sources in the form of subordinated financing must be secured. The City Council believes this project qualifies for a public/private financing package and the use of tax increment financing and is prepared to commit this resource to it.

3. FINDING. That the tax increment financing plan conforms to the general plan for the development or redevelopment of the municipality as a whole.

SUPPORTING FACTS. The tax increment financing plan conforms to the general plan of the City of North Mankato for the following reasons:

A. The TIF Plan area is designated M-2 Heavy Industrial in the zoning ordinance. TIF Plan activities and subsequent development are intended to encourage and result in industrial development for this area.

B. The general plan for the community supports the creation of additional job opportunities within the municipality, particularly increased opportunities for moderate income residents, the unemployed and under-employed.

4. FINDING. That the tax increment financing plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the development or redevelopment of the Project by private enterprise.

SUPPORTING FACTS. The City Council and the Port Authority, in approving and subsequently modifying

Industrial Development District No. 1, have prepared a blueprint for development and job creation. The Industrial Development District plan encourages cooperation with private enterprise. Industrial Development District plan information along with other City plans, policies and ordinances was used to prepare this TIF Plan. Based upon the objective of cooperation and guidance from approved plans, policies and ordinances, the Port Authority and City Council have determined Project costs, which will be paid for by tax increment revenues. As the Financial Plan contained on pages 5 through 10 of this TIF Plan indicates, the Port Authority and City Council intend to concentrate the use of tax increment revenue on those improvements, which would not reasonably be expected to occur solely through private action. Private enterprise will be responsible for the vast majority of the expenses and activities normally associated with land development.

TAX INCREMENT FINANCING DISTRICT DEVELOPMENT ACTIVITIES

Development activities to be financed in whole or in part because of the implementation of this TIF Plan include:

1. The Port Authority will use tax increments, generated by development in the TIF District, to reimburse D&K Powder Coating LLC for all or a portion of the land acquisition. The reimbursement of tax increment will occur via an amendment of the contract for private development between the City and D&K Powder Coating LLC.

2. D&K Powder Coating LLC will commence construction of the facilities expansion, in the TIF District, in 2017-2018.

The above activities and improvements are within the boundaries of Tax Increment Financing District IDD No. 1-23. For the purposes of budgeting in this TIF Plan, the facilities expansion will occur in 2017-2018.

The above activities are, at the time of preparation of this TIF Plan, the only activities proposed for the Development District because of the modification of the TIF District. The City and D&K Powder Coating LLC will modify their contract for private development to permit an increase in bonded indebtedness resulting from additional costs incurred with the facilities expansion.

METHOD OF FINANCE

The City Council elects to use Tax Increment Financing pursuant to Minnesota Statutes, Chapter 469, to finance all or part of the costs of the Project. By electing this method of financing, the City Council is not precluding the use of other methods provided by State law.

FINANCIAL PLAN

ESTIMATE OF PUBLIC COST

The following is an estimate of public cost, including cost of District indebtedness, source of revenue, most recent tax capacity and estimate of captured tax capacity.

1. Estimated Tax Increment Revenues. The Port Authority/City may use tax increment bonds, revenue notes, tax increment reserves or other financing mechanisms to fund the above activities. The Port Authority/City reserve the right to finalize the funding strategy later based on factors such as construction timing requirements, economic conditions, the status of interest rates and the availability of tax increment. Based upon current information it is planned that tax increment in the following amount will become available to repay the Total Uses of Funds:

	September 15, 2014 TIF Plan Budget	New Estimates
A. Tax increment	\$406,160	\$516,069
TOTAL SOURCE OF FUNDS	\$406,160	\$516,069

2. Estimated Project/Financing Costs. Activities within the Project area will consist of land acquisition and administration. The estimated cost for undertaking these activities is:

	September 15, 2014 TIF Plan Budget	New Estimates
A. Land Acquisition	\$385,852	\$490,265
C. Administration	20,308	25,803
TOTAL USES OF FUNDS	\$406,160	\$516,069

The above estimated uses and sources of funds are subject to fluctuation and changes within line items as various elements of the project are clarified. The Port Authority/City reserves the right to adjust the line items within the parameters of the total uses and sources of funds. In addition, the amount of tax increments may vary due to changes in property valuations, interest earnings, etc. which may result in a lesser source of funds.

FINANCING ASSUMPTIONS

Tax increment will finance activities in the TIF District and Project area. The following information and assumptions were used to calculate financing costs for the activities in the TIF District and Project area:

1. Table 1 provides an estimate of the increment that would be generated because of the plant expansion. This increment when combined with the increment currently being generated in the TIF District is available to reimburse D&K for land acquisition in an amount up to \$490,265.

2. The D&K plant expansion is anticipated to occur in 2017-2018, with completion on or before December 31, 2018. The estimated budget included in this TIF Plan amendment assumes 2017 completion of the plant expansion. Under this assumption, additional increment would be available beginning in 2019.

3. D&K believes it will obtain approval of financing for the plant expansion in 2017.

4. The tax increment estimate is based upon the 2014 local tax rate of 126.054%, which is the original local tax rate certified by Nicollet County for the TIF District.

TABLE 1: TAX INCREMENT CALCULATIONS								
Certified Local Tax Rate for TIF District = 126.054% (North Mankato, Payable 2014)								
Property Classification: Industrial								
D&K Facility Expansion Is Estimated to Be Complete before December 31, 2017								
Estimated Completion Market Value Following Completion of Facility Expansion: \$2,848,400								
YEAR TAXES PAYABLE	BASE TAX CAPACITY	PROJECT'S TAX CAPACITY	CAPTURED TAX CAPACITY	PROJECT'S ANNUAL TIF	LESS OSA FEE OF 0.360%	ADJUSTED TAX INCREMENT	LESS ADMIN. OF 5.00%	NET ANNUAL TIF
2015	32,672	0	0	0	0	0	0	
2016	32,672	0	0	0	0	0	0	0
2017	32,672	0	0	0	0	0	0	0
2018	32,672	0	0	0	0	0	0	0
2019	32,672	56,218	23,546	29,681	107	29,574	1,479	28,095
2020	32,672	56,218	23,546	29,681	107	29,574	1,479	28,095
2021	32,672	56,218	23,546	29,681	107	29,574	1,479	28,095
2022	32,672	56,218	23,546	29,681	107	29,574	1,479	28,095
2023	32,672	56,218	23,546	29,681	107	29,574	1,479	28,095
2024	32,672	56,218	23,546	29,681	107	29,574	1,479	28,095
2025	32,672	56,218	23,546	29,681	107	29,574	1,479	28,095
TOTALS				\$207,765	\$748	\$207,017	\$10,351	\$196,666
Present Value of Net Annual TIF Discounted at 5.0% equals								\$138,160

5. Annual tax increments, as shown in Table 1, in 2019 through 2025 generated because of modification of the TIF District will be the source of funds used to finance the Project area activities. Pursuant to Minnesota Statutes, section 469.176, subdivision 1b.(3), the Port Authority is basing the TIF District duration on the requirements for statutory decertification of a tax increment financing district, which permits increment to be paid to the City for eight years after receipt of the first increment for an economic development district. Actual receipt of the TIF District's first increment was in 2017, which allows the TIF District to continue through 2025.

6. Increment revenues will be used to finance or otherwise pay the cost of redevelopment pursuant to Minnesota Statutes, Sections 469.048 to 469.068. All tax increment generated by the formation of the TIF District will be used to finance the activities of the TIF Plan.

7. The Port Authority may use internal funds or bond proceeds in addition to annual tax increments to service Project costs. "Project costs" means all expenditures of the Port Authority or reimbursement of eligible developer costs for the purchase of land or amounts paid to contractors or others providing materials and services, including architectural and engineering services, directly connected with the physical development of the real property in the TIF District, including interest thereon. Project costs also include all administrative expenses as defined in Minnesota Statutes, section 469.174, Subdivision 14. Based upon projected tax increment revenue from the TIF District, the Port Authority would be able to finance Project costs of approximately \$516,069 including administrative expenses. This amount is adequate to fund the costs within as identified in the amended budget. The City received its first increment in 2017. The City expects increment receipts to continue through 2025 unless it chooses to discontinue/decertify the TIF District at an earlier date.

Based upon the assumptions in this TIF Plan the duration of the TIF District would be December 31, 2025.

SOURCES OF REVENUE

The proposed source of revenue of \$516,069 of increment receipts from the TIF District will finance public costs associated with the Project Area and District. The tax increment revenues will be generated because of the taxation of the land and improvements in the TIF District. Tax increment financing refers to a funding technique that uses increases in net tax capacity and the property taxes attributed to new development to finance, or assist in the financing of public development costs.

The tax increments generated in the TIF District are from the D&K Powder Coating LLC project. The City may issue tax increment bonds or use the annual receipt of tax increment to reimburse itself or the developer for eligible Project costs.

BONDED INDEBTEDNESS

Upon approval of this TIF Plan, the City will amend the contract for private development with D&K Powder Coating LLC, which provides pay-as-you-go tax increment financing assistance to finance the eligible costs of this TIF District, from \$385,852 to \$490,265.

TIF BUSINESS SUBSIDY

Pursuant to Minnesota Statutes 116J.993, subdivision 3 the financial assistance offered pursuant to this TIF Plan must comply with the provisions of the Business Subsidy law. In order to satisfy the provisions of the Minnesota Statutes 116J.993 to 116J.985 (The Business Subsidies Act) D&K Powder Coating LLC's business subsidy shall not exceed \$490,265, which is the amount of the public and private costs that the City anticipates to finance by issuance of bonds to be repaid by tax increments. The business subsidy is needed because project construction is not sufficiently feasible for D&K Powder Coating LLC to undertake without the business subsidy. The TIF District is an economic development tax increment financing district and the public purpose of the business subsidy is to develop property in order to maintain the tax base of the City. The City has determined that the purpose of the business subsidy (tax increment assistance) to be in aid of D&K Powder Coating LLC's plans to develop property that increases the tax base of the City.

IMPACT OF THE USE OF TAX INCREMENT ON TAXING JURISDICTIONS

Minnesota Statutes, section 469.175, subdivision 1(6), requires, "statements of the authority's alternate estimates of the impact of tax increment financing on the net tax capacities of all taxing jurisdictions in which the tax increment financing district is located in whole or in part. For purposes of one statement, the authority shall assume that the estimated captured net tax capacity would be available to the taxing jurisdictions without creation of the district, and for purposes of the second statement, the authority shall assume that none of the estimated captured net tax capacity would be available to the taxing jurisdictions without creation of the district or subdistrict".

Table 2, on page 9 shows the impact of TIF Plan amendment on the tax capacity of the affected taxing

jurisdictions assuming (1) none of the increment would be available, and (2) the increment would be available to the tax jurisdictions.

TABLE 2
NORTH MANKATO, MINNESOTA
TAX INCREMENT FINANCING DISTRICT IDD NO. 1-23

	WITHOUT PROJECT		
	Estimated	Estimated	TIF District
	2017	Ad Valorem	Certified
	Tax	Taxes	Tax
	Capacity	Generated	Rate
City	11,255,834	\$6,141,858	54.5660%
County	37,895,643	\$19,717,482	52.0310%
School District	11,306,460	\$2,139,634	18.9240%
HRA	37,895,643	\$71,244	0.1880%
RDC 9	37,895,643	\$133,393	0.3520%
TOTALS			126.061%

	WITH PROJECT							
	Estimated	Projected		Estimated	Adjusted		Projected	
	2017	Captured	Projected	Ad Valorem	Local	Tax	Captured	Projected
	Tax	Tax	Tax	Taxes	Tax	Rate	Tax	Increment
	Capacity	Capacity	Capacity	Generated	Rate	Impact	Capacity	Income
City	11,255,834	23,546	11,279,380	\$6,141,858	54.452%	0.114%	23,546	\$12,848
County	37,895,643	23,546	37,919,189	\$19,717,482	51.999%	0.032%	23,546	\$12,251
School District	11,306,460	23,546	11,330,006	\$2,139,634	18.885%	0.039%	23,546	\$4,456
HRA	37,895,643	23,546	37,919,189	\$71,244	0.188%	0.000%	23,546	\$44
RDC 9	37,895,643	23,546	37,919,189	\$133,393	0.352%	0.000%	23,546	\$83
TOTALS					125.875%	0.186%		\$29,682

Statement 1: The current tax capacity times the local tax rate produces current taxes generated. If the captured tax capacity were available to each taxing jurisdiction, the result would be a lower or adjusted local tax rate to produce the same amount of taxes. Thus, with the addition of captured value of 23,546 the overall local tax rate would be reduced by .186% to a level of 125. 875%. The captured tax capacity times the original local tax rate of 126.061% would generate \$29,682 in increment income, which represents the loss of new tax revenues if the development had occurred without inclusion in a tax increment district.

Statement 2: If no captured tax capacity is available to each of the taxing jurisdictions without creation of the TIF District, there is no impact on the taxes heretofore levied and therefore no impact on local tax rates. The captured tax capacity at the original local tax rate would generate \$29,682 in increment income annually.

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #13B	Department: Public Works	Council Meeting Date: 8/21/17																												
TITLE OF ISSUE: Consider Resolution Approving the North Mankato Wellhead Protection Plan.																														
BACKGROUND AND SUPPLEMENTAL INFORMATION: The Public Hearing conducted earlier in the evening was to provide comment concerning the wellhead protection plan. The next step is for Council to approve the Wellhead Protection plan and submit it to the State for approval.																														
<i>If additional space is required, attach a separate sheet</i>																														
REQUESTED COUNCIL ACTION:																														
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	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </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 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> Other (specify) _____ _____ _____ _____		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.

RESOLUTION APPROVING THE NORTH MANKATO
WELLHEAD PROTECTION PLAN

WHEREAS, the City of North Mankato recognizes the importance of its groundwater supply as a natural resource used for drinking; and

WHEREAS, it is within the responsibility of the City of North Mankato, as a public water supplier, to consider the health, safety and welfare of its customers; and

WHEREAS, the protection of current and potential future sources of groundwater used for drinking water is worthwhile from the standpoint of resource protections; and

WHEREAS, the City Council has been presented and has reviewed a plan from the City of North Mankato wellhead protection team which details the locations of the potential contaminant sources within the wellhead protection area, identifies goals, objectives, and action measures to address potential risks to groundwater quality, a plan to evaluate WHP plan implementation efforts by the City of North Mankato in the event of a water system disruption.

NOW, THEREFORE, BE IT RESOLVED that the City of North Mankato does hereby agree to take action to: protect well or wellfield recharge area which has been determined to be in compliance with the State of Minnesota Wellhead Protection Program; and

BE IT ALSO RESOLVED that the City of North Mankato does hereby agree that the Wellhead Protection Plan developed for the aforementioned Wellhead Protection Area, Drinking Water Supply Management Area for the City of North Mankato wells and water supply aquifer is correct and accurate according to the best available information and will be submitted to the governing authority Minnesota Department of Health for review and approval; and

BE IT FURTHER RESOLVED that the City of North Mankato does hereby agree to continue the wellhead protection planning process by implementing the plan which focuses resources on reaching the goals, objectives, and management for the contaminants of concern in addition to maintaining an effective Plan Evaluation Program and Emergency/Contingency Plan.

Adopted this 21st day of August 2017.

Mayor

ATTEST:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #13C	Department: Administration	Council Meeting Date: 8/21/17																												
TITLE OF ISSUE: Consider Resolution on the Proposal to Modify Industrial Development District No. 1 and Setting Public Hearing.																														
BACKGROUND AND SUPPLEMENTAL INFORMATION: Ed Tschida of Advance Resources for Development, Inc. will present information on the modification.																														
<i>If additional space is required, attach a separate sheet</i>																														
REQUESTED COUNCIL ACTION: Adopt Resolution on the Proposal to Modify Industrial Development District No. 1 and Setting Public Hearing.																														
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	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </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 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> Other (specify) <u>Public Hearing Notice</u> _____ _____ _____		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 ON THE PROPOSAL TO
MODIFY INDUSTRIAL DEVELOPMENT DISTRICT NO. 1
AND SETTING PUBLIC HEARING**

WHEREAS, a proposal to modify an industrial development district project area under the provisions of Minnesota Statutes, Chapter 469 (the "Act") has been received by the City Council; and

WHEREAS, the Act requires that prior to modification of an industrial development district, the City Council shall provide a public hearing of said proposed modification.

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

Section 1. Public Hearing. This Council shall meet on Monday, September 18, 2017, after 7:00 p.m., to hold a public hearing on the following matter: The proposed modification of Industrial Development District No. 1 and adoption of a development district plan relating thereto pursuant to and in accordance with the Act.

Section 2. Notice of Hearing; Filing of Plan. The City Clerk is hereby authorized to cause a notice of the hearing, substantially in the form attached hereto, to be published as required by the Act and to place a copy of the proposed Industrial Development District Plan and Tax Increment Financing Plan on file in the City Clerk's office at City Hall and to make such documents available for inspection by the public.

Adopted by the City Council this 21st day of August 2017, with the following vote:

Yes _____;

No _____;

Absent _____.

Approved and signed this _____ day of _____ 2017.

ATTEST:

John Harrenstein, City Administrator

Mark D. Dehen, Mayor

NOTICE OF PUBLIC HEARING

**CITY OF NORTH MANKATO
COUNTY OF NICOLLET
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of North Mankato, Minnesota, will hold a public hearing on Monday, September 18, 2017, at a meeting of the Council beginning at approximately 7:00 p.m. at the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, relating to the proposal of the North Mankato Port Authority Commission to modify Industrial Development District No. 1 and adopt a development district plan relating thereto.

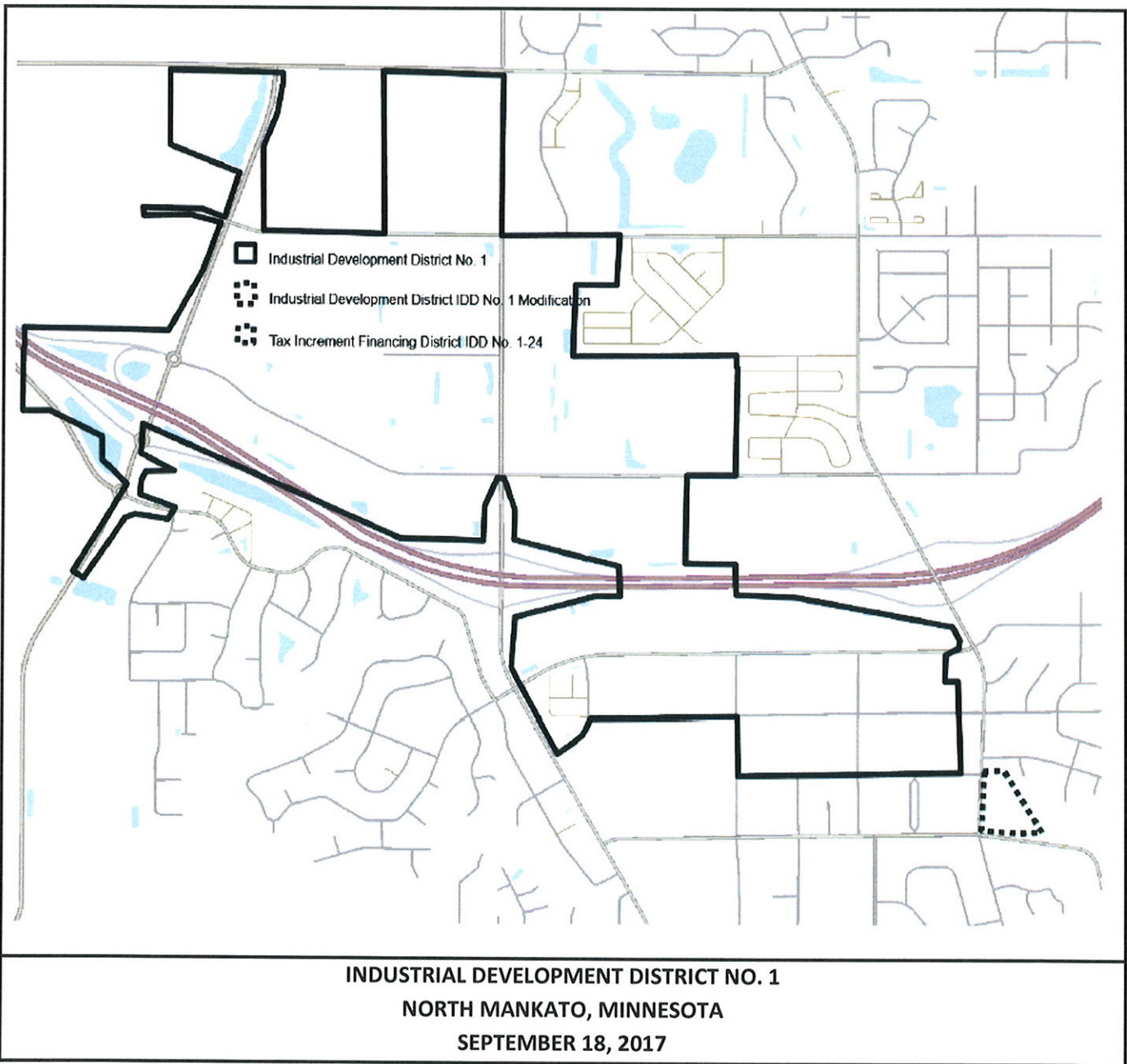
A map showing the proposed boundaries of Industrial Development District No. 1 is attached. A copy of the documentation proposed to be considered at the hearing will be on file and available for public inspection at the office of the City Clerk at the Municipal Building.

All interested persons may appear at the public hearing and present their views orally or in writing.

Dated: This 8th day of September 2017.

BY ORDER OF THE NORTH MANKATO CITY COUNCIL

/s/April Van Genderen
April Van Genderen, CMC
City Clerk
City of North Mankato



CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #13D	Department: Administration	Council Meeting Date: 8/21/17																												
TITLE OF ISSUE: Consider Resolution on the Proposal to Establish Tax Increment Financing District IDD No. 1-24 and Calling for Consultation with other Affected Jurisdictions and Public Hearing.																														
BACKGROUND AND SUPPLEMENTAL INFORMATION: Set Public Hearing for September 18, 2017.																														
<i>If additional space is required, attach a separate sheet</i>																														
REQUESTED COUNCIL ACTION: Adopt Resolution on the Proposal to Establish Tax Increment Financing District IDD No. 1-24 and Calling for Consultation with other Affected Jurisdictions and Public Hearing.																														
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	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </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 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> Other (specify) <u>Public Hearing Notice</u> _____ _____ _____ _____		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 ON THE PROPOSAL TO ESTABLISH
TAX INCREMENT FINANCING DISTRICT IDD NO. 1-24
AND CALLING FOR CONSULTATION WITH
OTHER AFFECTED JURISDICTIONS AND PUBLIC HEARING**

WHEREAS, a proposal to establish a tax increment financing district under the provisions of Minnesota Statutes, Chapter 469 (the "Act") has been received by the City Council of the City of North Mankato (the "Council"); and

WHEREAS, the Act requires that prior to establishment of a tax increment financing district, the Council shall provide a reasonable opportunity to members of the Nicollet County Board of Commissioners and the School Board of Independent School District No. 77 to meet with the Council and that the Council shall fully inform the member of the county board and school board of the fiscal and economic implications of the proposed project and tax increment financing district; and

WHEREAS, the Act further requires that prior to the establishment of a tax increment financing district and adoption of a tax increment financing plan a public hearing shall be held thereon:

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

Section 1. Public Hearing. This Council shall meet on Monday, September 18, 2017, after 7:00 p.m., to hold a public hearing on the proposed establishment of Tax Increment Financing District IDD No. 1-24 and adoption of a tax increment financing plan relating thereto, all pursuant to and in accordance with the Act.

Section 2. Notice of Hearing; Filing of Plan. The City Clerk is hereby authorized to cause a notice of the hearing, substantially in the form attached hereto, to be published as required by the Act and to place a copy of the proposed Tax Increment Financing Plan on file in the City Clerk's office at City Hall and to make such documents available for inspection by the public.

Adopted by the City Council this 21st day of August 2017, with the following vote:

Yes _____;
No _____;
Absent _____.

Approved and signed this _____ day of _____ 2017.

ATTEST:

John Harrenstein, City Administrator

Mark D. Dehen, Mayor

NOTICE OF PUBLIC HEARING

**CITY OF NORTH MANKATO
COUNTY OF NICOLLET
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, September 18, 2017, at a meeting of the Council beginning at approximately 7:00 p.m. at the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, relating to the proposal of the North Mankato Port Authority Commission to establish Tax Increment Financing District IDD No. 1-24, within Industrial Development District No. 1, and adopt a tax increment financing plan relating thereto, all pursuant to Minnesota Statutes, Chapter 469.

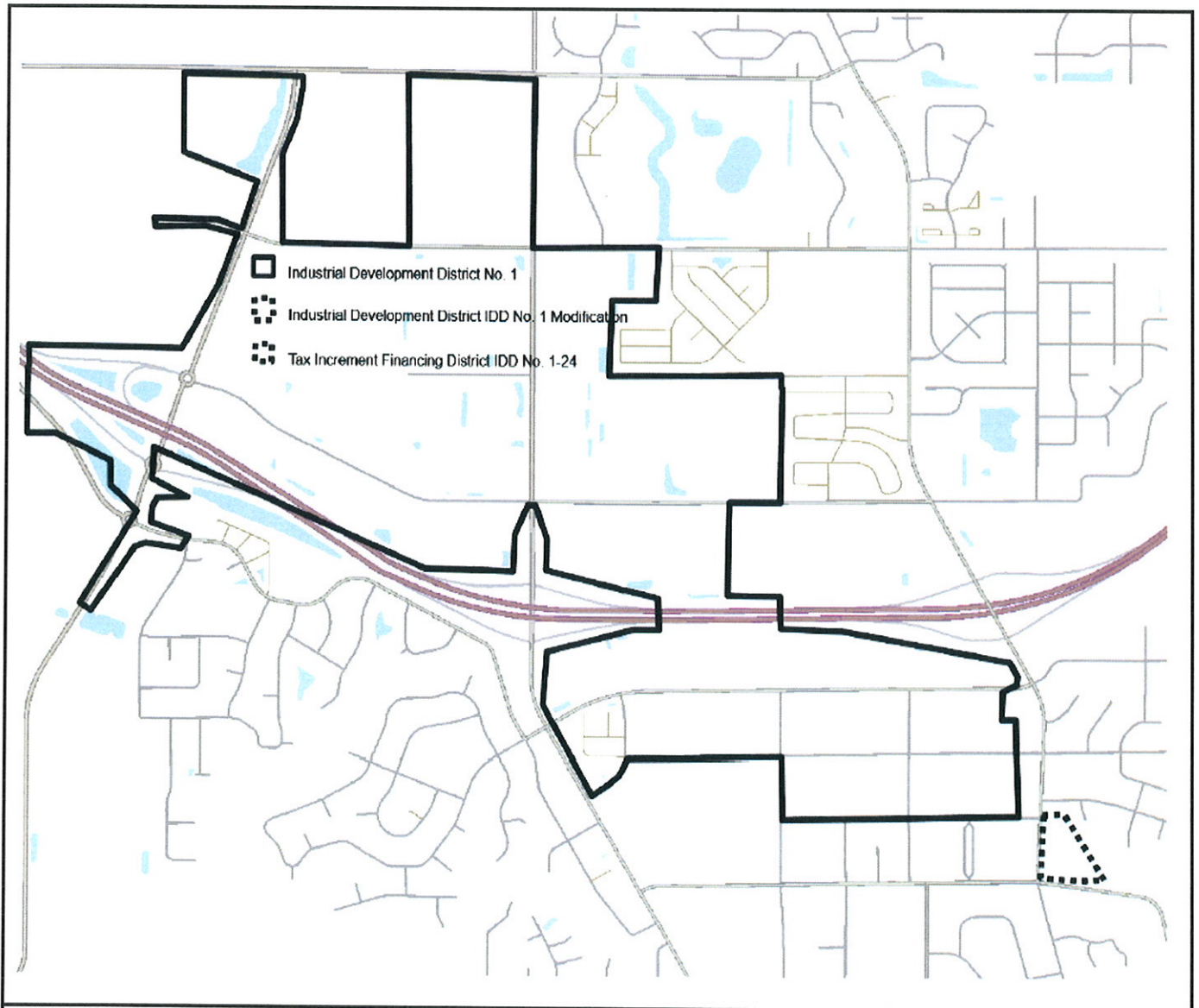
A map showing the boundaries of Industrial Development District No. 1 and Tax Increment Financing District IDD No. 1-24 is attached. A copy of the documentation proposed to be considered at the hearing will be on file and available for public inspection at the office of the City Administrator at the Municipal Building.

All interested persons may appear at the public hearing and present their views orally or in writing.

Dated: This 8th day of September 2017.

BY ORDER OF THE NORTH MANKATO CITY COUNCIL

/s/April Van Genderen
April Van Genderen
Secretary
North Mankato Port Authority Commission



INDUSTRIAL DEVELOPMENT DISTRICT NO. 1
AND
TAX INCREMENT FINANCING DISTRICT IDD NO. 1-24
NORTH MANKATO MINNESOTA
SEPTEMBER 18, 2017

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #13E	Department: Administration	Council Meeting Date: 8/21/17																												
TITLE OF ISSUE: Consider Resolution on the Proposal to Modify Industrial Development District No. 1, Establish Tax Increment Financing District IDD No. 1-25 and Calling for Consultation with Other Affected Jurisdictions and Public Hearing.																														
BACKGROUND AND SUPPLEMENTAL INFORMATION: Set Public Hearing for September 18, 2017.																														
<i>If additional space is required, attach a separate sheet</i>																														
REQUESTED COUNCIL ACTION: Adopt Resolution on the Proposal to Establish Tax Increment Financing District IDD No. 1-25 and Calling for Consultation with other Affected Jurisdictions and Public Hearing.																														
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	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </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 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> Other (specify) <u>Public Hearing Notice</u> _____ _____ _____		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 ON THE PROPOSAL TO
MODIFY INDUSTRIAL DEVELOPMENT DISTRICT NO. 1,
ESTABLISH TAX INCREMENT FINANCING DISTRICT IDD NO. 1-25
AND CALLING FOR CONSULTATION WITH
OTHER AFFECTED JURISDICTIONS AND PUBLIC HEARING**

WHEREAS, a proposal to modify an industrial development district and establish a tax increment financing district under the provisions of Minnesota Statutes, Chapter 469 (the "Act") has been received by the City Council of the City of North Mankato (the "Council"); and

WHEREAS, the Act requires that prior to modifying an industrial development district and establishing a tax increment financing district, the Council shall provide a reasonable opportunity to members of the Nicollet County Board of Commissioners and the School Board of Independent School District No. 77 to meet with the Council and that the Council shall fully inform the county board and school board of the industrial development district modification and fiscal and economic implications of the proposed project and tax increment financing district; and

WHEREAS, the Act further requires that prior to modifying an industrial development district and establishing a tax increment financing district and adoption of a development district plan and tax increment financing plan a public hearing shall be held thereon:

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

Section 1. Public Hearing. This Council shall meet on Monday, September 18, 2017, after 7:00 p.m., to hold a public hearing on the proposed modification of Industrial Development District No. 1 and establishment of Tax Increment Financing District IDD No. 1-25 and adoption of a development district plan and tax increment financing plan relating thereto, all pursuant to and in accordance with the Act.

Section 2. Notice of Hearing; Filing of Plan. The City Clerk is hereby authorized to cause a notice of the hearing, substantially in the form attached hereto, to be published as required by the Act and to place a copy of the proposed Development District Plan and Tax Increment Financing Plan on file in the City Administrator's office at City Hall and to make such documents available for inspection by the public.

Adopted by the City Council this 21st day of August 2017, with the following vote:

Yes _____;

No _____;

Absent _____.

Approved and signed this _____ day of _____ 2017.

ATTEST:

John Harrenstein, City Administrator

Mark D. Dehen, Mayor

NOTICE OF PUBLIC HEARING

**CITY OF NORTH MANKATO
COUNTY OF NICOLLET
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, September 18, 2017, at a meeting of the Council beginning at approximately 7:00 p.m. at the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, relating to the proposal of the North Mankato Port Authority Commission to modify Industrial Development District No. 1 and establish Tax Increment Financing District IDD No. 1-25, within Industrial Development District No. 1, and adopt a development district plan and tax increment financing plan relating thereto, all pursuant to Minnesota Statutes, Chapter 469.

A map showing the boundaries of Industrial Development District No. 1 and Tax Increment Financing District IDD No. 1-25 is attached. A copy of the documentation proposed to be considered at the hearing will be on file and available for public inspection at the office of the City Administrator at the Municipal Building.

Any person with residence in the City of North Mankato, or the owner of taxable property in the City, may file a written complaint with the City if the City fails to comply with M.S. § 116J.993 to 116J.995 (the Business Subsidy Act). No action may be filed against the City for the failure to comply unless a written complaint is filed. All interested persons may appear at the public hearing and present their views orally or in writing.

Dated: This 8th day of September 2017.

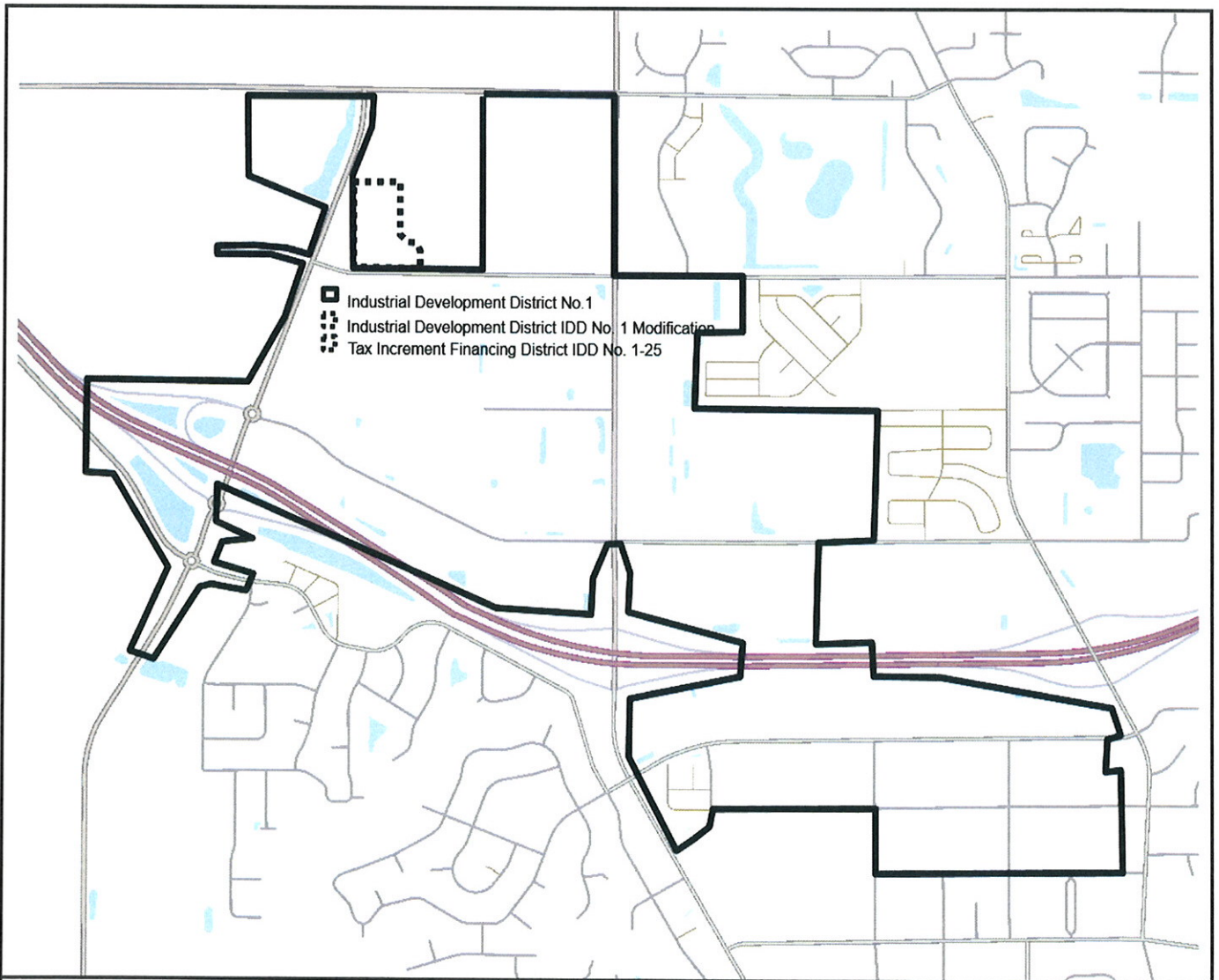
BY ORDER OF THE NORTH MANKATO CITY COUNCIL

/s/April Van Genderen

April Van Genderen

Secretary

North Mankato Port Authority Commission



INDUSTRIAL DEVELOPMENT DISTRICT NO. 1
AND
TAX INCREMENT FINANCING DISTRICT IDD NO. 1-25
NORTH MANKATO MINNESOTA
SEPTEMBER 18, 2017

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #13F	Department: Community Dev.	Council Meeting Date: 8/21/17																												
TITLE OF ISSUE: Consider Approving the Landing North Phase 2 Preliminary & Final Plat; a Request from KWS, LLC.																														
BACKGROUND AND SUPPLEMENTAL INFORMATION: Please review the memo.																														
<i>If additional space is required, attach a separate sheet</i>																														
REQUESTED COUNCIL ACTION: Approve the Landing North Phase 2 Preliminary & Final Plat; a Request from KWS, LLC.																														
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	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </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>Report</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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THE LANDING NORTH PHASE 2
PRELIMINARY & FINAL PLAT
A REQUEST FROM KWS, LLC

THE CITY OF NORTH MANKATO

SUBJECT: Preliminary and Final Plat of The Landing North
Phase 2
APPLICANT: KWS, LLC
LOCATION: Outlot B, The Landing North Phase 1
EXISTING ZONING: R-1, One-Family Dwelling
DATE OF HEARING: August 17, 2017
DATE OF REPORT: August 3, 2017
REPORTED BY: Mike Fischer, Community Development Director

APPLICATION SUBMITTED

Request to replat Outlot B, The Landing North Phase 1

COMMENT

In 2007, the applicants received final platting approval of The Landing North Phase 1 as shown on Exhibit A. This subdivision is now referred to as the Reserve. The preliminary plat shown on Exhibit B, shows the planned future phases of development. As the applicants are prepared to develop more lots in this area, attached as Exhibit C is the preliminary plat of The Landing North Phase 2. The final plat is shown on Exhibit D.

As proposed, the applicants intend to create twelve (12) single family residential lots within Outlot B of The Landing North Phase 1 including the construction of Prairie Court. According to the applicants, Prairie Court would only be extended from Lexington Lane to a point only to serve the first five (5) lots and would be extended in the future based on demand. As shown on Exhibit D, the subdivision consist of:

- Twelve (12) lots for single-family residential development
- Outlot A reserved for future development
- Outlot B as location for sidewalk leading to Reserve Park

As the property was previously zoned R-1, One-Family Dwelling, the following are the minimum lot size requirements as stated in the City Code:

Lot Width – 90 feet
Lot Depth – 100 feet
Lot Area – 9,000 sq. ft.

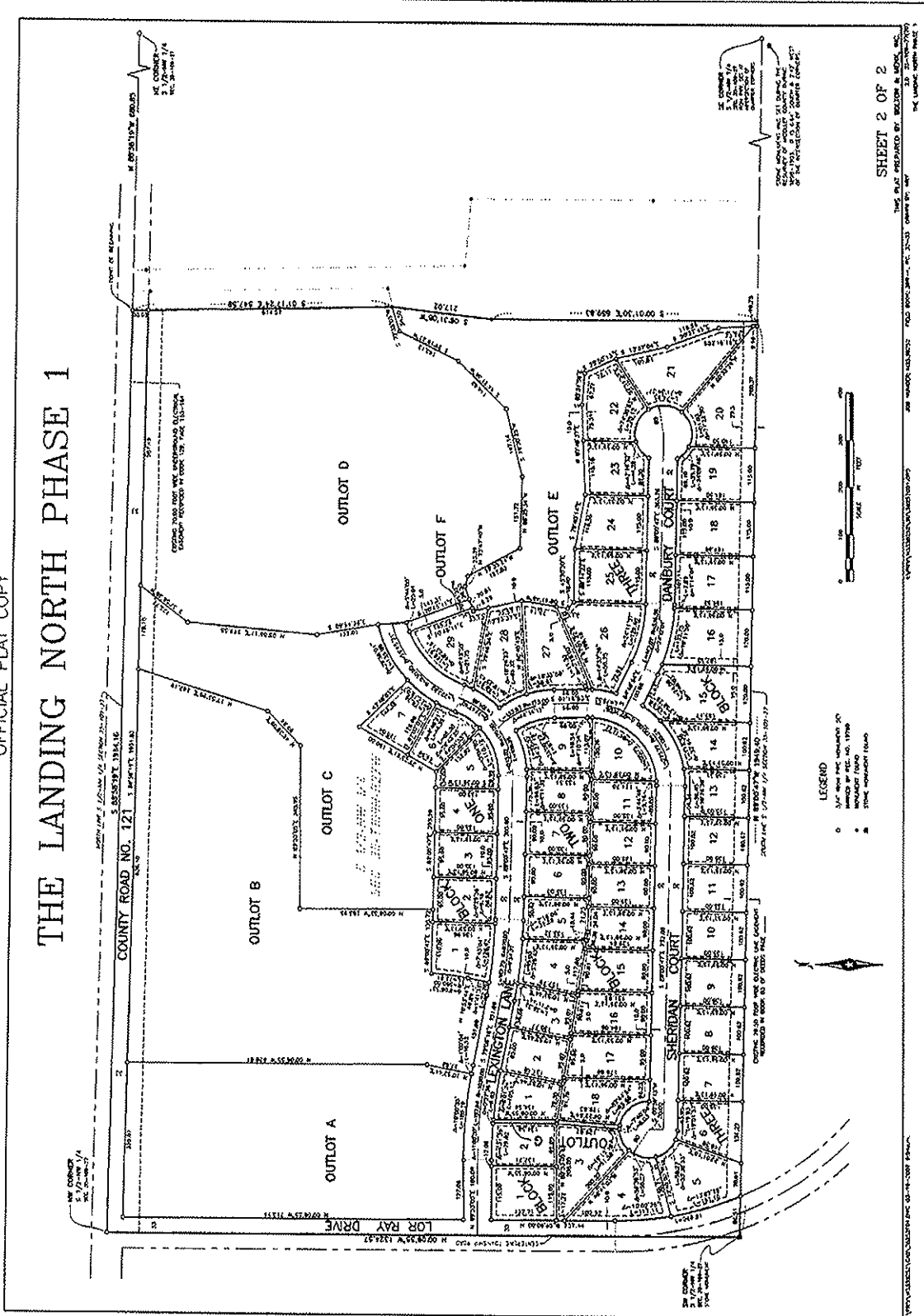
As proposed, all lots meet the minimum City Code lot size requirements.

RECOMMENDATION

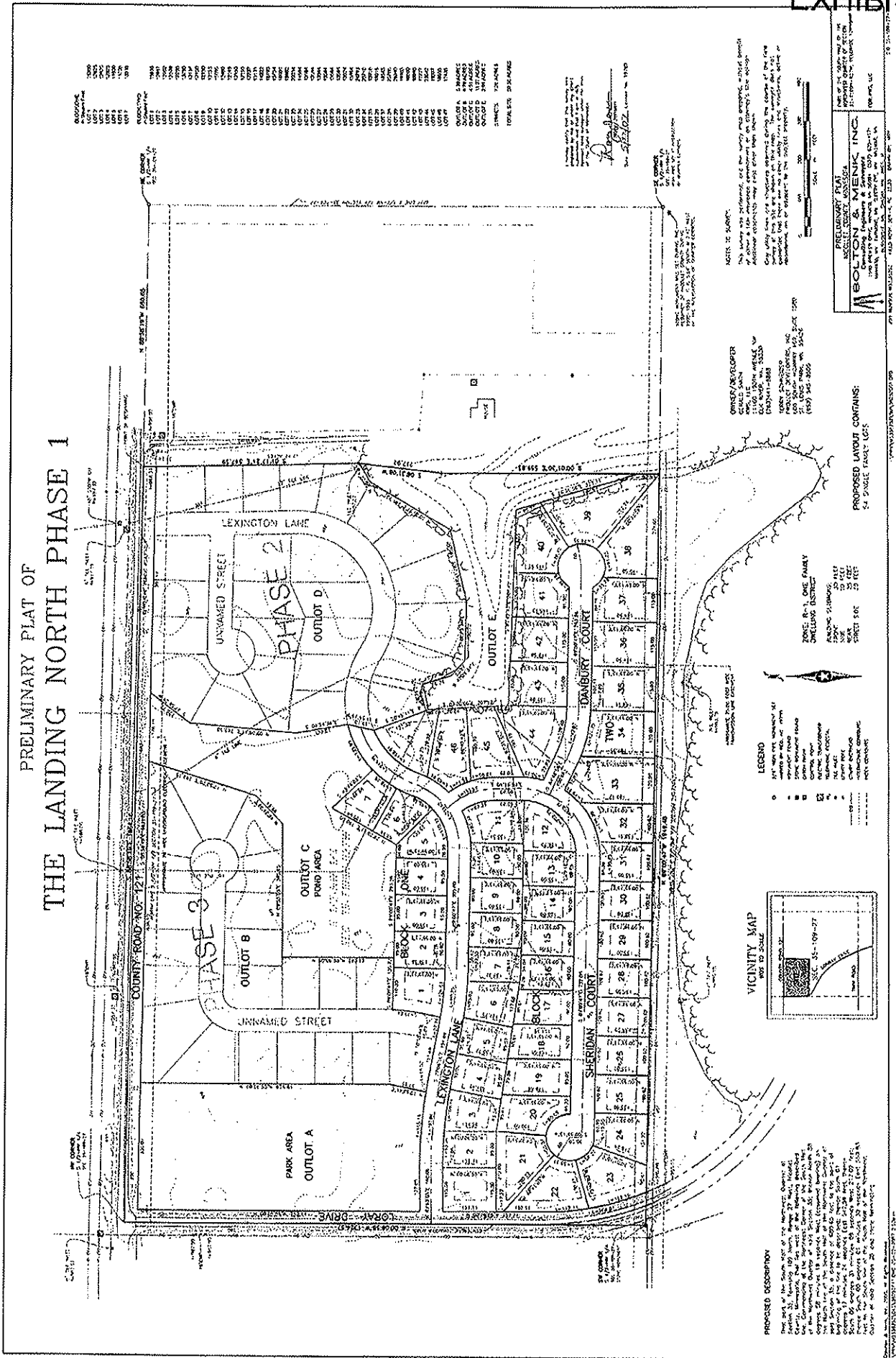
Staff recommends approval of the preliminary and final plat of The Landing Phase 2

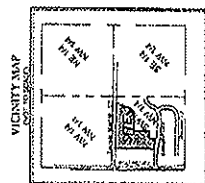
OFFICIAL PLAT COPY

THE LANDING NORTH PHASE 1



PRELIMINARY PLAT OF THE LANDING NORTH PHASE 1





KWS-LLC

**PRELIMINARY
PLAT**

FINAL PLAN FOR REVIEW THE LANDING NORTH PHASE 2

PROPOSED DEVELOPMENT
 The proposed development consists of 10 lots, 100,000 sq. ft. of building area, and 100,000 sq. ft. of parking area. The development is located on the north side of the existing parking lot, and is bounded by the existing parking lot to the south, the existing parking lot to the east, and the existing parking lot to the west. The development is located on the north side of the existing parking lot, and is bounded by the existing parking lot to the south, the existing parking lot to the east, and the existing parking lot to the west.

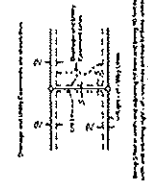
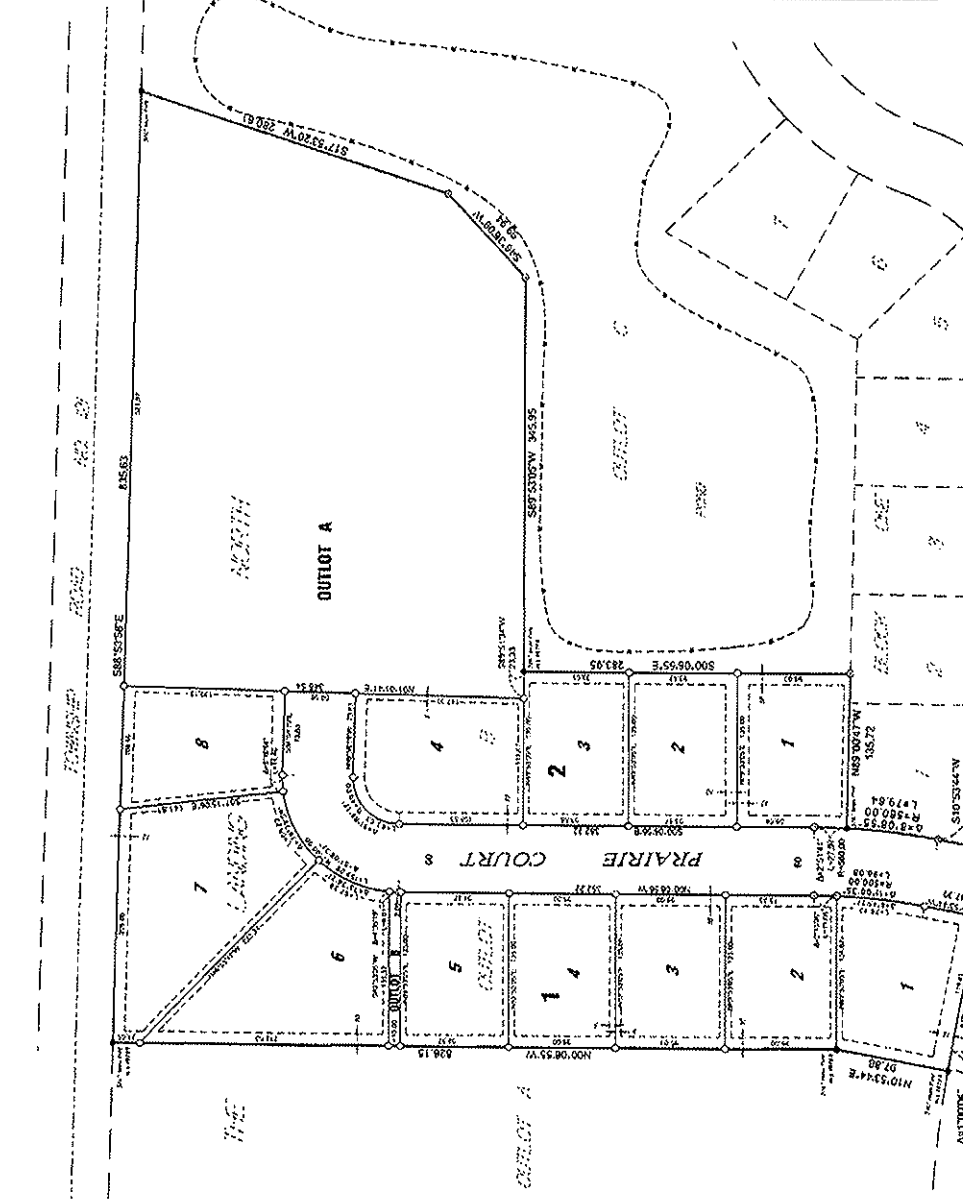
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CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #13G	Department: Community Dev.	Council Meeting Date: 8/21/17																											
TITLE OF ISSUE: Consider Approving Zoning Application Z-3-17 a Request to Zone Part of Section 35; a Request from Hiniker Homes. Consider Adopting Ordinance No. 95, Fourth Series, Zoning Part of Section 35 as R-1S.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: Please review the memo.																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Approve Zoning Application Z-3-17 and Adopt Ordinance No. 95, Fourth Series.																													
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	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </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 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>Report</u> _____ _____ _____ _____	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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<input type="checkbox"/>	Other: _____																												

ORDINANCE NO. 95, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE, CHAPTER 156, ENTITLED "ZONING CODE",
BY CHANGING THE ZONING DISTRICT MAP AND, BY ADOPTING BY REFERENCE NORTH
MANKATO CITY CODE, CHAPTER 10 AND SECTION 10.99 WHICH,
AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

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

Section 1. North Mankato City Code, Section 156.021, entitled "Zoning District Map," is hereby amended by zoning the property described below as R-1S:

1. Beginning at the northwest corner of Trail's West Estates, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 89 degrees 23 minutes 44 seconds East, (Minnesota County Coordinate System - Nicollet County Zone - HARN NAD83 - 1996), along the north line of said Trail's West Estates and along the north line of North Gate No. 2, according to the plat thereof on file and of record with the Nicollet County Recorder, a distance of 1309.05 feet; thence North 00 degrees 36 minutes 16 seconds East, 125.00 feet; thence North 20 degrees 16 minutes 33 seconds East, 63.72 feet; thence North 00 degrees 36 minutes 16 seconds East, 75.00 feet; thence North 89 degrees 23 minutes 44 seconds West, 1055.91 feet; thence North 54 degrees 24 minutes 23 seconds West, 72.12 feet; thence North 89 degrees 23 minutes 44 seconds West, 125.00 feet; thence North 00 degrees 36 minutes 16 seconds East, 430.00 feet; thence North 89 degrees 23 minutes 44 seconds West, 99.98 feet to the northeasterly corner of Outlot B, Parks Edge Addition, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 00 degrees 08 minutes 19 seconds East, along the easterly line of said Outlot B, a distance of 731.42 feet to the point of beginning.

A. Section 2. North Mankato City Code, Chapter 10, entitled "General Provisions" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. After adoption, signing and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 21st day of August 2017.

Mayor

ATTEST:

City Clerk

Z-3-17

REQUEST TO ZONE PART OF SECTION 35
A REQUEST FROM HINIKER HOMES

THE CITY OF NORTH MANKATO

SUBJECT: Z-3-17
APPLICANT: Hiniker Homes
LOCATION: Part of Section 35-109-27
EXISTING ZONING: AG
DATE OF HEARING: August 17, 2017
DATE OF REPORT: August 3, 2017
REPORTED BY: Mike Fischer, Community Development Director

APPLICATION SUBMITTED

Request to zone property which is being annexed into the City limits

COMMENT

The applicant is in the process of annexing 9 acres of land into the City limits for future residential development. The location of the property is shown on Exhibit A. To accommodate development, it is necessary to zone the property for its intended use. The applicant is proposing to develop the property for single-family residential purposes and is requesting a zoning classification of R-1S, One-Family Dwelling Small Lot. According to the City Code, the following are the minimum lot size requirements in the R-1S district.

Lot Width – 60 feet
Lot Depth – 100 feet
Lot Area – 6,000 sq. ft.

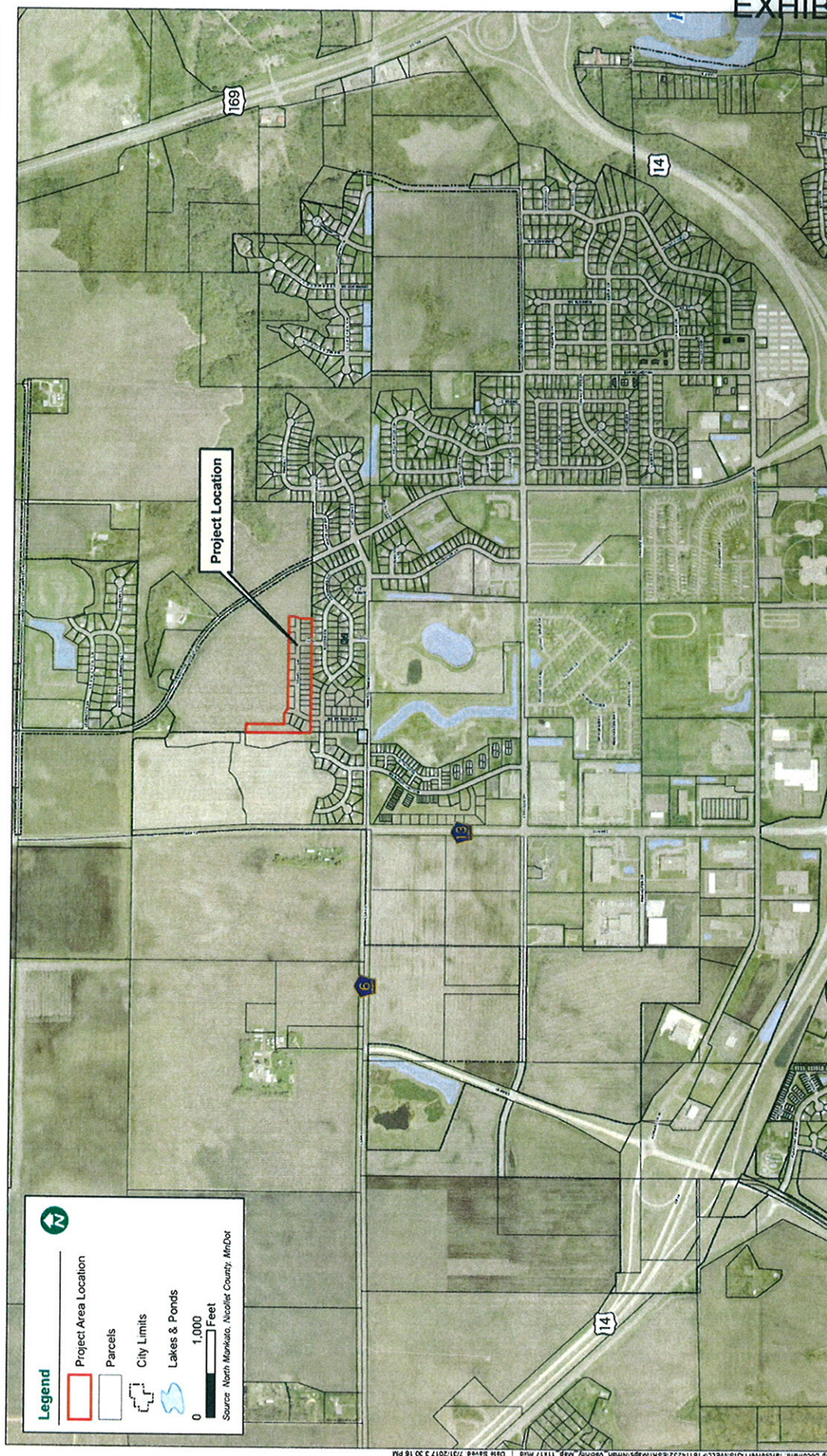
As shown Exhibit B, the Future Land Use Map in the Comprehensive Plan guides the applicants' property for future Low Density Small Lot Residential. This guided classification is consistent with R-1S zoning and consistent with existing area zoning. Exhibit C shows the location of the rezoning request and existing area zoning.

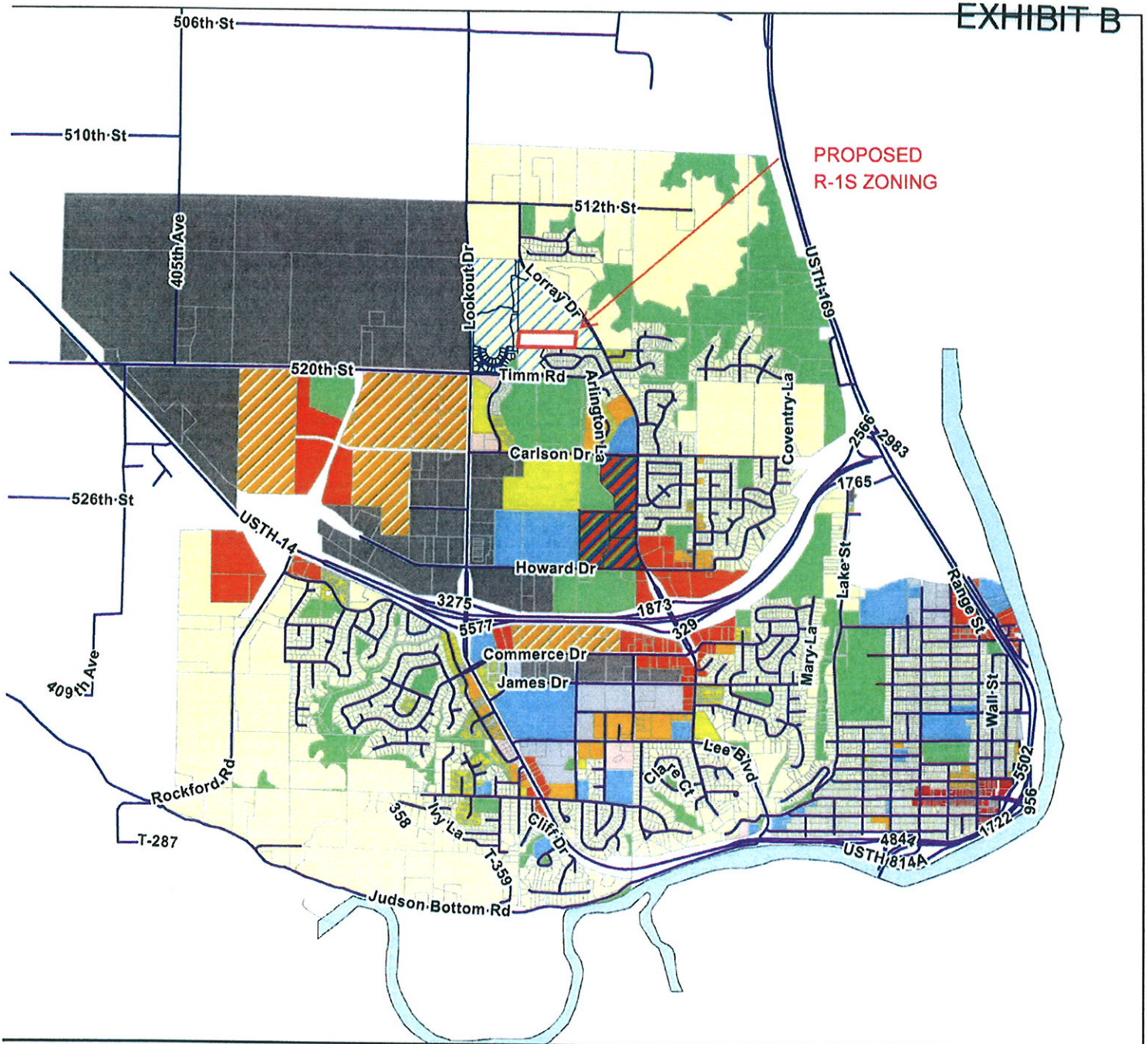
RECOMMENDATION

Staff recommends approval of Z-3-17 contingent upon successful annexation.

Figure 2
July 2017

Vacinity Map
City Of North Mankato





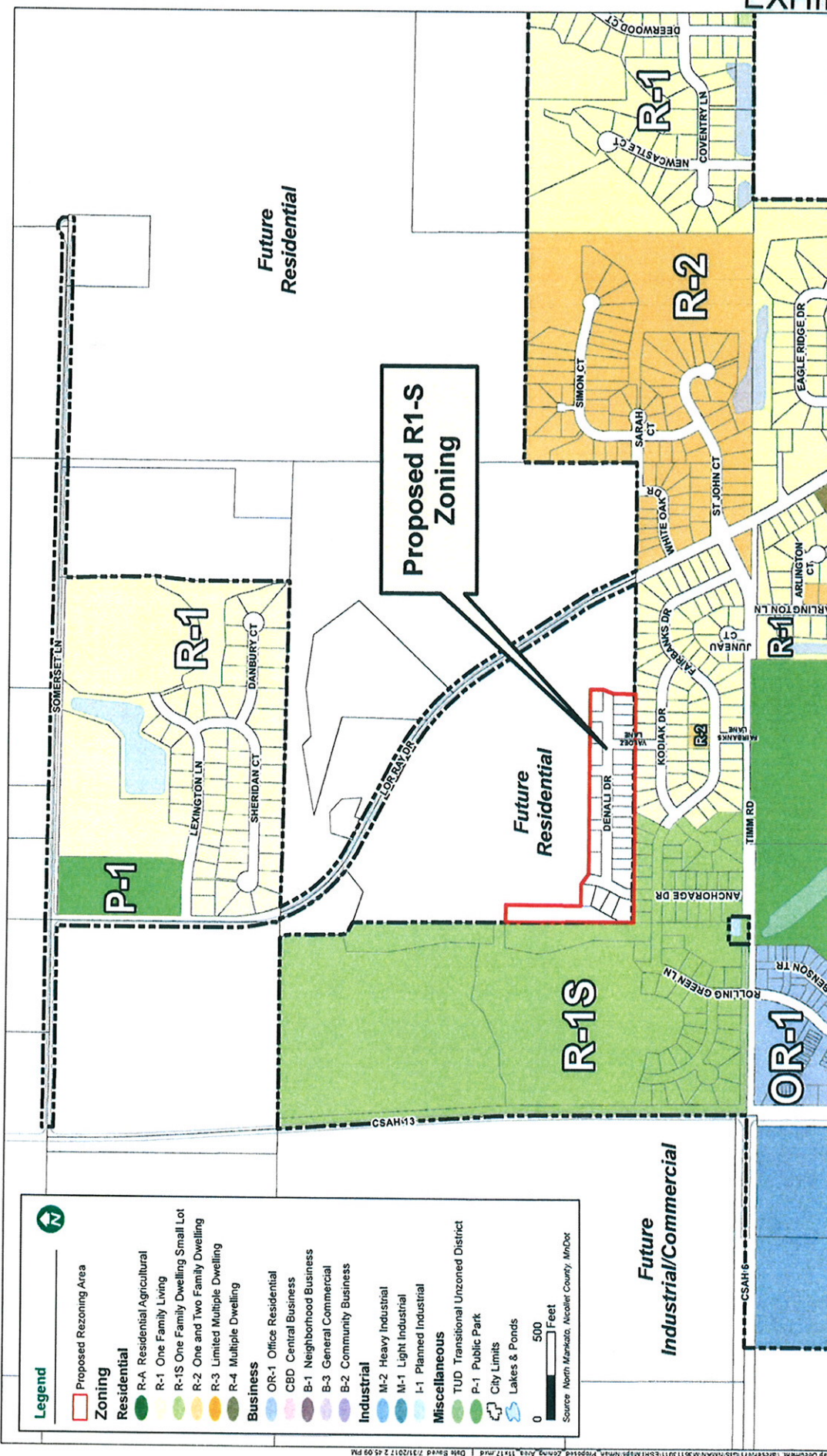
Future Land Use

	NorthMankato_DBO_MNRiver		High Density Residential
	Central Redevelopment District		Medium Density Residential
	Central Business District		Low Density Intermediate Residential
	General Commercial		Low Density Small Lot Residential
	Neighborhood Commercial		Institutional
	Commercial/Industrial Mixed Use		Open Space/Park
	Heavy Industrial		Right of way
	Light Industrial		



1 inch equals 3,229.17 feet







July 31, 2017

Dear Resident:

The City of North Mankato has received a request from Hiniker Homes to provide a zoning classification for vacant land near your property which is being annexed into the City limits for single-family residential development. The request is to zone the property as R-1S, One-Family Dwelling, Small Lot. Attached is a map showing the location of the zoning request.

This request will be considered by the Planning Commission on Thursday, August 17, 2017 and by the City Council on Monday, August 21, 2017. Both meetings begin at 7:00 p.m. in the Municipal Building Council Chambers located at 1001 Belgrade Avenue.

As a nearby property owner, you have the opportunity to comment on the zoning request. You may send written comments by August 17, 2017 or appear at either or both meetings.

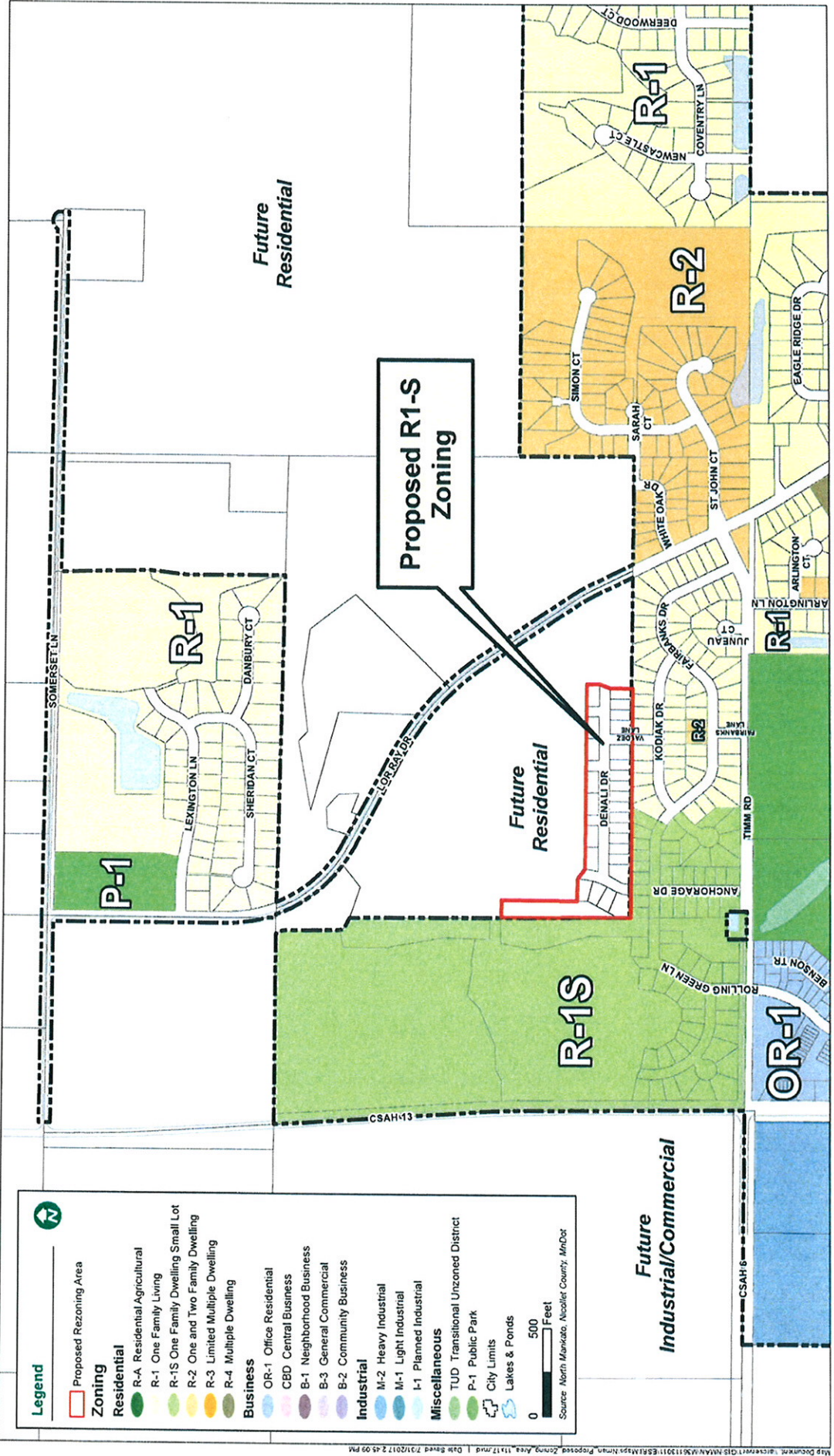
Sincerely,

THE CITY OF NORTH MANKATO

Mike Fischer
Community Development Director

Enc





Elizabeth A. Schweim 2234 Fairbanks Drive North Mankato, MN 56003	Creekview Properties 43 Deerwood Court North Mankato, MN 56003	Kevin & Julie Johnson 140 75 th Street NE Rice, MN 56367
Lavonne Peck 2217 Fairbanks Drive North Mankato, MN 56003	Julie A. Heinen 2219 Fairbanks Drive North Mankato, MN 56003	Roger L. & Cheryl C. Schmidt 2218 Fairbanks Drive North Mankato, MN 56003
Caitlin Bassett 2215 Fairbanks Drive North Mankato, MN 56003	Adam N. Hoscheit 2240 Fairbanks Drive North Mankato, MN 56003	Matthew & Robyn James 2242 Fairbanks Drive North Mankato, MN 56003
Jared & Tina Dohrer 2228 Fairbanks Drive North Mankato, MN 56003	Ralph H. & Julia A. Fowler 2220 Fairbanks Drive North Mankato, MN 56003	Drummer Development, Inc. 30 Map Drive Mankato, MN 56001
Christopher M. & Sara M. Schweiss 2208 Rolling Green Lane North Mankato, MN 56003	Cynthia L. Spencer 2246 Kodiak Drive North Mankato, MN 56003	Daniel J. Doehling 2056 Round Table Road North Mankato, MN 56003
Matthew Sultze 2221 Fairbanks Drive North Mankato, MN 56003	Terence L. & Kayla L. Siegler 2249 Fairbanks Drive North Mankato, MN 56003	Matthew G. & Naomi Ruyter 2210 Rolling Green Lane North Mankato, MN 56003
Chad W. & Heather Hoppe 2243 Kodiak Drive North Mankato, MN 56003	Christopher A. & Karla M. Shearman 2248 Kodiak Drive North Mankato, MN 56003	Ann M. Burke 2948 Canyon Road Chaska, MN 55318
Joshua D. Tiesler & Heidi K. Rogers 2207 Rolling Green Lane North Mankato, MN 56003	Michael P. & Kari M. Hennager 2209 Rolling Green Lane North Mankato, MN 56003	Megan L. Caven 2224 Fairbanks Drive North Mankato, MN 56003
Cheryl Lambert 2222 Fairbanks Drive North Mankato, MN 56003	Ryan Nelson & Jennifer Johnstone 2228 Kodiak Drive North Mankato, MN 56003	Brian M. & Jami Devos 2230 Kodiak Drive North Mankato, MN 56003
Daniel & Rebecca Grassmann 2232 Kodiak Drive North Mankato, MN 56003	Brooke & Travis Townsend 2234 Kodiak Drive North Mankato, MN 56003	Christopher S. Shamp 2236 Kodiak Drive North Mankato, MN 56003

Z-3-17

Gregory & Kara Pipes
2240 Kodiak Drive
North Mankato, MN 56003

Shane A. & Tressa L. Dobbe
2244 Kodiak Drive
North Mankato, MN 56003

United Asset Development Corp.
911 Southbend Avenue
Mankato, MN 56001

Application for
REZONING

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

LEGAL DESCRIPTION OF PROPERTY:

Lot # _____ Block # _____
 Subdivision Part of Section 35-109-27 Address _____

APPLICANT:

Name Hiniker Homes Address 23059 N Riverfront Drive Phone 507-625-4300
Mankato, MN 56001

PROPERTY OWNER (If Other Than Applicant):

Name _____ Address _____ Phone _____

CURRENT ZONING: AG CURRENT USE OF PROPERTY: Agriculture

PROPOSED ZONING: R-1S, One-Family Dwelling, Small Lot

REASON ZONING CHANGE NEEDED: Property being annexed into City limits for single-family residential development.

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

Comments:SUPPORTING DOCUMENTS:

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

FEES: Application Fee \$ 95.00

Notice Charge # 31 @ \$ 2.00 = \$ 62.00

Total Fee \$ 157.00 Receipt # _____

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

Signature of Applicant _____ Date _____

Pursuant to the requirements of Chapter 156 of the North Mankato City Code, this application was received by me or my duly designated representative on July 25, 2017, and I hereby certify that this application meets all the necessary application requirements.

Signature of Zoning Administrator _____ Date _____

PLANNING COMMISSION ACTION: Date August 17, 2017

_____ Approved Additional Conditions:

_____ Denied Reason:

CITY COUNCIL ACTION: Date August 21, 2017

_____ Approved Additional Conditions:

_____ Denied Reason:

OTHER COMMENTS

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

I, the undersigned, being the duly qualified and acting City Clerk of the City of North Mankato, Minnesota, hereby certify that I have carefully compared the attached variance approved by the City of North Mankato with the original thereof on file and of record in my office, and that the same is a full, true and completed copy of said original.

WITNESS my hand and the official seal of said City of North Mankato this _____ day of _____, 20____.

City Clerk, City of North Mankato

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #13H	Department: Community Dev.	Council Meeting Date: 8/21/17																																																					
TITLE OF ISSUE: Consider Approving North Gate No. 3 Preliminary Plat; A Request from Hiniker Homes.																																																							
BACKGROUND AND SUPPLEMENTAL INFORMATION: Please review the memo.																																																							
<i>If additional space is required, attach a separate sheet</i>																																																							
REQUESTED COUNCIL ACTION: Approve North Gate No. 3 Preliminary Plat; A Request from Hiniker Homes.																																																							
<p>Motion By: _____</p> <p>Second By: _____</p> <p>Vote Record:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 15%;">Aye</th> <th style="width: 15%;">Nay</th> <th></th> </tr> </thead> <tbody> <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>Whitlock</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Dehen</td> </tr> </tbody> </table>		Aye	Nay		_____	_____	_____	Steiner	_____	_____	_____	Norland	_____	_____	_____	Freyberg	_____	_____	_____	Whitlock	_____	_____	_____	Dehen	<p style="text-align: center;">SUPPORTING DOCUMENTS ATTACHED</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="width: 20%;">Resolution</th> <th style="width: 20%;">Ordinance</th> <th style="width: 20%;">Contract</th> <th style="width: 20%;">Minutes</th> <th style="width: 20%;">Map</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td colspan="5">Other (specify) <u>Report</u></td> </tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> </tbody> </table>	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) <u>Report</u>					_____					_____					_____				
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<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>																																																						

NORTH GATE NO. 3
PRELIMINARY PLAT
A REQUEST FROM HINIKER HOMES

THE CITY OF NORTH MANKATO

SUBJECT: Preliminary Plat of North Gate No. 3
APPLICANT: Hiniker Homes
LOCATION: Part of Section 35-109-27
EXISTING ZONING: AG/Proposed R-1S
DATE OF HEARING: August 17, 2017
DATE OF REPORT: August 3, 2017
REPORTED BY: Mike Fischer, Community Development Director

APPLICATION SUBMITTED

Request for preliminary plat consideration of North Gate No.3

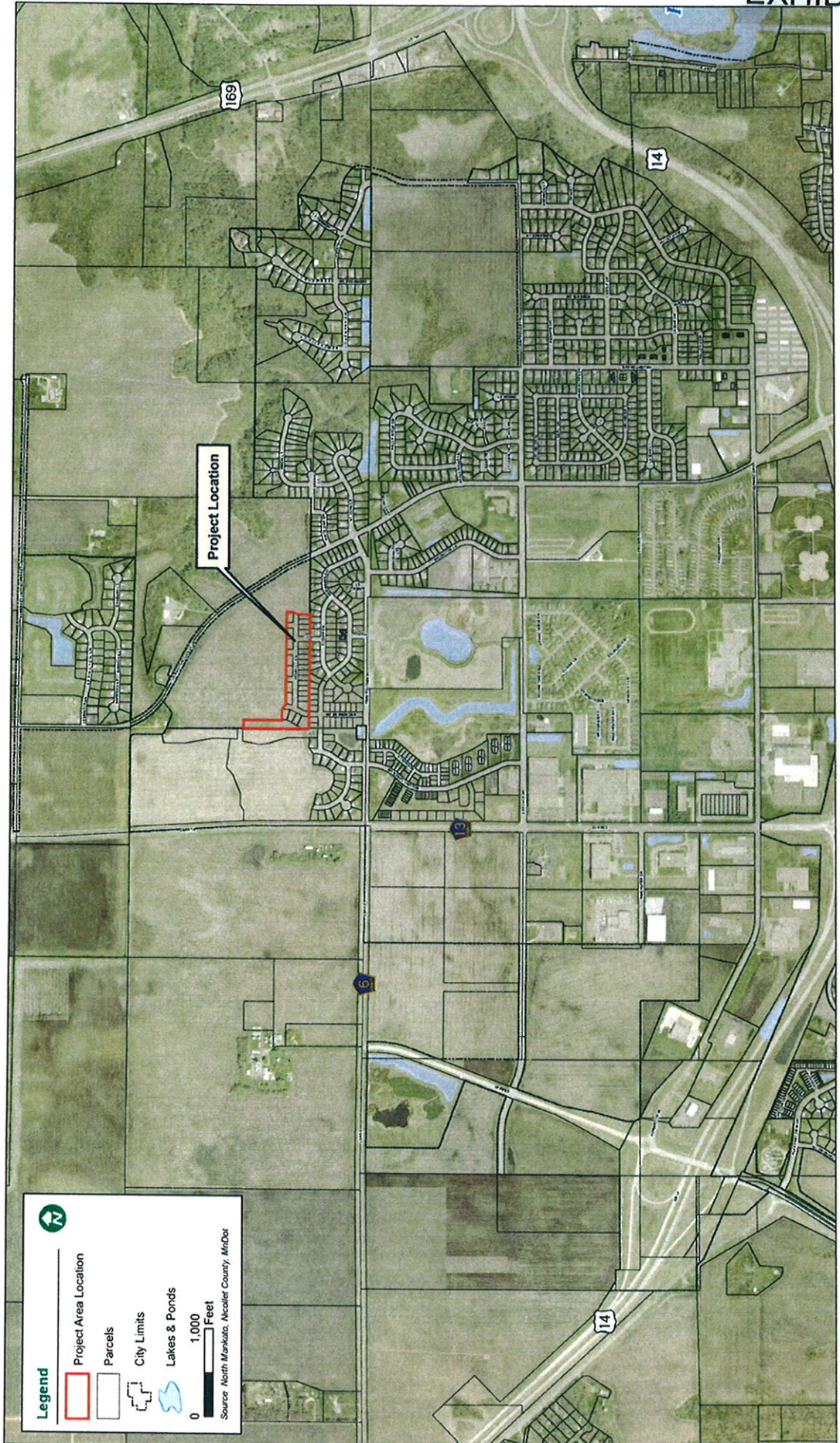
COMMENT

The applicant is in the process of annexing 9 acres of vacant land into the City limits to accommodate future single-family residential housing. The location of the property is shown on Exhibit A. As proposed, the property would be platted into 27 lots for single-family residential development including the extensions of Anchorage Drive and Valdez Drive and the addition of Denali Drive. Outlot A would be the location of a storm water holding pond. As shown on the preliminary plat as Exhibit B, North Gate No.3 would be the first phase of residential development on property owned by the applicant.

All lots as proposed meet the minimum lot size requirements within an R-1S, One-Family Dwelling Small Lot zoning district. Pending approval of the preliminary plat, the final plat would be considered in September.

RECOMMENDATION

Staff recommends approval of the preliminary plat of North Gate No. 3 contingent upon successful annexation.



CITY OF NORTH MANKATO
REQUEST FOR COUNCIL ACTION



Agenda Item #131	Department: Administration	Council Meeting Date: 8/21/17																														
TITLE OF ISSUE: Consider Adopting Resolution Calling for a Public Hearing on Proposed Property Tax Abatements for the Spring Lake Park Swim Facility Improvement Project.																																
BACKGROUND AND SUPPLEMENTAL INFORMATION: Please review the memo.																																
<i>If additional space is required, attach a separate sheet</i>																																
REQUESTED COUNCIL ACTION: Adopt Resolution Calling for a Public Hearing on Proposed Property Tax Abatements for the Spring Lake Park Swim Facility Improvement Project.																																
Motion By: _____ Second By: _____ Vote Record: Aye Nay _____ _____ Steiner _____ _____ Norland _____ _____ Freyberg _____ _____ Whitlock _____ _____ Dehen	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> SUPPORTING DOCUMENTS ATTACHED </div> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; text-align: center;">Resolution</td> <td style="width: 20%; text-align: center;">Ordinance</td> <td style="width: 20%; text-align: center;">Contract</td> <td style="width: 20%; text-align: center;">Minutes</td> <td style="width: 20%; text-align: center;">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> <tr> <td colspan="5" style="padding-top: 10px;"> Other (specify) <u>Memo</u> </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> </table>		Resolution	Ordinance	Contract	Minutes	Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) <u>Memo</u>																			
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<div style="margin-bottom: 10px;"> <input type="checkbox"/> Workshop </div> <div style="margin-bottom: 10px;"> <input checked="" type="checkbox"/> Regular Meeting </div> <div> <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>																															

CITY OF NORTH MANKATO
COUNTY OF NICOLLET
STATE OF MINNESOTA

RESOLUTION NO. _____

RESOLUTION CALLING FOR A PUBLIC HEARING ON PROPOSED
PROPERTY TAX ABATEMENTS FOR THE SPRING LAKE PARK SWIM FACILITY
IMPROVEMENT PROJECT

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

1. Recitals.

(a) Minnesota Statutes, Sections 469.1812 through 469.1815, as amended, both inclusive, authorize the City, upon satisfaction of certain conditions, to grant an abatement of all or a part of the taxes levied by the City on real property within its boundaries.

(b) It is a legal requirement that the City hold a public hearing prior to adoption of a resolution granting any property tax abatements.

2. Hearing. A public hearing on the consideration of the property tax abatement will be held at the time and place set forth in the Notice of Hearing attached hereto as Exhibit A and hereby made a part hereof.

3. Notice. The City Administrator is hereby authorized and directed to cause notice of said hearing in substantially the form attached hereto as Exhibit A to be given one publication in a newspaper of general circulation in the City at least 10 days but not more than 30 days before the hearing. The newspaper must be one of general interest and readership in the City, and the notice must be published at least once.

Councilmember _____ moved for the adoption of the foregoing resolution, and said motion was duly seconded by Councilmember _____, and upon a vote being taken thereon after full discussion thereof, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Adopted on _____, 2017, by the North Mankato City Council.

Mayor

Attest:

City Administrator

CITY ADMINISTRATOR'S CERTIFICATE

I, the undersigned, being the duly qualified and acting Administrator of the City of North Mankato, Minnesota (the "City"), DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of the City, duly called and held on the date therein indicated, insofar as such minutes relate to the calling of a public hearing on a proposed property tax abatement.

WITNESS my hand this ____ day of _____, 2017.

City Administrator
North Mankato, Minnesota

EXHIBIT A

CITY OF NORTH MANKATO

NOTICE OF PUBLIC HEARING REGARDING PROPOSED PROPERTY TAX ABATEMENTS FOR THE SPRING LAKE PARK SWIM FACILITY IMPROVEMENT PROJECT

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a public hearing at a meeting of the Council beginning at 7:00 p.m., on Tuesday, September 5, 2017, to be held at the North Mankato City Hall, 1001 Belgrade Avenue, North Mankato, Minnesota, on the proposal that the City abate property taxes levied by the City on the following property identified as tax parcel identification numbers (the "Property"):

18.766.0010	18.413.0120	18.424.0040	18.557.1150
18.557.1090	18.684.0030	18.557.0220	18.557.2580
18.872.0010	18.798.0040	18.557.0810	18.557.0420
18.557.2470	18.413.0010	18.708.0030	18.873.0020
18.557.0480	18.542.0060	18.557.0990	18.557.1000
18.557.0490	18.812.0030	18.872.0070	18.620.0020
18.542.0070	18.542.0040	18.557.0960	18.557.1030
18.557.0950	18.798.0020	18.413.0090	18.798.0130
18.001.0200	18.798.0140	18.557.1070	18.424.0080
18.798.0080	18.798.0150	18.557.0140	18.557.2870
18.798.0090	18.557.0740	18.413.0140	18.557.0440
18.425.0040	18.557.2750	18.557.0240	18.557.2520
18.557.0880	18.557.0550	18.799.0010	18.708.0010
18.557.0920	18.620.0030	18.413.0080	18.413.0050
18.557.2680	18.557.0360	18.557.2630	18.557.0500
18.557.2610	18.413.0180	18.557.0840	18.799.0050
18.001.0400	18.557.0395	18.812.0045	18.542.0100
18.799.0080	18.542.0050	18.798.0160	18.551.0040
18.871.0030	18.557.1020	18.413.0070	18.799.0030
18.557.0450	18.557.1050	18.798.0100	18.564.0030
18.871.0040	18.873.0030	18.557.1040	18.425.0060
18.557.0770	18.557.2370	18.812.0040	18.812.0010
18.557.2980	18.557.2640	18.775.0010	18.557.0900
18.557.0850	18.872.0030	18.247.0020	18.557.2700
18.557.0690	18.557.1110	18.551.0050	18.425.0110

18.557.0400	18.001.0500	18.557.2410	18.557.0560
18.557.2330	18.542.0150	18.557.0870	18.557.0940
18.557.0610	18.542.0160	18.872.0060	18.684.0010
18.557.0620	18.557.0380	18.798.0070	18.413.0030
18.557.0530	18.557.1140	18.592.0060	18.557.2530
18.557.2510	18.557.1160	18.557.2660	18.557.2570
18.871.0020	18.873.0040	18.872.0020	18.557.0820
18.564.0025	18.557.2440	18.799.0020	18.542.0140
18.425.0010	18.557.0630	18.708.0052	18.557.0970
18.557.0700	18.413.0170	18.708.0053	18.425.0050
18.425.0120	18.799.0060	18.557.2550	18.557.0110
18.557.0520	18.001.0300	18.557.0350	18.798.0010
18.557.0580	18.798.0110	18.542.0030	18.557.2450
18.799.0040	18.798.0120	18.557.0910	18.342.0020
18.424.0070	18.542.0120	18.557.2600	18.564.0015
18.557.0710	18.557.0860	18.557.2490	18.413.0190
18.413.0020	18.557.0930	18.557.2560	18.557.0760
18.557.0510	18.557.0750	18.799.0070	18.551.0020
18.557.0130	18.557.2420	18.425.0080	18.456.0010
18.413.0150	18.592.0040	18.557.2350	18.557.2770
18.413.0100	18.557.2690	18.557.2400	18.557.2780
18.557.2670	18.557.0980	18.557.1120	18.557.0800
18.557.0340	18.798.0050	18.557.1130	18.812.0020
18.542.0090	18.798.0060	18.557.0070	18.557.0250
18.557.2760	18.542.0110	18.542.0010	18.557.0600
18.557.2480	18.551.0030	18.708.0050	18.557.0460
18.872.0080	18.620.0040	18.557.2540	18.557.0470
18.557.0590	18.557.0890	18.708.0020	18.413.0160
18.557.0720	18.542.0130	18.798.0170	18.413.0040
18.425.0100	18.557.0410	18.798.0180	18.592.0080
18.424.0050	18.557.0123	18.798.0190	18.592.0070
18.425.0020	18.557.0230	18.592.0010	18.557.0540
18.425.0090	18.592.0030	18.557.0370	18.424.0030
18.557.2500	18.684.0020	18.557.0680	18.424.0020
18.708.0051	18.872.0040	18.557.2740	18.424.0010
18.478.0050	18.557.2390	18.342.0010	18.873.0010
18.871.0010	18.557.2590	18.001.0075	18.557.2730
18.592.0050	18.557.2340	18.872.0050	18.542.0080
18.424.0060	18.798.0030	18.557.2710	18.413.0130
18.557.0790	18.001.0100	18.592.0020	18.557.2430
18.557.2380	18.413.0060	18.551.0010	18.557.2650

18.557.0390	18.557.1010	18.557.0570	18.557.2620
18.557.0430	18.557.2720	18.620.0010	18.001.0060
18.557.0670	18.542.0020	18.557.0830	
18.557.2460	18.557.1080	18.873.0050	
18.425.0070	18.557.0780	18.425.0030	

The total amount of the taxes proposed to be abated by the City on the Property for up to a 15 year period is estimated to be not more than \$3,300,000. The City Council will consider the property tax abatement to finance improvements to the Spring Lake Park Swim Facility located at 641 Webster Avenue in the City.

The City proposes to issue General Obligation Tax Abatement Bonds in the amount not to exceed \$3,300,000 to finance the Spring Lake Park Swim Facility improvement project.

All interested persons may appear at the September 5, 2017 public hearing and present their views orally or in writing.



MEMORANDUM

To: John Harrenstein, City of North Mankato
From: Tammy Omdal
Date: August 16, 2017
Re: Property Tax Abatement

The City is planning to use property tax abatement authority in connection with the financing of the Spring Lake Park Swim Facility improvement project (the "Project"). This memorandum briefly describes the use of tax abatement authority for this purpose.

Background

The name "tax abatement" is misleading. The enabling statute (Minnesota Statutes, Sections 469.1812 to 469.1815) does not authorize the actual "abatement of taxes". Instead, the City has the ability to levy a property tax (an abatement levy) that is equivalent to taxes that could be abated. The City plans to certify a property tax abatement levy to pay the debt service on the proposed general obligation bonds to be issued to fund the Project.

Findings

The statute requires a finding that the use of tax abatement is in the public interest. The statute defines the reasons. Reasons specific to the proposed Project include to increase or preserve tax base and to finance or provide public infrastructure.

Process

Following notice and a public hearing on September 5th, the City Council will consider a resolution approving the property tax abatement. The resolution will include all necessary findings and will define the parameters for the tax abatement. The statute does not require any other documents or notifications (i.e., individual notice to property within the abatement area).

Abatement Levy

The total amount of the taxes proposed to be abated by the City on the parcels identified within the abatement area is estimated to be not more than \$3,300,000 collected over a 15-year term. The not to exceed amount provides the City with flexibility to make decisions should the final bids come in higher than anticipated. The City is in the process of bidding the Project. The estimated total cost of constructing the improvements is estimated at this time to be approximately \$2,340,000. The not to exceed amount in the resolution calling for a public hearing on proposed tax abatement for the Project provides for the following, as shown in Table A:

Table A

Project construction	\$2,340,000
Cost of issuance of bonds (including underwriter's discount)	\$70,000
Interest expense for bonds	\$470,000
Subtotal use of funds	\$2,880,000
Contingency for use of funds (up to not to exceed amount)	\$420,000
Total Tax Abatement*	\$3,300,000

*The final tax abatement approved (and general obligation tax abatement bonds issued) may be less than this amount but cannot exceed this amount.

The annual tax abatement levy (collected over a maximum term of 15 years) will be spread over the City's entire general tax base (net tax capacity) the same as the general fund levy. Property within the abatement area will pay the same amount of City taxes as property outside of the abatement area. There is no different impact on individual property tax statements for property within the abatement area from other property within the City as a whole.



505 Nicollet Mall
P.O. Box 59038
Minneapolis, MN 55459-0038

August 8, 2017

Dear City Administrator:

We are writing to inform you that on August 2, 2017, CenterPoint Energy filed with the Minnesota Public Utilities Commission to change its rates for utility distribution service.

A rate filing is the regulatory process that public utilities must follow to formally change rates and services for their customers. This filing will affect the rates paid by all of CenterPoint Energy's customers; more than 840,000. The process for changing our rates will take about one year, with interim (temporary) rates implemented on October 1, 2017, and final rates implemented in 2018.

Additional information is available at our website at CenterPointEnergy.com/RateCase.

Sincerely,

CenterPoint Energy