

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 December 3, 2018. 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 Norland, Freyberg, Whitlock, and Steiner City Administrator Harrenstein, City Attorney Chris Kennedy, Finance Director McCann, Community Development Director Fischer, Public Works Director Host, and City Clerk Van Genderen.

Approval of Agenda

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

Approval of Council Workshop Meeting Minutes

Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council Workshop meeting of November 19, 2018. Vote on the motion: Norland, Freyberg, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.

Approval of Council Meeting Minutes

Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of November 19, 2018. Vote on the motion: Norland, Freyberg, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.

Public Hearing, 7 pm-2019 Budget and 2019-2023 Capital Improvement Plan

Finance Director McCann reviewed the proposed 2019 Budget and 2019-2023 Capital Improvement Plan. Finance Director McCann reported this is the Truth-in-Taxation public hearing and residents have received their proposed property tax statements for 2019, but the statement is based on the preliminary budget and tax levy approved by the Council in September which Council has proposed to decrease. He can work with residents to determine their City taxes based on the new rate. Finance Director McCann reported the final budget and levy adoption would occur at the December 17, 2018, Council Meeting.

Finance Director McCann reviewed the components of a resident's tax statement which includes taxes from Nicollet County, the City of North Mankato, Mankato Area Public Schools, Region Nine Development Commission and South Central Minnesota Multi-County HRA. The percentage of taxes breaks down to 39% Nicollet County, 36% City of North Mankato, 25% Mankato Area Public Schools and a small amount going to Region Nine Development Commission and South Central Minnesota Multi-County HRA.

Finance Director McCann reported the preliminary levy set in September was 51.6% and the tax rate is proposed to decrease to 51% which would decrease the proposed levy by \$80,000. He stated that there was a 9% growth in taxable market value with 15% in new construction, so 85% is increased property values. There is a \$1 million increase in tax capacity which will offset the tax levy increase of \$565,000. The tax levy is \$6,683,838 with \$5,040,048 going to the General Fund, \$75,000 going to the Port Authority, \$1,375,458 going to the Debt Service and \$193,332 going to the Abatement Levy. The Tax Rate equals the Tax Levy divided by the Total Tax Capacity in North Mankato and the total Tax Capacity increase is larger than the Tax Levy increase which means a decrease in the Tax Rate from 52.124 in 2018 to 51.00 in 2019.

Finance Director McCann reviewed the taxable market value and the tax levy history along with the 2019 Tax base and market values. He stated home value increases ranged from 0% to 15%

with a majority seeing a 5-10% increase. The tax levy impact will vary depending on the home's value. Finance Director McCann reviewed a median home in North Mankato valued at \$274,000 with a taxable market value of \$261,123. In 2019, with a taxable value increase of \$25,823, the City tax would increase \$106.00 a year.

Finance Director McCann reviewed the 2019 Budget by Department. The General Fund will see \$838,805 up \$7,062 from 2018, Public Safety has an increase of \$72,893 reflecting the new police officer added in 2018, the Public Works Department has a budgeted increase of \$100,252 which reflects the new employee added in 2018 and an increase to fully fund the Pavement Management Plan. Parks, Recreation, Leisure has an increase of \$181,671 due to additional temporary labor and increasing funding to the Park Improvement Plan, Community Development has an increase of \$65,343 in response to additional planning studies and costs associated with rental inspections. Overall the General Fund in 2018 was \$8,334,895 and will increase to \$8,885,727. The General Fund revenue increased from \$8,405,938 in 2018, to \$8,886,156 in 2019. Finance Director McCann reviewed the 2019 Utility Fund Expenditures with water decreasing by \$125,404 due to debt being retired, the Wastewater Fund increasing by \$23,417, Solid Waste Fund expenditures decreasing by \$11,913 and Recycling increasing by \$54,192 due to increased costs in Spring and Fall Cleanup related to recycled materials and the Storm Water Fund expenditures increasing by \$47,708 due to software expenditures, flood station maintenance and ravine maintenance. Finance Director McCann reviewed the Utility Fund Revenue which included revenue increases in the Water Fund of \$94,727 based on increased collections, an increase in the Wastewater Fund of \$43,324 based on projected increased collections, Solid Waste and Storm Water remaining flat with minor increases and the Recycling Fund has a projected increase of \$92,700 due to the proposed Recycling Rate increase of \$1.00 a month to offset the end of an agreement in 2019 with Nicollet County for the recycling facility.

Finance Director McCann reviewed the proposed 2019-2023 CIP with a \$1.2 million decrease in the proposed CIP. The majority of the decrease is due to only bonding for one project instead of two in 2019. In 2017, there was no bonding for a project, and in 2018 the City bonded \$4.7 million for the Swim Facility and the Jefferson Avenue project. In 2019, only two million dollars will be bonded for the Commerce Drive Project, Tyler Avenue Reconstruction and Harrison Avenue Reconstruction planned in 2019.

Finance Director McCann reported the citizens and legislature approved a sales tax extension and \$5.0 Million in sales tax funding capacity is available in 2019 or an estimated \$8.0 Million is available in 2020. To date, no project has been identified, and staff will continue to work with the Council on proposed projects.

Finance Director McCann reviewed a debt analysis of the current and future G.O. Debt. The City plans on a \$2.0 Million G.O. Debt annually which will decrease the total existing debt as debt falls off every year. City Administrator Harrenstein noted that while the chart that was presented showed the debt decreasing, he indicated the debt would probably fluctuate from year to year based on infrastructure needs.

Tom Wyrowski, 239 Allan Avenue, appeared before Council and stated his taxable value increased by \$30,000 and he wanted to see if that could change. City Administrator Harrenstein noted that the City does not control the assessment process, Nicollet County completes the valuation process. Staff reviewed the tax appeal process including contacting Nicollet County, attending the Local Board of Appeal, the County Board of Appeal and even a court process. Mr. Wyrowski also reported he lives at the corner of Allan Avenue and Marie Lane and the storm drain often plugs causing flooding. Public Works Director Host indicated he would review the storm drain and the issue.

Barb Church, 102 Wheeler Avenue, appeared before Council and indicated the City should keep a close eye on value and growth when determining the tax rate. She indicated she thought the

City should look at Mankato's budget policy. Ms. Church requested clarification on the end of the recycling facility agreement with Nicollet County. She also requested the City continue organic recycling.

Consent Agenda

Council Member Norland moved, seconded by Council Member Steiner, to approve the Consent Agenda.

- A. Bills and Appropriations.
- B. Res. No. 91-18 Approving Donations/Contributions/Grants.
- C. Approved License Renewals for 2019.
- D. Res. No. 92-18 Setting 2019 Council Dates.
- E. Set Public Hearing on December 17, 2018, at 7:00 p.m. on the Stormwater and Annual Stormwater Pollution Prevention Program (SWPPP) Review.

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

Motion carried.

Public Comments Concerning Business Items on the Agenda

None

Business Items

Res. No. 93-18 Providing for the Issuance and Sale of \$4,670,000 General Obligation Bonds, Series 2018A, Pledging for the Security Thereof Special Assessments and Tax Abatements and Levying a Tax for the Payment Thereof.

Tammy Omdal from Northland Securities appeared before Council and reported that Northland Securities was acting as bond counsel for the City. Ms. Omdal reported there were five bids with the low bid coming from R.W. Bair & Co. Inc. with a purchase price of \$4,686,086.65, a net interest cost of \$1,233,504.69 and a true interest cost of 3.0470514%. She indicated the bid was a premium bid. Ms. Omdal noted that the City completed a bond rating with S&P and received an AA rating. The S&P reaffirmed the strong financial management of the City. **Council Member Norland moved, seconded by Council Member Steiner to Adopt Res. No. 93-18 Providing for the Issuance and Sale of \$4,670,000 General Obligation Bonds, Series 2018A, Pledging for the Security Thereof Special Assessments and Tax Abatements and Levying a Tax for the Payment Thereof. Vote on the motion: Norland, Freyberg, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

Res. No. 94-18 Authorizing Interfund Loan for Certain Costs in Connection with the Storm Sewer Fund.

City Administrator Harrenstein reported the loan was discussed at both the audit and during the budget process. The loan of \$149,205 from the General Fund to the Storm Water Fund would pay costs related to the Lake Street Flood Station Costs, and Eagle Ridge Ravine Maintenance Costs. The loan has already occurred and the resolution would set up a repayment schedule. **Council Member Norland moved, seconded by Council Member Steiner to adopt Res. No. 94-18 Authorizing Interfund Loan for Certain Costs in Connection with the Storm Sewer Fund. Vote on the motion: Norland, Freyberg, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

Consider Request to Amend Comprehensive Plan Figure 3-2: Future Land Use. A Request from NKS, Inc.

Community Development Director Fischer reported the applicant owns the property and building addressed as 1901 Lee Boulevard which was the former location of Neubert Millwork. The building has been vacant for several years, and the property is currently zoned I-1, Planned Industrial. The applicant is proposing to lease the building to Riverbend Business Products; the sale of office equipment and supplies is listed as a permitted use within any business district. The applicant is requesting to amend Figure 3-2, by changing the future land use from Light Industrial to General Commercial. The Planning Commission reviewed and recommended the proposal. Council Member Whitlock requested clarification on if Riverbend would utilize the entire building. Jim Hansen from Riverbend appeared before Council and indicated they were renovating the building and there may be a portion that could be leased. Council Member Norland noted that the painting of the exterior improved the building's appearance. **Council Member Steiner moved, seconded by Council Member Norland to Amend Comprehensive Plan Figure 3-2: Future Land Use. A Request from NKS, Inc. Vote on the motion: Norland, Freyberg, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

Consider Z-3-18, Request to Rezone 1901 Lee Boulevard from I-1 to B-3: A Request from NKS, Inc. Consider Ordinance No. 110, Fourth Series Rezoning 1901 Lee Boulevard from I-1 to B-3. Council Member Freyberg moved, seconded by Council Member Steiner to Approve the Z-3-18, Request to Rezone 1901 Lee Boulevard from I-1 to B-3 and Adopt Ordinance No. 110, Fourth Series Rezoning 1901 Lee Boulevard from I-1 to B-3. Vote on the motion: Norland, Freyberg, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.

Receive an Update from Mankato Area Zero Waste-Kathy Felt.

Kathy Felt, a volunteer for Mankato Area Zero Waste, reviewed the citizen interest in organics recycling noting that the City currently has 188 citizens signed up to recycle organics. The City recycled 11.24 tons during the first year (9/16-11/17) and 9.4 tons during year 2 (11/17-6/18) and 7.74 tons since the end of the grant July 2018-November 2018.

Ms. Felt reported 94.5 volunteer hours from January to November 2018 or about 9 hours a month. She stated her work comprised mainly of communication; communication with Mankato Area Zero Waste, with the City of North Mankato, walking in and organizing parades and other events, helping to create a zero waste video specifically for North Mankato, sending out welcome letters to new users and delivering brochures to businesses.

Ms. Felt stated the grant ended in June of 2018, and Mankato Area Zero Waste spent the final money on items to benefit all three participating communities. Each received portable composting/recycling bins, and bags that can be shared, t-shirts for volunteers at events, starter kits with compostable bags, and each library received two adult books and two children's books.

Ms. Felt reviewed problems that she encountered including people not bagging what they put into the dumpster and improper items in the dumpster.

Ms. Felt provided suggestions for the future including considering curbside pickup, hiring an educator for Mankato, North Mankato, and Lake Crystal, coordinating ordering compostable goods for all vendors at events, creating a budget for printing educational materials such as starter kits. She indicated the City should consider installing some form of security for the dumpster, and continue to improve communications.

City Administrator Harrenstein reported the City would look at installing security, would be willing to print educational materials and continue to promote the program. He indicated that at this

time the City could review having West Central provide a subscription service. Administrator Harrenstein thanked Mankato Zero Waste for owning the program and working with the Cities. Council Member Whitlock stated Mankato Area Zero Waste should reach out to Business on Belgrade as they continue to plan for the Anthony Ford Pond Hockey Tournament.

Open Forum

Barb Church 102 Wheeler Avenue, appeared before Council and encouraged people to use Organics Recycling and to recycle their pizza boxes. She requested Council consider allowing residents to speak at budget workshops.

City Administrator and Staff Comments

City Administrator Harrenstein provided the Council with a review of 11 properties and a ten-year history of the taxable market value, the City tax history, the total tax history and the percent of City tax to the total tax for those 11 properties. He stated the review indicated that the growth and tax rate growth was incremental.

City Administrator Harrenstein thanked the Public Works Department for their work during the snowstorm. He also thanked those that worked at Bells on Belgrade.

Finance Director McCann reported the City is wrapping up the budget and the audit is beginning.

Mayor and Council Comments

Council Member Whitlock stated that due to the snow attendance was down at Bells on Belgrade the kids had a great time playing in the snow and participating in the games.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Steiner, the meeting adjourned at 8:16 p.m.

Mayor

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 7	Dept: City Engineer	Council Meeting Date: 12/17/18																											
TITLE OF ISSUE: Public Hearing -7 p.m. on December 17, 2018 Annual Stormwater Pollution Prevention Program (SWPPP) Review.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: MS4 annual reporting requires that the City provide an opportunity each year for the public to provide input on the adequacy of the Stormwater Pollution Prevention Program (SWPPP).																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Public Hearing.																													
For Clerk's Use: Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>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>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>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Freyberg	_____	_____	Whitlock	_____	_____	Steiner	_____	_____	Norland	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input 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) Memo _____ Notice of Hearing _____ _____ _____ _____	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

Date: December 11, 2018
To: John Harrenstein, City Administrator
From: Daniel R. Sarff, P.E., City Engineer
CC: Nathan Host, Public Works Director
Michael Fisher, Community Development Director
Subject: **Public Hearing to Receive Input on the Adequacy of the City of North Mankato's Stormwater Pollution Prevention Program (SWPPP)**

The Minnesota Pollution Control Agency (MPCA) administers the requirements of the federal Clean Water Act in addition to its own State Disposal System requirements. At the MPCA, the Stormwater Program includes three general stormwater permits, including the Municipal Separate Storm Sewer System (MS4) Permit. The MS4 General Permit is designed to reduce the amount of sediment and pollution that enters surface and ground water from storm sewer systems to the maximum extent practicable. Because the City of North Mankato has a population greater than 10,000, it must comply with the MS4 permit requirements.

The City's MS4 permit requires the City to develop and maintain a stormwater pollution prevention program (SWPPP) that incorporates best management practices (BMPs) applicable to their City. The SWPPP describes the City's plan to meet each of the six Minimum Control Measures described by the permit. They are:

- No. 1 - Public Education and Outreach on Stormwater Impacts: Distribute educational materials and perform outreach activities to inform citizens about the many ways stormwater becomes polluted and the impacts polluted stormwater runoff discharges can have on water quality.
- No. 2 - Public Participation and Involvement: Provide opportunities for citizens to participate in program development and implementation, including effectively publicizing public meetings and/or encouraging citizen representatives on a stormwater management panel or committee.
- No. 3 - Illicit Discharge Elimination: Develop and implement a plan to detect and eliminate illicit discharges to the storm sewer system including developing a system map and informing the community about the hazards associated with illegal discharges and improper disposal of waste.
- No. 4 - Construction Site Stormwater Runoff Control: Develop, implement and enforce an erosion and sediment control program including ordinances for construction activities that disturb 1 or more acres of land. The City does have the freedom to extend and enforce this type of rule on some smaller area if it so desires.
- No. 5 - Post-Construction Stormwater Management in New Development and Redevelopment: Develop, implement and enforce a program to address discharges of post-construction storm water run-off from new development and redevelopment areas.

- No. 6 - Pollution Control and Good Housekeeping for Municipal Operations: Develop and implement a program with the goal of preventing or reducing pollutant runoff from municipal operations.

The tasks described are not one-time efforts - they will continue throughout the permit period and beyond to maintain water quality. Progress continues to be made on an annual basis in the various tasks listed in the SWPPP.

The SWPPP has not been updated recently years. The MPCA is in the process of updating and reissuing the MS4 permit for all cities in Minnesota, including North Mankato. We anticipated that the new MS4 permit for North Mankato would be reissued in 2017, but to date, the new permit is not been issued. The new MS4 permit will likely include new requirements that will need to be incorporated into the SWPPP and the City's ordinances. We recommend that the SWPPP be reviewed and updated once the new MS4 permit is issued by the MPCA.

The MS4 permit includes a requirement that the City provide a minimum of one opportunity each year for the public to provide input on the adequacy of the City's SWPPP. This opportunity will be provided at the December 17th council meeting during the Public Hearing portion of the agenda. I will be at the council meeting to address any questions from the Council or the public.

**NOTICE OF PUBLIC HEARING ON STORMWATER AND ANNUAL
STORMWATER POLLUTION PREVENTION PROGRAM (SWPPP) REVIEW**

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota at 7 p.m. on the 17th day of December 2018, to hold a public hearing to provide an opportunity for the public to provide input on the adequacy of the City's Stormwater Pollution Prevention Program (SWPPP).

Such persons as desire to be heard with reference to the Stormwater Pollution Prevention Program will be heard at this meeting.

Dated this 3rd day of December 2018

April Van Genderen
City Clerk
City of North Mankato



City of North Mankato, MN

Claims List - Regular

By Vendor Name

Date Range: 12-17-18

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
00047	ALLSTATE PETERBILT LLC	12/17/2018	Regular	0	6,753.84	90306
00093	ARNOLD'S OF MANKATO, INC.	12/17/2018	Regular	0	241.08	90307
00145	BETTER HOUSEKEEPING VACUUMS, INC.	12/17/2018	Regular	0	28.00	90308
00147	BLACKSTONE PUBLISHING	12/17/2018	Regular	0	718.05	90309
00156	BLUE EARTH COUNTY FINANCE	12/17/2018	Regular	0	78.50	90311
00153	BLUE EARTH COUNTY	12/17/2018	Regular	0	500.00	90310
00189	BRAUN INTERTEC CORPORATION	12/17/2018	Regular	0	3,421.25	90312
00202	BROWN-NICOLLET ENVIRONMENTAL HEALTH	12/05/2018	Regular	0	180.00	90300
00212	BUSINESS ON BELGRADE	11/30/2018	Regular	0	1,700.00	90299
00221	CARGILL, INC.	12/17/2018	Regular	0	7,865.55	90313
00232	CEMSTONE CONCRETE MATERIALS, LLC	12/17/2018	Regular	0	729.50	90314
02757	CINTAS	12/17/2018	Regular	0	176.12	90315
00255	CITY OF MANKATO	12/17/2018	Regular	0	16,273.47	90316
02948	CITY OF NEW ULM	12/17/2018	Regular	0	2,000.00	90317
00262	CITY OF ST PETER	12/17/2018	Regular	0	176.00	90318
02949	D & K RENTAL AND MORE LLC	12/17/2018	Regular	0	360.78	90319
00331	DE MARS CONSTRUCTION	12/17/2018	Regular	0	121,570.70	90320
02275	DEM-CON MATERIALS & RECOVERY	12/17/2018	Regular	0	673.40	90321
02954	ESKENS, ALLEN	12/12/2018	Regular	0	150.00	90303
00401	EXPRESS SERVICES, INC.	12/17/2018	Regular	0	1,001.03	90322
00404	FASTENAL COMPANY	12/17/2018	Regular	0	125.77	90323
00447	FREE PRESS	12/17/2018	Regular	0	71.67	90324
02958	GRAPHIC SPECIALTIES INC.	12/17/2018	Regular	0	1,960.00	90325
02930	GSM PLUMBING AND DRAIN CLEANING	12/17/2018	Regular	0	24,765.67	90326
02574	HEDGEHOG ADVERTISING	12/17/2018	Regular	0	385.00	90327
00575	HOLIDAY SHARING TREE	12/17/2018	Regular	0	500.00	90328
02941	JAGUAR COMMUNICATIONS	12/17/2018	Regular	0	5,280.47	90329
02917	JENNINGS, STROUSS & SALMON, P.L.C.	12/17/2018	Regular	0	24,100.00	90330
00639	JOHN DEERE FINANCIAL	12/17/2018	Regular	0	1,308.29	90331
00690	KENNEDY & GRAVEN CHARTERED	12/17/2018	Regular	0	87.50	90332
00731	LAGER'S OF MANKATO, INC.	12/17/2018	Regular	0	102.30	90333
00747	LAW ENFORCEMENT TECHNOLOGY GROUP, LL	12/17/2018	Regular	0	135.00	90334
00769	LINDSAY WINDOW & DOOR, LLC	12/17/2018	Regular	0	8,843.01	90335
00723	LJP ENTERPRISES, INC	12/17/2018	Regular	0	35,755.93	90336
00812	MANKATO BEARING COMPANY	12/17/2018	Regular	0	128.87	90337
00819	MANKATO FORD, INC.	12/17/2018	Regular	0	95.00	90338
00829	MANKATO PUBLIC SCHOOLS	12/17/2018	Regular	0	75.00	90339
00847	MATHESON TRI-GAS, INC.	12/17/2018	Regular	0	129.35	90340
02272	MINNESOTA COUNCIL OF CHURCHES/TAPESTRY	12/17/2018	Regular	0	3,000.00	90341
00985	MOSS & BARNETT	12/17/2018	Regular	0	1,750.00	90342
02717	NAJWA'S CATERING	12/17/2018	Regular	0	1,425.61	90343
01013	NATIONAL LEAGUE OF CITIES	12/17/2018	Regular	0	1,533.67	90344
01037	NICOLLET COUNTY	12/17/2018	Regular	0	17,851.89	90345
01106	PETTY CASH	12/17/2018	Regular	0	70.74	90346
02956	PI SPORTS, LLC	12/13/2018	Regular	0	5,000.00	90305
01133	POWERPLAN/RDO EQUIPMENT	12/17/2018	Regular	0	2,435.44	90347
01161	QUALITY TREE SERVICE	12/17/2018	Regular	0	1,575.00	90348
02953	R & E ENTERPRISES OF MANKATO	12/17/2018	Regular	0	7,579.02	90349
02950	SRF CONSULTING GROUP, INC.	12/17/2018	Regular	0	2,798.77	90350
01331	STANDARD & POOR'S	12/17/2018	Regular	0	12,500.00	90351
01091	STOREY KENWORTHY & MATT PARROTT	12/17/2018	Regular	0	503.77	90352
02955	THOMAS, KRISTEN	12/17/2018	Regular	0	2,205.00	90353
01402	TIRE ASSOCIATES	12/17/2018	Regular	0	1,286.36	90354
01409	TOPPERS & TRAILERS PLUS	12/17/2018	Regular	0	67.50	90355
01441	UNITED RENTALS, INC.	12/17/2018	Regular	0	121.00	90356
01443	UNITED STATES POSTAL SERVICE	12/17/2018	Regular	0	2,000.00	90357
02672	USA SOFTBALL, INC.	12/17/2018	Regular	0	2,000.00	90358

01515	WELLS FARGO BANK, N.A.	12/17/2018	Regular	0	1,450.00	90359
01525	WEST CENTRAL SANITATION, INC.	12/17/2018	Regular	0	27,157.07	90360
00012	ABDO, EICK & MEYERS, LLP	12/10/2018	Bank Draft	0	6,000.00	DFT0002681
00182	BOYER TRUCKS	12/13/2018	Bank Draft	0	396.25	DFT0002694
00241	CHARTER COMMUNICATIONS	12/06/2018	Bank Draft	0	497.16	DFT0002669
02058	CONSOLIDATED COMMUNICATIONS	12/03/2018	Bank Draft	0	48.26	DFT0002642
02058	CONSOLIDATED COMMUNICATIONS	12/13/2018	Bank Draft	0	37.06	DFT0002688
02058	CONSOLIDATED COMMUNICATIONS	12/13/2018	Bank Draft	0	41.40	DFT0002689
02058	CONSOLIDATED COMMUNICATIONS	12/13/2018	Bank Draft	0	338.73	DFT0002690
02058	CONSOLIDATED COMMUNICATIONS	12/13/2018	Bank Draft	0	42.94	DFT0002691
02058	CONSOLIDATED COMMUNICATIONS	12/13/2018	Bank Draft	0	2,806.98	DFT0002692
00311	CULLIGAN WATER CONDITIONING	12/03/2018	Bank Draft	0	20.85	DFT0002639
00311	CULLIGAN WATER CONDITIONING	12/03/2018	Bank Draft	0	13.85	DFT0002640
00353	DITTRICH MECHANICAL & FABRICATION	12/13/2018	Bank Draft	0	1,939.00	DFT0002685
00353	DITTRICH MECHANICAL & FABRICATION	12/13/2018	Bank Draft	0	232.47	DFT0002693
00412	FINDAWAY WORLD LLC	11/29/2018	Bank Draft	0	63.74	DFT0002643
00447	FREE PRESS	12/07/2018	Bank Draft	0	18.21	DFT0002673
02957	GREAT LAKES AGRONOMY LLC	12/13/2018	Bank Draft	0	550.00	DFT0002684
00506	GREATER MANKATO GROWTH, INC.	12/13/2018	Bank Draft	0	300.00	DFT0002686
00608	INGRAM LIBRARY SERVICES	12/12/2018	Bank Draft	0	553.16	DFT0002680
02952	KNOX COMPANY	12/06/2018	Bank Draft	0	3,404.33	DFT0002671
00733	LAKES GAS CO #10	12/13/2018	Bank Draft	0	107.00	DFT0002683
00857	MC GOWAN WATER CONDITIONING, INC.	12/06/2018	Bank Draft	0	17.10	DFT0002667
00857	MC GOWAN WATER CONDITIONING, INC.	12/06/2018	Bank Draft	0	25.65	DFT0002667
01025	NEOPOST USA, INC.	12/06/2018	Bank Draft	0	1,915.94	DFT0002666
01137	PRAXAIR DISTRIBUTION, INC	12/05/2018	Bank Draft	0	302.28	DFT0002662
02947	SKILLPATH/NST SEMINARS	11/30/2018	Bank Draft	0	199.00	DFT0002644
01335	STAPLES ADVANTAGE	11/28/2018	Bank Draft	0	70.40	DFT0002645
01335	STAPLES ADVANTAGE	12/04/2018	Bank Draft	0	237.60	DFT0002650
01335	STAPLES ADVANTAGE	12/05/2018	Bank Draft	0	155.80	DFT0002664
01460	USPS	12/03/2018	Bank Draft	0	194.00	DFT0002641
01470	VERIZON WIRELESS	12/06/2018	Bank Draft	0	436.27	DFT0002672
01470	VERIZON WIRELESS	12/13/2018	Bank Draft	0	876.85	DFT0002687
02178	WASTE MANAGEMENT OF WI-MN	12/06/2018	Bank Draft	0	280.74	DFT0002670
01525	WEST CENTRAL SANITATION, INC.	12/13/2018	Bank Draft	0	3,495.75	DFT0002682
00016	ADAMS, NICOLE	12/19/2018	EFT	0	8.02	1389
00105	AUTO VALUE MANKATO	12/19/2018	EFT	0	483.16	1390
00174	BOLTON & MENK, INC.	12/19/2018	EFT	0	64,412.50	1391
00176	BORDER STATES ELECTRIC SUPPLY	12/19/2018	EFT	0	3,751.48	1392
00216	C & S SUPPLY CO, INC.	12/19/2018	EFT	0	192.57	1393
02706	CORE & MAIN LP	12/19/2018	EFT	0	36.73	1394
00310	CRYSTEEL TRUCK EQUIPMENT, INC	12/19/2018	EFT	0	358.46	1395
02294	D & K POWDER COATING	12/19/2018	EFT	0	17,729.74	1396
00343	DH ATHLETICS LLC	12/19/2018	EFT	0	1,711.20	1397
00453	FREYBERG PETROLEUM SALES, INC.	12/19/2018	EFT	0	14,908.64	1398
02946	FROELICH, PAUL	12/19/2018	EFT	0	78.35	1399
00463	G & L AUTO SUPPLY, LLC	12/19/2018	EFT	0	372.00	1400
00494	GOPHER STATE ONE-CALL	12/19/2018	EFT	0	217.35	1401
00538	HAWKINS, INC.	12/19/2018	EFT	0	4,623.47	1402
00577	HOLTMEIER CONSTRUCTION	12/19/2018	EFT	0	1,615.10	1403
00596	I & S GROUP, INC.	12/19/2018	EFT	0	2,660.00	1404
00691	KENNEDY & KENNEDY LAW OFFICE	12/19/2018	EFT	0	545.88	1405
00743	LARKSTUR ENGINEERING & SUPPLY, INC.	12/19/2018	EFT	0	479.26	1406
00776	LLOYD LUMBER CO.	12/19/2018	EFT	0	561.60	1407
00874	MENARDS-MANKATO	12/19/2018	EFT	0	387.98	1408
00889	MIDWEST TAPE/HOOPLA	12/19/2018	EFT	0	2,306.63	1409
02532	MIKE'S LLC	12/19/2018	EFT	0	41.25	1410
00902	MINNESOTA IRON & METAL CO	12/19/2018	EFT	0	2,232.00	1411
00910	MINNESOTA VALLEY TESTING LAB, INC.	12/19/2018	EFT	0	285.00	1412
00956	MINNESOTA WASTE PROCESSING CO.	12/19/2018	EFT	0	25,193.34	1413
00975	MORGAN, SHAWN	12/19/2018	EFT	0	187.61	1414
00997	MTI DISTRIBUTING CO	12/19/2018	EFT	0	871.28	1415
01036	NICOLLET COUNTY RECORDER/ABSTRACTER	12/19/2018	EFT	0	184.00	1416
01078	OLYMPIC FIRE PROTECTION CORP.	12/19/2018	EFT	0	845.00	1417
02005	PANTHEON COMPUTERS	12/19/2018	EFT	0	1,571.00	1418
01090	PARAGON PRINTING, MAILING & SPECIALTIES	12/19/2018	EFT	0	5,401.69	1419
01160	QUALITY OVERHEAD DOOR CO, INC	12/19/2018	EFT	0	90.00	1420

01179	RED FEATHER PAPER CO.	12/19/2018	EFT	0	71.40	1421
02747	RENT-N-SAVE	12/19/2018	EFT	0	426.68	1422
01211	RIVER BEND BUSINESS PRODUCTS	12/19/2018	EFT	0	875.99	1423
01286	SKARPOHL PRESSURE WASHER SALES	12/19/2018	EFT	0	8.28	1424
01079	SMC-SOUTHERN MINNESOTA CONSTRUCTION	12/19/2018	EFT	0	2,437.51	1425
02510	TORDSEN, MIKEAL	12/19/2018	EFT	0	120.00	1426
01486	VON BERGE, DAVID	12/19/2018	EFT	0	208.32	1427
01568	ZIEGLER, INC.	12/19/2018	EFT	0	38,046.38	1428
00137	BENCO ELECTRIC COOPERATIVE	12/03/2018	Bank Draft	0	27,880.27	DFT0002637
00234	CENTER POINT ENERGY	12/05/2018	Bank Draft	0	959.05	DFT0002651
02181	ETS CORPORATION	12/03/2018	Bank Draft	0	993.98	DFT0002674
00614	INTERNAL REVENUE SERVICE	12/05/2018	Bank Draft	0	4,171.72	DFT0002658
00614	INTERNAL REVENUE SERVICE	12/05/2018	Bank Draft	0	12,112.61	DFT0002660
00614	INTERNAL REVENUE SERVICE	12/05/2018	Bank Draft	0	11,722.56	DFT0002661
02003	MINNESOTA DEPT OF REVENUE	12/04/2018	Bank Draft	0	341.72	DFT0002649
02003	MINNESOTA DEPT OF REVENUE	12/05/2018	Bank Draft	0	7,789.00	DFT0002652
02003	MINNESOTA DEPT OF REVENUE	12/05/2018	Bank Draft	0	5,997.01	DFT0002659
02766	SPROUT SOCIAL	12/07/2018	Bank Draft	0	99.00	DFT0002679
02175	STREAMLINE COMMUNICATIONS, LLC	12/07/2018	Bank Draft	0	4,873.00	DFT0002675
01477	VIKING ELECTRIC SUPPLY, INC.	12/03/2018	Bank Draft	0	77.56	DFT0002646
01477	VIKING ELECTRIC SUPPLY, INC.	12/03/2018	Bank Draft	0	58.99	DFT0002646
01477	VIKING ELECTRIC SUPPLY, INC.	12/03/2018	Bank Draft	0	56.86	DFT0002646
01477	VIKING ELECTRIC SUPPLY, INC.	12/05/2018	Bank Draft	0	16.30	DFT0002663
01477	VIKING ELECTRIC SUPPLY, INC.	12/07/2018	Bank Draft	0	30.78	DFT0002676
01477	VIKING ELECTRIC SUPPLY, INC.	12/07/2018	Bank Draft	0	2,030.40	DFT0002676
01477	VIKING ELECTRIC SUPPLY, INC.	12/13/2018	Bank Draft	0	1,144.41	DFT0002700
01557	XCEL ENERGY	12/03/2018	Bank Draft	0	24,090.52	DFT0002638
					<u>689,358.30</u>	<u>151</u>

Authorization Signatures

All Council

The above manual and regular claims lists for 12-17-18 are approved by:

MARK DEHEN- MAYOR

DIANE NORLAND- COUNCIL MEMBER

WILLIAM STEINER- COUNCIL MEMBER

ROBERT FREYBERG- COUNCIL MEMBER

JAMES WHITLOCK- COUNCIL MEMBER

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
Delta Kappa Gamma Nu Chapter	Backpack Program	\$ 160.00
Marion Cords	Backpack Program	\$ 39.00
Cynthia Shirk	Backpack Program	\$ 6.00
Susan Desteian	Backpack Program	\$ 10.00
Donna Mertesorf	Backpack Program	\$ 20.00
Mary Callahan	Backpack Program	\$ 20.00
Sandra Ekstam	Backpack Program	\$ 20.00
Lynn Klaber	Backpack Program	\$ 30.00
Allette Bleess	Backpack Program	\$ 50.00
Beth Christensen	Backpack Program	\$ 54.00
Alice Dimeglio	Backpack Program	\$ 25.00
Traverse Des Sioux Library Cooperative	Canvas Art Workshop	\$ 580.00
Jo Marie Robbins	Private Donation - Library	\$ 100.00
		\$1,114.00

Adopted by the City Council this 17th day of December 2018.

Mayor

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 8C	Dept: Finance	Council Meeting Date: 12/17/18																											
TITLE OF ISSUE: Consider Resolution Setting Rates and Charges for Municipal Utilities.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: Part of the proposed 2019 Budget is a \$1.00 a month increase in the recycling rate. This rate increase would be for all sizes of carts offered. The approximately \$92,700 in increased revenue will cover a shortfall created by the end of an agreement with Nicollet County.																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Adopt Resolution Setting Rates and Charges for Municipal Utilities.																													
For Clerk's Use: Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>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>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>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Freyberg	_____	_____	Whitlock	_____	_____	Steiner	_____	_____	Norland	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input 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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<input type="checkbox"/> Workshop <input checked="" type="checkbox"/> Regular Meeting <input type="checkbox"/> Special Meeting	<input type="checkbox"/> Refer to: _____ <input type="checkbox"/> Table until: _____ <input type="checkbox"/> Other: _____																												

RESOLUTION NO.

RESOLUTION SETTING RATES AND CHARGES FOR
RECYCLING COLLECTION

WHEREAS, Section 50.02 of the City Code requires the City Council to fix and determine all rates and charges for municipal utilities in the City of North Mankato;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, pursuant to Section 50.02 of the City Code that the following monthly municipal recycling charge be set effective for billings on and after January 1, 2019:

Recycling Rates	
35 Gallon	\$7.00
65 Gallon	\$7.00
95 Gallon	\$7.00

Adopted by the City Council this 17th day of December 2018.

Mayor

ATTEST:

City Clerk



CIRCL-3

OP ID: DL

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/12/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Key City Insurance Agency 334 Belgrade Avenue P.O. Box 2138 North Mankato, MN 56002-2138 Key City Ins. Agency LLC		507-625-7667	CONTACT NAME: Key City Ins. Agency LLC PHONE (A/C, No, Ext): 507-625-7667 FAX (A/C, No): 507-625-3349 E-MAIL ADDRESS:
INSURED Circle Inn of North Mankato LLC 232 Belgrade Ave North Mankato, MN 56003		INSURER(S) AFFORDING COVERAGE INSURER A: Illinois Casualty Co INSURER B: State Fund Mutual Ins. INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below			107720.201	01/01/2019	01/01/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	LIQUOR LIAB			LL105824	01/01/2019	01/01/2020	LIQUOR 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of North Mankato
1001 Belgrade Ave
North Mankato, MN 56003

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Key City Ins. Agency LLC

A RESOLUTION DESIGNATING THE POLLING PLACES FOR 2019

WHEREAS, The City of North Mankato Minnesota, pursuant to Minnesota Statue §204B.16 POLLING PLACES; DESIGNATION, is required each year to designate by resolution a polling place for each election precinct.

NOW THEREFORE, be it resolved by the City Council of the City of North Mankato, Minnesota as follows:

Precinct 1	St. Paul's Lutheran Church 304 Monroe Avenue
Precinct 2	Holy Rosary School 546 Grant Avenue
Precinct 3	Police Annex Community Room 1001 Belgrade Avenue
Precinct 4	Oak Terrace West 1570 Tower Boulevard
Precinct 5	Peace Lutheran Church 2090 Commerce Drive
Precinct 6	Fire Station No. 2 1825 Howard Drive
Precinct 7	Monarch Meadows 2135 LorRay Drive

Adopted by the City Council of the City of North Mankato, County of Nicollet, State of Minnesota, this the 17th day of December 2018.

Mayor

ATTEST

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 8F	Dept: Com. Development	Council Meeting Date: 12/17/18																											
TITLE OF ISSUE: Consider Setting Public Hearing for 7 pm on January 7, 2019, for Short-Term Rental Ordinance.																													
BACKGROUND AND SUPPLEMENTAL INFORMATION: Please review the Planning Commission report. Community Development Director Fischer will provide information on the Planning Commission's recommendation.																													
<i>If additional space is required, attach a separate sheet</i>																													
REQUESTED COUNCIL ACTION: Set Public Hearing for 7 p.m. on Monday, January 7, 2019.																													
For Clerk's Use: Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>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>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>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Freyberg	_____	_____	Whitlock	_____	_____	Steiner	_____	_____	Norland	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <div style="margin-top: 10px;"> Other (specify) _____ <div style="float: right; text-align: right;"> Notice of Public Hearing Report </div> </div>	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"/> 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: _____																												

SHORT-TERM RENTAL ORDINANCE

THE CITY OF NORTH MANKATO

SUBJECT: Short-Term Rental Ordinance
APPLICANT: City of North Mankato
LOCATION: City Wide
EXISTING ZONING: -
DATE OF HEARING: November 29, 2018
DATE OF REPORT: November 14, 2018
REPORTED BY: Mike Fischer, Community Development Director

APPLICATION SUBMITTED

Request to review Short-term Rental Ordinance

COMMENT

Based on past Planning Commission discussions regarding the implementation of a Short-Term Rental ordinance, attached is draft City Code language intended to regulate such use. In summary, it would be necessary for anyone intending to use their dwelling as a Short-Term Rental, to obtain a license from the City. At the October Planning Commission meeting, the revised ordinance was reviewed and it was recommended that the full Commission should participate in the discussion and that more conversation should be held regarding occupancies and the use of rental strikes. Regarding occupancies, staff is proposing that Short-Term Rentals would be limited to 2 times the number of Building Code compliant bedrooms with total occupancy not to exceed 8 persons per dwelling regardless of the number of bedrooms. After review of other cities who have adopted Short-Term Rental ordinances, many do not regulate the total number of persons that can occupy a Short-Term Rental dwelling. However, there were also many that did regulate occupancies and the following are some of those regulations:

Brainerd, MN	2 persons per bedroom
Duluth, MN	1 person plus the number of bedrooms multiplied by 2
Prior Lake, MN	Based on lot size and square footage of the dwelling
Stillwater, MN	2 person per bedroom plus 1 other
Nashville, TN	2 person per bedroom, maximum of 12
Charleston, SC	4 adults plus any number of children
Knoxville, TN	2 per bedroom plus 2 additional people, maximum of 12

Regarding the use of rental strikes, there were again many cities who did not issue rental strikes or impose other similar penalties for tenant behavior. The following is a summary of a sample of cities who do regulate tenant behavior:

Stillwater, MN	If 3 substantiated and relevant complaints are received from neighbors or guests within a 12 month period, the license shall be revoked
Prior Lake, MN	3 strike rule, similar to North Mankato
Nashville, TN	License may be revoked after 3 violations of any ordinance
Charleston, SC	Any violation entitles the City to revoke a license
Sandpoint, ID	Revocation after 3 strikes

In summary, the attached ordinance is designed to license and regulate Short-Term Rental dwellings similar to the general rental licensing program the City administers. Also attached is a proposed Short-term rental application with fees similar to general rental licensing.

As proposed, the issuance of Short-Term Rental licenses would not affect the 10% rental density cap.

RECOMMENDATION

Staff recommends approval of the attached Short-Term Rental ordinance and application.

CHAPTER 157 SHORT-TERM RENTALS

157.001 PURPOSE:

(A) The City finds that Short-Term Rentals located in residential zoning districts constitute commercial use of residential property which is inconsistent with the residential nature of the zoning districts. Therefore, in order to protect the residential character of the City's residential districts, the City determines that it is appropriate to license Short-Term Rentals.

157.002 DEFINITION:

SHORT-TERM RENTAL: A dwelling unit or a portion of a dwelling unit rented for a period of less than thirty (30) days.

157.003 LICENSE REQUIRED:

(A) No owner of a Short-Term Rental located within a residential zoning district shall rent, offer for rent, or advertise for rent to another person(s) without first obtaining a Short-Term License. As part of the licensing process, all Short-Term Rental dwellings will be subject to inspection by the Building Official or Building Inspector.

157.020 GENERALLY:

(A) The following are applicable to all Short-Term Rental dwellings:

1. The dwelling shall not be used for commercial events or receptions such as weddings, reunions or parties.
2. The dwelling shall be rented for a period of less than thirty consecutive (30) days.
3. Short-Term Rental are not subject to the rental density provisions of the North Mankato City Code.
4. Recreational vehicles (RV's), campers, tents or travel trailers shall not be used for short-term rental purposes.
5. No sign identifying a short-term rental is permitted on the premises.
6. No Short-Term Rental dwelling shall be occupied until a Certificate of License has been issued.

157.021 LICENSING:

(A) *License fee.* The annual rental license fee shall be established by resolution of the Council. A \$50 non-refundable application fee is required for each new Short-Term Rental license application.

(B) *License expiration.* Each license issued pursuant to this section shall have a term of 1 year and shall expire on December 31. Payment of license fees is due and payable on or before the date of expiration of the license. All Short-Term Rental licenses, for which payment of license fees is over 30 days past due shall be automatically canceled. Reissuance of a license for any property with a canceled license shall be handled as if the property were a new license. Such issuance will require the property to comply with all codes in effect at the time of the new license application.

157.022 SALE/TRANSFER OF OWNERSHIP OF LICENSED SHORT TERM RENTAL:

Upon the sale of any licensed Short-Term Rental, should the subsequent owner wish to continue to use the dwelling for Short-Term Rental purposes, it is necessary to apply for transfer of a Short-Term Rental license including a physical inspection of the dwelling and property by the Building Official or Building Inspector.

157. 023 APPLICATIONS:

All applications shall be made as follows:

- (A) All applications shall be made at the office of the City Clerk.
- (B) All such applications must be subscribed, sworn to, and include, but not be limited to, the following:
 - (1) Applicant's name, present address, phone number and email address;
 - (2) Address of property to be used as a Short-Term Rental;
 - (3) Parking plan showing the size and location of all off-street parking spaces;
 - (4) Name of person (if other than applicant) responsible for the rental unit;
 - (5) Such other information as the Council shall deem necessary considering the nature of the use for which the license application is made.
- (C) It is unlawful for any applicant to intentionally make a false statement or omission upon any application form. Any false statement in such application, or any willful omission to state any information called for on such application form shall, upon discovery of such falsehood work an automatic refusal of license, or if already issued, shall render any license or permit issued pursuant thereto, void.
- (D) The City Clerk shall, upon receipt of each application completed in accordance herewith, forthwith investigate the truth of statements made therein.
- (E) Applications for renewal licenses may be made in such abbreviated form as the Council may by resolution adopt.
- (F) Applications shall be void 30 days after the date of application. Any fees paid will be non-refundable.

157.025 CONDUCT ON LICENSED PROPERTY:

- (A) It shall be the responsibility of the licensee to take appropriate action following conduct by occupant(s) or guest of the occupant(s) which is in violation of any of the following:
 - (1) Anytime, day or night, that the premises are involved in any of the following:
 - (a) Unlicensed sale of intoxicating liquor or non-intoxicating malt beverages.
 - (b) Furnishing intoxicating liquor or non-intoxicating malt beverages by persons under the age of 21 years.
 - (c) Consumption of intoxicating liquor or non-intoxicating malt beverages by persons under the age of 21 years.
 - (d) Vice crimes.
 - (e) Sale or use of illegal drugs by any person on the premises.
 - (f) Storage of unlicensed or inoperable vehicles, trailers, boats, RVs and campers.
 - (g) Allowing grass or weeds to exceed 6 inches in height.
 - (h) Failure to remove ice or snow on adjacent sidewalks within 48 hours after snow or ice has ceased to fall.
 - (i) Parking of any vehicles in front yard areas, except permitted driveways.
 - (j) Failure to pay monthly utility bill by the due date.

(k) Failure to comply with § 92.21 Building Maintenance and Appearance after notification by the city.

(1) Failure to make corrective state building code or city code changes after notification by the city.

(2) Anytime, day or night, that the premises are involved in a manner affecting the neighborhood for any of the following:

- (a) Disorderly conduct.
- (b) Disturbing the peace.
- (c) Obstructing an officer.
- (d) Assault (including domestic assault).
- (e) Criminal damage to property.
- (f) Vice crimes.

(3) Between the hours of 7:00 a.m. and 10:00 p.m. for any of the following:

(a) Where the police respond initially and describe the activity as "loud and intrusive" or in any manner affecting the tranquility of the neighborhood (such as, excessive littering, public urination, and the like) and persons involved refusing to comply with police directive to curtail the behavior within 10 minutes.

(b) Where the police respond a second time and describe the activity as "loud and intrusive" or in any manner affecting the tranquility of the neighborhood (such as, excessive littering, public urination, and the like) on both occasions.

(c) Where the police respond on 3 separate dates and describe the activity as "loud and intrusive" or in any manner affecting the tranquility of the neighborhood (such as, excessive littering, public urination, and the like).

(4) Between the hours of 10:00 p.m. and 7:00 a.m. for any 1 or more of the following:

(a) Where police describe the noise level outside of the confines of the dwelling unit as "loud and intrusive." This description should give some indication of the distance that the noises are heard.

(b) Where people are using profanity that can be heard outside the confines of the dwelling unit.

(c) Where music, either from the confines of the dwelling unit, the yard area of the dwelling unit or any parking area defined for the dwelling unit, can be heard from the street, alley or neighboring yards.

(d) Where a gathering is going on either in and/or out of the dwelling unit in a manner that involves any of the following:

1. Disruption of the neighbors, such as, revving of cars, squealing of tires, loud shouting, and the like.

2. Littering.

3. Inappropriate behavior, such as, urinating in yards, persons passed out, and the like.

4. Damaging of property: and where after investigation the officer(s) can show that the inappropriate activity was directly related to the licensed premises. Proof may include, but is not limited to, direct observation by officers, admissions by persons present or testimony/statements by complainants and witnesses.

(e) Where officers are unable to personally verify the existence of any of the criteria listed in 1. through 4. above, but complainants/witnesses are willing to testify to 1 or more of those facts at a criminal or civil proceeding.

(B) The Chief of Police or his or her designee shall be responsible for enforcement and administration of this section.

(C) Upon determination by the Chief of Police that a licensed premises was involved in a violation of division (A) of this section, the Chief of Police shall notify the licensee by first class mail of the violation, direct the licensee to take steps to prevent further violations and issue a fine of \$200 to the licensee to be paid within 14 days after notification is issued. Failure to pay fine will result in immediate revocation of the rental license. A copy of said notice shall be sent by first class mail to the occupant in violation of division (A) of this section.

(D) Upon a second violation within 12 months of division (A) of this section involving a guest or an occupant of a licensed premises, the notice provided under division (C) of this section shall require the licensee to submit a written report of the action taken to prevent further violations on the premises and pay a fine of \$400 to be paid within 14 days after notification is issued. Failure to pay fine will result in immediate revocation of the rental license. This written report shall be submitted to the Police Chief within 5 days of request of the report and shall detail all actions taken by the licensee in response to all notices regarding violations to division (A) of this section within the preceding 12 months. If the licensee fails to comply with the requirements of the section, the rental dwelling license for the individual licensed premises may be denied, revoked, suspended, or such other penalty imposed by the City Council. An action to deny, revoke, suspend or renew a license under this section shall be initiated by the City Council at the request of the Police Chief.

(E) If a third or subsequent violation of division (A) of this section involving a guest of or an occupant of a licensed premises occurs within 12 months after any 2 previous instances for which notices were sent to the licensee regarding the same licensed premises, the rental dwelling license for the individual rental unit may be denied, revoked, suspended, or such other penalty not imposed by the City Council. An action to deny, revoke or suspend a license or impose any other penalty under this section shall be initiated by the City Council at the request of the Police Chief.

(F) No adverse license action shall be imposed if the violation to division (A) of this section occurred during the pendency of eviction proceedings (unlawful detainer) or within 30 days of notice given by the licensee to an occupant to vacate the premises, where the violation was related to conduct by that occupant, other occupants, or the occupant's guests. Eviction proceedings shall not be a bar to adverse license action, however, unless they are diligently pursued by the licensee. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this section may be postponed or discontinued at any time if it appears that the licensee has taken appropriate measures which will prevent further violations to division (A) of this section.

(G) A determination that the licensed premises has been used in violation of division (A) of this section shall be made by the Council upon substantial evidence to support such a determination. It shall not be necessary that criminal charges be brought to support a determination of violation to division (A) of this section, nor shall the facts of dismissal or acquittal of criminal charges operate as a bar to adverse license action under this section

157.026 OFF-STREET PARKING:

(A) Garages and off-street parking spaces on Short-Term licensed rental properties shall be made available to guests residing on the property.

(B) All off-street parking areas shall be hard-surfaced, using concrete, asphalt or paver brick material.

(C) *Parking ratio.* Any Short-Term Rental shall provide off-street parking according to the following:

(1) For one and two-family dwellings in R-A, R-1, R-1S and R-2 zoning districts off-street parking spaces shall be provided for each dwelling unit based on the following ratio of square footage of sleeping rooms to required parking stalls.

<i>Sleeping Rooms Square Footage:</i>	<i>Parking Stalls:</i>
70 to 119	2
120 to 169	2
170 to 219	3
220 to 269	4
270 and greater	5

(2) For a one-family dwelling, not less than 2 off-street parking stalls shall be provided and not more than 5 off-street parking stalls shall be required. For a two-family dwelling, not less than 4 parking stalls shall be provided and not more than 10 parking stalls shall be required.

157.027 OCCUPANCY

No more than 2 persons per Building Code compliant bedroom shall reside in a Short-Term Rental with the total occupancy not to exceed eight (8) persons per dwelling regardless of the number of bedrooms.

157.028 AGENT REQUIRED:

Each license holder of a dwelling unit within the city, in which license holder does not reside within a 30 mile radius of the city, as measured from the Veterans Memorial Bridge, shall appoint an agent residing within that area, upon which agent the city may serve notices pertaining to the administration of this section or of any provisions of the City Code pertaining to such dwelling unit. The license holder shall provide the City Clerk with the full name, address and telephone number of such agent(s). A license holder shall provide written notice to the City Clerk, with the required information, whenever the agent for a licensed property is changed. The written notice shall be provided to the City Clerk within 48 hours of such change(s).

157.050 PENALTY:

(A) Any violation of this chapter is a misdemeanor and is subject to all penalties provided for such violations.

(B) It is a misdemeanor for any person to prevent, delay, or provide false information to any city official, or his or her representative, while they are engaged in the performance of their duties as set forth in this chapter.

(C) In addition to bringing criminal charges for violation of this chapter, the city may seek a civil injunction against any licensee or occupant who violate any terms of this chapter.

CHAPTER 157 SHORT-TERM RENTALS

157.001 PURPOSE:

(A) The City finds that Short-Term Rentals located in residential zoning districts constitute commercial use of residential property which is inconsistent with the residential nature of the zoning districts. Therefore, in order to protect the residential character of the City's residential districts, the City determines that it is appropriate to license Short-Term Rentals.

157.002 DEFINITION:

SHORT-TERM RENTAL: A dwelling unit or a portion of a dwelling unit rented for a period of less than thirty (30) days.

157.003 LICENSE REQUIRED:

(A) No owner of a Short-Term Rental located within a residential zoning district shall rent, offer for rent, or advertise for rent to another person(s) without first obtaining a Short-Term License. As part of the licensing process, all Short-Term Rental dwellings will be subject to inspection by the Building Official or Building Inspector.

157.020 GENERALLY:

(A) The following are applicable to all Short-Term Rental dwellings:

1. The dwelling shall not be used for commercial events or receptions such as weddings, reunions or parties.
2. The dwelling shall be rented for a period of less than thirty consecutive (30) days.
3. Short-Term Rental are not subject to the rental density provisions of the North Mankato City Code.
4. Recreational vehicles (RV's), campers, tents or travel trailers shall not be used for short-term rental purposes.
5. No sign identifying a short-term rental is permitted on the premises.
6. No Short-Term Rental dwelling shall be occupied until a Certificate of License has been issued.

157.021 LICENSING:

(A) *License fee.* The annual rental license fee shall be established by resolution of the Council. A \$50 non-refundable application fee is required for each new Short-Term Rental license application.

(B) *License expiration.* Each license issued pursuant to this section shall have a term of 1 year and shall expire on December 31. Payment of license fees is due and payable on or before the date of expiration of the license. All Short-Term Rental licenses, for which payment of license fees is over 30 days past due shall be automatically canceled. Reissuance of a license for any property with a canceled license shall be handled as if the property were a new license. Such issuance will require the property to comply with all codes in effect at the time of the new license application.

157.022 SALE/TRANSFER OF OWNERSHIP OF LICENSED SHORT TERM RENTAL:

Upon the sale of any licensed Short-Term Rental, should the subsequent owner wish to continue to use the dwelling for Short-Term Rental purposes, it is necessary to apply for transfer of a Short-Term Rental license including a physical inspection of the dwelling and property by the Building Official or Building Inspector.

157. 023 APPLICATIONS:

All applications shall be made as follows:

- (A) All applications shall be made at the office of the City Clerk.
- (B) All such applications must be subscribed, sworn to, and include, but not be limited to, the following:
 - (1) Applicant's name, present address, phone number and email address;
 - (2) Address of property to be used as a Short-Term Rental;
 - (3) Parking plan showing the size and location of all off-street parking spaces;
 - (4) Name of person (if other than applicant) responsible for the rental unit;
 - (5) Such other information as the Council shall deem necessary considering the nature of the use for which the license application is made.
- (C) It is unlawful for any applicant to intentionally make a false statement or omission upon any application form. Any false statement in such application, or any willful omission to state any information called for on such application form shall, upon discovery of such falsehood work an automatic refusal of license, or if already issued, shall render any license or permit issued pursuant thereto, void.
- (D) The City Clerk shall, upon receipt of each application completed in accordance herewith, forthwith investigate the truth of statements made therein.
- (E) Applications for renewal licenses may be made in such abbreviated form as the Council may by resolution adopt.
- (F) Applications shall be void 30 days after the date of application. Any fees paid will be non-refundable.

157.025 CONDUCT ON LICENSED PROPERTY:

- (A) It shall be the responsibility of the licensee to take appropriate action following conduct by occupant(s) or guest of the occupant(s) which is in violation of any of the following:
 - (1) Anytime, day or night, that the premises are involved in any of the following:
 - (a) Unlicensed sale of intoxicating liquor or non-intoxicating malt beverages.
 - (b) Furnishing intoxicating liquor or non-intoxicating malt beverages by persons under the age of 21 years.
 - (c) Consumption of intoxicating liquor or non-intoxicating malt beverages by persons under the age of 21 years.
 - (d) Vice crimes.
 - (e) Sale or use of illegal drugs by any person on the premises.
 - (f) Storage of unlicensed or inoperable vehicles, trailers, boats, RVs and campers.
 - (g) Allowing grass or weeds to exceed 6 inches in height.
 - (h) Failure to remove ice or snow on adjacent sidewalks within 48 hours after snow or ice has ceased to fall.
 - (i) Parking of any vehicles in front yard areas, except permitted driveways.
 - (j) Failure to pay monthly utility bill by the due date.

(k) Failure to comply with § 92.21 Building Maintenance and Appearance after notification by the city.

(1) Failure to make corrective state building code or city code changes after notification by the city.

(2) Anytime, day or night, that the premises are involved in a manner affecting the neighborhood for any of the following:

- (a) Disorderly conduct.
- (b) Disturbing the peace.
- (c) Obstructing an officer.
- (d) Assault (including domestic assault).
- (e) Criminal damage to property.
- (f) Vice crimes.

(3) Between the hours of 7:00 a.m. and 10:00 p.m. for any of the following:

(a) Where the police respond initially and describe the activity as "loud and intrusive" or in any manner affecting the tranquility of the neighborhood (such as, excessive littering, public urination, and the like) and persons involved refusing to comply with police directive to curtail the behavior within 10 minutes.

(b) Where the police respond a second time and describe the activity as "loud and intrusive" or in any manner affecting the tranquility of the neighborhood (such as, excessive littering, public urination, and the like) on both occasions.

(c) Where the police respond on 3 separate dates and describe the activity as "loud and intrusive" or in any manner affecting the tranquility of the neighborhood (such as, excessive littering, public urination, and the like).

(4) Between the hours of 10:00 p.m. and 7:00 a.m. for any 1 or more of the following:

(a) Where police describe the noise level outside of the confines of the dwelling unit as "loud and intrusive." This description should give some indication of the distance that the noises are heard.

(b) Where people are using profanity that can be heard outside the confines of the dwelling unit.

(c) Where music, either from the confines of the dwelling unit, the yard area of the dwelling unit or any parking area defined for the dwelling unit, can be heard from the street, alley or neighboring yards.

(d) Where a gathering is going on either in and/or out of the dwelling unit in a manner that involves any of the following:

- 1. Disruption of the neighbors, such as, revving of cars, squealing of tires, loud shouting, and the like.
- 2. Littering.
- 3. Inappropriate behavior, such as, urinating in yards, persons passed out, and the like.
- 4. Damaging of property: and where after investigation the officer(s) can show that the inappropriate activity was directly related to the licensed premises. Proof may include, but is not limited to, direct observation by officers, admissions by persons present or testimony/statements by complainants and witnesses.

(e) Where officers are unable to personally verify the existence of any of the criteria listed in 1. through 4. above, but complainants/witnesses are willing to testify to 1 or more of those facts at a criminal or civil proceeding.

(B) The Chief of Police or his or her designee shall be responsible for enforcement and administration of this section.

(C) Upon determination by the Chief of Police that a Short-Term Rental licensed premises was involved in a violation of division (A) of this section, the Chief of Police shall notify the licensee by first class mail of the violation and issue a warning. ~~direct the licensee to take steps to prevent further violations and issue a fine of \$200 to the licensee to be paid within 14 days after notification is issued. Failure to pay fine will result in immediate revocation of the rental license. A copy of said notice shall be sent by first class mail to the occupant in violation of division (A) of this section.~~

(D) Upon a second violation within 12 months of division (A) of this section involving a guest or an occupant of a licensed premises, the notice provided under division (C) of this section shall require the licensee to submit a written report of the action taken to prevent further violations on the premises and pay a fine of \$~~4~~200 to be paid within 14 days after notification is issued. Failure to pay fine will result in immediate revocation of the rental license. This written report shall be submitted to the Police Chief within 5 days of request of the report and shall detail all actions taken by the licensee in response to all notices regarding violations to division (A) of this section within the preceding 12 months. If the licensee fails to comply with the requirements of the section, the ~~rental dwelling~~Short-Term Rental license for the individual licensed premises may be denied, revoked, suspended, or such other penalty imposed by the City Council. An action to deny, revoke, suspend or renew a license under this section shall be initiated by the City Council at the request of the Police Chief.

(E) If a third or subsequent violation of division (A) of this section involving a guest of or an occupant of a licensed premises occurs within 12 months after any 2 previous instances for which notices were sent to the licensee regarding the same licensed premises, the ~~rental dwelling~~Short-Term Rental license for the individual rental unit will be ~~may be denied,~~ revoked, ~~suspended, or such other penalty not imposed by the City Council.~~ Any action to ~~deny, revoke or suspend~~ a license ~~or impose any other penalty~~ under this section shall be initiated by the City Council at the request of the Police Chief.

(F) No adverse license action shall be imposed if the violation to division (A) of this section occurred during the pendency of eviction proceedings (unlawful detainer) or within 30 days of notice given by the licensee to an occupant to vacate the premises, where the violation was related to conduct by that occupant, other occupants, or the occupant's guests. Eviction proceedings shall not be a bar to adverse license action, however, unless they are diligently pursued by the licensee. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this section may be postponed or discontinued at any time if it appears that the licensee has taken appropriate measures which will prevent further violations to division (A) of this section.

(G) A determination that the licensed premises has been used in violation of division (A) of this section shall be made by the Council upon substantial evidence to support such a determination. It shall not be necessary that criminal charges be brought to support a determination of violation to division (A) of this section, nor shall the facts of dismissal or acquittal of criminal charges operate as a bar to adverse license action under this section

157.026 OFF-STREET PARKING:

(A) Garages and off-street parking spaces on Short-Term licensed rental properties shall be made available to guests residing on the property.

(B) All off-street parking areas shall be hard-surfaced, using concrete, asphalt or paver brick material.

(C) *Parking ratio.* Any Short-Term Rental shall provide off-street parking according to the following:

(1) For one and two-family dwellings in R-A, R-1, R-1S and R-2 zoning districts off-street parking spaces shall be provided for each dwelling unit based on the following ratio of square footage of sleeping rooms to required parking stalls.

<i>Sleeping Rooms Square Footage:</i>	<i>Parking Stalls:</i>
70 to 119	2
120 to 169	2
170 to 219	3
220 to 269	4
270 and greater	5

(2) For a one-family dwelling, not less than 2 off-street parking stalls shall be provided and not more than 5 off-street parking stalls shall be required. For a two-family dwelling, not less than 4 parking stalls shall be provided and not more than 10 parking stalls shall be required.

157.027 OCCUPANCY

~~No more than 2 persons per Building Code compliant bedroom shall reside in a Short-Term Rental. Tenant occupancies shall be limited to 2 persons per Building Code compliant bedroom plus 2 additional people~~ with the total occupancy not to exceed ~~eight~~twelve (12) persons per dwelling regardless of the number of bedrooms.

157.028 AGENT REQUIRED:

Each license holder of a dwelling unit within the city, in which license holder does not reside within a 30 mile radius of the city, as measured from the Veterans Memorial Bridge, shall appoint an agent residing within that area, upon which agent the city may serve notices pertaining to the administration of this section or of any provisions of the City Code pertaining to such dwelling unit. The license holder shall provide the City Clerk with the full name, address and telephone number of such agent(s). A license holder shall provide written notice to the City Clerk, with the required information, whenever the agent for a licensed property is changed. The written notice shall be provided to the City Clerk within 48 hours of such change(s).

157.050 PENALTY:

(A) Any violation of this chapter is a misdemeanor and is subject to all penalties provided for such violations.

(B) It is a misdemeanor for any person to prevent, delay, or provide false information to any city official, or his or her representative, while they are engaged in the performance of their duties as set forth in this chapter.

(C) In addition to bringing criminal charges for violation of this chapter, the city may seek a civil injunction against any licensee or occupant who violate any terms of this chapter.



City of North Mankato
1001 Belgrade Ave
North Mankato, MN 56003
507.625.4141

SHORT TERM RESIDENTIAL RENTAL LICENSE APPLICATION

All fields must be completed on this application.

RENTAL PROPERTY ADDRESS: _____
(Only 1 address per application. Duplicate this page if needed)

Number of Rental Units at this Address: _____ **Zoning District:** _____
Contact the City if you do not know the zoning district

OWNER NAME: _____
(First) (MI) (Last)

MAILING ADDRESS: _____
(Street Address – NO P.O. Box) (City) (State) (Zip)

(Cell Phone) (Work Phone) (Home Phone)

(E-mail)

North Mankato City Code requires a local agent if owner does not live within a 30-mile radius of the city as measured from the Veterans Memorial Bridge.

NAME OF AGENT: _____
(If other than owner) (Company Name) (Contact Name)

MAILING ADDRESS: _____
(Street Address – NO P.O. Box) (City) (State) (Zip)

(Cell Phone) (Work Phone) (Home Phone)

(E-mail)

How many off-street parking stalls are currently available at the property? : _____. A minimum of 2 compliant off-street parking spaces will be required for each unit. All off-street parking spaces shall be hard-surfaced. If there is a garage on the property and is counted as part of the 2 off-street parking spaces, the garage must be made clear and available for tenants to park a vehicle(s) inside.

For One and Two-Family Dwellings in R-A, R-1, R-1S and R-2 zoning districts off-street parking spaces shall be provided for each dwelling unit based on the following ratio of square footage of sleeping rooms to required parking stalls

Sleeping Rooms Square Footage:	Parking Stalls:
70 to 119	2
120 to 169	2
170 to 219	3
220 to 269	4
270 and greater	5

For a one-family dwelling, not less than two off-street parking stalls shall be provided and not more than five off-street parking stalls shall be required. For a two-family dwelling, not less than four parking stalls shall be provided and not more than ten parking stalls shall be required.

Payment - \$50.00 Application Fee (non-refundable) will be required with this application. (License fees will be required after the property passes final inspection and before any license is issued)

Carefully read the statements below, initial where required, and sign and date.

I hereby grant permission to the City of North Mankato to make inspections of the structure listed herein to determine its compliance with all applicable codes. I agree to maintain a clean, safe, sanitary residential dwelling. I understand that my failure to comply with these requirements may result in a monetary fine or revocation of the license. I hereby certify that the agent listed herein (if any) is authorized to receive correspondence, license renewals, summons and complaints on behalf of the owner. The owner and/or agent agree to promptly notify the City of any change in tenant occupancy, change of agent or transfer of ownership. _____

Applicant's Initials

I understand that a city Inspection Official will contact me to schedule a walk-through inspection of the property. It is expected **the first walk-through inspection will occur within twenty (20) days** from the date the Inspection Official contacts me. _____

Applicant's Initials

I understand that failure to complete any necessary code requirements **within the time-frame issued by the Inspection Official** will result in this application being withdrawn and voided. _____

Applicant's Initials

I understand that payment made with this application has been submitted for the purpose of applying for a Short Term rental license and that such submittal does not constitute an automatic granting of a Short Term rental license. I also understand that the application fee will not be refunded if a Short Term rental license is denied due to failure of the property to comply with all applicable codes. _____

Applicant's Initials

I hereby certify that all information contained herein is true and accurate.

Applicant's Signature _____ **Date:** _____

Applicant's Printed Name _____

OFFICE USE ONLY

Date Application Received: _____ ☐ Floor Plan ☐ Site Plan ☐ Tenant List

Application Fee: _____ **Receipt #** _____

Inspections

Initial Inspection Completed on: _____

Corrections Due By: _____

Final Inspection on: _____

License Fees and Issuance

of Units x \$45.00 per Unit = _____

License Fees Paid: _____ **Receipt #** _____

License # Issued: _____

ORDINANCE NO. 111, FOURTH SERIES
AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA, AMENDING
NORTH MANKATO CITY CODE, TITLE XV, LAND USAGE, CHAPTER
157 SHORT-TERM RENTALS

Section 1. Sections of North Mankato City Code, Title XV, Land Usage, Chapter 157, Short-Term Rental Code, is hereby included in City Code as follows:

157.001 PURPOSE:

(A) The City finds that Short-Term Rentals located in residential zoning districts constitute commercial use of residential property which is inconsistent with the residential nature of the zoning districts. Therefore, in order to protect the residential character of the City's residential districts, the City determines that it is appropriate to license Short-Term Rentals.

157.002 DEFINITION:

SHORT-TERM RENTAL: A dwelling unit or a portion of a dwelling unit rented for a period of less than thirty (30) days.

157.003 LICENSE REQUIRED:

(A) No owner of a Short-Term Rental located within a residential zoning district shall rent, offer for rent, or advertise for rent to another person(s) without first obtaining a Short-Term License. As part of the licensing process, all Short-Term Rental dwellings will be subject to inspection by the Building Official or Building Inspector.

157.020 GENERALLY:

(A) The following are applicable to all Short-Term Rental dwellings:

1. The dwelling shall not be used for commercial events or receptions such as weddings, reunions or parties.
2. The dwelling shall be rented for a period of less than thirty consecutive (30) days.
3. Short-Term Rental are not subject to the rental density provisions of the North Mankato City Code.
4. Recreational vehicles (RV's), campers, tents or travel trailers shall not be used for short – term rental purposes.
5. No sign identifying a short-term rental is permitted on the premises.
6. No Short-Term Rental dwelling shall be occupied until a Certificate of License has been issued.

157.021 LICENSING:

(A) *License fee.* The annual rental license fee shall be established by resolution of the Council. A \$50 non-refundable application fee is required for each new Short-Term Rental license application.

(B) *License expiration.* Each license issued pursuant to this section shall have a term of 1 year and shall expire on December 31. Payment of license fees is due and payable on or before the date of expiration of the license. All Short-Term Rental licenses, for which payment of license fees is over 30 days past due shall be automatically canceled. Reissuance of a license for any

property with a canceled license shall be handled as if the property were a new license. Such issuance will require the property to comply with all codes in effect at the time of the new license application.

157.022 SALE/TRANSFER OF OWNERSHIP OF LICENSED SHORT TERM RENTAL:

Upon the sale of any licensed Short-Term Rental, should the subsequent owner wish to continue to use the dwelling for Short-Term Rental purposes, it is necessary to apply for transfer of a Short-Term Rental license including a physical inspection of the dwelling and property by the Building Official or Building Inspector.

157. 023 APPLICATIONS:

All applications shall be made as follows:

(A) All applications shall be made at the office of the City Clerk.
(B) All such applications must be subscribed, sworn to, and include, but not be limited to, the following:

- (1) Applicant's name, present address, phone number and email address;
- (2) Address of property to be used as a Short-Term Rental;
- (3) Parking plan showing the size and location of all off-street parking spaces;
- (4) Name of person (if other than applicant) responsible for the rental unit;
- (5) Such other information as the Council shall deem necessary considering the nature of the use for which the license application is made.

(C) It is unlawful for any applicant to intentionally make a false statement or omission upon any application form. Any false statement in such application, or any willful omission to state any information called for on such application form shall, upon discovery of such falsehood work an automatic refusal of license, or if already issued, shall render any license or permit issued pursuant thereto, void.

(D) The City Clerk shall, upon receipt of each application completed in accordance herewith, forthwith investigate the truth of statements made therein.

(E) Applications for renewal licenses may be made in such abbreviated form as the Council may by resolution adopt.

(F) Applications shall be void 30 days after the date of application. Any fees paid will be non-refundable.

157.025 CONDUCT ON LICENSED PROPERTY:

(A) It shall be the responsibility of the licensee to take appropriate action following conduct by occupant(s) or guest of the occupant(s) which is in violation of any of the following:

- (1) Anytime, day or night, that the premises are involved in any of the following:
 - (a) Unlicensed sale of intoxicating liquor or non-intoxicating malt beverages.
 - (b) Furnishing intoxicating liquor or non-intoxicating malt beverages by persons under the age of 21 years.
 - (c) Consumption of intoxicating liquor or non-intoxicating malt beverages by persons under the age of 21 years.
 - (d) Vice crimes.
 - (e) Sale or use of illegal drugs by any person on the premises.
 - (f) Storage of unlicensed or inoperable vehicles, trailers, boats, RVs and campers.
 - (g) Allowing grass or weeds to exceed 6 inches in height.

(h) Failure to remove ice or snow on adjacent sidewalks within 48 hours after snow or ice has ceased to fall.

(i) Parking of any vehicles in front yard areas, except permitted driveways.

(j) Failure to pay monthly utility bill by the due date.

(k) Failure to comply with § 92.21 Building Maintenance and Appearance after notification by the city.

(1) Failure to make corrective state building code or city code changes after notification by the city.

(2) Anytime, day or night, that the premises are involved in a manner affecting the neighborhood for any of the following:

(a) Disorderly conduct.

(b) Disturbing the peace.

(c) Obstructing an officer.

(d) Assault (including domestic assault).

(e) Criminal damage to property.

(f) Vice crimes.

(3) Between the hours of 7:00 a.m. and 10:00 p.m. for any of the following:

(a) Where the police respond initially and describe the activity as "loud and intrusive" or in any manner affecting the tranquility of the neighborhood (such as, excessive littering, public urination, and the like) and persons involved refusing to comply with police directive to curtail the behavior within 10 minutes.

(b) Where the police respond a second time and describe the activity as "loud and intrusive" or in any manner affecting the tranquility of the neighborhood (such as, excessive littering, public urination, and the like) on both occasions.

(c) Where the police respond on 3 separate dates and describe the activity as "loud and intrusive" or in any manner affecting the tranquility of the neighborhood (such as, excessive littering, public urination, and the like).

(4) Between the hours of 10:00 p.m. and 7:00 a.m. for any 1 or more of the following:

(a) Where police describe the noise level outside of the confines of the dwelling unit as "loud and intrusive." This description should give some indication of the distance that the noises are heard.

(b) Where people are using profanity that can be heard outside the confines of the dwelling unit.

(c) Where music, either from the confines of the dwelling unit, the yard area of the dwelling unit or any parking area defined for the dwelling unit, can be heard from the street, alley or neighboring yards.

(d) Where a gathering is going on either in and/or out of the dwelling unit in a manner that involves any of the following:

1. Disruption of the neighbors, such as, revving of cars, squealing of tires, loud shouting, and the like.

2. Littering.

3. Inappropriate behavior, such as, urinating in yards, persons passed out, and the like.

4. Damaging of property: and where after investigation the officer(s) can show that the inappropriate activity was directly related to the licensed premises. Proof may include, but is not limited to, direct observation by officers, admissions by persons present or testimony/statements by complainants and witnesses.

(e) Where officers are unable to personally verify the existence of any of the criteria listed in 1. through 4. above, but complainants/witnesses are willing to testify to 1 or more of those facts at a criminal or civil proceeding.

(B) The Chief of Police or his or her designee shall be responsible for enforcement and administration of this section.

(C) Upon determination by the Chief of Police that a Short-Term Rental licensed premises was involved in a violation of division (A) of this section, the Chief of Police shall notify the licensee by first class mail of the violation and issue a warning.

(D) Upon a second violation within 12 months of division (A) of this section involving a guest or an occupant of a licensed premises, the notice provided under division (C) of this section shall require the licensee to submit a written report of the action taken to prevent further violations on the premises and pay a fine of \$200 to be paid within 14 days after notification is issued. Failure to pay fine will result in immediate revocation of the rental license. This written report shall be submitted to the Police Chief within 5 days of request of the report and shall detail all actions taken by the licensee in response to all notices regarding violations to division (A) of this section within the preceding 12 months. If the licensee fails to comply with the requirements of the section, the Short-Term Rental license for the individual licensed premises may be denied, revoked, suspended, or such other penalty imposed by the City Council. An action to deny, revoke, suspend or renew a license under this section shall be initiated by the City Council at the request of the Police Chief.

(E) If a third or subsequent violation of division (A) of this section involving a guest of or an occupant of a licensed premises occurs within 12 months after any 2 previous instances for which notices were sent to the licensee regarding the same licensed premises, the Short-Term Rental license for the individual rental unit will be revoked. Any action to revoke a license under this section shall be initiated by the City Council at the request of the Police Chief.

(F) No adverse license action shall be imposed if the violation to division (A) of this section occurred during the pendency of eviction proceedings (unlawful detainer) or within 30 days of notice given by the licensee to an occupant to vacate the premises, where the violation was related to conduct by that occupant, other occupants, or the occupant's guests. Eviction proceedings shall not be a bar to adverse license action, however, unless they are diligently pursued by the licensee. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this section may be postponed or discontinued at any time if it appears that the licensee has taken appropriate measures which will prevent further violations to division (A) of this section.

(G) A determination that the licensed premises has been used in violation of division (A) of this section shall be made by the Council upon substantial evidence to support such a determination. It shall not be necessary that criminal charges be brought to support a determination of violation to division (A) of this section, nor shall the facts of dismissal or acquittal of criminal charges operate as a bar to adverse license action under this section

157.026 OFF-STREET PARKING:

(A) Garages and off-street parking spaces on Short-Term licensed rental properties shall be made available to guests residing on the property.

(B) All off-street parking areas shall be hard-surfaced, using concrete, asphalt or paver brick material.

(C) *Parking ratio.* Any Short-Term Rental shall provide off-street parking according to the following:

(1) For one and two-family dwellings in R-A, R-1, R-1S and R-2 zoning districts off-street parking spaces shall be provided for each dwelling unit based on the following ratio of square footage of sleeping rooms to required parking stalls.

<i>Sleeping Rooms Square Footage:</i>	<i>Parking Stalls:</i>
70 to 119	2
120 to 169	2
170 to 219	3
220 to 269	4
270 and greater	5

(2) For a one-family dwelling, not less than 2 off-street parking stalls shall be provided and not more than 5 off-street parking stalls shall be required. For a two-family dwelling, not less than 4 parking stalls shall be provided and not more than 10 parking stalls shall be required.

157.027 OCCUPANCY

Tenant occupancies shall be limited to 2 persons per Building Code compliant bedroom plus 2 additional people with the total occupancy not to exceed twelve (12) persons per dwelling regardless of the number of bedrooms.

157.028 AGENT REQUIRED:

Each license holder of a dwelling unit within the city, in which license holder does not reside within a 30 mile radius of the city, as measured from the Veterans Memorial Bridge, shall appoint an agent residing within that area, upon which agent the city may serve notices pertaining to the administration of this section or of any provisions of the City Code pertaining to such dwelling unit. The license holder shall provide the City Clerk with the full name, address and telephone number of such agent(s). A license holder shall provide written notice to the City Clerk, with the required information, whenever the agent for a licensed property is changed. The written notice shall be provided to the City Clerk within 48 hours of such change(s).

157.050 PENALTY:

(A) Any violation of this chapter is a misdemeanor and is subject to all penalties provided for such violations.

(B) It is a misdemeanor for any person to prevent, delay, or provide false information to any city official, or his or her representative, while they are engaged in the performance of their duties as set forth in this chapter.

(C) In addition to bringing criminal charges for violation of this chapter, the city may seek a civil injunction against any licensee or occupant who violate any terms of this chapter.

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

Adopted this 7th day of January, 2019.

Mayor

ATTEST:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item: 10A	Department: Finance Director	Council Meeting Date: 12/17/18																																	
TITLE OF ISSUE: Consider Proposed 2019 Budget and Capital Improvement Plan. (Requires Separate Motions)																																			
1. Resolution Approving the General Fund Budget and Auxiliary Fund Budget for Fiscal Year 2019. 2. Resolution Approving 2018 Tax Levy Collectible in 2019. 3. Resolution Approving the Capital Improvement Plan 2019-2023.																																			
BACKGROUND AND SUPPLEMENTAL INFORMATION: The public hearing for the 2019 Proposed Budget and the 2019-2023 Capital Improvement Plan was held December 3, 2018. The attached resolutions are for Council to adopt the 2019 Budget, the 2018 Tax Levy Collectible in 2019 and the 2019-2023 Capital Improvement Plan. Council shall vote on each resolution separately.																																			
<i>If additional space is required, attach a separate sheet</i>																																			
REQUESTED COUNCIL ACTION: 1. Adopt Resolutions Approving the General Fund Budget and Auxiliary Fund Budget for Fiscal Year 2019. 2. Adopt Resolution Approving 2018 Tax Levy Collectible in 2019. Adopt Resolution Approving the Capital Improvement Plan 2019-2023.																																			
For Clerk's Use: Motion By: _____ Second By: _____ <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Vote Record:</td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Vote Record:	Aye	Nay			_____	_____	Freyberg		_____	_____	Whitlock		_____	_____	Steiner		_____	_____	Norland		_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input 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"/>
Vote Record:	Aye	Nay																																	
	_____	_____	Freyberg																																
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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: _____																																		

RESOLUTION APPROVING THE GENERAL FUND BUDGET
AND AUXILIARY FUND BUDGET
FOR FISCAL YEAR 2019

BE IT RESOLVED by the City Council of the City of North Mankato, County of Nicollet, Minnesota, that the City Council approved the General Fund and Auxiliary Fund Budgets for the 2019 Fiscal Year as follows:

1. General Fund

A.	General Government	\$ 838,805
B.	Public Safety	\$ 2,516,887
C.	Public Works	\$ 2,348,361
D.	Culture-Recreation	\$ 1,872,183
E.	Other Functions	\$ 1,309,491
TOTAL GENERAL FUND EXPENDITURES		\$ 8,885,727

2. Auxiliary Fund

A.	Special Revenue Funds	\$ 1,558,119
B.	Port Authority Funds	\$ 943,852
C.	Debt Service Funds	\$ 2,928,004
D.	Capital Project Funds	\$ 3,110,000
E.	Enterprise Funds	\$ 6,219,551
F.	Trust and Agency Funds	\$ 15,500
TOTAL AUXILIARY FUND EXPENDITURES		\$14,775,026
TOTAL BUDGET ALL FUNDS		\$23,660,753

BE IT FURTHER RESOLVED, that the City Council approved the Capital Improvement Plan as included in the 2019 Budget documents.

Adopted by the City Council this 17th day of December 2018.

Mayor

City Clerk

RESOLUTION APPROVING 2018 TAX LEVY, COLLECTIBLE IN 2019

BE IT RESOLVED by the City Council of the City of North Mankato, County of Nicollet, Minnesota, that the following sums of money be levied for the current year collectible in 2019, upon the taxable property in said City of North Mankato, for the following purposes:

General Fund	\$ 5,040,048
Port Authority Fund	\$ 75,000
Bonded Indebtedness	\$ 1,375,458
Abatement Levy	\$ 193,332

Total Budgeted Levy	\$ 6,683,838
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Pursuant to M.S. 475.61, Subd. 3, the City Council and City Clerk do hereby certify and state to the County Auditor that the foregoing levy for "bonded indebtedness", when taken together with excess funds on hand in existing debt service accounts, aggregates more than sufficient monies to service all irrevocable levies previously made by the City for debt service and the Auditor therefore may reduce the amount of any additional irrevocable levies accordingly.

"Provision has been made by the City for payment of \$411,100 as the City's contributory share to the Public Employees' Retirement Fund as provided for in Minnesota Statutes Annotated, Sections 353.01 et seq." No further levy is required for this purpose.

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Nicollet County, Minnesota.

Adopted by the City Council this 17th day of December 2018.

Mayor

City Clerk

RESOLUTION APPROVING THE
CAPITAL IMPROVEMENT PLAN COVERING PERIOD OF 2019-2023

WHEREAS, the City of North Mankato has prepared a Capital Improvement Plan covering the period of 2019 through 2023 (Exhibit A); and

WHEREAS, during the preparation of the Capital Improvement Plan the City Council considered the following:

1. Condition of the City's existing infrastructure, including the projected need for repair or replacement,
2. Likely demand for the improvement,
3. Estimated cost of the improvement,
4. Available public resources,
5. Level of overlapping debt in the City,
6. Relative benefits and costs of alternative uses of the funds,
7. Operating costs of the proposed improvements,
8. Alternatives for providing services more efficiently through shared facilities with counties and other local governmental units; and

WHEREAS, the North Mankato City Council duly held a public hearing on the Capital Improvement Plan at 7 p.m. on December 3, 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, that the Capital Improvement Plan for the period of 2019 through 2023 is hereby approved.

Adopted by the City Council this 17th day of December 2018.

Mayor

City Clerk

Exhibit A

Five-Year Capital Improvement Schedule For Years 2019 - 2023

Project or Activity	Strategic Program Area	2019 PROPOSED	2020 FORECAST	2021 FORECAST	2022 FORECAST	2023 FORECAST	Estimated 5 year Costs	Future Years	TOTAL CIP
Loader	Infrastructure			150,000			150,000		150,000
General Equipment - Trucks, Skid loaders, Mowers, etc.	Infrastructure	80,000		80,000			240,000		240,000
Police Cruiser	Public Safety	38,000	38,000	38,000	38,000	38,000	190,000		190,000
Squad Cameras	Public Safety						-		-
Detective Squad	Public Safety					40,000	40,000		40,000
Land purchase 233 Wheeler, 231 Wheeler	Comm. Dev.	272,000					272,000		272,000
Truck - Community Development	Comm. Dev.	25,000					25,000		
Streets - Upgrade (from 2012), Plant #2, Expansion, City Shop	Public Safety		27,000		27,000		54,000		54,000
Tandem Dump Truck with Plow, Wing and Sander (3)	Infrastructure		250,000		250,000		500,000		500,000
Roller (2)	Infrastructure						-	30,000	30,000
Street department roof / Public Works Yard	Infrastructure						-		-
Evaluation	Infrastructure						-		-
Mechanics Shop - update doors	Infrastructure						-		-
Front Desk and Community Development Desk	Admin/Leg.						-		-
Remodel	Admin/Leg.						-		-
Lower Level Remodel	Admin/Leg.						-	15,000	15,000
Fire Engine	Public Safety			110,000			110,000	75,000	185,000
Replace roof on Station #2	Public Safety						-	30,000	30,000
Replace HVAC units at Station #2	Public Safety		40,000				40,000		40,000
Breathing Air Compressor & Cascade Bottles	Public Safety	25,000					25,000		25,000
Overhaul Air Pack/Work Room	Public Safety						-	20,000	20,000
Overhaul Community Room Kitchen	Public Safety						-		
Replace overhead doors at Station #2 (5 Doors: 4 in front and one in back)	Public Safety						-	30,000	30,000
Fire Pumper	Public Safety						-	550,000	550,000
Mower Replacement	Recreation	90,000	90,000				180,000	60,000	240,000
Bluff Park Gazebo	Recreation						-	25,000	25,000
Benson Park Shelter & Restroom	Recreation						-	325,000	325,000
Benson Park North Parking Lot	Recreation						-	85,000	85,000
Benson Park Lady Bug Trail Bridge	Recreation						-	30,000	30,000
Trail from Mary Ln. to Lake St.	Recreation						-	215,000	215,000
Splash Pad	Recreation						-	150,000	150,000
Bluff Park Tree Planting	Recreation						-	25,000	25,000
Benson Park Interpretation & Plant/Prairie	Recreation						-	400,000	400,000
Benson Park Informal Amphitheater	Recreation						-	100,000	100,000
Benson Park Natural Play Area	Recreation						-	600,000	600,000
Benson Park Linear Pond Bridge	Recreation						-	50,000	50,000
Facility Improvements	Various	94,000	94,000	94,000	94,000	94,000	470,000		470,000
Sub-Total Cash / Capital Facilities & Equipment Replacement		530,000	539,000	472,000	409,000	252,000	2,296,000	2,815,000	5,086,000

Pavement Management Plan	Infrastructure	400,000	400,000	400,000	425,000	425,000	2,050,000		2,050,000
Park Improvements	Recreation	400,000	400,000	400,000	400,000	400,000	2,000,000		2,000,000
Sub-Total Cash / General Fund		800,000	800,000	800,000	825,000	825,000	4,050,000	-	4,050,000
250 KW Portable Generator	Infrastructure						-		
Capital Contributions	Infrastructure	250,000	250,000	260,000	270,000	300,000	1,330,000		1,330,000
Sub-Total Cash / Sewer Fund		250,000	250,000	260,000	270,000	300,000	1,330,000	-	1,330,000
Pull & Repair Well Pumps	Infrastructure		100,000	100,000	65,000	65,000	330,000		330,000
Microtunnel, valve inserts, reservoir repair	Infrastructure	79,600					79,600		
Reroof Water Plant	Infrastructure			200,000			200,000		
Water Tower Painting	Infrastructure		300,000				300,000		
Relined Filters	Infrastructure								
Capital Contributions	Infrastructure	220,400	18,200	41,600	350,000	350,000	700,000		306,600
Sub-Total Cash / Water Fund		300,000	418,200	341,600	436,600	420,000	1,916,400	-	636,600
Project or Activity	Area	2019 PROPOSED	2020 FORECAST	2021 FORECAST	2022 FORECAST	2023 FORECAST	Estimated 5 year costs	Future Years	TOTAL CIP
Tyler Ave. Reconstruct	Infrastructure	510,000					510,000		510,000
Harrison Ave. Reconstruct	Infrastructure	490,000					490,000		490,000
PW Building	Infrastructure						-		-
Caswell Park Improvements	Recreation						-		-
Safe Routes to School - Dakota Meadows	Infrastructure		151,000				151,000		151,000
McKinley Ave. Reconstruct	Infrastructure		1,500,000				1,500,000		1,500,000
Safe Routes to School - Monroe/Bridges	Infrastructure			168,000			168,000		168,000
Monroe Ave. Reconstruct	Infrastructure			1,060,000			1,060,000		1,060,000
Garfield Ave. Reconstruct	Infrastructure			650,000			650,000		650,000
Commerce Dr. City Portion	Infrastructure	1,000,000					1,000,000		1,000,000
TBD Project	Infrastructure		349,000				349,000		349,000
TBD Project	Infrastructure			122,000			122,000		122,000
TBD Project	Infrastructure				2,000,000		2,000,000		2,000,000
TBD Project	Infrastructure					2,000,000	2,000,000		2,000,000
Sub-Total Bonds		2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000	-	10,000,000
Total 2019-2023 CIP		3,880,000	4,007,200	3,873,600	3,940,600	3,797,000	19,592,400	2,815,000	21,102,800

Strategic Program Area	2018	2019	2020	2021	2022	Estimated 5 year costs	Future Years	TOTAL CIP
Public Safety	63,000	105,000	148,000	65,000	78,000	459,000	705,000	1,164,000
Recreation	490,000	490,000	400,000	400,000	400,000	6,380,000	2,065,000	8,445,000
Infrastructure	3,030,000	3,318,200	3,231,600	3,381,600	3,225,000	17,321,400	30,000	16,071,800
Comm. Dev.	297,000					297,000		277,000
Admin/Leg.							15,000	15,000
North Kato Ideas	3,880,000	3,913,200	3,779,600	3,846,600	3,703,000	24,457,400	2,815,000	25,967,800
		(94,000)		(94,000)		4,865,000		4,865,000

Funding Source	2019 PROPOSED	2020 FORECAST	2021 FORECAST	2022 FORECAST	2023 FORECAST	Estimated 5 year costs	Future Years	TOTAL CIP
Cash / Donation	-	-	-	-	-	-	-	-
Cash / General Fund	400,000	400,000	400,000	425,000	425,000	2,050,000	-	2,050,000
Cash / Capital Facilities & Equipment Replacement	400,000	400,000	400,000	400,000	400,000	2,000,000	-	2,000,000
Community Development Block Grant	530,000	445,000	376,000	315,000	158,000	1,826,000	2,815,000	4,616,000
Cash / Water Fund	300,000	418,200	341,600	436,600	420,000	1,916,400	-	636,600
Cash / Sewer Fund	250,000	250,000	260,000	270,000	300,000	1,330,000	-	1,330,000
G.O. Bonds	-	-	-	-	-	-	-	-

G.O. Abatement Bonds	-	151,000	168,000	-	-	4,519,000	-	4,519,000
G.O. Capital Project Bonds	-	-	-	-	-	-	-	-
G.O. Improvement Bonds / Property Tax & Special Assessments	2,000,000	1,849,000	1,832,000	2,000,000	2,000,000	10,141,000	-	10,141,000
G.O. Improvement Bonds and Municipal State Aid Advance	-	-	-	-	-	-	-	-
Utility Funds/Assessments	-	-	-	-	-	425,000	-	425,000
Remaining Bond Proceeds	-	-	-	-	-	250,000	-	250,000
G.O. Sales Tax Bonds	-	-	-	-	-	-	-	-
	3,880,000	3,913,200	3,779,600	3,846,600	3,703,000	24,457,400	2,815,000	25,967,800

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #10B	Department: City Engineer	Council Meeting Date: 12/17/18										
TITLE OF ISSUE: Consider Resolution Authorizing Funding Application for the LorRay Drive/Howard Drive Intersection Improvement Project.												
BACKGROUND AND SUPPLEMENTAL INFORMATION: City Engineer Sarff has included a memo in the packet and will be available to discuss the resolution.												
<i>If additional space is required, attach a separate sheet</i>												
REQUESTED COUNCIL ACTION: Adopt Resolution Authorizing Funding Application for the LorRay Drive/Howard Drive Intersection Improvement Project.												
For Clerk's Use: Motion By: _____ Second By: _____ Vote Record: Aye Nay _____ _____ Freyberg _____ _____ Whitlock _____ _____ Steiner _____ _____ Norland _____ _____ Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; text-align: center;"> <tr> <td>Resolution</td> <td>Ordinance</td> <td>Contract</td> <td>Minutes</td> <td>Map</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____ _____		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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Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

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MEMORANDUM

Date: December 12, 2018

To: John Harrenstein, City Administrator

From: Daniel R. Sarff, P.E., City Engineer 

CC: Nathan Host, Public Works Director
Michael Fischer, City Planner

Subject: Federal Funding Application for Lor Ray Drive/Howard Drive Intersection
Improvements
Surface Transportation Program – Small Urban

Federal funding is available through the Surface Transportation Program (STP) for the improvement of streets and bridges in cities within District 7 with population greater than 5,000. This is a competitive grant opportunity available to the eight eligible cities in MnDOT District 7. Selected projects from the current solicitation will be placed on the Statewide Transportation Improvement Program (STIP) and funded in Fiscal Year 2023. Up to 80 percent of the eligible project costs will be reimbursed with federal funds.

Through discussions with City staff, it was recommended that a funding application for improvements to the Lor Ray Drive/Howard Drive Intersection be submitted for funding under the current solicitation. An Intersection Control Evaluation (ICE) was completed for this intersection in 2016 by SRF Consulting Group. The ICE recommended that the existing four-way stop intersection be converted to a roundabout to address the traffic congestion and pedestrian safety issues at the existing intersection. The funding application would be submitted for the construction of the roundabout at this intersection.

The estimated total project cost is \$1.8 million. The federal funding would cover approximately \$1.2 million which is 80% of the estimated construction cost. The estimated local share would be approximately \$600,000, which is 20% of the estimated construction cost plus engineering and other expenses.

A resolution authorizing the application for funding of this project are included in the City Council packet for your consideration. I will be available at the December 17 council meeting to answer any questions you may have.

RESOLUTION NO.

RESOLUTION AUTHORIZING FUNDING APPLICATION FOR THE LORRAY
DRIVE/HOWARD DRIVE INTERSECTION IMPROVEMENT PROJECT

WHEREAS, approximately \$2.4 million in federal funds are available in Fiscal Year 2023 for the improvement of streets and bridges in cities with population over 5,000 in MnDOT District 7 through the Surface Transportation Program (STP – Small Urban), and

WHEREAS, the City of North Mankato has determined that the improvement of the Lor Ray Drive/Howard Drive intersection is necessary and meets the eligibility requirements of the STP-Small Urban funding program, and

WHEREAS, an Intersection Control Evaluation (ICE) has been previously prepared for this intersection and the recommendation of the ICE was the construction of a roundabout to replace the four-way stop intersection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA that an application for STP – Small Urban federal funding be prepared and submitted for improvements to the Lor Ray Drive/Howard Drive intersection, including the construction of a roundabout.

BE IT FURTHER RESOLVED that the City of North Mankato agrees to act as sponsoring agency for the STP – Small Urban federal funding and has reviewed and approved the project as proposed.

BE IT FURTHER RESOLVED that the City of North Mankato, if awarded the federal funds for said project, agrees to secure and guarantee the local share of costs associated with this project and agrees to see this project through to its completion, with compliance of all applicable laws, rules and regulations.

BE IT FURTHER RESOLVED that the City of North Mankato agrees to design and construct said project and agrees to operate and maintain the facilities constructed with federal transportation funds for the useful life of the improvement.

Adopted by the City Council this 17th day of December 2018.

Mayor

Attest:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #10C	Department: City Engineer	Council Meeting Date: 12/17/18																																	
TITLE OF ISSUE: Consider Resolution Ordering Preparation of Report on Improvement for Project No. 18-07 ABCDEF Tyler Avenue Improvement Project.																																			
BACKGROUND AND SUPPLEMENTAL INFORMATION: Improvements to Tyler Avenue from Cross Street to Range Street (300 Block) are included in the Capital Improvement Program for 2019. It is anticipated that the improvements will include the complete reconstruction of the street, curb & gutter, sidewalk, sanitary sewer, watermain and storm sewer. The first step in the improvement process is to authorize the preparation of a preliminary engineering report by the City Engineer to evaluate the feasibility of the proposed project by establishing the need for the project, outlining the necessary improvements, providing information on estimated cost, and establishing a project timeline. A resolution authorizing the preparation of a preliminary engineering report is attached for the Council's consideration.																																			
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REQUESTED COUNCIL ACTION: Adopt Resolution Ordering Preparation of Report on Improvement for Project No. 18-07 ABCDEF Tyler Avenue Improvement Project.																																			
For Clerk's Use: Motion By: _____ Second By: _____ <table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">Vote Record:</td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Vote Record:	Aye	Nay			_____	_____	Freyberg		_____	_____	Whitlock		_____	_____	Steiner		_____	_____	Norland		_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input 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 ORDERING PREPARATION OF REPORT ON IMPROVEMENT
FOR PROJECT NO. 18-07 ABCDEF TYLER AVENUE IMPROVEMENT PROJECT

WHEREAS, it is proposed to improve the Tyler Avenue from Cross Street to Range Street; and

WHEREAS, such improvements may include sanitary sewer improvements, watermain improvements, storm sewer improvements, street improvements, sidewalk/trail improvements, turf establishment/erosion control, and other related improvements; and

WHEREAS, it is proposed to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429;

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

That the proposed improvement, called City Project No. 18-07 ABCDEF be referred to the City Engineer for study and that that person is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

Adopted by the City Council this 17th day of December 2018.

Mayor

ATTEST:

City Clerk