

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 April 16, 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 Freyberg, Whitlock and Norland, City Administrator Harrenstein, Finance Director McCann, Attorney Kennedy, Community Development Director Fischer, City Engineer Sarff, and City Clerk Van Genderen. Absent: Council Member Steiner.

#### **Approval of Agenda**

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

#### **Approval of Council Meeting Minutes**

**Council Member Norland moved, seconded by Council Member Whitlock, to approve the minutes of the Council meeting of April 2, 2018. Vote on the motion: Freyberg, Norland, and Dehen aye; Whitlock abstain; no nays. Motion carried.**

#### **Proclamation**

Mayor Dehen read the following proclamation into the record.

**WHEREAS**, April 26 to April 29, 2018, is designated for “Stand Against Racism,” a national YWCA campaign designed to build community among those who work for racial justice and to raise awareness; and

**WHEREAS**, Mankato and North Mankato, Minnesota celebrates diversity and the contributions various perspectives bring to the community; and

**NOW, THEREFORE**, we, Eric Anderson, Mayor of the City of Mankato, and Mark Dehen, Mayor of the City of North Mankato, in the State of Minnesota hereby proclaim April 26 to April 29, 2018, to be

“Stand Against Racism” days established to honor the power of advocacy and the importance of addressing racial inequity.

#### **Public Hearing, 7 p.m. Annexation of 2.38 Acres Owned by Burnett Land Company.**

Community Development Director Fischer reported the land is located west of Raymond Drive and is being annexed for development of single-family homes. The property is adjacent to Raymond Drive and has access to utilities. The land is guided by the Comprehensive Plan for low-density residential development. Mayor Dehen noted the plan was to add eight lots. With no one appearing before Council Mayor Dehen closed the Public Hearing.

#### **Consent Agenda**

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

- A. Bills and Appropriations.
- B. Res. No. 39-18 Approving Donations/Contributions/Grants.

- C. Approved Park and Audio Permit for Lasting Imprint's Community Day at Spring Lake Park on September 15, 2018, from 7:30 a.m. to 12:30 p.m.
- D. Approved Parade Permit for Lasting Imprint's Community Day on September 15, 2018.
- E. Approved North Mankato Firefighter's Relief Association 3.2% Temporary Alcohol Permit for Fun Days on July 6 and 7, 2018.
- F. Res. No. 40-18 Waiving Waiting Period for Exemption from Lawful Gambling License for Knights of Columbus #5551.
- G. Approved Parade Permit for South Central College 5K Run/Walk on May 3, 2018, from 2:00 p.m. to 4:00 p.m.
- H. Approved Audio Permit for Crossview Covenant Church on May 19, 2018, from 8:30 a.m. to 12:00 p.m.
- I. Approved League of Minnesota Cities Insurance Trust Liability Coverage Waiver Form.
- J. Approved On-Sale Liquor License for Caswell Park at 1875 Howard Drive W.

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

#### **Public Comments Concerning Business Items on the Agenda**

Phil Henry, 1300 Noretta Drive, appeared before Council and spoke about the Caswell Fund and honest accounting.

Barb Church, 102 Wheeler Avenue, appeared before Council and spoke about the Caswell Fund and continued support of the Fund. Ms. Church spoke about the Sales Tax Extension and continued conversation about the use of those funds.

#### **Business Items**

**Ordinance No. 103 Fourth Series, An Ordinance Amending the Code of Ordinances for the City of North Mankato, Minnesota Annexing Land Located in Belgrade Township, Nicollet County, Minnesota Pursuant to Minnesota Statutes §414.033 Subdivision 2(3), Permitting Annexation by Ordinance, 2.38 Acres Owned by Burnett Land Company. Council Member Freyberg moved, seconded by Council Member Norland to Adopt Ordinance No. 103 Fourth Series, An Ordinance Amending the Code of Ordinances for the City of North Mankato, Minnesota Annexing Land Located in Belgrade Township, Nicollet County, Minnesota Pursuant to Minnesota Statutes §414.033 Subdivision 2(3), Permitting Annexation by Ordinance, 2.38 Acres Owned by Burnett Land Company. Vote on the motion: Freyberg, Whitlock, Norland and Dehen aye; no nays. Motion carried.**

#### **Res. No. 41-18 Accepting Bid for Project No. 17-06 ABCDE Marie Lane Reconstruction/Extension Project.**

City Engineer Sarff appeared before Council and stated bids were opened on Tuesday, April 10, 2018. Five bids were received with a low bid of \$165,726.62 from Holtmeier Construction, Inc. of Mankato Minnesota. The low bid is approximately 6% below the Engineer's estimate of \$175,704.70, and the next lowest bid is approximately 3% over the low bid. City Engineer Sarff indicated staff recommends approval of the bid. **Council Member Norland moved, seconded by Council Member Whitlock to Adopt Res. No. 41-18 Accepting Bid for Project No. 17-06 ABCDE Marie Lane Reconstruction/Extension Project. Vote on the motion: Freyberg, Whitlock, Norland and Dehen aye; no nays. Motion carried.**

**Res. No. 42-18 Approving Bid for Project No. 18-01 AB North Port Industrial Park Utility Expansion.**

City Engineer Sarff appeared before Council and reported bids were opened on Thursday, April 12, 2018, and eight bids were received. The low bidder for the project was Dirt Merchant, Inc. with a bid of \$632,779.25, which is 6% below the Engineer's estimate of \$632,424.50 and 8.5% below the next lowest bidder. Engineer Sarff reminded Council the City received a BDPI Grant which will cover half of the project cost. He stated City staff recommend accepting the bid. **Council Member Norland moved, seconded by Council Member Whitlock to adopt Res. No. 42-18 Approving Bid for Project No. 18-01 AB North Port Industrial Park Utility Expansion. Vote on the motion: Freyberg, Whitlock, Norland and Dehen aye; no nays. Motion carried.**

**Res. No. 43-18 Establishing Caswell Sports Fund.**

City Administrator Harrenstein reported the resolution formally creates the Fund. He indicated he would like to change the wording in the first therefore from "Caswell Regional Sporting Complex Fund to better track all Caswell Sports operations" to "Caswell Regional Sporting Complex Fund to account for Caswell Sports operations" to clarify that the operations have been tracked. He stated the philosophy behind establishing the fund was that Caswell Park is an attraction that generates between 5 and 9 million in economic benefit to the region. The Caswell Park staff is growing the brand by hosting events and joint ventures with groups to attract additional events. He indicated there is an economic benefit to having the park. He noted the City is also working on a food and beverage tax to help support Caswell Park. City Administrator Harrenstein stated the goal is to get Caswell Sports to operate on its own as much as possible. Council Member Freyberg noted this is similar to All Seasons Arena which has a goal of keeping ice affordable while keeping the operating fund at a bare minimum, acknowledging that like All Seasons Arena, Caswell will always receive a subsidy. Mayor Dehen noted he liked the idea of it becoming a brand. Mayor Dehen requested City Clerk Van Genderen read back the changes to the resolution. City Clerk Van Genderen read "Caswell Regional Sporting Complex Fund to account for Caswell Sports operations" was how the resolution now read. **Council Member Freyberg moved, seconded by Council Member Norland to adopt Res. No. 43-18 Establishing Caswell Sports Fund. Vote on the motion: Freyberg, Whitlock, Norland and Dehen aye; no nays. Motion carried.**

**Review 2019 Budget & Proposed 2019-2028 CIP Schedule.**

Finance Director McCann continued the 2019-2028 CIP Schedule review by discussing three streets in lower North Mankato that merit consideration for reconstruction. The streets included Monroe Avenue, Grant Avenue, and Garfield Avenue. The projects include replacing or adding utilities, street, curb, gutter, sidewalks and driveway aprons. Monroe Avenue is estimated at \$756,000, Grant Avenue at \$381,900 and Garfield Avenue at \$696,000. City Engineer Sarff noted the City did receive a Safe Routes to School Grant which would be available in the fiscal year 2021 which would include the area around Garfield and should be considered in conjunction with proposed street reconstructions. Attorney Kennedy noted when assessing reconstructions to properties the amount assessed cannot exceed the benefit to the property.

**City Administrator and Staff Comments**

City Administrator Harrenstein thanked the North Mankato street crew for managing the winter storm over the weekend.

City Administrator Harrenstein welcomed Council Member Whitlock back from completing his chemotherapy.

City Administrator Harrenstein remembered former North Mankato Mayor Howard Vetter who passed away on April 5, 2018. He stated Howard would be remembered for his service to North Mankato as Mayor from 1967-1969 and his continued support of the City.

Attorney Kennedy stated Howard Vetter was a friend and an amazing volunteer who continued to serve his community in many ways.

Finance Director McCann reported the Audit would be taking place May 7-11, 2018.

### **Mayor and Council Comments**

Council Member Norland thanked Community Development Director Fischer for the testimony he will give at the Huntley Wilmarth transmission line public hearing.

Council Member Norland thanked City Administrator Harrenstein for creating the Caswell Fund and the work being made to create a professional organization.

Council Member Norland thanked Chief Boyer for his work with the emergency first responders, working to improve response times.

Council Member Norland thanked the North Mankato Fire Department for their involvement in Walk a Mile in Her Shoes event to take place on April 22, 2018. The event supports the CADA House.

Council Member Norland congratulated Library Director Heintz on the birth of her twin girls.

Mayor Dehen extended his condolences to the Vetter family on the death of Howard Vetter.

### **Open Forum**

Tom Hagen, 927 Lake Street, appeared before Council and spoke about the City purchasing the gas station on Belgrade Avenue for green space. Mr. Hagen spoke about receiving a certified letter from Attorney Kennedy indicating the City will not use the trail cam on his property and expressed concern about the cost to send it. Attorney Kennedy indicated no additional expense was incurred by the City as he is on retainer and receives a postage allowance.

Barb Church, 102 Wheeler Avenue, appeared before Council and spoke about the Hotel/Motel Tax and the Caswell Sports Fund. Ms. Church spoke about Spring Cleanup and moving it back due to the snow still on the ground. City Administrator Harrenstein stated City crews are already behind on sealing and street work but he could speak with the crew. Discussion was held by City Council to move the pickup to the fall, but concerns were raised because junk was already out by the curb. Council also discussed having residents call in for yard pickup. Mayor Dehen stated for clarification pickup is currently scheduled for April 23-27 (valley) and April 30-May 4 (hilltop).

Phil Henry, 1300 Noretta Drive, appeared before Council and stated he did not want a certified letter from the City.

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

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Mayor

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City Clerk



# Spirit of Cooperation

*Two Cities Working Together*



City of North Mankato

## PROCLAMATION

**WHEREAS**, biking to work, to school, to a store, to a park, on our trails or around the neighborhood provides many benefits including better health and fitness, reduced health care and transportation costs and a cleaner environment; and

**WHEREAS**, May is bike month in Minnesota and the United States of America; and the cities of Mankato and North Mankato join in recognition; and

**WHEREAS**, Greater Mankato Bike and Walk Advocates are organizing rides and events to celebrate Bike Month and work to encourage residents to ride their bikes not only during Bike Month but also throughout the year; and

**WHEREAS**, Mankato and North Mankato make bicycling easier as a form of recreation and transportation through bike lanes and routes, bike repair stations, bike racks and wayfinding.

**NOW, THEREFORE**, We, Eric Anderson, Mayor of Mankato, and Mark Dehen, Mayor of North Mankato, do hereby proclaim May 2018 as

### **MANKATO AND NORTH MANKATO BIKE MONTH**

in Mankato and North Mankato, Minnesota.

**IN WITNESS WHEREOF**, we have hereunto signed our names and caused the seals of the cities of Mankato and North Mankato to be affixed this 7<sup>th</sup> day of May 2018.



City of Mankato  
10 Civic Center Plaza  
Post Office Box 3368  
Mankato, MN 56002-3368  
(507) 387-8600

\_\_\_\_\_  
Eric Anderson, Mayor  
City of Mankato

\_\_\_\_\_  
Mark Dehen, Mayor  
City of North Mankato

City of North Mankato  
1001 Belgrade Avenue  
Post Office Box 2055  
North Mankato, MN 56002-2055  
(507) 625-4141

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



|   |   |                              |                          |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
|---|---|------------------------------|--------------------------|--------------------------|--|-------|-------|----------|--|-------|-------|---------|--|-------|-------|---------|--|-------|-------|----------|--|-------|-------|-------|---|------------|-----------|----------|---------|-----|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Agenda Item # 8   | Dept: City Engineer   | Council Meeting Date: 5/7/18 |                          |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <b>TITLE OF ISSUE:</b> Public Hearing-Proposed Assessment for Project No. 17-05 ABCDEF Jefferson Avenue Street & Utility Improvement.   |   |                              |                          |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> In accordance with State Statute an assessment roll for Project No. 17-05 ABCDEF Jefferson Avenue Reconstruction has been prepared and notice was published twice in the newspaper and a notice was mailed to the owner of each parcel described in the assesment roll at least two weeks prior to the hearing.   |   |                              |                          |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <i>If additional space is required, attach a separate sheet</i>   |   |                              |                          |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <b>REQUESTED COUNCIL ACTION:</b> Hold Public Hearing.   |   |                              |                          |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <b>For Clerk's Use:</b><br><br>Motion By: _____<br>Second By: _____<br><br><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>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>Freyberg</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                      |                          |  | _____ | _____ | Whitlock |  | _____ | _____ | Steiner |  | _____ | _____ | Norland |  | _____ | _____ | Freyberg |  | _____ | _____ | Dehen | <b>SUPPORTING DOCUMENTS ATTACHED</b><br><br><table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input 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="border-bottom: 1px solid black; padding-top: 5px;">           Other (specify)      Affidavit of Publication, Assessment Information         </div> <div style="border-bottom: 1px solid black; height: 15px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div> | Resolution | Ordinance | Contract | Minutes | Map | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Vote Record:  | Aye   | Nay                          |                          |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
|   | _____   | _____                        | Whitlock                 |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
|   | _____   | _____                        | Steiner                  |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
|   | _____   | _____                        | Norland                  |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
|   | _____   | _____                        | Freyberg                 |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
|   | _____   | _____                        | Dehen                    |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| Resolution  | Ordinance   | Contract                     | Minutes                  | Map                      |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <input type="checkbox"/>  | <input type="checkbox"/>  | <input type="checkbox"/>     | <input type="checkbox"/> | <input type="checkbox"/> |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <div style="margin-bottom: 10px;"><input type="checkbox"/> Workshop</div> <div style="margin-bottom: 10px;"><input checked="" type="checkbox"/> Regular Meeting</div> <div><input type="checkbox"/> Special Meeting</div>   | <div style="margin-bottom: 10px;"><input type="checkbox"/> Refer to: _____</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Table until: _____</div> <div><input type="checkbox"/> Other: _____</div> |                              |                          |                          |  |       |       |          |  |       |       |         |  |       |       |         |  |       |       |          |  |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |



# AFFIDAVIT OF PUBLICATION

**State of Minnesota,** ss.  
**County of Blue Earth**

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

1. I am the publisher of The Free Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:  
The printed \_\_\_\_\_ notice \_\_\_\_\_ which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive weeks; it was first published on Monday, the 23 day of April, 2018, and was thereafter printed and published on every Monday to and including Monday, the 23 day of April, 2018; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:  

abcdefghijklmnopqrstuvwxyz

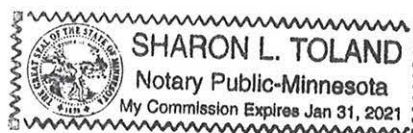
4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: \$64.50.
5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue Earth County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

By: Steve Jameson  
Steve Jameson, Publisher

Subscribed and sworn to before me on this 24 day  
of April, 2018.

Sharon L. Toland  
Notary Public





April 23, 2018  
**NOTICE OF HEARING ON PROPOSED ASSESSMENT  
FOR PROJECT NO. 17-05 ABCDEF JEFFERSON AVENUE  
STREET & UTILITY IMPROVEMENT**

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 7th day of May 2018 to consider the proposed assessment for Project No. 17-05 ABCDEF Jefferson Avenue Street & Utility Improvement. The properties being assessed are those properties on Jefferson Avenue from Cross Street to Range Street in North Mankato.

Complete copies of the assessment roll are available for public inspection upon request in the Office of the City Clerk. The area proposed to be assessed is the property abutting said improvements. Written or oral objections to these assessments will be considered at the hearing. The total cost of the improvement is estimated to be \$475,326.

An owner may appeal an assessment to District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Clerk of the City within thirty (30) days after the adoption of the assessment and by filing such notice with the District Court within ten (10) days after service upon the Mayor or Clerk. No appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the Clerk prior to the hearing or presented to the presiding officer at the hearing.

The City Council may defer the payment of special assessments pursuant to Minnesota Statutes 435.193 through 435.195 for homestead property owned by a person 65 years of age or older or permanently and totally disabled for whom it would be a hardship to make the payments. In order to qualify, such a person must have limited income. If you feel you may qualify, contact the City Clerk for more specific information.

Dated this 23rd day of April 2018.

April Van Genderen  
City Clerk  
City of North Mankato

State of Minnesota                    )  
  )  
Council of North Mankato                    )

April Van Genderen, being first duly sworn, deposes and says:

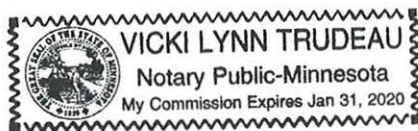
I am a United States citizen, and the City Clerk of the city of North Mankato, Minnesota.


On April 20, 2018, acting on behalf of the said city, I deposited in the United States mail at 1001 Belgrade Avenue, North Mankato, Minnesota, copies of the attached notice of a hearing on proposed special assessments, enclosed in envelopes, with postage thereon fully prepaid, addressed to the following persons at the addresses on the attached sheet.

There is delivery service by United States mail between the place of mailing and the places so addressed.

  
\_\_\_\_\_  
Signature

Subscribed and sworn to before me this 20<sup>th</sup> day of 4, 2018.



  
\_\_\_\_\_  
Notary Public

-----  
END OF FORM

✓ Mark E. & Wendy M. Betters  
316 Jefferson Avenue  
North Mankato, MN 56003

✓ James A. & Lisa L. Spier  
314 Jefferson Avenue  
North Mankato, MN 56003

✓ Anthony J. Goodwin &  
Nancy C. Pehling  
923 Range Street  
North Mankato, MN 56003

✓ Teresa & Preston Kolsrud  
335 Jefferson Avenue  
North Mankato, MN 56003

✓ Roger J. & Patricia Stierlen  
333 Jefferson Avenue  
North Mankato, MN 56003

✓ Allison F. Bluhm  
334 Jefferson Avenue  
North Mankato, MN 56003

✓ Benjamin E. Enz  
332 Jefferson Avenue  
North Mankato, MN 56003

✓ Anthony David Goff &  
James Wesley Goff  
313 Jefferson Avenue  
North Mankato, MN 56003

✓ Jordan M. Morgan  
321 Jefferson Avenue  
North Mankato, MN 56003

✓ Bret A. & Karna S. Eggersdorfer  
919 Range Street  
North Mankato, MN 56003

✓ Gino D. Lowe  
330 Jefferson Avenue  
North Mankato, MN 56003

✓ Andrew J. & Suzanne G. Sidwell  
336 Jefferson Avenue  
North Mankato, MN 56003

✓ Steven T. Sturlaugson &  
Charles R. Sturlaugson  
315 Jefferson Avenue  
North Mankato, MN 56003

✓ Rich Gamble  
325 Jefferson Avenue  
North Mankato, MN 56003

✓ Stacey Beschorner &  
Kathleen Beschorner-Reinders  
339 Jefferson Avenue  
North Mankato, MN 56003

✓ Annette Sue Adams  
343 Jefferson Avenue  
North Mankato, MN 56003

✓ Paul M. Nester  
324 Jefferson Avenue  
North Mankato, MN 56003

✓ Cindy Ann Braam-Gawrych  
312 Jefferson Avenue  
North Mankato, MN 56003

✓ Anthony M. Marble  
336 Harrison Avenue  
North Mankato, MN 56003



CITY OF NORTH MANKATO

April 23, 2018

Dear Resident:

Notice is hereby given that the North Mankato City Council will meet at 7:00 p.m. on May 7, 2018 in the City Council Chambers of City Hall, 1001 Belgrade Avenue, North Mankato, Minnesota to consider, and possibly adopt, the proposed assessment for Project No. 17-05 ABCDEF Jefferson Avenue Street & Utility Improvements the improvements include street and surface improvements, sanitary sewer improvements, watermain improvements, storm sewer improvements and sidewalk improvements. The properties being assessed are those properties on Jefferson Avenue from Cross Street to Range Street in North Mankato, Minnesota or those otherwise benefiting from the improvements. The total estimated cost for the improvement is \$475,326.

The amount to be specially assessed against your particular lot, piece, or parcel of land is \$6,000. Such assessment is proposed to be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January 2019, and will bear the interest rate of 4% from May 7, 2018. To the first installment shall be added interest on the entire assessment from May 7, 2018 until December 31, 2018. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

Property owners being assessed may at any time prior to certification of the assessment to the county auditor, pay all or a portion of the assessment on such property, with interest accrued to the date of payment, to the City Clerk. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter, pay to the City Clerk all or a portion of the amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above the rate of interest that will apply is 4%.

The proposed assessment roll is on file for public inspection at the City Clerk's office. The total amount of the proposed assessment is \$114,000. Written or oral objections will be considered at the meeting. No appeal to district court may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the City Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

Under Minn. Stat. §§ 435.193 to 435.195, the council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older,



1001 Belgrade Avenue, P.O. Box 2055 • North Mankato, MN 56002-2055 • Telephone 507-625-4141

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20% Post-Consumer Waste

one retired by virtue of a permanent and total disability. When deferment of the special assessment has been granted and is terminated for any reason, all amounts accumulated plus applicable interest become due within 60 days. Any assessed property owner meeting the requirements of this law, may, within 30 days of the confirmation of the assessment, apply to the city clerk for the prescribed form for such deferral of payment of this special assessment on his/her property. An owner may appeal an assessment to district court pursuant to Minn. Stat. § 429.081 by serving notice of the appeal upon the mayor or clerk of the city within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk.

Sincerely,  
CITY OF NORTH MANKATO

A handwritten signature in cursive script, appearing to read 'April Van Genderen', written in dark ink.

April Van Genderen  
City Clerk



## Assessment Hearing Presentation



2018 Jefferson Avenue Street and Utility Improvement Project  
Project 17-05 ABCDEF

**BOLTON & MENK**  
Real People. Real Solutions.  
May 7, 2018

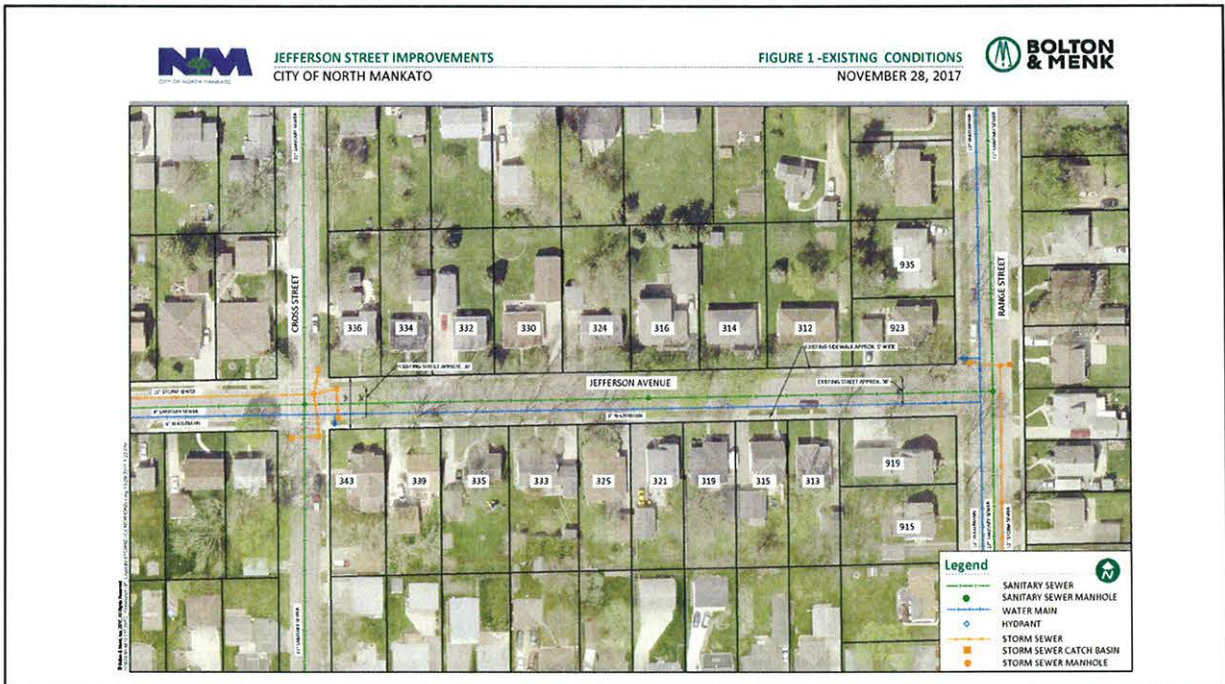
**CITY OF Minnesota**  
MINNEAPOLIS

## Project Location/Background



- Jefferson Avenue between Cross Street and Range Street (300 block)
- Complaints on condition of sidewalk
- Street and utilities over 65 years old
- Considered in the capital improvement planning process for a number of years
- Included in City's Capital Improvement Plan for 2018
- Preliminary Engineering Report authorized by Council on November 20<sup>th</sup> and presented to Council on December 4<sup>th</sup>

**CITY OF Minnesota**  
MINNEAPOLIS



## Sanitary Sewer, Watermain, and Storm Sewer Systems



- Existing Conditions:
  - Sanitary Sewer and watermain over 65 years old
  - No existing storm sewer
  - All in need of replacement
- Proposed Improvements
  - Replace existing clay sanitary sewer with new plastic pipe and new manholes
  - Replace existing cast iron watermain with new plastic pipe; replace valves and fittings
  - Replace existing sanitary sewer and water services within right-of-way
  - Construct new storm sewer system

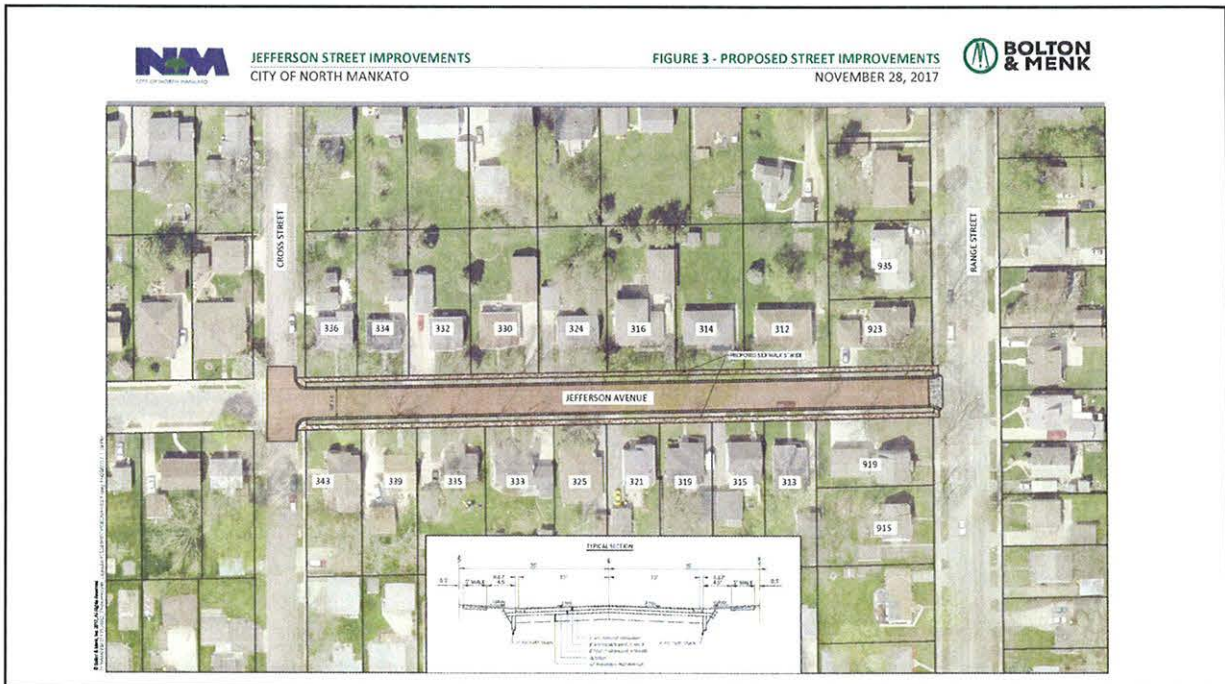




## Street and Surface



- Existing Conditions:
  - Existing street constructed over 65 years ago
  - Existing 30-foot wide bituminous (blacktop) street with curb and gutter both sides – parking allowed on both sides
  - Bituminous pavement and curb pavement in fair to poor condition
  - Existing 5-foot wide sidewalk on both sides – poor condition
- Proposed Improvements:
  - Reconstruct existing street with new bituminous pavement and curb and gutter
  - Proposed width – 30 feet from face of curb to face of curb (same as existing)
  - Continue to allow parking on both sides
  - New 5-foot wide sidewalk on both sides (same as existing)
  - New concrete driveway aprons
  - Residential street bituminous pavement section
  - Perforated subsurface drains on both sides of street
  - Restore all disturbed residential turf areas with seed



## Trees



- 24 existing boulevard trees
- Many trees are very large and in some cases the base of the trunks fills the entire boulevard area
- Many of the existing sidewalk deficiencies are being caused by tree roots.
- Inventory of the existing trees including photos is included in Appendix C of report



| Trees                |           |      |                            |                              |
|----------------------|-----------|------|----------------------------|------------------------------|
| CITY OF Minnesota    |           |      |                            |                              |
| Address              | Species   | Size | Proposed Action            | Comments                     |
| 923 Range Street     | Hackberry | 20"  | Leave in Place and Protect |                              |
| 923 Range Street     | Hackberry | 22"  | Leave in Place and Protect |                              |
| 923 Range Street     | Hackberry | 30"  | Remove                     | Too large for boulevard      |
| 312 Jefferson Avenue | Ash       | 12"  | Remove                     | Ash tree                     |
| 314 Jefferson Avenue | Maple     | 17"  | Leave in Place and Protect |                              |
| 314 Jefferson Avenue | Maple     | 15"  | Remove                     | Unhealthy tree – split trunk |
| 316 Jefferson Avenue | Maple     | 22"  | Remove                     | Roots growing over curb      |
| 316 Jefferson Avenue | Maple     | 23"  | Leave in Place and Protect |                              |
| 330 Jefferson Avenue | Ash       | 26"  | Remove                     | Ash tree                     |
| 330 Jefferson Avenue | Ash       | 20"  | Remove                     | Ash tree                     |
| 332 Jefferson Avenue | Ash       | 19"  | Remove                     | Ash tree                     |
| 332 Jefferson Avenue | Ash       | 27"  | Remove                     | Ash tree                     |
| 334 Jefferson Avenue | Basswood  | 24"  | Remove                     | Unhealthy tree               |
| 343 Jefferson Avenue | Maple     | 11"  | Remove                     | Unhealthy tree – split trunk |
| 335 Jefferson Avenue | Ash       | 25"  | Remove                     | Ash tree                     |
| 335 Jefferson Avenue | Ash       | 10"  | Remove                     | Ash tree                     |
| 333 Jefferson Avenue | Ash       | 27"  | Remove                     | Ash tree                     |
| 333 Jefferson Avenue | Ash       | 27"  | Remove                     | Ash tree                     |
| 325 Jefferson Avenue | Ash       | 23"  | Remove                     | Ash tree                     |
| 321 Jefferson Avenue | Cherry    | 5"   | Leave in Place and Protect |                              |
| 319 Jefferson Avenue | Maple     | 13"  | Remove                     | Unhealthy tree – split trunk |
| 319 Jefferson Avenue | Maple     | 15"  | Leave in Place and Protect |                              |
| 919 Range Street     | Walnut    | 23"  | Leave in Place and Protect |                              |
| 919 Range Street     | Walnut    | 31"  | Leave in Place and Protect |                              |

| Pedestrian and Bicycle Accommodations  |  |
|--|--|
| CITY OF Minnesota  |  |
| <ul style="list-style-type: none"> <li>North Mankato City Council adopted Complete Streets Policy on January 4, 2016:             <ul style="list-style-type: none"> <li>Pedestrian and bicycle travel to be considered in preliminary design stage on street reconstruction projects</li> <li>Pedestrian accommodations - sidewalks (one side or both sides) or off-street multi-use trails</li> <li>Bicycle accommodations - designated on-street bike lanes, shared driving/bicycle lanes, or off-street multi-use trails</li> </ul> </li> <li>Pedestrian Accommodations:             <ul style="list-style-type: none"> <li>Existing sidewalks on both sides of 300 block of Jefferson Avenue</li> <li>Sidewalk to be reconstructed - 5 foot width; meet ADA standards for accessibility</li> <li>Construction of accessible sidewalks on both sides of the street conforms to the City's Complete Streets guidelines for pedestrian access.</li> </ul> </li> <li>Bicycle Accommodations:             <ul style="list-style-type: none"> <li>Jefferson Avenue not existing or proposed designated bicycle system routes</li> <li>Narrow width of the right-of-way and the narrow street width</li> <li>Parking on both sides</li> <li>Addition of on street or off-street bicycle lanes in not considered to be feasible for this project</li> </ul> </li> </ul> |  |



## Estimated Project Costs



| Item                    | Estimated Cost   |
|-------------------------|------------------|
| Street                  | \$253,100        |
| Storm Sewer             | \$49,600         |
| Sanitary Sewer Mainline | \$61,300         |
| Sanitary Sewer Services | \$19,200         |
| Watermain Mainline      | \$55,300         |
| Water Services          | \$22,800         |
| <b>TOTAL</b>            | <b>\$461,300</b> |

- Estimated costs include allowances for contingencies, administrative, engineering and financing costs

## Assessments



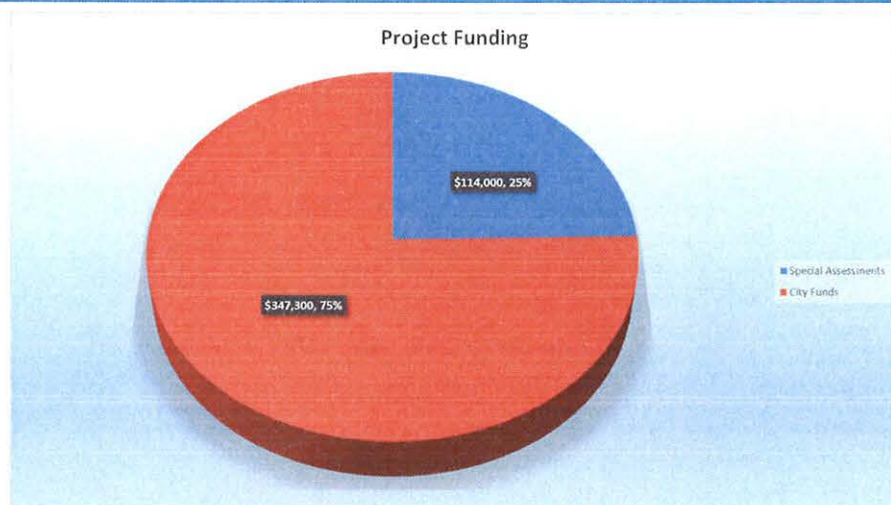
- Assessment policy:
  - Sanitary Sewer Services– 100% Assessable
  - Water Services – 100% Assessable
  - Balance of Project Costs (Street Reconstruction, Sanitary Sewer, Watermain, and Storm Sewer) – 40% Assessable, 60% City Cost
- Assessment Rates based on Estimated project Costs:
  - Sanitary Sewer Main Line (40%) – \$1,210/connection
  - Watermain Mainline (40%) - \$1,570/connection
  - Street & Storm Sewer Reconstruction - (40%) – \$106/foot
  - Sanitary Sewer Services (100%) – \$1,260/connection
  - Water Services (100%) – \$1,690/connection
- Calculated assessments range from \$10,400 to \$19,700

## Assessment Cap



- Assessment cap: \$8,000 assessment cap used on 2016 Roe Crest Drive Reconstruction Project
- Proposed adjustments to assessment cap:
  - Adjustment (reduction) for smaller lot sizes on Jefferson Avenue vs. Roe Crest Drive
  - Adjustment (increase) based on construction cost index from 2016 to 2017
- Proposed adjusted assessment cap for Jefferson Avenue - \$6,000

## Proposed Project Funding



## Proposed Schedule



| Date              | Task                         |
|-------------------|------------------------------|
| December 18, 2017 | Neighborhood Meeting         |
| January 2, 2018   | Improvement Hearing          |
| March 22, 2018    | Open Bids                    |
| May 7, 2018       | Assessment Hearing           |
| May 29, 2018      | Begin Construction (Approx.) |
| August 31, 2018   | End Construction (Approx.)   |

## Questions/Discussion





City of North Mankato, MN

## Claims List - Regular

By Vendor Name

Date Range: 5-7-18

| Vendor Number          | Vendor Name                          | Payment Date | Payment Type | Discount Amount | Payment Amount | Number |
|------------------------|--------------------------------------|--------------|--------------|-----------------|----------------|--------|
| Bank Code: APBNK-APBNK |                                      |              |              |                 |                |        |
| 00008                  | A+ SYSTEMS GROUP                     | 05/07/2018   | Regular      | 0               | 224.55         | 89111  |
| 00009                  | A-1 KEY CITY LOCKSMITHS, INC         | 05/07/2018   | Regular      | 0               | 114.00         | 89112  |
| 02787                  | ALPHA TRAINING & TACTICS LLC         | 05/07/2018   | Regular      | 0               | 6,927.20       | 89113  |
| 00093                  | ARNOLD'S OF MANKATO, INC.            | 05/07/2018   | Regular      | 0               | 2.90           | 89114  |
| 02783                  | BALLISTIC DEFENSE LLC                | 05/07/2018   | Regular      | 0               | 550.00         | 89115  |
| 00133                  | BELGRADE TOWNSHIP TREASURER          | 05/07/2018   | Regular      | 0               | 165.25         | 89116  |
| 00145                  | BETTER HOUSEKEEPING VACUUMS, INC.    | 05/07/2018   | Regular      | 0               | 96.35          | 89117  |
| 00147                  | BLACKSTONE PUBLISHING                | 05/07/2018   | Regular      | 0               | 23.99          | 89118  |
| 00160                  | BLUE EARTH ENVIRONMENTAL COMPANY     | 05/07/2018   | Regular      | 0               | 3,200.00       | 89119  |
| 02317                  | BOEHLKE, LISA                        | 05/07/2018   | Regular      | 0               | 339.00         | 89120  |
| 00195                  | BROCK WHITE COMPANY LLC              | 05/07/2018   | Regular      | 0               | 238.46         | 89121  |
| 00221                  | CARGILL, INC.                        | 05/07/2018   | Regular      | 0               | 3,434.52       | 89122  |
| 00233                  | CEMSTONE PRODUCTS COMPANY            | 05/07/2018   | Regular      | 0               | 346.91         | 89123  |
| 02757                  | CINTAS                               | 05/07/2018   | Regular      | 0               | 336.04         | 89124  |
| 02788                  | CITY OF MINNEAPOLIS                  | 05/07/2018   | Regular      | 0               | 204.00         | 89125  |
| 02786                  | CLAUDE, JEREMIAH                     | 05/07/2018   | Regular      | 0               | 500.00         | 89126  |
| 00322                  | DALCO                                | 05/07/2018   | Regular      | 0               | 252.94         | 89127  |
| 02275                  | DEM-CON MATERIALS & RECOVERY         | 05/07/2018   | Regular      | 0               | 354.70         | 89128  |
| 00344                  | DIAMOND VOGEL PAINT CENTER           | 05/07/2018   | Regular      | 0               | 495.71         | 89129  |
| 00349                  | DISCOUNT PAPER PRODUCTS, INC.        | 05/07/2018   | Regular      | 0               | 165.74         | 89130  |
| 00380                  | ELECTRIC PUMP, INC.                  | 05/07/2018   | Regular      | 0               | 3,543.00       | 89131  |
| 00401                  | EXPRESS SERVICES, INC.               | 05/07/2018   | Regular      | 0               | 1,137.32       | 89132  |
| 00404                  | FASTENAL COMPANY                     | 05/07/2018   | Regular      | 0               | 1.98           | 89133  |
| 00409                  | FERGUSON ENTERPRISES, INC #1657      | 05/07/2018   | Regular      | 0               | 27.06          | 89134  |
| 00432                  | FLEETPRIDE                           | 05/07/2018   | Regular      | 0               | 659.20         | 89135  |
| 00447                  | FREE PRESS                           | 05/07/2018   | Regular      | 0               | 258.01         | 89136  |
| 02390                  | GAME TIME                            | 05/07/2018   | Regular      | 0               | 23,730.81      | 89137  |
| 00503                  | GREAT AMERICAN BUSINESS PRODUCTS     | 05/07/2018   | Regular      | 0               | 927.98         | 89138  |
| 00534                  | HART'S AUTO SUPPLY                   | 05/07/2018   | Regular      | 0               | 191.00         | 89139  |
| 02574                  | HEDGEHOG ADVERTISING                 | 05/07/2018   | Regular      | 0               | 300.00         | 89140  |
| 00639                  | JOHN DEERE FINANCIAL                 | 05/07/2018   | Regular      | 0               | 384.17         | 89141  |
| 00670                  | KATO ROOFING, INC.                   | 05/07/2018   | Regular      | 0               | 147.52         | 89142  |
| 02785                  | KEY ENTERPRISES, LLC                 | 05/07/2018   | Regular      | 0               | 3,000.00       | 89143  |
| 02643                  | KIWANIS CLUB OF MANKATO DOWNTOWN     | 05/07/2018   | Regular      | 0               | 170.00         | 89144  |
| 00720                  | KWIK TRIP, INC.                      | 05/07/2018   | Regular      | 0               | 18,524.98      | 89145  |
| 00731                  | LAGER'S OF MANKATO, INC.             | 05/07/2018   | Regular      | 0               | 414.75         | 89146  |
| 00733                  | LAKES GAS CO #10                     | 05/07/2018   | Regular      | 0               | 106.81         | 89147  |
| 00746                  | LAW ENFORCEMENT LABOR SERVICES, INC. | 04/25/2018   | Regular      | 0               | 637.00         | 89108  |
| 00754                  | LEAGUE OF MINNESOTA CITIES           | 05/07/2018   | Regular      | 0               | 800.00         | 89148  |
| 00797                  | MAC TOOLS DISTRIBUTOR                | 05/07/2018   | Regular      | 0               | 258.33         | 89149  |
| 00812                  | MANKATO BEARING COMPANY              | 05/07/2018   | Regular      | 0               | 253.48         | 89150  |
| 00815                  | MANKATO CLINIC, LTD.                 | 05/07/2018   | Regular      | 0               | 95.00          | 89151  |
| 00819                  | MANKATO FORD, INC.                   | 05/07/2018   | Regular      | 0               | 602.66         | 89152  |
| 00829                  | MANKATO PUBLIC SCHOOLS               | 05/07/2018   | Regular      | 0               | 73.50          | 89153  |
| 00832                  | MANKATO TENT & AWNING CO.            | 05/07/2018   | Regular      | 0               | 130.90         | 89154  |
| 00847                  | MATHESON TRI-GAS, INC.               | 05/07/2018   | Regular      | 0               | 117.35         | 89155  |
| 02789                  | MCCABE, AMY                          | 05/07/2018   | Regular      | 0               | 100.00         | 89156  |
| 00860                  | MCFOA                                | 05/07/2018   | Regular      | 0               | 45.00          | 89157  |
| 00879                  | MEYER & SONS, INC.                   | 05/07/2018   | Regular      | 0               | 95.00          | 89158  |
| 02532                  | MIKE'S LLC                           | 05/07/2018   | Regular      | 0               | 2,500.39       | 89159  |
| 01018                  | NCPERS MINNESOTA-UNIT 662400         | 04/25/2018   | Regular      | 0               | 160.00         | 89109  |
| 01037                  | NICOLLET COUNTY                      | 05/07/2018   | Regular      | 0               | 16,051.00      | 89160  |
| 01057                  | NORTH MANKATO MOTOR VEHICLE REGISTRA | 04/13/2018   | Regular      | 0               | 265.75         | 89097  |
| 02569                  | NORTHLAND LIFT SALES AND SERVICE     | 05/07/2018   | Regular      | 0               | 380.00         | 89161  |
| 02057                  | OFFICE OF ADMINISTRATIVE HEARINGS    | 04/18/2018   | Regular      | 0               | 100.00         | 89099  |
| 01106                  | PETTY CASH                           | 05/07/2018   | Regular      | 0               | 63.00          | 89162  |
| 01133                  | POWERPLAN/RDO EQUIPMENT              | 05/07/2018   | Regular      | 0               | 432.90         | 89163  |



|       |   |            |            |   |            |            |
|-------|---|------------|------------|---|------------|------------|
| 01142 | PREMIER VETERINARY CENTER - MANKATO     | 05/07/2018 | Regular    | 0 | 335.10     | 89164      |
| 01191 | RELIANCE ELECTRIC OF SOUTHERN MINNESOTA | 05/07/2018 | Regular    | 0 | 37.46      | 89165      |
| 01213 | RIVERLAND COMMUNITY COLLEGE             | 05/07/2018 | Regular    | 0 | 1,100.00   | 89166      |
| 01297 | SOUTH CENTRAL COLLEGE                   | 05/07/2018 | Regular    | 0 | 130.00     | 89167      |
| 01303 | SOUTH CENTRAL REGIONAL FIRE DEPARTMENT  | 05/07/2018 | Regular    | 0 | 50.00      | 89168      |
| 01312 | SOUTHWEST MINNESOTA CHAPTER OF ICC      | 04/18/2018 | Regular    | 0 | 160.00     | 89101      |
| 01330 | ST. PETER POLICE DEPARTMENT             | 05/07/2018 | Regular    | 0 | 255.60     | 89169      |
| 01352 | STREICHER'S, INC                        | 05/07/2018 | Regular    | 0 | 1,369.93   | 89170      |
| 01402 | TIRE ASSOCIATES                         | 05/07/2018 | Regular    | 0 | 710.12     | 89171      |
| 01409 | TOPPERS PLUS, INC.                      | 05/07/2018 | Regular    | 0 | 14.00      | 89172      |
| 01415 | TOYOTA-LIFT OF MINNESOTA                | 05/07/2018 | Regular    | 0 | 242.27     | 89173      |
| 02150 | U.S. BANK                               | 05/07/2018 | Regular    | 0 | 80,690.00  | 89174      |
| 01497 | WALL STREET JOURNAL                     | 05/07/2018 | Regular    | 0 | 467.88     | 89175      |
| 01517 | WELLS FARGO CORPORATE TRUST SERVICE     | 05/07/2018 | Regular    | 0 | 107,020.00 | 89176      |
| 01557 | XCEL ENERGY                             | 04/17/2018 | Regular    | 0 | 44.31      | 89098      |
| 02285 | APPLIED MEDIA TECHNOLOGIES CORPORATION  | 04/19/2018 | Bank Draft | 0 | 359.40     | DFT0001988 |
| 00101 | AT&T MOBILITY                           | 04/18/2018 | Bank Draft | 0 | 26.84      | DFT0001986 |
| 00147 | BLACKSTONE PUBLISHING                   | 04/19/2018 | Bank Draft | 0 | 309.26     | DFT0001993 |
| 00182 | BOYER TRUCKS                            | 04/24/2018 | Bank Draft | 0 | 27.60      | DFT0002003 |
| 00182 | BOYER TRUCKS                            | 05/01/2018 | Bank Draft | 0 | 173.58     | DFT0002018 |
| 02740 | BRANDT PRINTING                         | 05/01/2018 | Bank Draft | 0 | 130.45     | DFT0002016 |
| 02058 | CONSOLIDATED COMMUNICATIONS             | 04/17/2018 | Bank Draft | 0 | 209.70     | DFT0001984 |
| 02058 | CONSOLIDATED COMMUNICATIONS             | 04/23/2018 | Bank Draft | 0 | 32.33      | DFT0001998 |
| 02058 | CONSOLIDATED COMMUNICATIONS             | 04/23/2018 | Bank Draft | 0 | 30.03      | DFT0001999 |
| 02058 | CONSOLIDATED COMMUNICATIONS             | 04/23/2018 | Bank Draft | 0 | 58.31      | DFT0002000 |
| 02058 | CONSOLIDATED COMMUNICATIONS             | 04/23/2018 | Bank Draft | 0 | 159.89     | DFT0002001 |
| 00311 | CULLIGAN WATER CONDITIONING             | 05/01/2018 | Bank Draft | 0 | 6.25       | DFT0002014 |
| 00311 | CULLIGAN WATER CONDITIONING             | 05/01/2018 | Bank Draft | 0 | 122.72     | DFT0002015 |
| 00499 | GRAINGER                                | 05/01/2018 | Bank Draft | 0 | 172.89     | DFT0002017 |
| 00608 | INGRAM LIBRARY SERVICES                 | 05/02/2018 | Bank Draft | 0 | 1,900.20   | DFT0002025 |
| 00730 | LAFAYETTE NICOLLET LEDGER, THE          | 04/18/2018 | Bank Draft | 0 | 35.00      | DFT0001987 |
| 00733 | LAKES GAS CO #10                        | 05/01/2018 | Bank Draft | 0 | 54.20      | DFT0002013 |
| 00940 | MINNESOTA RURAL WATER ASSOCIATION       | 04/24/2018 | Bank Draft | 0 | 275.00     | DFT0002002 |
| 01031 | NEW ULM JOURNAL                         | 05/02/2018 | Bank Draft | 0 | 228.80     | DFT0002026 |
| 02784 | SPORTAFLEX, LLC                         | 04/17/2018 | Bank Draft | 0 | 10,000.00  | DFT0001985 |
| 01322 | SPRINT                                  | 04/23/2018 | Bank Draft | 0 | 35.20      | DFT0001996 |
| 01323 | SPS COMPANIES, INC.                     | 04/17/2018 | Bank Draft | 0 | 330.06     | DFT0001990 |
| 01335 | STAPLES ADVANTAGE                       | 04/13/2018 | Bank Draft | 0 | 477.53     | DFT0001979 |
| 01335 | STAPLES ADVANTAGE                       | 04/13/2018 | Bank Draft | 0 | 84.94      | DFT0001980 |
| 01335 | STAPLES ADVANTAGE                       | 04/18/2018 | Bank Draft | 0 | 154.80     | DFT0001989 |
| 01335 | STAPLES ADVANTAGE                       | 04/20/2018 | Bank Draft | 0 | 83.91      | DFT0001994 |
| 01335 | STAPLES ADVANTAGE                       | 05/02/2018 | Bank Draft | 0 | 205.19     | DFT0002030 |
| 01338 | STATE CHEMICAL SOLUTIONS                | 04/23/2018 | Bank Draft | 0 | 239.79     | DFT0001995 |
| 01377 | TELRITE CORPORATION                     | 04/16/2018 | Bank Draft | 0 | 238.85     | DFT0001982 |
| 02591 | UNITED TEAM ELITE                       | 04/23/2018 | Bank Draft | 0 | 1,777.50   | DFT0001997 |
| 02591 | UNITED TEAM ELITE                       | 05/02/2018 | Bank Draft | 0 | 529.00     | DFT0002027 |
| 01470 | VERIZON WIRELESS                        | 04/13/2018 | Bank Draft | 0 | 30.10      | DFT0001981 |
| 02178 | WASTE MANAGEMENT OF WI-MN               | 05/01/2018 | Bank Draft | 0 | 237.65     | DFT0002019 |
| 02645 | APT CNC, INC.                           | 05/09/2018 | EFT        | 0 | 500.00     | 785        |
| 00105 | AUTO VALUE MANKATO                      | 05/09/2018 | EFT        | 0 | 57.51      | 786        |
| 00142 | BETHANY LUTHERAN COLLEGE                | 05/09/2018 | EFT        | 0 | 10,562.50  | 787        |
| 00174 | BOLTON & MENK, INC.                     | 05/09/2018 | EFT        | 0 | 25,859.50  | 788        |
| 00216 | C & S SUPPLY CO, INC.                   | 05/09/2018 | EFT        | 0 | 406.82     | 789        |
| 00230 | CCP INDUSTRIES, INC.                    | 05/09/2018 | EFT        | 0 | 90.02      | 790        |
| 00264 | CLARKE MOSQUITO CONTROL PRODUCTS, INC   | 05/09/2018 | EFT        | 0 | 330.16     | 791        |
| 02706 | CORE & MAIN LP                          | 05/09/2018 | EFT        | 0 | 88.92      | 792        |
| 00310 | CRYTEEL TRUCK EQUIPMENT, INC            | 05/09/2018 | EFT        | 0 | 459.88     | 793        |
| 00334 | DEHEN, MARK                             | 05/09/2018 | EFT        | 0 | 99.33      | 794        |
| 00343 | DH ATHLETICS LLC                        | 05/09/2018 | EFT        | 0 | 1,373.00   | 795        |
| 00439 | FORSTER, DANIEL                         | 05/09/2018 | EFT        | 0 | 261.86     | 796        |
| 00463 | G & L AUTO SUPPLY, LLC                  | 05/09/2018 | EFT        | 0 | 505.94     | 797        |
| 02476 | HARRISON TRUCK CENTERS                  | 05/09/2018 | EFT        | 0 | 2.48       | 798        |
| 00538 | HAWKINS, INC.                           | 05/09/2018 | EFT        | 0 | 118.59     | 799        |
| 00680 | J.J. KELLER & ASSOCIATES, INC.          | 05/09/2018 | EFT        | 0 | 606.00     | 800        |
| 00691 | KENNEDY & KENNEDY LAW OFFICE            | 05/09/2018 | EFT        | 0 | 707.11     | 801        |
| 02209 | KRAL, JACOB                             | 05/09/2018 | EFT        | 0 | 36.55      | 802        |
| 00776 | LLOYD LUMBER CO.                        | 05/09/2018 | EFT        | 0 | 1,541.24   | 803        |



|       |   |            |            |   |                   |            |
|-------|---|------------|------------|---|-------------------|------------|
| 00796 | MACQUEEN EQUIPMENT, INC.                | 05/09/2018 | EFT        | 0 | 3,107.77          | 804        |
| 00874 | MENARDS-MANKATO                         | 05/09/2018 | EFT        | 0 | 1,109.97          | 805        |
| 00889 | MIDWEST TAPE/HOOPLA                     | 05/09/2018 | EFT        | 0 | 841.66            | 806        |
| 00910 | MINNESOTA VALLEY TESTING LAB, INC.      | 05/09/2018 | EFT        | 0 | 252.00            | 807        |
| 02323 | MOBOTREX                                | 05/09/2018 | EFT        | 0 | 58.00             | 808        |
| 00997 | MTI DISTRIBUTING CO                     | 05/09/2018 | EFT        | 0 | 891.13            | 809        |
| 01036 | NICOLLET COUNTY RECORDER/ABTRACTER      | 05/09/2018 | EFT        | 0 | 92.00             | 810        |
| 01052 | NORTH CENTRAL INTERNATIONAL             | 05/09/2018 | EFT        | 0 | 114.69            | 811        |
| 02005 | PANTHEON COMPUTERS                      | 05/09/2018 | EFT        | 0 | 7,753.98          | 812        |
| 01090 | PARAGON PRINTING, MAILING & SPECIALTIES | 05/09/2018 | EFT        | 0 | 6,114.73          | 813        |
| 01099 | PET EXPO DISTRIBUTORS                   | 05/09/2018 | EFT        | 0 | 62.50             | 814        |
| 01160 | QUALITY OVERHEAD DOOR CO, INC           | 05/09/2018 | EFT        | 0 | 105.75            | 815        |
| 01179 | RED FEATHER PAPER CO.                   | 05/09/2018 | EFT        | 0 | 810.47            | 816        |
| 02281 | REINDERS                                | 05/09/2018 | EFT        | 0 | 3,517.19          | 817        |
| 01198 | RETROFIT COMPANIES, INC.                | 05/09/2018 | EFT        | 0 | 269.61            | 818        |
| 01211 | RIVER BEND BUSINESS PRODUCTS            | 05/09/2018 | EFT        | 0 | 628.55            | 819        |
| 01079 | SMC-SOUTHERN MINNESOTA CONSTRUCTION     | 05/09/2018 | EFT        | 0 | 3,697.73          | 820        |
| 01323 | SPS COMPANIES, INC.                     | 05/09/2018 | EFT        | 0 | 8,275.48          | 821        |
| 01478 | VIKING FIRE & SAFETY LLC                | 05/09/2018 | EFT        | 0 | 29.19             | 822        |
| 00137 | BENCO ELECTRIC COOPERATIVE              | 05/01/2018 | Bank Draft | 0 | 30,796.39         | DFT0002021 |
| 00234 | CENTER POINT ENERGY                     | 05/01/2018 | Bank Draft | 0 | 6,409.96          | DFT0002022 |
| 02003 | MINNESOTA DEPT OF REVENUE               | 04/25/2018 | Bank Draft | 0 | 5,662.28          | DFT0002009 |
| 02003 | MINNESOTA DEPT OF REVENUE               | 05/01/2018 | Bank Draft | 0 | 464.55            | DFT0002020 |
| 01477 | VIKING ELECTRIC SUPPLY, INC.            | 05/01/2018 | Bank Draft | 0 | 116.97            | DFT0002023 |
| 01477 | VIKING ELECTRIC SUPPLY, INC.            | 05/02/2018 | Bank Draft | 0 | 159.53            | DFT0002028 |
| 01557 | XCEL ENERGY                             | 05/01/2018 | Bank Draft | 0 | 21,795.73         | DFT0002024 |
|       |   |            |            |   | <u>452,766.97</u> | <u>150</u> |

## Authorization Signatures

### All Council

The above manual and regular claims lists for 5-7-18 are approved by:

---

MARK DEHEN- MAYOR

---

DIANE NORLAND- COUNCIL MEMBER

---

WILLIAM STEINER- COUNCIL MEMBER

---

ROBERT FREYBERG- COUNCIL MEMBER

---

JAMES WHITLOCK- COUNCIL MEMBER

RESOLUTION NO.

RESOLUTION APPROVING DONATIONS/CONTRIBUTIONS/GRANTS

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

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

| Donor                        | Restriction              | Amount     |
|------------------------------|--------------------------|------------|
| Laurie Engelby               | Paver                    | \$75.00    |
| Glen Taylor Foundation       | Generator for Bookmobile | \$3,000.00 |
| Nathan Alter                 | Paver                    | \$75.00    |
| Joe Robbin                   | Book Donation            | \$100.00   |
| Susan Moore                  | Backpack Program         | \$50.00    |
| Karelyn Kark Lacher          | Backpack Program         | \$100.00   |
| Delta Kappa Gamma Nu Chapter | Backpack Program         | \$544.00   |
| Dawn Salzwedel               | Backpack Program         | \$44.00    |
| Janet Reynolds               | Backpack Program         | \$65.00    |
| Laurie Putze                 | Backpack Program         | 73.00      |
| Christine Gregory            | Backpack Program         | 198.00     |
| Linda Isebrand               | Backpack Program         | 50.00      |
| Susan Hood                   | Backpack Program         | 235.00     |
| Jodine Malecha               | Backpack Program         | 67.00      |
| Leah Frank                   | Backpack Program         | 35.00      |
| Lisa Thome                   | Backpack Program         | 48.00      |
| Ann Wittnebel Vaubel         | Backpack Program         | 19.00      |
| Tracy Klostermeyer           | Backpack Program         | 34.00      |
| Lucy Lowry                   | Backpack Program         | 50.00      |
| Sally Coomes                 | Backpack Program         | 50.00      |
| Kathy Dierks                 | Backpack Program         | 35.00      |
| Jane Schuck                  | Backpack Program         | 35.00      |
| Rose Barkley                 | Backpack Program         | 75.00      |
| Mary Ann Frassel             | Backpack Program         | 15.00      |
| Linda O'Malley               | Backpack Program         | 45.00      |

|                          |                                   |        |
|--------------------------|-----------------------------------|--------|
| April Johnson            | Backpack Program                  | 20.00  |
| Shirley Wold             | Backpack Program                  | 16.00  |
| Jennifer Tiernan         | Backpack Program                  | 50.00  |
| Emily Patterson          | Backpack Program                  | 155.00 |
| Martha Weisgram          | Backpack Program                  | 70.00  |
| Beverly Johnson          | Backpack Program                  | 75.00  |
| Marion Cords             | Backpack Program                  | 70.00  |
| Sandra Ekstam            | Backpack Program                  | 27.00  |
| Johnna Horton            | Backpack Program                  | 75.00  |
| Sybil Solting            | Backpack Program                  | 50.00  |
| Shirley Ruby             | Backpack Program                  | 75.00  |
| Beth Christensen         | Backpack Program                  | 99.50  |
| Sandra Friday            | Backpack Program                  | 50.00  |
| Lynn Klaber              | Backpack Program                  | 78.00  |
| Mary Callahan            | Backpack Program                  | 45.00  |
| Judith Kennedy           | Backpack Program                  | 25.00  |
| Margaret Wheeler         | Backpack Program                  | 25.00  |
| Liz Peltola              | Backpack Program                  | 25.00  |
| Jeanne Groebner          | Backpack Program                  | 25.00  |
| Mary Johnson             | Backpack Program                  | 25.00  |
| Pamela Anderson          | Backpack Program                  | 20.00  |
| Margaret Hewitt          | Backpack Program                  | 15.00  |
| Linda Isebrand           | Backpack Program                  | 15.00  |
| Wendy Schmidt            | Backpack Program                  | 125.00 |
| Vi Traynor               | Backpack Program                  | 50.00  |
| Tim & Jeannine Leonhardt | Adopt-A-Family Swim Pass Donation | 80.00  |
| Daniel & Ann Hawkes      | Adopt-A-Family Swim Pass Donation | 80.00  |
| William Vihstadt         | Adopt-A-Family Swim Pass Donation | 80.00  |
| Life Time Massage LLC    | Adopt-A-Family Swim Pass Donation | 40.00  |
| Richard & Susan Cashman  | Adopt-A-Family Swim Pass Donation | 80.00  |
| Edroy & Judy Anderson    | Adopt-A-Family Swim Pass Donation | 40.00  |
| Kathryn & Michael Lange  | Adopt-A-Family Swim Pass Donation | 40.00  |
| Bill & Josie Simonette   | Adopt-A-Family Swim Pass Donation | 80.00  |
| Rodney & Barbara Furan   | Adopt-A-Family Swim Pass Donation | 40.00  |
| James & Kay Ackil        | Adopt-A-Family Swim Pass Donation | 80.00  |
|                          |                                   |        |

|       |  |            |
|-------|--|------------|
| Total |  | \$7,062.50 |
|-------|--|------------|

Adopted by the City Council this 7<sup>th</sup> day of May 2018.

\_\_\_\_\_  
Mayor

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

FEE: \$250.00

PERMIT INFORMATION

The proposed area for extension must be adjacent to a current licensed area and must be enclosed by a temporary opaque fencing. Adequate parking must be maintained to allow patrons to park in the establishment's parking lot. Proof of adequate insurance must be provided. The City reserves the right to revoke the license.

Please return completed application to the City Clerk for review.

APPLICANT INFORMATION

Name of Establishment:

Circle Inn

Applicant Name:

Jeni Bobholz

Address of Establishment:

232 Belgrade Ave. North Mankato

Business Phone: 507-625-9667

Applicant Phone: 507-382-4001

1. Description of seasonal contiguous enclosed area adjacent to current permitted unenclosed area. Please include a drawing and maximum dimensions of area to be enclosed.

Tent of 20x30

2. Provide a detailed scale description of the barriers, method of seating, ingress and egress arrangements, security provisions.

extension of the patio & fencing  
around



3. Please contact City Hall for each use, failure to report use may result in revocation of the permit.

*commonly also have band at the  
same time → audio permit*

4. Applicants must apply separately for Audio Permits. Audio permits must be approved for each event.

APPROVAL

Application must be approved by the City before submitting to the City Council

*[Signature]* #701

Police Chief Signature

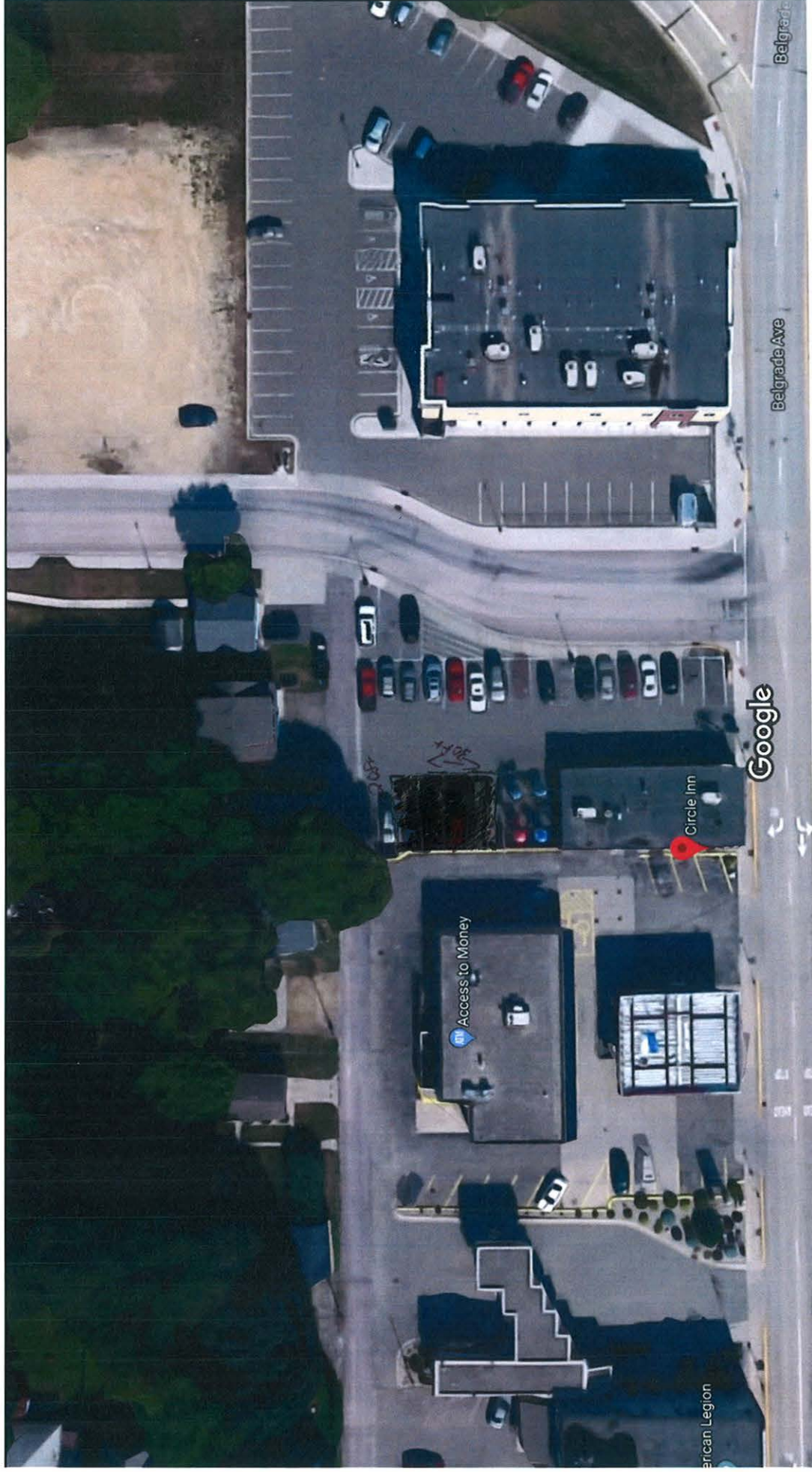
\_\_\_\_\_  
City Clerk Signature

*May - October*

Dates of Permitted Extension

\_\_\_\_\_  
Date Approved by Council

☒ Fee Paid.







1001 Belgrade Avenue  
North Mankato, MN 56003  
507-625-4141 Fax: 507-625-4151  
[www.northmankato.com](http://www.northmankato.com)

Audio Permit \_\_\_\_\_ 2018  
Park Permit \_\_\_\_\_ 2018

## Audio Permit

### About:

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

### Audio Permit Responsibilities:

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

### What happens if there is a noise complaint?

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

AMPLIFIED SOUND: ☒ LIVE MUSIC/BAND  
☐ DJ/KARAOKE MACHINE  
☐ OTHER: \_\_\_\_\_

DATE OF EVENT: 5/12/18  
BEGIN TIME: 6pm  
END TIME: 10pm

LOCATION / SHELTER: Circle Inn under a tent

EVENT NAME: Hooked on the Rain Kings (Fishing opener party)

ONSITE COORDINATOR: PRINT NAME: Jeni Bobholz

MOBILE NUMBER: 507-382-6001

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

SIGNATURE: Jeni Bobholz DATE: 4/25/18

POLICE CHIEF: [Signature] # 701  
CITY CLERK: \_\_\_\_\_

☐ DENIED ☒ APPROVED

☐ BOOK ☐ POLICE ☐ ONLINE ☐ \$25.00 FEE

STAFF INITIALS \_\_\_\_\_

Permit #: 46 -2018 Start time: 11:00 am Fee: \$ 100.00  
Date: 5/19/18 Stop time: 3:00 pm

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

Event Name: Tribute to the troops (visit local family with fallen soldier)

Name: Dave Dunn dunn.dave@comcast.net

Address: 9718 Heath Ave S. Cottage Grove, MN 55016

Phone: 651-755-3016 # of People: 50-100

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

Notes: Will have large presence of motorcycles - will contact Law Enforcement

Alcoholic Beverages (wine & beer only) ☒ No ☐ Yes \* \$300 refundable deposit and \$30 keg permit

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

Audio (requires audio permit) ☐ No ☒ Yes \* If Yes, Please fill out Audio Permit.

**Allowed**

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

**Prohibited**

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

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

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

SIGNED: [Signature] 4/18/18  
Applicant Date

☐ APPROVED ☐ DENIED

☐ REFER TO COUNCIL

City Clerk

Date

Receipt # R00130005 ☒ Book ☒ Online ☐ Park ☐ Police ☐ Staff Initials



1001 Belgrade Avenue  
North Mankato, MN 56003  
507-625-4141 Fax: 507-625-4151  
[www.northmankato.com](http://www.northmankato.com)

Audio Permit 46A - 2018  
Park Permit 46 - 2018

## Audio Permit

### About:

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AMPLIFIED SOUND: ☐ LIVE MUSIC/BAND ☐ DJ/KARAOKE MACHINE ☒ OTHER: PA System DATE OF EVENT: 5-19-18  
BEGIN TIME: NOON  
END TIME: 2:00

LOCATION / SHELTER: SLP #1

EVENT NAME: Tribute to the Troops

ONSITE COORDINATOR: PRINT NAME: Dave Dunn

MOBILE NUMBER: 651-755-3016

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

SIGNATURE: [Signature] DATE: 4/18/18

POLICE CHIEF: \_\_\_\_\_  
CITY CLERK: \_\_\_\_\_

☐ DENIED ☐ APPROVED

☐ BOOK ☐ POLICE ☐ ONLINE ☒ \$25.00 FEE

STAFF INITIALS \_\_\_\_\_



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

For Office Use Only

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

☐ PARK USE ☐ AUDIO USE

## Application For PARADE PERMIT

### REQUIRED INFORMATION:

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

*Thirty (30) days in advance of the parade date.*

| Name of Applicant | Address                              | Phone        | Email              |
|-------------------|--------------------------------------|--------------|--------------------|
| Alex Ogden        | 1141 N 43rd St - Milwaukee, WI 53208 | 414.213.8930 | alex@414events.com |

| Sponsoring Organization Name | Address                                 | Phone          |
|------------------------------|---|----------------|
| Mankato Brewery              | 1119 Center St, North Mankato, MN 56003 | (507) 386-2337 |

| Contact during event | Phone        |
|----------------------|--------------|
| Alex Ogden           | 414.213.8930 |

| Event Location  | Date      | From    | Time | To      |
|---|-----------|---------|------|---------|
| Mankato Brewery / surrounding streets / Spring Lake & Hiniker Parks | 9/22/2018 | 10:00am |      | 12:00pm |

Occasion for Parade


5k Run / Walk

Parade Description / Composition

Runners will start and finish outside of Mankato Brewery on Center St and runthrough the surrounding streets / Spring Lake & Hiniker Parks

Estimated Number of Participants: 500 - 1500

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

 4/12/2018  
Applicant Date

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

 #701 04-24-18  
Chief of Police Date






Caswell Sports Director

Date



# Mankato Beer Run 5k & .05k - Course Map

## Map Key

-  — Start/Finish Line
-  — Course Route and Direction
-  — Cones or Barricades
-  — Water Station
-  — Course Marshalls or Police Officers

Directional Arrows - Placed at all turns via H-Stake's in ground







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Audio Permit \_\_\_\_\_ 2018  
Park Permit \_\_\_\_\_ 2018

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AMPLIFIED SOUND: ☐ LIVE MUSIC/BAND      DATE OF EVENT: 9/22/2018  
☒ DJ/KARAOKE MACHINE      BEGIN TIME: 9:00am  
☐ OTHER: \_\_\_\_\_      END TIME: 12:00pm

LOCATION / SHELTER: Center Street in front of Mankato Brewery

EVENT NAME: The Mankato Beer Run 5k & .05k

ONSITE COORDINATOR: \_\_\_\_\_ PRINT NAME: Alex Ogden

MOBILE NUMBER: 414.213.8930

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

SIGNATURE:  DATE: 4/12/2018

POLICE CHIEF:  # 701  
CITY CLERK: \_\_\_\_\_

☐ DENIED ☒ APPROVED

☐ BOOK ☐ POLICE ☐ ONLINE ☐ \$25.00 FEE

STAFF INITIALS \_\_\_\_\_

# The Mankato Beer Run 5k & .05k

-

## Schedule of Music & Announcements

Noise production for the purpose of race announcements and light music provided by FourOneFour Events

9:00am - Light music

9:30am - Light announcements and sponsor thank you

9:50am - Announcements for .05k runners to line up

10:00am - .05k race start announcement

10:05am - Announcements for 5k runners to line up

10:15am - 5k race start announcement

10:20am until last finisher or 12:00pm - light music and finisher  
congratulations

## LICENSE AGREEMENT

**THIS LICENSE AGREEMENT IS MADE THIS** \_\_\_\_\_ day of \_\_\_\_\_, 2018, between CITY OF NORTH MANKATO, a municipal corporation (hereinafter referred to as "Grantor") and NATURE VIEW SUBDIVISION, LLC, a Minnesota Limited Liability Company (hereinafter referred to as "Grantee").

1. Consideration and description. In consideration of the sum of \$1.00 and other good and valuable consideration, receipt of which is acknowledged, GRANTOR hereby grants, sells and conveys to GRANTEE, its successors and assigns, the following LICENSE in and over land controlled by the GRANTOR in the County of Nicollet, State of Minnesota and described as follows, to-wit:

Use of land described in attached Exhibit A for the purpose of constructing and maintaining an identification sign including all related infrastructure.

2. GRANTEE shall be entitled to construct and maintain an identification sign in a location approved by GRANTOR at its own cost. There shall be no cost to the GRANTOR relating to the construction or maintenance of the sign. Should GRANTOR be required to expend any public funds in responding to any compliance issues such funds shall be reimbursed to GRANTOR by GRANTEE within thirty (30) days of receiving written notification of such disbursements. In addition to maintaining an identification sign, GRANTEE shall be responsible for the maintenance for all of Outlot E, including but not limited to seeding or sodding the property and mowing, weed control, and landscaping the property. GRANTOR may direct the GRANTEE to replace or repair the sign if the appearance or condition of the sign deteriorates in the opinion of the GRANTOR.

3. The initial term of this License shall be one (1) year commencing May 1, 2018 and terminating on April 30, 2019 with one (1) year automatic renewals, unless either party provides written notice one hundred eighty (180) days prior to the last day of the initial term or any renewal term. . GRANTOR shall have the right to terminate this License at any time during the initial term by proving six (6) months written notice to GRANTEE. In the event the License is terminated in such manner the GRANTEE shall remove the identification sign and restore the property to its previous condition. Any costs associated with removing the identification sign shall be 100% the responsibility of the GRANTEE or its successors in interest.

4. GRANTEE will obtain liability insurance in the minimum amount of \$500,000.00 per person and \$1,000,000.00 per incident covering any occurrence connected with the identification sign. The City of North Mankato shall be named as an additional payee.

5. This License shall not be assignable by GRANTEE without written permission of the GRANTOR.

License Agreement

Page 2 of 2

6. GRANTEE shall not install anything on the property or perform any work on the property with the consent of the GRANTOR. GRANTOR will approve the type and appearance of any sign to be installed on the property.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

GRANTOR

City of North Mankato

By: \_\_\_\_\_

Its: \_\_\_\_\_

GRANTEE

Nature View Subdivision, LLC

By: \_\_\_\_\_

Its: \_\_\_\_\_

**EXHIBIT A**

Outlot E, Nature View Subdivision No. 2

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



| Agenda Item #91   | Department: Administration  | Council Meeting Date: 5/7/18 |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
|---|---|------------------------------|--------------------------|--------------------------|-------|----------|-------|-------|---------|-------|-------|---------|-------|-------|----------|-------|-------|-------|--|------------|-----------|----------|---------|-----|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>TITLE OF ISSUE: Consider Authorizing City Administrator to Execute Development Agreement with Dan Wingert</b>  |   |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| <b>BACKGROUND AND SUPPLEMENTAL INFORMATION: A Development Agreement with developer Dan Wingert is attached. The agreement develops foreclosed property in the Coventry Heights Subdivision. Staff recommends approval.</b>  |   |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| <i>If additional space is required, attach a separate sheet</i>   |   |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| <b>REQUESTED COUNCIL ACTION: Authorize City Administrator to Execute Development Agreement with Dan Wingert.</b>  |   |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| <div style="margin-bottom: 10px;"> Motion By: _____<br/> Second By: _____ </div> <div> Vote Record: <table style="display: inline-table; vertical-align: top; margin-left: 20px;"> <thead> <tr> <th style="text-align: center;">Aye</th> <th style="text-align: center;">Nay</th> <th></th> </tr> </thead> <tbody> <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>Freyberg</td></tr> <tr><td style="text-align: center;">_____</td><td style="text-align: center;">_____</td><td>Dehen</td></tr> </tbody> </table> </div> | Aye   | Nay                          |                          | _____                    | _____ | Whitlock | _____ | _____ | Steiner | _____ | _____ | Norland | _____ | _____ | Freyberg | _____ | _____ | Dehen | <div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>SUPPORTING DOCUMENTS ATTACHED</b> </div> <table style="width: 100%; text-align: center;"> <tr> <td>Resolution</td> <td>Ordinance</td> <td>Contract</td> <td>Minutes</td> <td>Map</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table> <div style="margin-top: 10px;"> Other (specify) <u>Memo</u><br/> _____<br/> _____<br/> _____<br/> _____ </div> | Resolution | Ordinance | Contract | Minutes | Map | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Aye   | Nay   |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| _____   | _____   | Whitlock                     |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| _____   | _____   | Steiner                      |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| _____   | _____   | Norland                      |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| _____   | _____   | Freyberg                     |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| _____   | _____   | Dehen                        |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| Resolution  | Ordinance   | Contract                     | Minutes                  | Map                      |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| <input type="checkbox"/>  | <input type="checkbox"/>  | <input type="checkbox"/>     | <input type="checkbox"/> | <input type="checkbox"/> |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |
| <div style="margin-bottom: 10px;"> <input type="checkbox"/> Workshop </div> <div style="margin-bottom: 10px;"> <input checked="" type="checkbox"/> Regular Meeting </div> <div> <input type="checkbox"/> Special Meeting </div>   | <div style="margin-bottom: 10px;"> <input type="checkbox"/> Refer to: _____ </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Table until: _____ </div> <div> <input type="checkbox"/> Other: _____ </div> |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                          |                          |                          |                          |                          |

## DEVELOPMENT AGREEMENT

This Agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by and between the City of North Mankato, a Minnesota Municipal Corporation (the "City") and Dan Wingert, a developer, (the "Developer").

In consideration of the mutual covenants and undertakings contained herein, the parties agree as follows:

1. **Purchase of the Land.** Developer agrees to purchase from Nicollet County three vacant lots legally described as attached on Exhibit A. The land is vacant. No personal property is included in the sale.
2. **Purchase Price.** The Purchase Price "Purchase Price" (for the land) shall be Two Hundred Twenty One Thousand Five Hundred Sixty Eight dollars (\$221,568) which includes all outstanding assessments. Within two (2) weeks following the initial purchase by Developer of the land from the County the City shall reimburse Developer One Hundred One Thousand, Five Hundred Sixty Eight dollars (\$101,568). Developer is required to provide to City verification of purchase from County before receiving any payment from City.
3. **Obligations of City.** Upon performing all obligations as spelled out in this agreement, Developer shall be paid the sum of One Hundred One Thousand, Five Hundred Sixty Eight dollars (\$101,568).
4. **Obligations of Developer.**
  1. Developer shall build single family homes with a zoning classification of R-1 on all three lots and obtain a Certificate of Occupancy from the City of North Mankato no later than December 31, 2020.
  2. Should Developer fail to complete the three single family homes and receive a Certificate of Occupancy by December 31, 2020, Developer shall forfeit and return to the City of North Mankato forty five thousand dollars for each undeveloped lot.
5. **Covenants of Restriction.** The three lots being purchased by Developer are subject to Declaration of Protective Covenants and Restrictions recorded as Document No. 267616 at the Nicollet County Recorder's Office and attached as Exhibit B. Developer agrees to comply with all terms of the Declaration of Protective Covenants and Restrictions.
6. **Provisions for Notices.** All documents to be delivered and all correspondence and notices to be given in connection with this Agreement shall be in writing and given by personal delivery or sent by registered or certified mail, return receipt requested, postage prepaid, addressed as follows:



If to City:

City of North Mankato  
101 Belgrade Avenue  
North Mankato, MN 56003

If to Developer:

Dan Wingert  
422 Park Lane  
Mankato, Minnesota  
56001

7. **Complete Agreement.** This is a final agreement between the parties and contains the entire agreement between the City and Developer and supercedes any other written or oral agreement between the parties relating to the land. The agreement can be modified only in written form, properly signed on behalf of the City and Developer.
8. **Time of the Essence.** Time is of the essence in the performance of this agreement.
9. **Governing Law.** This agreement is made and entered into under the laws of Minnesota; Minnesota law shall govern its construction and enforcement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year first above written.

CITY OF NORTH MANKATO

DAN WINGERT

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

## **EXHIBIT A**

1. PIN 18.045.0180, Lot 3, Block 2, Coventry Heights
2. PIN 18.596.0120, Lot 6, Block 3, Charles Klingel Subdivision
3. PIN 18.569.0150, Lot 9, Block 3, Charles Klingel Subdivision

## EXHIBIT B



KATHRYN CONLON  
County Recorder  
Nicollet County, Minnesota 56001

Document No. **267616** (w)

Certified Recorded on 02-22-2006 at 09:00 A M

Well Certificate: \_\_\_\_\_ # Pages 10

Rec'd: LEONARD STREET AND DEINARD Fee: \$ 46.00

(Drafted by and when filed return to: Leonard, Street and Deinard, 121 East Walnut Street, P.O. Box 967, Mankato, MN 56001)

### DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR COVENTRY HEIGHTS

This Declaration is made in the County of Nicollet, State of Minnesota, on this 14<sup>th</sup> day of February, 2006, by Coventry Heights, LLC, (the "Declarant") for the purpose of creating Coventry Heights, a single family community.

WHEREAS, Declarant is the owner and/or contract purchaser of certain real property located in Nicollet County, Minnesota, legally described in Exhibit A attached hereto, and Declarant desires to submit said real property and all improvements thereon (collectively the "Property") to the covenants, conditions and restrictions of this Declaration; and

WHEREAS, Declarant desires to establish on the Property a plan for a permanent residential community to be owned, occupied and operated for the use, health, safety and welfare of its resident Owners and Occupants, and for the purpose of preserving the architectural and aesthetic character of the Property.

THEREFORE, Declarant makes the Declaration, which shall constitute covenants to run with the Property, and declares that the Property shall be owned, used, occupied and conveyed subject to the covenants, restrictions, easements, charges and liens set forth herein, all of which shall be binding upon all Persons owning or acquiring any right, title or interest therein, and their heirs, personal representatives, successors and assigns.

#### SECTION 1. DEFINITIONS

The following words when used in the Governing Documents shall have the following meanings (unless the context indicates otherwise):

1.1 "Board" means the Architectural Control Board.

1.2 "Declarant" means Coventry Heights, LLC; any person who executes an amendment to the Declaration, other than persons holding interest in the real estate solely as security for an obligation; or any person who succeeds to any Special Declarant Rights.

1.3 "Dwelling" means each building designed and intended for occupancy as a single family residence, and located within the boundaries of a Unit. The Dwelling includes

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the garage attached thereto or otherwise included within the boundaries of the Unit in which the Dwelling is located.

1.4 "Governing Documents" means this Declaration and the Rules and Regulations, each as amended from time to time.

1.5 "Member" means each person who is an Owner as defined in this Declaration. The words "Owner" and "Member" may be used interchangeably in the Governing Documents.

1.6 "Occupant" means any person or persons, other than an Owner, in possession of or residing in a Unit.

1.7 "Owner" means a Person who owns a Unit. The term "Owner" includes, without limitation, contract for deed vendees and holders of a life estate.

1.8 "Person" means a natural individual, corporation, limited liability company, partnership, trustee, other or legal entity capable of holding title to real property.

1.9 "Plat" means the recorded plat depicting the Property.

1.10 "Property" means all of the real property submitted to this Declaration, including the Dwellings and all other structures and improvements located thereon now or in the future. The Property as of the date of this Declaration is legally described in Exhibit A attached hereto.

1.11 "Special Declarant Rights" means the rights reserved in Section 7 for the benefit of Declarant.

1.12 "Unit" means any platted lot subject to this Declaration upon which a Dwelling is located or intended to be located, as shown on the Plat, including all improvements thereon.

## SECTION 2. DESCRIPTION OF UNITS AND APPURTENANCES

2.1 Units. There are currently twenty-one (21) Units within the Property, all of which are restricted exclusively to residential use. Each Unit constitutes a separate parcel of real estate.

2.2 Easements are Appurtenant. All easements and similar rights burdening or benefiting a Unit or any other part of the Property shall be appurtenant thereto, and shall be permanent, subject only to the terms of the easement. Any recorded easement benefiting or burdening the Property shall be construed in a manner consistent with, and not in conflict with, the easements created by this Declaration.

2.3 Impairment Prohibited. No person shall materially restrict or impair any easement benefiting or burdening the Property, subject to the Declaration and the right of the Board to impose reasonable Rules and Regulations governing the use of the Property.

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**SECTION 3.  
ADMINISTRATION**

The administration and operation of the Board and the Property, including but not limited to the acts required of the Board, shall be governed by the following provisions:

3.1 General. The operation and administration of the Board and the Property shall be governed by the Governing Documents. The Board shall be responsible for the operation, management and control of the Property.

3.2 Operational Purposes. The Board shall operate and manage the Property for the purposes of (i) administering and enforcing the covenants, restrictions and easements, set forth in the Governing Documents and the Rules and Regulations; and (ii) preserving the architectural uniformity and character of the Property.

3.3 Binding Effect of Actions. All agreements and determinations made by the Board shall be binding upon all Owners and Occupants, and their lessees, guests, heirs, personal representatives, successors and assigns and all secured parties.

**SECTION 4.  
RESTRICTIONS ON USE OF PROPERTY**

All Owners and Occupants, and all secured parties, by their acceptance or assertion of an interest in the Property, or by their occupancy of a Unit, covenant and agree that, in addition to any other restrictions which may be imposed by the Governing Documents, the occupancy, use, operation, alienation and conveyance of the Property shall be subject to the following restrictions:

4.1 General. The Property shall be owned, conveyed, encumbered, leased, used and occupied subject to the Governing Documents, as amended from time to time. All covenants, restrictions and obligations set forth in the Governing Documents are in furtherance of a plan for the Property, and shall run with the Property and be a burden and benefit to all Owners and Occupants and to any other Person acquiring or owning an interest in the Property, their heirs, personal representatives, successors and assigns.

4.2 Residential Use. The Units shall be used by Owners and Occupants and their guests exclusively as private, single family residential Dwellings, and not for transient, hotel, commercial, business or other non-residential purposes. Any lease of a Unit (except for occupancy by guests with the consent of the Owner) for a period of less than 30 days, or any occupancy which includes services customarily furnished to hotel guests, shall be presumed to be for transient purposes.

4.3 Business Use Restricted. No business, trade, occupation or profession of any kind, whether carried on for profit or otherwise, shall be conducted, maintained or permitted in any Unit; except (i) an Owner or Occupant residing in a Unit may keep and maintain his or her business or professional records in such Unit and handle matters relating to such business by telephone or

correspondence therefrom, provided that such uses are incidental to the residential use, do not involve physical alteration of the Unit and do not involve any observable business activity such as signs, advertising displays, bulk mailings, deliveries, or visitation or use of the Unit by customers or employees and the foregoing notwithstanding, the Board may, in its reasonable discretion, approve business uses typically associated with residential Dwellings, provided that (ii) such uses shall not interfere with the use and enjoyment of any of the Property or other Units by other Owners, and (iii) the Board may place reasonable restrictions on any approval, including limitations regarding the hours of operation, noise levels, or traffic levels. All requests for approval of business uses shall be submitted in writing by the Owner to the Board.

4.4 Dwelling Type. No Dwelling shall be erected, altered, placed, or permitted to remain on any Unit other than hereafter provided. No earth Dwelling, dome Dwelling, foam Dwelling, or any other uncommon type Dwelling will be allowed. All construction shall be new and of a permanent nature. No complete, partially completed, prefabricated, packaged, manufactured or modular Dwelling may be erected, placed on or moved onto any Unit. All Dwellings must be constructed on the Unit. A multi-level Dwelling or rambler Dwelling shall be allowed on any Unit. No carports shall be allowed on any Unit.

4.4(a) As to Lots 3, 4, 5, 6, 7 and 8, Block 1, Lots 1, 2, 3 and 4, Block 2 and Lots 1 & 2, Block 3, Coventry Heights, only a single family Dwelling, which consists of one or more stories, shall have a minimum floor area of 2,000 square feet, exclusive of basement and garage area.

4.4(b) As to Lots 1, 2, 9, 10, 11, 12, 13, 14 and 15, Block 1, Coventry Heights, only single family Dwellings, which consist of one or more stories shall have a minimum floor area of 2,500 square feet, exclusive of basement and garage area.

4.4(c) Each Unit shall have a private attached garage with a minimum of three stalls, to be built at the same time as the Dwelling. All garages shall have installed garage doors.

4.4(d) All Dwellings shall have at least 4 foot above grade of brick, stone or similar masonry material on the street or front side of the Dwelling.

4.4(e) The Board shall have the authority to grant a variance from the minimum floor area requirements when the strict enforcement would cause hardship on the Owner. When a variance is requested, the Board may consider such factors as the unique physical condition of the Unit, including but not limited to the presence of the existing use or structure; irregular or substandard shape or size; exceptional topographical features or other physical conditions peculiar to the Unit.

4.5 Temporary Structures. No structure of a temporary character, motor home, mobile home, trailer, basement, tent shack, garage, barn or any temporary structure shall be used as a residence on any Unit, either temporarily or permanently. Temporary structures shall be allowed for construction purposes and shall be removed immediately upon completion of construction.

4.6 Weeds. All Units shall be mowed and kept free of weeds and debris at all times, including the time period prior to and during development of a Unit.

4.7 Surfaces. Driveways and parking areas, except the public roads shall be hard surfaced consisting of concrete, bituminous material or paved bricks and must be completed within 12 months after construction of a Dwelling commences. Lawns shall be seeded or sodded within 12 months after construction of a Dwelling commences.

4.8 Ancillary Structures. All ancillary structures, including but not limited to storage sheds, gazebos and swimming pools must be approved by the Board. No roller blade or skateboard ramps shall be allowed on any of the Units.

4.9. Construction Timetable. Construction of a Dwelling may commence at any time after the purchase of a Unit. Once excavation of a Unit has commenced, exterior construction of the Dwelling must be fully completed within 9 months unless unforeseen problems (i.e. inclement weather) occur.

4.10 Trees. Each Unit shall plant two or more two inch trees in the front of street side of the Unit within 12 months of construction of a Dwelling commences.

4.11 Signs. No signs of any kind shall be displayed to the public view on any Unit except for one sign of not more than five (5) square feet advertising the property for sale, except that Declarant shall be permitted to erect and maintain upon the Property such signs as Declarant deems appropriate to advertise the Property pursuant to Section 7.4.

4.12 Antennas/Satellite Dish. No television, radio, or other electronic towers, aerials, antennae shall be erected or maintained on any Unit, except contained in the attic of a Dwelling or except satellite dishes eighteen inches or smaller and approved by the Board. Any such device shall be installed in compliance with all state and local laws and regulations, including zoning, land use, and building regulations.

4.13 Walls and Fences. No walls or fences shall be allowed to the front of any Dwelling, and all walls or fences shall be erected to the rear of any Dwelling, which are more than 48 inches above grade at any point. All walls and/or fences shall be of wood, brick, stone or chain link. All wood fences shall be stained or natural finish. Walls that are referred to in this section include all walls that are not an integral part of a Dwelling, garage or other enclosed structure. No fence or wall shall be erected or placed on any Unit except as approved by the Board, as part of a general landscape theme to be maintained by the Board. All wall and fence approvals by the Board are conditional upon proper future maintenance by the Owner. Walls and Fences are subject to removal at the expense of the Owner if any drainage or utility easement is interfered with.

4.14 Parking. No parking shall be permitted on the Property except within garages within Units or on paved driveways within Units. The use of garages, driveways and other parking areas on the Property, and the types of vehicles and personal property permitted thereon, shall be subject to regulation by the Board, including without limitation the right of the Board to



tow illegally parked vehicles or to remove unauthorized personal property, and the following restrictions:

- a. Garages within a Unit shall be used only for parking vehicles owned or leased by the Owners and Occupants of the Unit and their guests, and such other incidental uses as may be authorized in writing by the Board. Owners and Occupants may keep, park and store their operable automobiles and other vehicles in enclosed garages and on their paved driveways.
- b. Other vehicles shall be kept, stored or parked only in enclosed garages, except that seasonal vehicles, such as recreational vehicles, all-terrain vehicles, motorcycles, motorbikes, bicycles, snowmobiles, jet skis, canoes, boats, and other watercraft, camping trailers, lawn mowers, lawn tractors, and over-the-road tractors, may be parked on paved driveways during the appropriate season (i.e., boats in the summer, snowmobiles in the winter). "Other vehicles" means all motorized and all non-motorized vehicles except operable automobiles, including (without limitation) the following: automobiles that are inoperable, trucks, buses, vans, recreational vehicles, all-terrain vehicles, ambulances, hearses, motorcycles, motorbikes, bicycles, snowmobiles, jet skis, canoes, boats, and other watercraft, aircraft, house trailers, camping trailers, other trailers, lawn mowers, lawn tractors, over-the-road tractors, and other tractors.

4.15 Animals. No animal may be bred, kept or maintained anywhere on the Property except that two (2) dogs, two (2) cats or two (2) other household pets may be kept on the condition that they are not kept, bred or maintained for any commercial purpose and upon the further condition that they comply with local ordinance for domestic pets. The person in charge of the pet must clean up after it.

4.16 Quiet Enjoyment: Interference Prohibited. All Owners and Occupants and their guests shall have a right of quiet enjoyment in their respective Units, and shall use the Property in such a manner as will not cause a nuisance, nor unduly restrict, interfere with or impede the use of the Property by other Owners and Occupants and their guests. Nothing shall be done or kept on any Unit or part thereof which would be in violation of any statute, rule, ordinance, regulation, permit or other validly imposed requirement of the Board. No damage to, or waste of, the Property or the buildings situated thereon shall be committed by any Owner or any invitee of any Owner. No noxious, destructive or offensive activity shall be allowed on any Unit, nor shall anything be done thereon which may be or may become an annoyance or nuisance to any other Owner or any other Person at any time lawfully residing on the Property.

4.17 Trash. No part of any Unit may be used at any time for the storage or abandonment of junked automobiles or other motor equipment. Garbage, rubbish and trash shall not be kept on any Unit except in sanitary containers. All equipment used or kept for the storage or disposal of such materials shall be kept in a clean and sanitary condition inside a garage.

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4.18 Compliance with Law. No use shall be made of the Property which would violate any then existing municipal codes or ordinances or state or federal laws, nor shall any act or use be permitted which could cause waste to the Property.

4.19 Storage Tanks. No permanent storage tanks of any kind shall be erected, placed or permitted on any Unit.

4.20 Declarant Improvements. Nothing contained in the foregoing provisions of this Section 4 or in the following provisions of Section 5 shall be construed to limit the rights of Declarant to alter the Property or to construct or modify improvements thereon, or to limit the manner in which such improvements, alterations, or modifications may be made as to Units owned by Declarant.

## SECTION 5. ARCHITECTURAL CONTROL

5.1 Architectural Control Board. There shall be an Architectural Control Board, which shall consist of the Developer and/or an Agent appointed by the Developer until all of the units in this Plat have been sold, or such prior time as determined by the Developer, at which time the then Unit Owners shall elect by a vote of the Unit Owners, the Architectural Control Board. The Developer shall make a reasonable effort to notify the then Unit Owners by regular mail of the first meeting to elect an Architectural Control Board by the Owners. The actual number of Unit Owners to be on the Board and the operating standards for the Architectural Control Board shall be determined at this meeting.

5.2 Restrictions. The following restrictions and requirements shall apply to the Property:

- a. Except as expressly provided in this Section 5, building, addition, deck, patio, fence, wall, nor any other exterior improvements to or alteration of any Dwelling or any part of a Unit which is visible from the exterior of the Unit (collectively referred to as "alterations"), shall be commenced, erected or maintained in a Unit, unless and until the plans and specifications showing the nature, kind, shape, height, color, materials and locations of the alterations shall have been approved in writing by the Board or a committee appointed by it. In addition, any alteration shall comply with the building permit as applied to Property.
- b. The criteria for approval shall include and require, at a minimum, (i) substantial uniformity of size, location, type and design in relation to existing improvements and topography; (ii) comparable or better quality of materials as used in existing improvements; (iii) ease of maintenance and repair; (iv) compliance with governmental laws, codes and regulations (although approval shall not, in any way, be deemed a representation or confirmation by the Board of compliance with any such laws, codes or regulations); and (v) that the requested alteration shall not result in identical building design in adjacent Units.

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5.3 Review Procedures. The following procedure shall govern requests for alterations under this Section:

- a. Detailed plans, specifications and related information regarding any proposed alteration (the "Plans"), in form and content acceptable to the Board shall be submitted to the Board at least thirty (30) days prior to the projected commencement of construction. No alterations shall be commenced prior to approval. In the event the information submitted to the Board is, in the Board's reasonable opinion, incomplete or insufficient, the Board may request and require the submission of additional or supplemental information.
- b. The plans are required to be submitted by first class mail, registered or certified, postage prepaid and return receipt requested or delivered personally to the Board.
- c. The Board shall evaluate for substantial conformance to the plans, specification, density, material selections, colors, etc., as approved, and shall have the right to refuse to approve any plans and specifications which are not determined by it to be in conformance.
- d. Upon approval by the Board of any plans and specifications submitted to the Board, the Board shall notify the applicant in writing, which notification shall set forth any qualifications or conditions of approval. In the event that the Board disapproves any plans and specifications submitted to the Board, the Board shall so notify the applicant in writing, stating the grounds upon which such disapproval is based. If the Board fails to approve or disapprove submitted plans within sixty (60) days after receipt of said plans and specifications and all other information requested by the Board, then the plans shall be deemed approved.
- e. There is specifically reserved unto the Board, and to any agent or member of the Board, the right of entry and inspection upon any portion of the Property for the purpose of determination by the Board whether there exists any construction of any improvement which violates the terms of any approval by the Board or the terms of this Declaration or any amendments thereto, or of any other covenants, conditions and restrictions applicable to the Unit being inspected. If any improvement of any nature shall be constructed or altered without the prior written approval of the Board, the Owner shall, upon demand of the Board, cause such improvement to be removed or restored. The Owner shall be liable for the payment of all costs of such removal or restoration, including all costs and attorneys' fees incurred by the Board.

- f. The Board may implement, as part of the Rules and Regulations, such architectural guidelines as the Board deems appropriate, in which event review of the Board shall be governed by such guidelines.

5.4 Liabilities. Neither Declarant, its officers, directors and employees, the members of the Board, nor any person acting on behalf of any of them, shall be liable for any costs or damages incurred by or on behalf of any Owner within the Property or any other party whatsoever, due to any mistakes in judgment, negligence or any action of the Board taken in good faith in connection with the approval or disapproval of plans and specifications. Each party submitting plans and specifications for approval shall be solely responsible for the sufficiency thereof and for the quality of construction performed pursuant thereto. No approval of plans and specifications and no publication of guidelines or standards by the Board shall be construed as representing or implying that such plans, specifications, or standards will, if followed, result in properly designed improvements. Such approvals and standards shall in no event be construed as representing or guaranteeing that any Dwelling or other improvement built in accordance therewith was built in a good and workmanlike manner.

5.5 Completion of Construction of Improvements. Upon approval of plans by the Board, all construction work shall be carried on with dispatch. All improvements shall be constructed in conformity with the then existing building codes; and all building plans shall be prepared by or under the supervision of a registered architect, a builder or a qualified design professional. The provisions of this Section 5 notwithstanding, in the event that no notice of default of compliance of the rules governing Architectural Review is given with respect to any modification, decoration, change or improvement has been commenced within six (6) months of the completion thereof, approval will be automatically given and this Section 5 shall be deemed to have been fully complied with.

5.6 Remedies for Violations. The Board may undertake any measures, legal or administrative, to enforce compliance with this Section and shall be entitled to recover from the Owner causing or permitting the violation all attorneys' fees and costs of enforcement, whether or not a legal action is started. Such attorneys' fees and costs shall be a lien against the Owner's Unit and a personal obligation of the Owner. In addition, the Board shall have the right to enter the Owner's Unit and to restore any part of the Dwelling or Unit to its prior condition if any alterations were made in violation of this Section, and the cost of such restoration shall be a personal obligation of the Owner and a lien against the Owner's Unit.

## SECTION 6. COMPLIANCE AND REMEDIES

Each Owner and Occupant, and any other Person owning or acquiring any interest in the Property, shall be governed by and comply with the provisions of the Governing Documents. A failure to comply shall entitle the Board to the relief set forth in this Section, in addition to the rights and remedies authorized elsewhere by the Governing Documents.

6.1 Entitlement to Relief. The Board may commence legal action to recover sums due, for damages, for injunctive relief, or any combination thereof, or an action for any other

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relief authorized by the Governing Documents or available at law or in equity. Legal relief may be sought by the Board against any Owner, or by an Owner against the Board or another Owner, to enforce compliance with the Governing Documents, the Rules and Regulations, or the decisions of the Board. However, no Owner may take (or omit) other action in violation of the Governing Documents as a measure to enforce such Owner's position, or for any other reason.

6.2 Sanctions and Remedies. In addition to any other remedies or sanctions, expressed or implied, administrative or legal, the Board shall have the right, but not the obligation, to commence legal action for damages or equitable relief in any court of competent jurisdiction against owners and occupants and/or their guests who violate the provisions of the Governing Documents.

6.3 Alternative Method for Resolving Disputes. Declarant, its officers, directors, employees and agents; the Board, its officers, directors and committee members; all Persons subject to this Declaration; any builder, its officers, directors, employees and agents; and any Person not otherwise subject to this Declaration who agrees to submit to this Section (each such entity being referred to as a "Bound Party") agree to encourage the amicable resolution of disputes, without the emotional and financial costs of litigation. Accordingly, each Bound Party covenants and agrees to submit those claims, grievances or disputes described in Section 6.4 (collectively, "Claims") to the procedures set forth in Section 6.5.

6.4 Claims. Unless specifically exempted below, all Claims between any of the Bound Parties regardless of how the same might have arisen or on what it might be based including, but not limited to Claims (a) arising out of or relating to the interpretation, application or enforcement of the Governing Documents or the rights, obligations and duties of any Bound Party under the Governing Documents; (b) relating to the design or construction of improvements; and (c) based upon any statements, representations, promises, warranties, or other communications made by or on behalf of any Bound Party shall be subject to the provisions of Section 6.5.

Notwithstanding the above, unless all parties thereto otherwise agree, the following shall not be Claims and shall not be subject to the provisions of Section 6.5:

- a. any action by the Board or Declarant to obtain a temporary restraining order or injunction (or equivalent emergency equitable relief) and such other ancillary relief as the court may deem necessary in order to maintain the status quo and preserve the Board's ability to act under and enforce the provisions of Section 4 (Restrictions on Use of Property) or Section 5 (Architectural Control);
- b. any action between or among Owners, which does not include Declarant, a builder or the Board as a party, if such suit asserts a claim which would constitute a cause of action independent of the Governing Documents; and
- c. any action in which any indispensable party is not a Bound Party. With the consent of all parties hereto, any of the above may be submitted to the alternative dispute resolution procedures set forth in Section 6.5.



6.5 Mandatory Procedures.

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a. Notice. Any Bound Party having a Claim ("Claimant") against any other Bound Party ("Respondent") (the Claimant and the Respondent referred to herein being individually as a "Party," or collectively as the "Parties") shall notify each Respondent in writing (the "Notice"), stating plainly and concisely:

- (i) the nature of the Claim, including the persons involved and Respondent's role in the Claim;
- (ii) the legal basis of the Claim (i.e., the specific authority out of which the Claim arises);
- (iii) the proposed remedy; and
- (iv) the fact that Claimant will meet with Respondent to discuss in good faith ways to resolve the Claim.

b. Negotiation and Mediation.

- (i) The Parties shall make every reasonable effort to meet in person and confer for the purpose of resolving the Claim by good faith negotiation. If requested in writing, accompanied by a copy of the Notice, the Board may appoint a representative to assist the Parties in negotiation.
- (ii) If the Parties do not resolve the Claim within 30 days after the date of the notice (or within such other period as may be agreed upon by the Parties) ("Termination of Negotiations"), Claimant shall have 30 days to submit the Claim to mediation under the auspices of the American Arbitration Board ("AAA") in accordance with the AAA's Commercial or Construction Industry Mediation Rules, or such other rules of Mediation as the parties mutually agree upon.
- (iii) If Claimant does not submit the Claim to mediation within such time, or does not appear for the mediation, Claimant shall be deemed to have waived the Claim, and Respondent shall be released and discharged from any and all liability to Claimant on account of such Claim; provided, nothing herein shall release or discharge Respondent from any liability to any Person other than the Claimant.
- (iv) Any settlement of the Claim through mediation shall be documented in writing by the mediator and signed by the Parties. If the Parties do not settle the Claim within 30 days after submission of the matter to the mediation, or within such other time as determined by the mediator or agreed to by the Parties, the mediator shall issue a notice of termination of the mediation proceeding ("Termination of Mediation"). The Termination

of Mediation notice shall set forth that the Parties are at an impasse and the date that mediation was terminated.

Each Party shall bear its own costs of the mediation, including attorneys' fees, and each Party shall share equally all charges rendered by the mediator. If the Parties agree to a resolution of any Claim through negotiation or mediation in accordance with Section 6.5 and any Party thereafter fails to abide by the terms of such agreement, then any other Party may file suit or initiate arbitration proceedings to enforce such agreement without the need to again comply with the procedures set forth in Section 6.5. In such event, the Party taking action to enforce the agreement shall be entitled to recover from the non-complying Party (or if more than one non-complying Party, from all such Parties pro rata) all costs incurred in enforcing such agreement, including without limitation, attorneys' fees and court costs.

c. Binding Arbitration.

- (i) Upon Termination of Mediation, Claimant shall thereafter be entitled to initiate final, binding arbitration of the Claim under the auspices of the AAA in accordance with the AAA's Commercial or Construction Industry Arbitration Rules, as appropriate. Such Claim shall not be decided by or in a court of law. Any judgment upon the award rendered by the arbitrator may be entered in and enforced by any court having jurisdiction over such Claim. If the Claim amount exceeds \$250,000.00, the dispute shall be heard and determined by three arbitrators. Otherwise, unless mutually agreed to by the parties, there shall be one arbitrator. Arbitrators shall have expertise in the area(s) of dispute, which may include legal expertise if legal issues are involved.
- (ii) Each Party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Notwithstanding the foregoing, if a Party unsuccessfully contests the validity or scope of arbitration in a court of law, the non-contesting Party shall be awarded reasonable attorneys' fees and expenses incurred in defending such contest. All decisions respecting the arbitrability of any Claim shall be decided by the arbitrator(s).
- (iii) The award of the arbitrator(s) shall be accompanied by detailed written findings of fact and conclusions of law. Except as may be required by law or for confirmation of an award, neither a Party nor an arbitrator may disclose the existence, content, or results of any arbitration hereunder without the prior written consent of the other Parties.

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**SECTION 7.  
SPECIAL DECLARANT RIGHTS**

Declarant hereby reserves exclusive and unconditional authority to exercise the following Special Declarant Rights for as long as it owns a Unit, or for such shorter period as may be specifically indicated:

7.1 Complete Improvements. To complete improvements indicated on the Plat, or otherwise included in Declarant's development plans or allowed by the Declaration.

7.2 Relocate Boundaries and Alter Units. To relocate boundaries between Units and to otherwise alter Units owned by it.

7.3 Sales Facilities. To construct, operate and maintain a sales office, management office, from time to time, located anywhere on the Property.

7.4 Signs. To erect and maintain signs and other sales displays offering the Units for sale, in or on any Unit owned by Declarant.

7.5 Easements. To have and use easements, for itself, its employees, contractors, representatives, agents and prospective purchasers for the purpose of exercising its Special Declarant Rights.

7.6 Control of Board. To control the operation and administration of the Board, including without limitation the power to appoint and remove the members of the Board, until the earliest of: (i) voluntary surrender of control by Declarant, or (ii) the date ten (10) years following the date of the first conveyance of a Unit to an Owner other than a Declarant; or (iii) that date that is thirty (30) days after the date on which ninety percent (90%) of the Units have been sold by the Declarant

7.7 Consent to Certain Amendments. As long as Declarant owns any unsold Unit, Declarant's written consent shall be required for any amendment to the Governing Documents or Rules and Regulations which directly or indirectly affects or may affect Declarant's rights under the Governing Documents.

7.8 Assignment. Declarant may assign its rights under this Section 13, in whole or in part, to one or more Persons.

**SECTION 8.  
AMENDMENTS**

This Declaration may be amended by the consent of (i) Owners of Units to which are allocated at least sixty-seven percent (67%) of the votes with 1 vote per Unit; and (ii) the consent of Declarant to certain amendments as provided in Section 7. Consent of the Owners may be obtained in writing or at a meeting of the Board duly held in accordance with the Bylaws. Consent of Declarant shall be in writing. The Amendment shall be effective when

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recorded. An affidavit by the Secretary of the Board as to the outcome of the vote, or the execution of the foregoing agreements or consents, shall be adequate evidence thereof for all purposes, including, without limitation, the recording of the amendment. For so long as Declarant is the fee owner of any portion of the Property, Declarant's consent shall be required for any amendment to this Declaration.

**SECTION 9.  
MISCELLANEOUS**

9.1 Severability. If any term, covenant or provision of this instrument or any exhibit attached hereto is held to be invalid or unenforceable for any reason whatsoever, such determination shall not be deemed to alter, affect or impair in any manner whatsoever any other portion of this instrument or exhibits.

9.2 Construction. Where applicable the masculine gender of any word used herein shall mean the feminine or neutral gender, or vice versa, and the singular of any word used herein shall mean the plural, or vice versa.

9.3 Tender of Claims. In the event that any incident occurs which could reasonably give rise to a demand by the Board against Declarant for indemnification, the Board shall promptly tender the defense of the action to its insurance carrier, and give Declarant written notice of such tender, the specific nature of the action and an opportunity to defend against the action.

9.4 Notices. Unless specifically provided otherwise in the Governing Documents, all notices required to be given by or to the Board, the Board officers or the Owners or Occupants shall be in writing and shall be effective upon hand delivery, or mailing if properly addressed with postage prepaid and deposited in the United States mail.

9.5 Conflicts Among Documents. In the event of any conflict among the provisions of the Declaration, or any Rules or Regulations approved by the Board, the Declaration shall control.

**IN WITNESS WHEREOF**, the undersigned has executed this instrument the day and year first set forth.

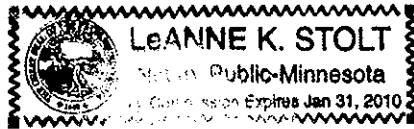
COVENTRY HEIGHTS, LLC

By:   
Dan Wingert  
Its:                     Manager

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STATE OF MINNESOTA       )  
  ) ss.  
COUNTY OF BLUE EARTH    )

This instrument was acknowledged before me on February 20, 2006, by Daniel W. Wingert, the Manager of Coventry Heights, LLC, a Limited Liability Company under the laws of Minnesota, on behalf of the LLC.



LeAnne K. Stolt  
Notary Public

**COVENTRY HEIGHTS**

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**EXHIBIT A TO DECLARATION**

**LEGAL DESCRIPTION OF PROPERTY**

Lots 1 – 15, Block 1, Lots 1 – 4, Block 2, Lots 1 & 2, Block 3, and Outlots A – H, Coventry Heights, Nicollet County, Minnesota, according to the recorded plat thereof.



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



|                   |                     |                              |
|-------------------|---------------------|------------------------------|
| Agenda Item # 11A | Dept: City Engineer | Council Meeting Date: 5/7/18 |
|-------------------|---------------------|------------------------------|

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| <b>TITLE OF ISSUE:</b> Consider Resolution Adopting Assessment for Project No. 17-05 ABCDEF Jefferson Avenue Reconstruction Project. |
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| <b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> In accordance with State Statute an assessment roll for Project No. 17-05 ABCDEF Jefferson Avenue Reconstruction was prepared, notice was provided and a Public Hearing was held on Monday, May 7, 2018. The attached resolution adopts the assessment and the clerk shall transmit a copy of the assessment roll to the county. |
|  |
| <i>If additional space is required, attach a separate sheet</i>  |

|   |
|---|
| <b>REQUESTED COUNCIL ACTION:</b> Adopt Resolution Adopting Assessment for Project No. 17-05 ABCDEF Jefferson Avenue Reconstruction Project. |
|   |

|  |                          |                          |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
|--|--------------------------|--------------------------|--------------------------|--------------------------|-------|----------|-------|-------|---------|-------|-------|---------|-------|-------|----------|-------|-------|-------|--|------------|-----------|----------|---------|-----|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>For Clerk's Use:</b><br><br>Motion By: _____<br>Second By: _____<br><br>Vote Record: <table style="margin-left: 40px;"> <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>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>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table> | Aye                      | Nay                      |                          | _____                    | _____ | Whitlock | _____ | _____ | Steiner | _____ | _____ | Norland | _____ | _____ | Freyberg | _____ | _____ | Dehen | <b>SUPPORTING DOCUMENTS ATTACHED</b><br><br><table style="width: 100%;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) <u>Assessment Roll</u><br>_____<br>_____<br>_____<br>_____ | Resolution | Ordinance | Contract | Minutes | Map | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Aye  | Nay                      |                          |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____  | _____                    | Whitlock                 |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____  | _____                    | Steiner                  |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____  | _____                    | Norland                  |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____  | _____                    | Freyberg                 |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____  | _____                    | Dehen                    |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| Resolution   | Ordinance                | Contract                 | Minutes                  | Map                      |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |       |          |       |       |         |       |       |         |       |       |          |       |       |       |  |            |           |          |         |     |                                     |                          |                          |                          |                          |

|  |  |
|--|--|
| <input type="checkbox"/> Workshop<br><br><input checked="" type="checkbox"/> Regular Meeting<br><br><input type="checkbox"/> Special Meeting | <input type="checkbox"/> Refer to: _____<br><br><input type="checkbox"/> Table until: _____<br><br><input type="checkbox"/> Other: _____ |
|--|--|

RESOLUTION NO.

RESOLUTION ADOPTING ASSESSMENT FOR  
PROJECT NO. 17-05-ABCDEF  
JEFFERSON AVENUE RECONSTRUCTION PROJECT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessments for Project No. 17-05-ABCDEF, Jefferson Avenue Reconstruction Project.

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein. Each tract of land therein included is hereby found to be benefited by the improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of fifteen (15) years and the first of the installments shall be payable on or before the first Monday in January in 2019, and shall bear interest at the rate of 4% from November 15, 2018.
3. The owner of any property so assessed, may at any time, prior to November 15, 2018, pay the whole of the assessment on such property with interest accrued to the date of payment to the City Finance Director; and he may, at any time thereafter, pay to the County Treasurer, the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.
4. The Clerk shall transmit a certified duplicate of this assessment to the County Auditor to be extended on the tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the City Council this 7<sup>th</sup> day of May 2018.

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Mayor

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City Clerk

FINAL ASSESSMENT ROLL  
JEFFERSON AVENUE - CROSS STREET TO RANGE STREET  
CITY PROJECT NO. 17-05-ABCDEF  
CITY OF NORTH MANKATO, MN  
BMI PROJECT NO. M18.115246

| LINE | NAME                           | PARCEL ID   | ADDRESS              | ASSESSABLE LENGTH                     |        |      |             |                   |        |      |  | ASSESSABLE UNITS              |                      |  | CALCULATED ASSESSMENT                       |                                    |                             |                               | PROPOSED ASSESSMENT           |                     |            |              |
|------|--------------------------------|-------------|----------------------|---------------------------------------|--------|------|-------------|-------------------|--------|------|--|-------------------------------|----------------------|--|---|------------------------------------|-----------------------------|-------------------------------|-------------------------------|---------------------|------------|--------------|
|      |                                |             |                      | LENGTH OF PARCEL ABUTTING IMPROVEMENT |        |      | CORNER LOT? | ASSESSABLE LENGTH |        |      | STREET & UTILITY RECON-STRUCT (LIN FT) | SANITARY SEWER SERVICE (EACH) | WATER SERVICE (EACH) | STREET & UTILITY RECON-STRUCT (LIN FT)<br>\$111.59 | SANITARY SEWER SERVICE (EACH)<br>\$1,066.08 | WATER SERVICE (EACH)<br>\$1,268.55 | TOTAL CALCULATED ASSESSMENT | MAXIMUM ASSESSMENT \$6,000.00 | SUBTOTAL WITH MAXIMUM APPLIED | PROPOSED ASSESSMENT |            |              |
|      |                                |             |                      |                                       |        |      |             |                   |        |      |  |                               |                      |  |   |                                    |                             |                               |                               |                     |            |              |
|      |                                |             |                      | INTERIOR                              | CORNER | SIDE |             | INTERIOR          | CORNER | SIDE |  |                               |                      |  |   |                                    |                             |                               |                               |                     | TOTAL      |              |
| 1    | CINDY GAWRYCH                  | 18.557.1550 | 312 JEFFERSON AVENUE | 82                                    |        |      | N           | 82                |        |      | 82                                     | 82.00                         | 1                    | 1  | \$9,150.67                                  | \$1,066.08                         | \$1,268.55                  | \$11,485.29                   | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 2    | JAMES WESLEY & GOFF            | 18.553.0100 | 313 JEFFERSON AVENUE | 50                                    |        |      | N           | 50                |        |      | 50                                     | 50.00                         | 1                    | 1  | \$5,579.68                                  | \$1,066.08                         | \$1,268.55                  | \$7,914.30                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 3    | JAMES A SPIER                  | 18.557.1520 | 314 JEFFERSON AVENUE | 65                                    |        |      | N           | 65                |        |      | 65                                     | 65.00                         | 1                    | 1  | \$7,253.58                                  | \$1,066.08                         | \$1,268.55                  | \$9,588.20                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 4    | STEVEN T STURLAUGSON           | 18.553.0110 | 315 JEFFERSON AVENUE | 50                                    |        |      | N           | 50                |        |      | 50                                     | 50.00                         | 1                    | 1  | \$5,579.68                                  | \$1,066.08                         | \$1,268.55                  | \$7,914.30                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 5    | MARK E & BETTERS               | 18.557.1510 | 316 JEFFERSON AVENUE | 65                                    |        |      | N           | 65                |        |      | 65                                     | 65.00                         | 1                    | 1  | \$7,253.58                                  | \$1,066.08                         | \$1,268.55                  | \$9,588.20                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 6    | ROMONA TJOSVOLD                | 18.553.0120 | 319 JEFFERSON AVENUE | 50                                    |        |      | N           | 50                |        |      | 50                                     | 50.00                         | 1                    | 1  | \$5,579.68                                  | \$1,066.08                         | \$1,268.55                  | \$7,914.30                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 7    | JORDAN MORGAN                  | 18.553.0130 | 321 JEFFERSON AVENUE | 50                                    |        |      | N           | 50                |        |      | 50                                     | 50.00                         | 1                    | 1  | \$5,579.68                                  | \$1,066.08                         | \$1,268.55                  | \$7,914.30                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 8    | PAULA M NESTER                 | 18.557.1500 | 324 JEFFERSON AVENUE | 65                                    |        |      | N           | 65                |        |      | 65                                     | 65.00                         | 1                    | 1  | \$7,253.58                                  | \$1,066.08                         | \$1,268.55                  | \$9,588.20                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 9    | DELAINE R; RICHARD NEAL GAMBLE | 18.553.0140 | 325 JEFFERSON AVENUE | 50                                    |        |      | N           | 50                |        |      | 50                                     | 50.00                         | 1                    | 1  | \$5,579.68                                  | \$1,066.08                         | \$1,268.55                  | \$7,914.30                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 10   | GINO LOWE                      | 18.557.1490 | 330 JEFFERSON AVENUE | 65                                    |        |      | N           | 65                |        |      | 65                                     | 65.00                         | 1                    | 1  | \$7,253.58                                  | \$1,066.08                         | \$1,268.55                  | \$9,588.20                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 11   | BENJAMIN ENZ                   | 18.557.1480 | 332 JEFFERSON AVENUE | 59.5                                  |        |      | N           | 59.5              |        |      | 59.5                                   | 59.50                         | 1                    | 1  | \$6,639.81                                  | \$1,066.08                         | \$1,268.55                  | \$8,974.44                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 12   | ROGER J STIERLEN               | 18.557.1350 | 333 JEFFERSON AVENUE | 66                                    |        |      | N           | 66                |        |      | 66                                     | 66.00                         | 1                    | 1  | \$7,365.17                                  | \$1,066.08                         | \$1,268.55                  | \$9,699.80                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 13   | ALLISON F BLUHM                | 18.557.1470 | 334 JEFFERSON AVENUE | 50                                    |        |      | N           | 50                |        |      | 50                                     | 50.00                         | 1                    | 1  | \$5,579.68                                  | \$1,066.08                         | \$1,268.55                  | \$7,914.30                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 14   | TERESA & KOLSRUD               | 18.557.1340 | 335 JEFFERSON AVENUE | 66                                    |        |      | N           | 66                |        |      | 66                                     | 66.00                         | 1                    | 1  | \$7,365.17                                  | \$1,066.08                         | \$1,268.55                  | \$9,699.80                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 15   | ANDREW J & SIDWELL             | 18.557.1460 | 336 JEFFERSON AVENUE |                                       | 50     | 140  | Y           |                   | 50     |      | 50                                     | 50.00                         | 1                    | 1  | \$5,579.68                                  | \$1,066.08                         | \$1,268.55                  | \$7,914.30                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 16   | STACEY & BESCHORNER            | 18.557.1335 | 339 JEFFERSON AVENUE | 53.5                                  |        |      | N           | 53.5              |        |      | 53.5                                   | 53.50                         | 1                    | 1  | \$5,970.25                                  | \$1,066.08                         | \$1,268.55                  | \$8,304.88                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 17   | ANNETTE ADAMS                  | 18.557.1330 | 343 JEFFERSON AVENUE |                                       | 53.5   | 140  | Y           |                   | 53.5   |      | 53.5                                   | 53.50                         | 1                    | 1  | \$5,970.25                                  | \$1,066.08                         | \$1,268.55                  | \$8,304.88                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 18   | BRET A EGGERSDORFER            | 18.553.0090 | 919 RANGE STREET     |                                       | 113    | 65   | Y           |                   | 56.5   |      | 56.5                                   | 56.50                         |                      |  | \$6,305.03                                  |                                    |                             | \$6,305.03                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
| 19   | ANTHONY J GOODWIN              | 18.557.1590 | 923 RANGE STREET     |                                       | 99     | 65   | Y           |                   | 49.5   |      | 49.5                                   | 49.50                         | 1                    | 1  | \$5,523.88                                  | \$1,066.08                         | \$1,268.55                  | \$7,858.50                    | \$6,000.00                    | \$6,000.00          | \$6,000.00 |              |
|      |                                |             |                      |                                       |        |      |             |                   |        |      |  | 1096.50                       | 18                   | 18   | \$122,362.30                                | \$19,189.38                        | \$22,833.83                 | \$164,385.51                  |                               |                     |            | \$114,000.00 |

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



|   |                           |                              |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
|---|---------------------------|------------------------------|-------------------------------------|--------------------------|--------------------------|-----------------|--|-------|--------------------------|-----------------|--------------------------|--------------------|--------------------------|--------------|----------|-------|-------|-------|---|--|------------|-----------|----------|---------|-----|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Agenda Item #11B  | Department: City Engineer | Council Meeting Date: 5/7/18 |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <b>TITLE OF ISSUE:</b> Consider Resolution Accepting Bid Project No. 17-05 ABCDEF Jefferson Avenue Reconstruction Project.  |                           |                              |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> Please review memo from City Engineer Sarff.  |                           |                              |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
|   |                           |                              |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <i>If additional space is required, attach a separate sheet</i>   |                           |                              |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <b>REQUESTED COUNCIL ACTION:</b> Adopt Resolution Accepting Bid Project No. 17-05 ABCDEF Jefferson Avenue Reconstruction Project.   |                           |                              |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| Motion By: _____<br>Second By: _____<br><br>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>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>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table> | Aye                       | Nay                          |                                     | _____                    | _____                    | Whitlock        | _____  | _____ | Steiner                  | _____           | _____                    | Norland            | _____                    | _____        | Freyberg | _____ | _____ | Dehen | <div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>SUPPORTING DOCUMENTS ATTACHED</b> </div> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; width: 20%;">Resolution</td> <td style="text-align: center; width: 20%;">Ordinance</td> <td style="text-align: center; width: 20%;">Contract</td> <td style="text-align: center; width: 20%;">Minutes</td> <td style="text-align: center; width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____<br>_____<br>_____<br>_____<br>_____ |  | Resolution | Ordinance | Contract | Minutes | Map | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Aye   | Nay                       |                              |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____   | _____                     | Whitlock                     |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____   | _____                     | Steiner                      |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____   | _____                     | Norland                      |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____   | _____                     | Freyberg                     |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____   | _____                     | Dehen                        |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| Resolution  | Ordinance                 | Contract                     | Minutes                             | Map                      |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <input checked="" type="checkbox"/>   | <input type="checkbox"/>  | <input type="checkbox"/>     | <input type="checkbox"/>            | <input type="checkbox"/> |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <table style="width: 100%; border: none;"> <tr> <td style="width: 30px;"><input type="checkbox"/></td> <td>Workshop</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Regular Meeting</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Special Meeting</td> </tr> </table>  | <input type="checkbox"/>  | Workshop                     | <input checked="" type="checkbox"/> | Regular Meeting          | <input type="checkbox"/> | Special Meeting | <table style="width: 100%; border: none;"> <tr> <td style="width: 30px;"><input type="checkbox"/></td> <td>Refer to: _____</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Table until: _____</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Other: _____</td> </tr> </table> |       | <input type="checkbox"/> | Refer to: _____ | <input type="checkbox"/> | Table until: _____ | <input type="checkbox"/> | Other: _____ |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <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: _____              |                              |                                     |                          |                          |                 |  |       |                          |                 |                          |                    |                          |              |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |



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March 27, 2018

John Harrenstein  
City Administrator  
City of North Mankato  
P.O. Box 2055  
North Mankato, MN 56002-2055

RE: 2018 Jefferson Avenue Street & Utility Improvements  
City Project No. 17-05 ABCDEF  
BMI Project No. M18.115246

Dear John,

Bids were received and opened at City Hall on Thursday, March 22<sup>nd</sup> at 11:00am for the project referenced above. Six (6) bids were received and the results of the bids are tabulated below:

| <u>Bidder</u>                          | <u>Bid Amount</u> |
|--|-------------------|
| W.W. Blacktopping, Inc.                | \$360,095.75      |
| Rehnelt Excavating, LLC                | \$370,874.22      |
| W. Lorentz and Sons Construction, Inc. | \$380,281.93      |
| Holtmeier Construction, Inc.           | \$395,163.41      |
| BCM Construction, Inc.                 | \$405,509.75      |
| OMG Midwest, Inc. (SMC)                | \$450,508.00      |
| Engineer's Estimate                    | \$388,218.75      |

The low bidder for the project is W.W. Blacktopping, Inc., from Mankato, Minnesota. The low bid is approximately 7% below the Engineer's Estimate and the next lowest bid is approximately 3% under the next lowest bid.

Based on past performance on similar projects in previous years, it is our opinion that W.W. Blacktopping, Inc. is qualified to perform the work required under this contract. An assessment hearing for this project is scheduled for May 7, 2018. We hereby recommend that W.W. Blacktopping, Inc. be awarded the contract based on the bid contract amount of \$360,095.75, provided that the assessment proceedings go as expected.

I will be available at the April 2<sup>nd</sup> City Council meeting to review this with the council and answer any questions they have. Please feel free to contact me in the meantime.

Sincerely,

**Bolton & Menk, Inc.**

Daniel R. Sarff, P.E.  
City Engineer

DRS/rm

RESOLUTION NO.

RESOLUTION ACCEPTING BID  
PROJECT NO. 17-05-ABCDEF  
JEFFERSON AVENUE RECONSTRUCTION PROJECT

WHEREAS, pursuant to an advertisement for bids for Project No. 17-05-ABCDEF, Jefferson Avenue Reconstruction Project, bids were received, opened, and tabulated according to the law for street and surface improvements, sanitary improvements, watermain improvements, and storm sewer improvements on Jefferson Avenue from Cross Street to Range Street, and

WHEREAS the following bids were received complying with the advertisement:

| <b><u>Bidder</u></b>                   | <b><u>Bid Amount</u></b> |
|--|--------------------------|
| W.W. Blacktopping, Inc.                | \$360,095.75             |
| Rehnelt Excavating, LLC                | \$370,874.22             |
| W. Lorentz and Sons Construction, Inc. | \$380,281.93             |
| Holtmeier Construction, Inc.           | \$395,163.41             |
| BCM Construction, Inc.                 | \$405,509.75             |

AND WHEREAS, it appears that W.W. Blacktopping, Inc. of Mankato, Minnesota is the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, AS FOLLOWS:

- 1) The Mayor and Administrator are hereby authorized and directed to enter into a construction contract with W.W. Blacktopping, Inc. of Mankato, Minnesota in the name of the City of North Mankato, Minnesota for the Project No. 17-05-ABCDEF, Jefferson Avenue Reconstruction Project, according to the plans and specifications therefor approved by the city council and on file in the office of the city clerk.
- 2) The city clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the City Council this 7<sup>th</sup> day of May 2018.

\_\_\_\_\_  
Mayor

ATTEST:

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



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



|  |   |                              |                          |                          |          |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
|--|---|------------------------------|--------------------------|--------------------------|----------|--|--|-------|--|--|--|--|----------|--|-------|--|--|--|--|---------|--|-------|--|--|--|--|---------|--|-------|--|--|--|--|----------|--|-------|--|--|--|--|-------|--|---|------------|-----------|----------|---------|-----|---------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Agenda Item #11C   | Department: City Engineer   | Council Meeting Date: 5/7/18 |                          |                          |          |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| <b>TITLE OF ISSUE:</b> Consider Resolution Accepting Bid Project No. 18-03 DE 2018 Street Improvement Project.   |   |                              |                          |                          |          |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| <b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> Please review memo from City Engineer Sarff.   |   |                              |                          |                          |          |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
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| <b>REQUESTED COUNCIL ACTION:</b> Adopt Resolution Accepting Bid Project No. 18-03 DE 2018 Street Improvement Project.  |   |                              |                          |                          |          |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| <p>Motion By: _____</p> <p>Second By: _____</p><br><p>Vote Record:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;"></td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td></td> <td></td> <td>Whitlock</td> <td></td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td></td> <td></td> <td>Steiner</td> <td></td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td></td> <td></td> <td>Norland</td> <td></td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td></td> <td></td> <td>Freyberg</td> <td></td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td></td> <td></td> <td>Dehen</td> <td></td> </tr> </table> |   | Aye                          | Nay                      |                          |          |  |  | _____ |  |  |  |  | Whitlock |  | _____ |  |  |  |  | Steiner |  | _____ |  |  |  |  | Norland |  | _____ |  |  |  |  | Freyberg |  | _____ |  |  |  |  | Dehen |  | <p style="text-align: center;"><b>SUPPORTING DOCUMENTS ATTACHED</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">Resolution</td> <td style="width: 15%;">Ordinance</td> <td style="width: 15%;">Contract</td> <td style="width: 15%;">Minutes</td> <td style="width: 15%;">Map</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/> X</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>Other (specify) _____</p> <p>_____</p> <p>_____</p> <p>_____</p> | Resolution | Ordinance | Contract | Minutes | Map | <input checked="" type="checkbox"/> X | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  | Aye   | Nay                          |                          |                          |          |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| _____  |   |                              |                          |                          | Whitlock |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| _____  |   |                              |                          |                          | Steiner  |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| _____  |   |                              |                          |                          | Norland  |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| _____  |   |                              |                          |                          | Freyberg |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| _____  |   |                              |                          |                          | Dehen    |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| Resolution   | Ordinance   | Contract                     | Minutes                  | Map                      |          |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| <input checked="" type="checkbox"/> X  | <input type="checkbox"/>  | <input type="checkbox"/>     | <input type="checkbox"/> | <input type="checkbox"/> |          |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |
| <p><input type="checkbox"/> Workshop</p> <p><input checked="" type="checkbox"/> Regular Meeting</p> <p><input type="checkbox"/> Special Meeting</p>  | <p><input type="checkbox"/> Refer to: _____</p> <p><input type="checkbox"/> Table until: _____</p> <p><input type="checkbox"/> Other: _____</p> |                              |                          |                          |          |  |  |       |  |  |  |  |          |  |       |  |  |  |  |         |  |       |  |  |  |  |         |  |       |  |  |  |  |          |  |       |  |  |  |  |       |  |   |            |           |          |         |     |                                       |                          |                          |                          |                          |



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May 2, 2018

John Harrenstein  
City Administrator  
City of North Mankato  
1001 Belgrade Avenue, P.O. Box 2055  
North Mankato, MN 56002-2055

RE: 2018 Street Improvement Project  
City Project No. 18-03 DE  
BMI Project No. M18.115872

Dear John,

Bids were received and opened at City Hall on Tuesday, April 24<sup>th</sup> at 11:00am for the 2018 Street Improvement Project, City Project No. 18-03 DE. The project included a base bid along with a number of alternate bids. The base bid included the following work areas:

**Base Bid, Section 1** – Raymond Drive Bituminous Wearing Course: this would include the construction of the final layer of bituminous surfacing (the bituminous base course was placed in 2007)

**Base Bid, Section 2** – Leona Drive Bituminous Wearing Course: this would include the construction of the final layer of bituminous surfacing (the bituminous base course was placed in 2007)

**Base Bid, Section 3** - Spring Lake Park – Hockey Rink Parking Lot/Driveway – construct bituminous surface on base prepared by the City in 2017

**Base Bid, Section 4** - Tower Boulevard from Commerce Drive to Lee Boulevard – edge mill, bituminous patching, isolated curb and gutter replacement, and bituminous overlay

**Base Bid, Section 5** - Howard Drive from Lor Ray Drive to Countryside Drive - edge mill, bituminous patching, isolated curb and gutter replacement, and bituminous overlay

Three (3) bids were received and the results of the base bids are tabulated below:

| Bidder                           | Total Base<br>Bid Amount |
|----------------------------------|--------------------------|
| W.W. Blacktopping, Inc.          | \$366,471.50             |
| OMG Midwest, Inc. (SMC)          | \$368,660.50             |
| Central Specialties Incorporated | \$459,805.00             |
| Engineer's Estimate              | \$396,862.50             |

The low bidder for the project is W.W. Blacktopping, Inc. from Mankato, Minnesota. The low base bid is approximately 10% below the Engineer's Estimate and 3% below the next lowest bid. The amount budgeted for this project is \$380,000.

Mr. John Harrenstein  
May 1, 2018  
Page 2

Based on past performance on similar projects in previous years, it is our opinion that W.W. Blacktopping, Inc. is qualified to perform the work required under this contract. I hereby recommend that W.W. Blacktopping, Inc. be awarded the contract for the project.

Since the base bid came in under the budgeted amount, it is also recommended that the following two alternate bids also be awarded:

**Alternate Bid, Section 6** – Bituminous Overlay of the Basketball Courts in Wheeler Park,  
Amount Bid = \$4,439.40

**Alternate Bid, Section 7** – Bituminous Trail Repairs in Benson Park, Amount Bid = \$2,334.00

With the Base bid and the two recommended Alternate Bids, the total amount of the contract to be awarded is \$373,244.90.

Please feel free to contact me if you have any questions or if you need any additional information.

Sincerely,

Bolton & Menk, Inc.



**Daniel R. Sarff, P.E.**  
City Engineer

RESOLUTION NO.

RESOLUTION ACCEPTING BID  
PROJECT NO. 18-03-DE  
2018 STREET IMPROVEMENT PROJECT

WHEREAS, pursuant to an advertisement for bids for Project No. 18-03-DE 2018 Street Improvement Project, bids were received, opened, and tabulated according to the law for street and surface improvements in the following areas:

- Base Bid:
  - Base Bid, Section 1: Raymond Drive from Aspen Lane to Pleasant View Drive – bituminous wearing course
  - Base Bid, Section 2: Leona Drive from Raymond Drive to Balsam Drive - bituminous wearing course
  - Base Bid, Section 3: Spring Lake Park – Hockey Rink Parking Lot/Driveway – construct bituminous surface on base prepared by City
  - Base Bid, Section 4: Tower Boulevard from Commerce Drive to Lee Boulevard – bituminous patching, isolated curb and gutter replacements, edge mill and bituminous overlay
  - Base Bid, Section 5: Howard Drive from Lor Ray Drive to Countryside Drive - bituminous patching, isolated curb and gutter replacements, edge mill and bituminous overlay
- Alternate Bids:
  - Alternate Bid, Section 6 – Bituminous Overlay of the Basketball Courts in Wheeler Park
  - Alternate Bid, Section 7 – Bituminous Trail Repairs in Benson Park
  - Alternate Bid, Section 8 – Roe Crest Drive from Commerce Drive to Lee Boulevard – bituminous patching, isolated curb and gutter replacements, edge mill and bituminous overlay
  - Alternate Bid, Section 9 – Sherwood Drive from Nottingham Drive to dead end cul-de-sac - bituminous patching, isolated curb and gutter replacements, edge mill and bituminous overlay
  - Alternate Bid, Section 10 – Lor Ray Drive from Lee Boulevard to Clare Drive - bituminous patching, isolated curb and gutter replacements, edge mill and bituminous overlay
  - Alternate Bid, Section 11 – Houghton Avenue from Howard Drive to Countryside Drive - bituminous patching, isolated curb and gutter replacements, edge mill and bituminous overlay

AND WHEREAS the following base bids were received complying with the advertisement:

| <b><u>Bidder</u></b>             | <b><u>Base Bid Amount</u></b> |
|----------------------------------|-------------------------------|
| W.W. Blacktopping, Inc.          | \$366,471.50                  |
| OMG Midwest, Inc. (SMC)          | \$368,660.50                  |
| Central Specialties Incorporated | \$459,805.00                  |

AND WHEREAS, W.W. Blacktopping, Inc. of Mankato, Minnesota is the lowest responsible bidder for the base bid, and

WHEREAS, W.W. Blacktopping, Inc's bid for Alternate Bid, Section 6 is \$4,439.40, and

WHEREAS, W.W. Blacktopping, Inc's bid for Alternate Bid, Section 7 is \$2,334.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, AS FOLLOWS:

- 1) The Mayor and Administrator are hereby authorized and directed to enter into a construction contract with W.W. Blacktopping, Inc. of Mankato, Minnesota in the name of the City of North Mankato, Minnesota for the Project No. 18-03-DE, 2018 Street Improvement Project for the Base Bid, Alternate Bid, Section 6 and Alternate Bid, Section 7 in the amount of \$373,244.90, according to the plans and specifications therefor approved by the city council and on file in the office of the city clerk.
- 2) The city clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the City Council this 7<sup>th</sup> day of May 2018.

\_\_\_\_\_  
Mayor

ATTEST:

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



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



|   |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
|---|--|------------------------------|--------------------------|--------------------------|-------|----------|-------|-------|---------|-------|-------|---------|-------|-------|----------|-------|-------|-------|---|--|------------|-----------|----------|---------|-----|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Agenda Item #11D  | Department: Attorney   | Council Meeting Date: 5/7/18 |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <b>TITLE OF ISSUE:</b> Consider A Resolution of the North Mankato City Council in the Matter of a Continuous Nuisance Located at 1201 Lor Ray Drive North Mankato on Property Owned and/or Controlled by Rayleen Kay Martinez.  |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> The attached resolution outlines the steps the City of North Mankato has taken to abate the issue of an excess number of cats located at 1201 Lor Ray Drive. The owner, Rayleen Kay Martinez, has refused to comply and remove the excess cats. The City is asking for the resolution to be served upon Ms. Martinez and if the cats are not removed a motion of summary enforcement will be made to the District Court of Nicollet County and the excess cats will be removed from the property.   |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| If additional space is required, attach a separate sheet  |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <b>REQUESTED COUNCIL ACTION:</b> Adopt A Resolution of the North Mankato City Council in the Matter of a Continuous Nuisance Located at 1201 Lor Ray Drive North Mankato on Property Owned and/or Controlled by Rayleen Kay Martinez.   |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| Motion By: _____<br>Second By: _____<br><br>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>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>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table> | Aye  | Nay                          |                          | _____                    | _____ | Whitlock | _____ | _____ | Steiner | _____ | _____ | Norland | _____ | _____ | Freyberg | _____ | _____ | Dehen | <div style="text-align: center; font-weight: bold; margin-bottom: 10px;">SUPPORTING DOCUMENTS ATTACHED</div> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) <u>Letter from the Attorney</u><br>_____<br>_____<br>_____ |  | Resolution | Ordinance | Contract | Minutes | Map | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Aye   | Nay  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____   | _____  | Whitlock                     |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____   | _____  | Steiner                      |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____   | _____  | Norland                      |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____   | _____  | Freyberg                     |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| _____   | _____  | Dehen                        |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| Resolution  | Ordinance  | Contract                     | Minutes                  | Map                      |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <input checked="" type="checkbox"/>   | <input type="checkbox"/>   | <input type="checkbox"/>     | <input type="checkbox"/> | <input type="checkbox"/> |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |
| <input type="checkbox"/> Workshop<br><br><input checked="" type="checkbox"/> Regular Meeting<br><br><input type="checkbox"/> Special Meeting  | <input type="checkbox"/> Refer to: _____<br><br><input type="checkbox"/> Table until: _____<br><br><input type="checkbox"/> Other: _____ |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |  |            |           |          |         |     |                                     |                          |                          |                          |                          |



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

A RESOLUTION OF THE NORTH MANKATO CITY COUNCIL  
IN THE MATTER OF A CONTINUOUS NUISANCE  
LOCATED AT 1201 LOR RAY DRIVE, NORTH MANKATO ON  
PROPERTY OWNED AND/OR CONTROLLED BY  
RAYLEEN KAY MARTINEZ

WHEREAS, Rayleen Kay Martinez, owns and/or controls property located at 1201 Lor Ray Drive, North Mankato, Minnesota; and

WHEREAS, the City of North Mankato by and thru the office of the city attorney did on or about the 26th day of April, 2018 cause to have served by United States Mail upon said Rayleen Kay Martinez, a notice that she was in violation of North Mankato City Code section 91.06 by keeping an illegal kennel as set forth in attached Exhibit A; and

WHEREAS, the City Council of the City of North Mankato has reviewed the criminal complaints including a citation dated February 27, 2018 and a complaint dated April 25, 2018 prepared by the North Mankato City Attorney and attached as Exhibit B; and

WHEREAS, the current condition of the property appears to be in violation of Minnesota Statute 609.74 (1) and North Mankato City Code Section 91.02A; and

WHEREAS, the above conditions have been in existence continuously for a period in excess of thirty (30) days; and

WHEREAS, the property is currently not under the control of any person or organization and constitutes a continuing nuisance which will only get worse as we go into the late fall and early winter season.

NOW, THEREFORE, BE IT RESOLVED, Pursuant to Minnesota Statutes Section 463.15 to 463.161 and the City Code of the City of North Mankato, Minnesota, the City Council of the City of North Mankato has duly considered all the facts and finds that:

- An investigation of this matter was performed by the police department of the City of North Mankato on a continuous basis and resulted in criminal charges on two occasions;
- The City Attorney of the City of North Mankato duly served by first class mail a letter dated April 26, 2018 (See Exhibit A) upon Rayleen Kay Martinez. In such letter Ms. Martinez was specifically advised that she was in violation of North Mankato City Code Section 91.02A which states that a person shall have not more than three dogs or cats on a property.
- Correspondence with Rayleen Kay Martinez has not resulted in action to abate the conditions described.

- The ongoing maintaining of a large number of cats constitute a continuing nuisance under the laws of the State of Minnesota and the Ordinances of the City of North Mankato such as to be declared a Public Nuisance in need of immediate abatement.

Based upon said Findings the City Council of the City of North Mankato orders:

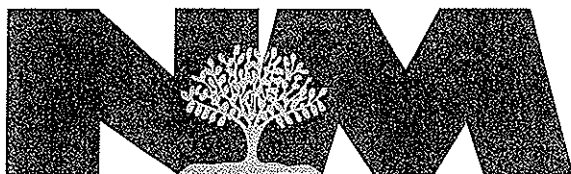
- The Mayor and City Administrator shall cause this Resolution to be served upon the owner Rayleen Kay Martinez.
- The Owner shall, within twenty (20) days remove all cats in excess of three from the property
- A motion for summary enforcement of this order will be made to the District Court of Nicollet County unless corrective action is taken as provided above, or unless an answer is filed as provided by M.S. Section 436.18.
- The City Administrator and staff shall take such other action as may be necessary to enforce this order.

Adopted by the City Council of North Mankato this \_\_\_\_\_ day of May, 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
John Harrenstein, City Administrator



CITY OF NORTH MANKATO

OFFICE OF  
CITY ATTORNEY

MICHAEL H. KENNEDY  
CHRISTOPHER M. KENNEDY

REPLY TO:  
99 NAVAHO AVENUE, SUITE 104  
MANKATO, MN 56001  
TELEPHONE: 507-345-4582  
FAX: 507-345-1010

April 26, 2018

Rayleen Kay Martinez  
1201 LorRay Drive  
North Mankato, MN 56001

Re: State of Minnesota (City of North Mankato) v. Rayleen Kay Martinez  
Court File Number: Pending  
ICR: 18102416  
Citation Number:

Dear Ms. Martinez:

It has come to the attention of the City of North Mankato that you are keeping more than three cats at your residence. As you are aware this is in violation of North Mankato City Code, specifically section 91.06(b).

Officers from the North Mankato Police Department have advised you that your property was being maintained in a manner that was in violation of city code. The property is also being maintained in a manner that constitutes a nuisance.

The property needs to be brought into compliance with North Mankato City Code. All cats in excess of the three that you are allowed need to be removed from the property. If they are not removed the City will proceed to obtaining a court order allowing the City to remove the cats from the property.

Sincerely,

KENNEDY & KENNEDY

Christopher M. Kennedy  
Asst City Attorney



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



|   |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
|---|--|------------------------------|--------------------------|--------------------------|-------|----------|-------|-------|---------|-------|-------|---------|-------|-------|----------|-------|-------|-------|---|------------|-----------|----------|---------|-----|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Agenda Item #11E  | Department: Finance  | Council Meeting Date: 5/7/18 |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <b>TITLE OF ISSUE: 2019-2028 CIP Planning Discussion.</b>   |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <b>BACKGROUND AND SUPPLEMENTAL INFORMATION: City staff will review identified CIP projects so the Council can provide direction for the 2019-2028 CIP.</b>  |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
|   |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <i>If additional space is required, attach a separate sheet</i>   |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <b>REQUESTED COUNCIL ACTION: Discuss Project.</b>   |  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| Motion By: _____<br>Second By: _____<br><br>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>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>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table> | Aye  | Nay                          |                          | _____                    | _____ | Whitlock | _____ | _____ | Steiner | _____ | _____ | Norland | _____ | _____ | Freyberg | _____ | _____ | Dehen | <div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>SUPPORTING DOCUMENTS ATTACHED</b> </div> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) <u>Memo</u><br>_____<br>_____<br>_____<br>_____ | Resolution | Ordinance | Contract | Minutes | Map | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Aye   | Nay  |                              |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| _____   | _____  | Whitlock                     |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| _____   | _____  | Steiner                      |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| _____   | _____  | Norland                      |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| _____   | _____  | Freyberg                     |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| _____   | _____  | Dehen                        |                          |                          |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| Resolution  | Ordinance  | Contract                     | Minutes                  | Map                      |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
| <input type="checkbox"/>  | <input type="checkbox"/>   | <input type="checkbox"/>     | <input type="checkbox"/> | <input type="checkbox"/> |       |          |       |       |         |       |       |         |       |       |          |       |       |       |   |            |           |          |         |     |                          |                          |                          |                          |                          |
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## City of North Mankato, Minnesota

To: John Harrenstein, City Administrator  
From: Kevin McCann, Finance Director  
Date: May 3, 2018  
Re: 2019-2028 CIP Planning Discussion

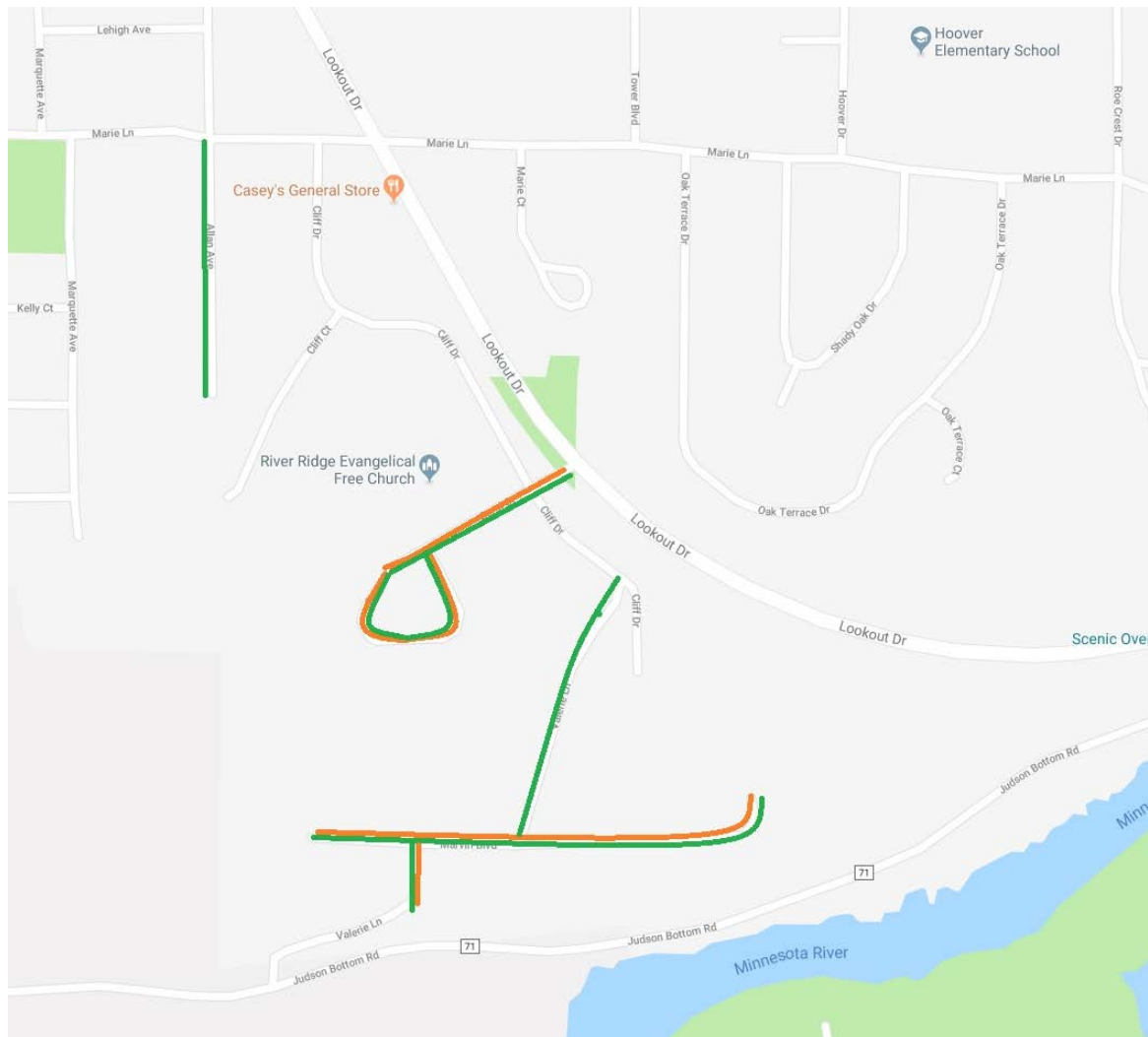
### **Overview**

This memo is a continuation of the ongoing 2019-2028 CIP Planning Process. We will continue to discuss currently identified CIP projects so the council can give direction for the 2019-2028 CIP. The goal is to have additional discussion regarding projects identified on the CIP, but may have received little discussion in the past. As we discuss projects, the focus will be on projects that have been identified for construction, but funding has not been identified.

### **Sewer Lining and Lift Station Upgrades**

Sanitary sewer is a critical component to the City's operations and a property's functionality. City staff has identified wastewater projects for consideration:

- Forcemains and lift stations to upgrade on Carol Court and Marvin Boulevard (shown in orange)
- Sewer lining on Carol Court, Allen Ave., Valerie Lane, and Marvin Boulevard (shown in green)



**Scope of Work**

These projects involve replacing force mains and components of lift stations in those locations and lining the existing sewer lines to reduce inflow and infiltration.

**Current Project Estimates**

|  |                  |
|--|------------------|
| CAROL COURT FORCEMAIN  | \$175,000        |
| CAROL COURT LIFT STATION IMPROVEMENTS                            | \$140,000        |
| MARVIN BLVD LIFT STATION IMPROVEMENTS                            | \$130,000        |
| MARVIN BOULEVARD FORCEMAIN                                       | \$100,000        |
| CAROL COURT GRAVITY OVERFLOW REPLACEMENT                         | \$ 50,000        |
| CAROL COURT, ALLEN AVE., VALERIE LN, MARVIN BLVD<br>SEWER LINING | \$200,000        |
| <b>TOTAL</b>   | <b>\$795,000</b> |

**Consideration**

The projects have been structured so each segment can be completed with the current capital outlay funding set aside in the Wastewater Fund that is funded through utility rates. Since these projects have been identified and funding is available, pending any additional capital needs related to wastewater, staff will likely recommend completion of the first phase of the Carol Court Forcemain in 2019 and the subsequent phases for each additional budget year.