

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 October 7, 2019. 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: Council Members Norland, Oachs, Whitlock, Steiner, and Mayor Dehen, City Administrator Harrenstein, City Attorney Kennedy, Finance Director McCann, Community Development Director Fischer, and City Clerk Van Genderen. Absent: Public Works Director Host.

Approval of Agenda

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

Approval of Council Meeting Minutes September 16, 2019

Council Member Steiner moved, seconded by Council Member Norland, to approve the minutes of the Council meeting of September 16, 2019. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.

Approval of Council Work Session Minutes September 23, 2019

Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council Work Session meeting of September 23, 2019. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.

Public Hearing, 7:00 p.m.-Abatement of Property Located at 415 Webster Avenue.

City Attorney Kennedy reviewed the Code Enforcement process. He reported complaints are submitted to the City and Community Development Director Fischer begins the Code Enforcement process by reviewing the property to determine if a violation of City Code has occurred. If a violation is discovered the Community Development Director sends out a Notice of Violation to the property owner with notice of the Code Violation, the action needed to correct the violation, and a date the correction(s) need to be completed. The Community Development Director follows up with a review of the property after the original date of completion. If the property still has violations a second letter is sent to the property owner and the property revisited after the date of completion. If the property is still in violation the Community Development Director sends the information to the City Attorney who reviews the information and sends a letter to the property owner. The letter informs the owner that the City will proceed with an abatement process by setting a public hearing if the code violation is not corrected by a certain date. A review of the property occurs and if the violation is not corrected the issue is brought before the City Council to set a Public Hearing. The City Council holds a Public Hearing and if necessary passes a Resolution requiring the owner to correct the violation or the City will take the matter to District Court for a summary judgment which would allow the City to go onto the property and correct the violation.

Community Development Director Fischer reported the resident at 415 Webster Avenue received a Notice of Violation based on City Code 92.21 that requires no more than 20% of the exterior of the surface finish is peeling, cracked, chipped or otherwise deteriorated. The notice required the property owner to paint his residence at 415 Webster Avenue. The resident has not complied and has made no effort to respond to the request.

Barb Church, 102 Wheeler Avenue, appeared before Council and asked if the applicant has received information on available housing assistance programs such as North Side Revivals, should the

City add a burden on the resident if he can't afford to paint the house, and if the resident needs to locate a painter the wait may be long.

With no one else appearing before Council, the Mayor closed the Public Hearing.

Public Hearing, 7:00 p.m.-Abatement of Property Located at 229 Allan Avenue.

Community Development Director Fischer reviewed the Notice of Violation, which included outdoor storage of materials and vegetation. He noted the amount, size and lack of maintenance of the vegetation on the property is an issue.

Edward Borchardt, 229 Allan Avenue, appeared before City Council and reported he was the owner of the property at 229 Allan Avenue. He stated he has been working to comply with correcting the issues noted in the Notice of Violation. He noted most of the items stored outside have been removed, or they plan on removing them in the next few weeks. Mr. Borchardt stated his health has prevented him from working in his yard and noted that he and his wife want to create a place in their yard where monarchs, pollinators, and birds are welcomed. He stated all of the vegetation is planted to attract pollinators, birds, and monarchs.

Lucy Lowry, 2263 Northridge Drive, appeared before Council and stated the Borchardts have made progress and requested the City give them more time to comply.

Diane Anderson, 225 Allan Avenue, appeared before Council and reported the Borchardts have lived at their home since 1984, and this is not a new issue. She requested Council take action to improve the residence.

Jordin Johnson, 240 Allan Avenue, appeared before Council and noted neighbors would be willing to help the Borchardts clean up the property. Mr. Johnson has seen rats, woodchucks, raccoons, and feral cats around the property. He would like the Borchardts to clean up the property and would be willing to help.

Marion Brunz, 227 Allan Avenue, appeared before Council and stated she appreciated Ed and Anne but would like the yard cleaned up. She noted there are neighbors who have milkweed or pollinator gardens that are neat and do not take over the yard.

Tom Hagen, 927 Lake Street, appeared before Council and questioned the City's legal process concerning abatements. He stated the Borchardts have native species but do not have weeds in their yard, and they have just allowed their yard to go into a more natural state to help provide a wildlife sanctuary. Mr. Hagen reported the Borchardts should receive an award.

Bess Tsaose, 136 Mary Circle, appeared before Council and reported she is an advocate for monarchs and pollinators and would like homeowners to decrease their lawn areas, increase flowers and to not use herbicides and pesticides on their yards.

With no one else appearing before Council, Mayor Dehen closed the Public Hearing.

Public Hearing, 7:00 p.m. Ordinance Imposing a One Half of One Percent Food & Beverage Sales Tax.

Mayor Dehen commented the Ordinance would be discussed tonight, and the final vote would be held on October 21, 2019.

Council Member Oachs reported the City Council passed a resolution on February 19, 2019, establishing legislative priorities, which included a Food and Beverage Tax, but discussion was the tax would not be implemented until later. She questioned why the tax was being considered for implementation in 2020. Council Member Oachs reported she did not believe the tax would provide enough funds to solve the Caswell Park operation deficit. The staff implemented new strategies, and the City should wait to determine if the new strategies at Caswell Park will reduce the operations deficit. Council Member Oachs reported the economic impact Caswell Park brings is not realized by

local North Mankato businesses, rather Mankato received a majority of the benefit. She stated she did not believe the additional tax should be added.

Christopher Schmidt, 23 Otter Court, appeared before Council and requested the Council not institute the tax, rather they should practice fiscal responsibility.

Barb Church, 102 Wheeler Avenue, appeared before Council and reported she was opposed to the Food and Beverage tax because she believes it unfairly targets family-owned businesses.

Jim Downs, 2244 North Ridge Drive, appeared before Council and stated he helps run the NaKato in North Mankato and Pagliai's in Mankato. Mr. Downs reported events at Caswell do not bring additional patronage to the NaKato, and if the tax is implemented his prices will increase, and patrons will notice.

Kim Spears, 916 South Avenue, appeared before Council and requested the Council not institute the Food and Beverage Tax. He stated the City should manage their debt and spend less.

Jenny Bobholz, 228 Garfield Avenue, appeared before Council and stated it is difficult to run a small business, and as the new owner of the Circle Inn, she does not want to raise prices to account for the proposed Food and Beverage Tax.

Jill Schmidt, 23 Otter Court, appeared before Council and stated she does not want the Food and Beverage Tax.

Tom Hagen, 927 Lake Street, appeared before Council and stated North Mankato is a bedroom community, and the City Council should reject the Food and Beverage Tax to encourage small businesses and retain the small-town feel and history.

Deb Joerg, 814 Wall Street, reported she works for the American Legion and would like to discourage the City Council from passing the Food and Beverage Tax because they do not want to pass the cost on to their customers.

Lucy Lowry, 2263 North Ridge Drive, appeared before Council and encouraged the Council to vote against the Food and Beverage Tax.

Debra Morin, 229 Belgrade Avenue, appeared before Council and reported she owns Neutral Groundz and reported if the tax was enacted they would need to increase their prices again, and up to approximately 80% of customers are North Mankato residents. She encouraged a tax that was not specific to food and beverage.

Jeff Steinbach, 1261 Lake Street, appeared before Council and stated Caswell Park is now running the softball leagues producing additional revenue for the City. He reported if the tax is enacted he would like the tax to go toward projects that benefit everyone.

With no one else appearing before Council, the Mayor closed the Public Hearing.

Consent Agenda

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

- A. Bills and Appropriations.
- B. Res. No. 72-19 Approving Donations/Contributions/Grants.
- C. Approved Park and Audio Permit for October 26, 2019, from noon to 5:00 p.m. at Spring Lake Park, for Sierra Hietala BENCHS Fundraiser.
- D. Approved Parade Permit for October 25, 2019, from 8:30 a.m. to noon, at Caswell Park for Minnesota Virtual Academy's Fall Festival 5K.
- E. Set a Public Hearing on October 21, 2019, at 7:00 pm to Consider an Ordinance Revising Title III Chapter 30.11 Compensation of Mayor and Council Members.

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

Public Comments Concerning Business Items on the Agenda

None.

Business Items**Res. No. 73-19 of the North Mankato City Council in the Matter of a Nuisance Property Located at 415 Webster Avenue.**

City Administrator Harrenstein reviewed the proposed resolution concerning the property located at 415 Webster Avenue, noting the resolution provides the owner 20-days to submit a plan to paint the house by June 1, 2020. Council Member Whitlock expressed concerns about the resident's ability to understand the resolution and Notice of Violation. City Administrator Harrenstein reported the City would have police officers attempt to deliver the resolution for the next three days and provide information concerning housing repair/remodel assistance. City Attorney Kennedy reported the resolution would also be sent certified and first-class mail. **Council Member Norland moved, seconded by Council Member Oachs, to adopt Res. No. 73-19 of the North Mankato City Council in the Matter of a Nuisance Property Located at 415 Webster Avenue. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

Res. No. 74-19 of the North Mankato City Council in the Matter of a Nuisance Property Located at 229 Allan Avenue.

City Administrator Harrenstein reviewed the information on the property and the process the City followed. He stated the issue of pollinator gardens and rain gardens should be sent to the Planning Commission for discussion and the development of City Code to guide those interested in a less traditional yard. The guidelines would help protect the integrity and beauty of North Mankato neighborhoods. City Administrator Harrenstein reported the yard needs to be cleaned up to City Code standards, and he stated the neighbors' concerns should be addressed. Council Member Steiner noted the progress and noted the neighbors were all willing to help. Council Member Oachs stated there had been progress, but the vote should also take into consideration the majority. Council Member Norland reported she would be creating a small contained pollinator garden, and thanked them for their efforts but noted the gardens should be well maintained. Mayor Dehen requested an update from the Community Development Director after the twenty days allowed for the Borchardt's to clean up the property. **Council Member Norland moved, seconded by Council Member Steiner, to adopt Res. No. 74-19 of the North Mankato City Council in the Matter of a Nuisance Property Located at 229 Allen Avenue. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

Council Member Whitlock moved, seconded by Council Member Steiner, to refer the development of City Code language concerning rain gardens and pollinator gardens to the Planning Commission. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.

Res. No. 75-19 Providing for the Issuance and Sale of \$3,065,000 General Obligation Bonds, Series 2019A, Pledging for the Security Thereof Special Assessments and Net Revenues and Levying a Tax for the Payment Thereof.

City Administrator Harrenstein reported the City had a successful sale of bonds, and Ms. Jessica Green from Northland Security was present to review the sale. Ms. Green reported the sale is associated with capital improvement for the Commerce Drive and Tyler Avenue projects, along with the sewer projects at Carol Court and the construction of the deep sewer in Lexington. The City

maintained an “AA” rating from S & P Global Ratings. The rating report noted the City’s strong budgetary performance and very strong liquidity. Ms. Green reported there were six bids with Piper Jaffray the low bid. The average coupon rate was 2%, with a True Interest Cost of 1.98%. Mayor Dehen thanked Norland Securities for their work and noted the bond rating reflects the City’s strong assets and debt management. **Council Member Steiner moved, seconded by Council Member Norland, to adopt Res. No. 75-19 Providing for the Issuance and Sale of \$3,065,000 General Obligation Bonds, Series 2019A, Pledging for the Security Thereof Special Assessments and Net Revenues and Levying a Tax for the Payment Thereof. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

Open Forum

Tom Hagen, 927 Lake Street, appeared before Council and stated the City needs to improve its procedures for abatements. He also stated the City can’t tell developers what to do and can’t tell builders to maintain historic preservation, but can tell residents they can’t have a woodland in their backyard. He reported the City should support a historic preservation committee so the City can tell developers how to maintain the historic character of the City.

Bess Tsaouse, 136 Mary Circle, reported she was disappointed with the decision concerning the 229 Allan Avenue property because she thinks the City will have too much control over what residents do with their property.

Attorney Kennedy stated the Council, as the Policy Board, is in a difficult spot. Some residents say the City has too much power, while others want the City to increase its government control over developers and residents.

City Administrator and Staff Comments

City Engineer Sarff reported the Lexington deep sewer project, Tyler Avenue Project, and the Commerce Drive Project are going well.

Mayor and Council Comments

Council Member Oachs thanked residents who came out to speak and stated the decisions that are made are not easy, and the goal is to consider what is best for the majority of the residents in the City.

Council Member Norland suggested people consider ways to reduce their use of plastic.

Council Member Steiner thanked all those that came out to speak.

Mayor Dehen reported it is Firefighter Appreciation Week and October 7, 2019, is the North Mankato Firefighters 9-11 Pizza Delivery event, and October 27, 2019, from 8 am to noon is the Dad’s Belgian Waffle feed.

Mayor Dehen reported the City of North Mankato is proposing a decrease in the tax levy, while several cities in the surrounding area, including Mankato, are raising property taxes. Mayor Dehen commented that the Food and Beverage Tax is proposing to bring in \$50,000 a year which would mean an average family of 2.38 people would have an increase in what they pay a year going out to eat or drink of \$16.00 and unlike the property tax the food and beverage tax is voluntary. Mayor Dehen commented that Caswell Park would collect some of that tax from visitors due to the concession and beer sales.

At 8:58 p.m. on a motion by Council Member Norland, seconded by Council Member Steiner, the Council Meeting was adjourned.

Mayor

City Clerk

Pursuant to due call and notice thereof, a Council Work Session of the North Mankato City Council was held at the Police Annex at 1001 Belgrade Avenue on October 14, 2019. Mayor Dehen called the meeting to order at 12:00 p.m. The following were present for roll call: Mayor Dehen, Council Members Oachs, Whitlock, and Norland, City Administrator Harrenstein, Finance Director McCann, City Engineer Sarff, and City Clerk Van Genderen. Absent: Council Member Steiner.

Review Proposed 2020 Utility Funds Budget

Finance Director McCann reported the City Council reviewed the General Fund at a previous Council Work Session, and today the Council would consider the Utility Funds. Finance Director McCann began with the Water Utility Fund-601. He reported the estimated customer receipts were trending down, based on a decrease in water usage. There was an increase in charges for services due to the popularity of the radio read meters. Increases in expenditures included merit increases, health insurance, supplies and charges related to the Minnesota Department of Health. The total revenue is calculated at \$2,106,000 with expenditures calculated at \$2,169,850. The cash balance will remain steady. City Administrator Harrenstein reported a rate increase would be considered in 2022 or 2024. Cash balances are anticipated to increase and are used to upgrade the system.

Finance Director McCann reviewed the Wastewater Fund Collections 2020 Budget. He reported an increase in customer receipts of \$61,000 due to a proposed increase in rates. Special assessment collections continue to increase as residents continue to use the consent assessment process provided by the City. He noted an increase in expenditures due to personnel merit increases, health insurance, and supplies. He reported a proposed capital outlay of \$250,000 in 2019 the funds were used for the new Zipper and a Sewer Camera. Total revenue calculated at \$2,514,810 with a total calculated expenditure of \$2,486,506. Finance Director McCann reported staff is proposing a \$2.00 rate increase, noting the last increase occurred in 2017. Mayor Dehen requested clarification on if there would be increased costs associated with the proposed upgrades of the Mankato Wastewater Treatment Plant where North Mankato's waste is processed. City Administrator Harrenstein indicated the rate increase should account for any increases from the City of Mankato, although they do not anticipate changes until later.

Finance Director McCann reviewed the proposed Recycling Fund 2020 Budget. He reviewed an estimated increase in Recycling Collection Fees based on contracts; he noted an increase in the facility rental as the City had increased the lease price for West Central Sanitation. Finance Director McCann reported an increase in personnel costs associated with merit increases and health insurance. A decrease in anticipated supply costs and an increase in recycling transfer fees. Mayor Dehen commented on the volatile market and requested clarification on if the proposed budget took into account those variables. City Administrator Harrenstein reported the budget reflects the contracts that have been established, which minimize the impact of the volatile market on the City.

Finance Director McCann reviewed the Solid Waste Fund 2020 Budget, noting the fund is basically an in and out fund. The customer receipts pay the contract with West Central Sanitation and few other items. The calculated revenue is \$821,600, and the calculated expenditures are \$813,500.

Finance Director McCann reviewed the proposed Stormwater Fund 2020 Budget. He reported the anticipated customer receipts are \$400,000 an increase from the receipts in previous years due to the increased rates. Expenditure increases include supplies for ravine maintenance, services, and charges includes a payment to Mankato for the City's portion of the Lake Street station. Finance Director McCann reported the large cash balance in 2019 includes the North Ridge Ravine Project. Mayor Dehen requested clarification on if the fund has enough funding to address the ravines. City Administrator Harrenstein reported the Stormwater Fund was not designed for ravine maintenance and

repairs, but it is a home for the funds. The Stormwater Fund was designed to manage smaller infrastructure issues.

Belgrade Avenue Development Related Public Improvements

City Engineer Dan Sarff appeared before City Council and reported at the September 23, 2019, Council Work Session a memo was presented that outlined a wide range of public improvements that the City could consider implementing in conjunction with the Rooftop Bar + Kitchen and Frandsen Bank development. City Council provided direction for staff follow up. The first improvement considered was Pedestrian Crossing Improvements. City Engineer Sarff reported the proposal would be to install a lighted pedestrian sign with flashing lights to improve recognition of the crossing. He noted the sign could be moved to a midblock crossing if it is determined to move forward with one. The estimated cost for the sign is \$7,000. Pedestrian counts have been taken and will be collected again in 2020 after the development project is completed and operational. The second improvement is enhanced lighting and related improvements. A discussion was held about two lighting pole options. Mayor Dehen requested clarification on if the City Center Partnership lighting study was completed and if there was a plan for implementation. City Administrator Harrenstein reported the study had been completed and individual City Council's may determine what portions to use and the City of North Mankato could use the City Center Partnership lighting suggestion which is more modern or use the pole that is being used on the Commerce Drive Project which is more traditional. City Engineer Sarff reported staff had reviewed alley improvements, parking modifications, and access closures. The alley improvements include the proposed reconstruction of the alley from 15-foot wide to 22-foot width, which will accommodate two-way traffic. Discussion was held by the Council on the best way to obtain the additional feet of right of way or easement. The proposal presented included obtaining an easement or right of way from the American Legion and the Circle Inn. Council Member Whitlock suggested obtaining right of way or easement from three property owners on the north side of the current alley because the City already owns three of the six properties. City Administrator Harrenstein reported the proposed Belgrade Avenue Development will proceed in 2020 and noted the pedestrian crossing sign and the wayfinding signs are planned into the 2020 budget, but the street lighting for and the alley improvements are not in the budget and requested direction. Mayor Dehen suggested the improvements be added to the TIF. City Administrator Harrenstein reported there were two ways the projects could be added. He reported the City could pay for the improvements out of the General Fund, which would draw down the General Fund balance, or the City could take a note out against the TIF and increase the term of the TIF. Mayor Dehen noted the TIF could be extended up to 25 years for a redevelopment project, and the proposed improvements were for the public good.

Council Member Norland moved, seconded by Council Member Oachs, to close the Council Work Session at 1:00 p.m.

Mayor

City Clerk

The Free Press MEDIA

THE LAND

P.O. Box 3287, Mankato, MN 56002

www.mankatofreepress.com phone: (507) 344-6314, fax: (507) 625-1149

Affidavit of Publication

STATE OF MINNESOTA, COUNTY OF BLUE EARTH, ss.

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 the following dates: 10/10/19, 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: 38.91.

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, Publisher

Sworn to and subscribed before me, this day
10/10/2019

Notary Public

Public Notice

October 10, 2019

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

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, October 21, 2019, at a meeting of the Council beginning at approximately 7:00 p.m. at the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, to consider an Ordinance relating to City Code Title III Chapter 30.11 Compensation of Mayor and Council Members. To view the complete ordinance please contact the City Clerk.

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

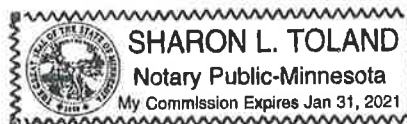
Dated: This 10th day of October 2019.

BY ORDER OF THE NORTH MANKATO
CITY COUNCIL

/s/April Van Genderen

April Van Genderen

City Clerk



ORDINANCE NO. 119, FOURTH SERIES

AN ORDINANCE SETTING MAYOR AND CITY COUNCIL COMPENSATION

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

SECTION I. Section 30.11 of the North Mankato City Code allows for the amendment of compensation as follows:

Sec. 30.12. Salary of the Mayor and Council Members. Salaries of the Mayor and City Council Members, effective January 1, 2021, are hereby fixed as follows, which amounts are deemed reasonable.

Subd. 1. The compensation payable to the duly elected Mayor of the City of North Mankato shall be the sum of \$11,300 for 2021, which shall be payable in equal monthly installments.

Subd. 2. The compensation payable to the duly elected members of the City Council of the City of North Mankato shall be the sum of \$7,600 for 2021, which shall be payable in equal monthly installments.

Subd. 3. The Mayor and Council members shall, on a calendar year basis, beginning with the 2022 calendar year, accumulate a cost of living adjustment (COLA) to their salaries in the same percentage as the consumer price index (CPI) percentage for the preceding calendar year. The COLA set out in this section shall take effect biannually in accordance with Minnesota Statute 415.11, or any state law amending or replacement said Statute.

SECTION II. This Ordinance shall be in full force and effect from and after its passage and publication.

ADOPTED by the City Council this ____ day of _____, 2019.

Mayor

ATTEST:

City Clerk

The Free Press MEDIA

THE LAND

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2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

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

The printed notice which is attached was cut from the columns of said newspaper, and was printed and published the following dates: 10/08/19, 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: 27.162.

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.

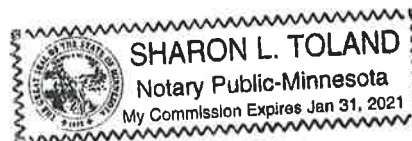
FURTHER YOUR AFFIANT SAITH NOT.

By: 

Steve Jameson, Publisher

Sworn to and subscribed before me, this day
10/08/2019


Notary Public



Public Notice

October 8, 2019

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of North Mankato, Minnesota, will hold a Public Hearing on Monday, October 21, 2019 at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider Annexation of Land containing 3.58 acres owned by Steve and Kathleen Burnett and legally described as:

Commencing at the northeast corner of Outlot A, Northport No. 18, according to the plat thereof on file and of record with Nicollet County, Minnesota. A full legal description is available at the North Mankato City Hall.

Dated this 4th day of September 2019.

April Van Genderen
City Clerk
City of North Mankato

PETITION FOR ANNEXATION BY ORDINANCE

IN THE MATTER OF THE PETITION FOR ANNEXATION OF
ALL THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3,
TOWNSHIP 108 NORTH, RANGE 27 WEST
BY THE CITY OF NORTH MANKATO
FOR ANNEXATION PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 2(3)

Petitioners state that the property owner or a majority of the property owners in number are required to commence a proceeding under M.S. 415.033, Subd. 2 (3).

It is hereby requested by:

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

The area proposed for annexation is described as follows:

That part of the Northeast Quarter of the Southwest Quarter of Section 3 Township 108 North Range 27 West, Nicollet County, Minnesota described as:

Commencing at the northeast corner of Outlot A, Northport No. 18, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 00 degrees 03 minutes 09 seconds East (assumed bearing) along the east line of said Outlot A, a distance of 287.22 feet to the most southerly corner of said Outlot A, said point being the point of beginning; thence continuing South 00 degrees 03 minutes 09 seconds East, along the southerly extension of the easterly line of said Outlot A, a distance of 374.10 feet to a point on the north line of Outlot A, Northport No. 19, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 89 degrees 48 minutes 22 seconds East, along said north line, 643.76 feet to the northeast corner of Lot 1, Block 1, Northport No. 19; thence North 00 degrees 00 minutes 29 seconds West, along the North-South centerline of said Section 3, a distance of 110.78, thence North 67 degrees 35 minutes 54 seconds West, 696.66 feet to the point of beginning.

Said parcel contains 3.58 acres, subject to any and all easements of record.

1. There is one property owner in the area proposed for annexation.
2. The property owner has signed this petition. (If the land is owned by both husband and wife, both must sign the petition to represent all owners.)
3. The population of the annexation area is 0.

4. Said property is unincorporated, abuts on the City's boundary, and is not included within any other municipality.
5. The area of land to be annexed, in acres, is 3.58
Platted 0 Unplatted 3,58 Total 3,58
6. The reason for the requested annexation is industrial development.
7. All of the annexation area is or is about to become urban or suburban in character.
8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to M.S. 414.0325.

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

8/29/2019
Date

Kay Ulrich
Burnett Properties, LLLP
Kay Ulrich, Trustee



CITY OF NORTH MANKATO

September 5, 2019

Re: PROPERTY OWNER PETITION TO MUNICIPALITY
FOR ANNEXATION BY ORDINANCE - 120 Acres or Less
IN THE MATTER OF THE PETITION OF CERTAIN PERSONS FOR THE
ANNEXATION OF CERTAIN LAND TO THE CITY OF NORTH MANKATO,
MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 2(3)

Dear Property Owner:

Enclosed and served upon you by U.S. mail please find a Petition for Annexation.

The owner of the property described in the attached petition is requesting annexation into the City of North Mankato. The property abuts your property and pursuant to State Statute the City is informing you of the proposed annexation. The City Council accepted the petition at the September 3, 2019, Council Meeting. Pursuant to Minnesota Statutes § 414.033, SUBD. 2(3) this is your 30 days' written notice that at 7:00 p.m. on October 21, 2019, a Public Hearing will be conducted concerning annexation of the described property. Following the Public Hearing, the City of North Mankato City Council may adopt an ordinance of annexation and upon submission and acceptance by the Office of Administrative Hearings the property will be annexed into the City.

If you have questions, I encourage you to contact Community Development Director Michael Fischer or City Administrator John Harrenstein at 507-625-4141.

Sincerely,

THE CITY OF NORTH MANKATO

April Van Genderen
City Clerk

Enclosures





Legend

City Limits

Medians

Roadways

Parcels (6-7-2018)

Lakes & Ponds

Minnesota River

Nman_cty19_3inch.sid

Red: Band_1

Green: Band_2

Blue: Band_3

Map Name



Disclaimer:

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



Real People. Real Solutions.

0 527 Feet

© Bolton & Menk, Inc - Web GIS 9/4/2019 10:19 AM



City of North Mankato, MN

Claims List - Regular

By Vendor Name

Date Range: 10-21-19

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
00009	A-1 KEY CITY LOCKSMITHS, INC	10/21/2019	Regular	0	108.00	91791
00029	AG SPRAY EQUIPMENT	10/21/2019	Regular	0	236.85	91792
03161	APPLE BLOSSOM BAKERY	10/11/2019	Regular	0	48.00	91789
00113	BAKER & TAYLOR	10/21/2019	Regular	0	25.98	91793
00147	BLACKSTONE PUBLISHING	10/21/2019	Regular	0	7.95	91794
02169	BLUE LINE SHARPENING & SALES	10/21/2019	Regular	0	90.00	91795
03157	BROOKS, JOHN & JUDI	10/21/2019	Regular	0	1,147.50	91796
03158	BURKE, MIKE	10/21/2019	Regular	0	500.00	91797
00221	CARGILL, INC.	10/21/2019	Regular	0	6,409.69	91798
00226	CARPET CARE	10/21/2019	Regular	0	100.00	91799
02757	CINTAS	10/21/2019	Regular	0	176.70	91800
00255	CITY OF MANKATO	10/21/2019	Regular	0	101,493.03	91801
00331	DE MARS CONSTRUCTION	10/21/2019	Regular	0	100,000.00	91802
03152	DIVERS, THE	10/05/2019	Regular	0	500.00	91775
00364	DRUMMER'S GARDEN CENTER & FLORAL	10/21/2019	Regular	0	19.99	91804
03156	DVS RENEWAL	10/07/2019	Regular	0	14.25	91783
03156	DVS RENEWAL	10/07/2019	Regular	0	14.25	91784
02380	EVERGREEN COMPANIES	10/21/2019	Regular	0	1,794.38	91805
00401	EXPRESS SERVICES, INC.	10/21/2019	Regular	0	964.02	91806
00409	FERGUSON ENTERPRISES, INC	10/21/2019	Regular	0	3,067.25	91807
02321	FIELD TRAINING SOLUTIONS	10/21/2019	Regular	0	295.00	91808
03159	FREEMAN, BRIAN	10/21/2019	Regular	0	884.54	91809
03150	GOETLE, DAVE	10/05/2019	Regular	0	178.50	91776
00499	GRAINGER	10/21/2019	Regular	0	1,378.18	91810
00534	HART'S AUTO SUPPLY	10/21/2019	Regular	0	401.00	91811
00560	HILDI, INC.	10/21/2019	Regular	0	3,000.00	91812
00563	HINIKER HOMES, INC.	10/08/2019	Regular	0	8.43	91786
03153	HOEHN, ELI	10/05/2019	Regular	0	500.00	91777
00577	HOLTMEIER CONSTRUCTION	10/21/2019	Regular	0	327.50	91813
02429	J D TRUFFLES CATERING	10/21/2019	Regular	0	145.37	91814
00627	JACKSON-HIRSH, INC	10/21/2019	Regular	0	66.71	91815
02917	JENNINGS, STROUSS & SALMON, P.L.C.	10/21/2019	Regular	0	9,000.00	91816
03151	JOHNNY FI PRODUCTIONS	10/05/2019	Regular	0	400.00	91778
03163	KRIS ENGINEERING, INC	10/21/2019	Regular	0	2,044.46	91817
00797	MAC TOOLS DISTRIBUTOR	10/21/2019	Regular	0	179.99	91820
00819	MANKATO FORD, INC.	10/21/2019	Regular	0	108.90	91821
00917	MINNESOTA CITY/COUNTY MANAGEMENT AS:	10/21/2019	Regular	0	166.81	91822
03022	MINNESOTA PAVING & MATERIALS	10/21/2019	Regular	0	1,447.25	91823
00951	MINNESOTA TRUCK & TRACTOR, INC.	10/21/2019	Regular	0	1,865.31	91824
03043	NATE BOOTS	10/05/2019	Regular	0	150.00	91779
01037	NICOLLET COUNTY	10/21/2019	Regular	0	5,153.09	91825
03160	NOVEL SOLAR THREE LLC (DBA GREEN STREET	10/21/2019	Regular	0	13,157.26	91826
01071	NUSS TRUCK & EQUIPMENT, INC.	10/21/2019	Regular	0	355.78	91827
02245	ONSITE	10/21/2019	Regular	0	3,045.60	91828
01072	O'REILLY AUTOMOTIVE, INC.	10/21/2019	Regular	0	207.65	91829
01106	PETTY CASH	10/21/2019	Regular	0	99.01	91830
02677	PIZZA RANCH	10/21/2019	Regular	0	67.98	91831
01133	POWERPLAN/RDO EQUIPMENT	10/21/2019	Regular	0	263.74	91832
03149	RADEMAKER, CHAD	10/05/2019	Regular	0	351.00	91780
01166	RADIO MANKATO	10/21/2019	Regular	0	499.98	91833
03113	REINER MASONRY, INC	10/21/2019	Regular	0	1,500.00	91834
01191	RELIANCE ELECTRIC OF SOUTHERN MINNESOT	10/21/2019	Regular	0	276.46	91835
03040	SEWAH STUDIOS, INC.	10/21/2019	Regular	0	2,890.00	91836
01278	SHERWIN-WILLIAMS CO.	10/21/2019	Regular	0	13.98	91837
02350	SHRED RIGHT	10/21/2019	Regular	0	93.60	91838
03162	SMITH, LAURA & DREW	10/15/2019	Regular	0	1,000.00	91790
01295	SNELL MOTORS, INC	10/21/2019	Regular	0	92.90	91839

03148	STADEM, DAN	10/05/2019	Regular	0	102.00	91781
01402	TIRE ASSOCIATES	10/21/2019	Regular	0	5,296.49	91840
01409	TOPPERS & TRAILERS PLUS	10/21/2019	Regular	0	462.60	91841
02150	U.S. BANK	10/21/2019	Regular	0	450.00	91842
02672	USA SOFTBALL, INC.	10/21/2019	Regular	0	7,200.00	91843
02833	VALLEY ASPHALT PRODUCTS, INC.	10/21/2019	Regular	0	892.57	91844
03155	VARPNES, STACY	10/05/2019	Regular	0	700.00	91782
02282	WARD EINESS STRATEGIES	10/21/2019	Regular	0	2,000.00	91845
01525	WEST CENTRAL SANITATION, INC.	10/21/2019	Regular	0	27,899.81	91846
02886	ADVANCED DRAINAGE SYSTEMS INC. (ADS)	10/15/2019	Bank Draft	0	802.24	DFT0003496
02959	ARTIFACT	10/08/2019	Bank Draft	0	580.00	DFT0003466
00101	AT&T MOBILITY	10/14/2019	Bank Draft	0	28.53	DFT0003486
00241	CHARTER COMMUNICATIONS	10/08/2019	Bank Draft	0	259.33	DFT0003467
00608	INGRAM LIBRARY SERVICES	10/14/2019	Bank Draft	0	568.52	DFT0003490
02941	JAGUAR COMMUNICATIONS	10/07/2019	Bank Draft	0	3,957.66	DFT0003465
00733	LAKES GAS CO #10	10/15/2019	Bank Draft	0	107.00	DFT0003495
00775	LJP WASTE & RECYCLE, LLC	10/15/2019	Bank Draft	0	365.00	DFT0003491
00923	MINNESOTA DEPARTMENT OF LABOR & INDU:	10/04/2019	Bank Draft	0	4,194.84	DFT0003460
00923	MINNESOTA DEPARTMENT OF LABOR & INDU:	10/14/2019	Bank Draft	0	100.00	DFT0003487
01180	REDLINE SIGNWORKS	10/15/2019	Bank Draft	0	550.00	DFT0003493
01335	STAPLES ADVANTAGE	09/25/2019	Bank Draft	0	(19.09)	DFT0003458
01335	STAPLES ADVANTAGE	09/30/2019	Bank Draft	0	(105.03)	DFT0003459
01335	STAPLES ADVANTAGE	10/09/2019	Bank Draft	0	164.07	DFT0003485
01335	STAPLES ADVANTAGE	10/11/2019	Bank Draft	0	89.87	DFT0003489
01470	VERIZON WIRELESS	10/08/2019	Bank Draft	0	782.67	DFT0003468
01470	VERIZON WIRELESS	10/15/2019	Bank Draft	0	31.03	DFT0003492
01525	WEST CENTRAL SANITATION, INC.	10/14/2019	Bank Draft	0	4,281.03	DFT0003488
00551	A.H. HERMEL COMPANY	10/23/2019	EFT	0	136.58	2257
00028	AFFORDABLE TOWING OF MANKATO, INC.	10/23/2019	EFT	0	100.00	2258
00036	ALEX AIR APPARATUS, INC.	10/23/2019	EFT	0	825.00	2259
00063	AMERICAN PEST CONTROL	10/23/2019	EFT	0	65.00	2260
00090	APT MACHINING INC.	10/23/2019	EFT	0	176.43	2261
00105	AUTO VALUE MANKATO	10/23/2019	EFT	0	286.13	2262
00174	BOLTON & MENK, INC.	10/23/2019	EFT	0	880.00	2263
00216	C & S SUPPLY CO, INC.	10/23/2019	EFT	0	257.82	2264
00230	CCP INDUSTRIES, INC.	10/23/2019	EFT	0	189.04	2265
02706	CORE & MAIN LP	10/23/2019	EFT	0	922.96	2266
00322	DALCO	10/23/2019	EFT	0	113.64	2267
02275	DEM-CON MATERIALS & RECOVERY	10/23/2019	EFT	0	6,081.58	2268
00343	DH ATHLETICS LLC	10/23/2019	EFT	0	1,366.00	2269
03076	FREYBERG MANAGEMENT	10/23/2019	EFT	0	116.26	2270
00453	FREYBERG PETROLEUM SALES, INC.	10/23/2019	EFT	0	884.40	2271
00463	G & L AUTO SUPPLY, LLC	10/23/2019	EFT	0	355.10	2272
00469	GANGELHOFF, BRIAN	10/23/2019	EFT	0	43.14	2273
01098	GILLETTE GROUP/PEPSI-COLA	10/23/2019	EFT	0	106.02	2274
00646	HEINTZ, KATIE	10/23/2019	EFT	0	222.69	2275
00680	J.J. KELLER & ASSOCIATES, INC.	10/23/2019	EFT	0	1,002.87	2276
01274	JADD SEPPMANN & SONS, INC.	10/23/2019	EFT	0	2,850.00	2277
00657	JT SERVICES	10/23/2019	EFT	0	500.00	2278
02399	KANSTRUP, CORY	10/23/2019	EFT	0	100.00	2279
00691	KENNEDY & KENNEDY LAW OFFICE	10/23/2019	EFT	0	11,737.35	2280
00761	LEON'S CUSTOM BACKHOE, INC.	10/23/2019	EFT	0	2,958.27	2281
00776	LLOYD LUMBER CO.	10/23/2019	EFT	0	1,166.12	2282
02575	LOCHER BROS, INC.	10/23/2019	EFT	0	682.00	2283
00825	MANKATO MOTOR COMPANY	10/23/2019	EFT	0	163.92	2284
00872	MEI TOTAL ELEVATOR SOLUTIONS	10/23/2019	EFT	0	1,121.27	2285
00874	MENARDS-MANKATO	10/23/2019	EFT	0	588.39	2286
00910	MINNESOTA VALLEY TESTING LAB, INC.	10/23/2019	EFT	0	330.50	2287
00956	MINNESOTA WASTE PROCESSING CO.	10/23/2019	EFT	0	23,682.83	2288
02005	PANTHEON COMPUTERS	10/23/2019	EFT	0	2,210.00	2289
01090	PARAGON PRINTING, MAILING & SPECIALTIES	10/23/2019	EFT	0	528.89	2290
01099	PET EXPO DISTRIBUTORS	10/23/2019	EFT	0	240.00	2291
02747	RENT-N-SAVE	10/23/2019	EFT	0	320.00	2292
01211	RIVER BEND BUSINESS PRODUCTS	10/23/2019	EFT	0	525.15	2293
03014	RUBY RIDE	10/23/2019	EFT	0	2,491.50	2294
01281	SIGN PRO	10/23/2019	EFT	0	1,084.00	2295
01429	TURFWERKS	10/23/2019	EFT	0	389.96	2296

01478	VIKING FIRE & SAFETY LLC	10/23/2019	EFT	0	131.60	2297
01552	WW BLACKTOPPING, INC	10/23/2019	EFT	0	6,073.14	2298
00137	BENCO ELECTRIC COOPERATIVE	10/07/2019	Bank Draft	0	31,081.33	DFT0003461
00234	CENTER POINT ENERGY	10/15/2019	Bank Draft	0	26.03	DFT0003494
02181	ETS CORPORATION	10/02/2019	Bank Draft	0	1,851.81	DFT0003456
02003	MINNESOTA DEPT OF REVENUE	10/08/2019	Bank Draft	0	9,771.00	DFT0003464
02003	MINNESOTA DEPT OF REVENUE	10/09/2019	Bank Draft	0	5,473.67	DFT0003475
02003	MINNESOTA DEPT OF REVENUE	10/11/2019	Bank Draft	0	50.00	DFT0003481
03029	OPEN EDGE	10/02/2019	Bank Draft	0	316.15	DFT0003457
02766	SPROUT SOCIAL	10/07/2019	Bank Draft	0	99.00	DFT0003462
01477	VIKING ELECTRIC SUPPLY, INC.	10/15/2019	Bank Draft	0	2,906.19	DFT0003497
					<u>455,655.69</u>	<u>135</u>

Authorization Signatures

All Council

The above manual and regular claims lists for 10-21-19 are approved by:

MARK DEHEN- MAYOR

DIANE NORLAND- COUNCIL MEMBER

WILLIAM STEINER- COUNCIL MEMBER

SANDRA OACHS- COUNCIL MEMBER

JAMES WHITLOCK- COUNCIL MEMBER

RESOLUTION APPROVING DONATIONS/CONTRIBUTIONS/GRANTS

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

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

Donor	Restriction	Amount
Children’s Museum of Southern Minnesota	Book Donation	\$122.61
Fun.com	Party on the Prairie Donations	\$500.00
Jeff Stenzel	Audiobook Donation	\$50.00
TOTAL		\$672.61

Adopted by the City Council this 21st day of October 2019.

Mayor

City Clerk



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

For Office Use Only

APPROVED _____

DENIED _____

☐ PARK USE ☐ AUDIO USE

Application For PARADE PERMIT

REQUIRED INFORMATION:

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

Thirty (30) days inadvance of the parade date.

Name of Applicant Phil Tostenson	Address 1001 Belgrade Ave. North Mankato, MN 56003	Phone 507-625-9189	Email ptostenson@caswellsports.com
Sponsoring Organization Name YMCA	Address 1401 South Riverfront Dr, Mankato, MN	Phone 507-387-8255	
Contact during event Neil Kaus		Phone 507-382-7760	
Event Location Spring Lake Warming House through Lower North Mankato	Date 11/16/2019	From 8am	Time To 5pm
Occasion for Parade 5k Fundraiser			
Parade Description / Composition Runners			

Estimated Number of Participants: 500

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.

Phil Tostenson
Applicant

3/19/2019
Date

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

[Signature]
Chief of Police

10/10/19
Date

Caswell Sports Director

Date



1001 Belgrade Avenue
North Mankato, MN 56003
507-625-4141 Fax: 507-625-4151
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 **DATE OF EVENT:** 11/16/2019
☒ DJ/KARAOKE MACHINE **BEGIN TIME:** 8:00 am
☐ OTHER: _____ **END TIME:** 5:00 pm

LOCATION / SHELTER: Spring Lake Warming House

EVENT NAME: YMCA Stride Race

ONSITE COORDINATOR: _____ PRINT NAME: Neil Kaus

MOBILE NUMBER: 507-382-7760

☒ 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: Phil Tostenson DATE: 3/19/2019

POLICE CHIEF: [Signature]

CITY CLERK: _____

☐ DENIED ☐ APPROVED

☐ BOOK ☒ POLICE ☐ ONLINE ☐ \$25.00 FEE

STAFF INITIALS _____

DISTANCE
3.12 MI



Auto Follow Roads

Avoid Highways

TO

Cleveland St

8th Ave

7th Ave

6th Ave

5th Ave

4th Ave

3rd Ave

2nd Ave

1st Ave

Harper St

Brooks St

St

St

St

St

St

St

St

St

Hiniker Park

Bluff Park

Butterworth St

N River Dr

1st Ave

2nd Ave

3rd Ave

4th Ave

5th Ave

6th Ave

7th Ave

8th Ave

GERMANIA PARK

Pine St

Chestnut St

Spruce St

Maxfield St

1st Ave

2nd Ave

3rd Ave

4th Ave

5th Ave

6th Ave

7th Ave

8th Ave

9th Ave

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289th Ave

290th Ave

291st Ave

292nd Ave

293rd Ave

294th Ave

295th Ave

296th Ave

297th Ave

298th Ave

299th Ave

Permit #: 5-2020 Start Time: 9:00 am Fee: \$ 125.00
Date: August 1, 2020 Stop Time: 4:00 pm
Shelter: ☒ Spring Lake Shelter #1 ☐ Spring Lake Shelter #2 ☐ Wheeler Park Indoor Shelter
Event Name: True Value Company Picnic # of People 150
Name: Karrie Staloch
Address: 2415 3rd Ave
City: Mankato State: MN Zip 56001
Phone: 507 625 6021 Email: Karrie.staloch@truevalue.com

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

Alcoholic Beverages (wine & beer only) ☒ No ☐ Yes
Please specify: Cans Keg * (\$300 refundable deposit and \$30 keg permit) Catering * (must contact City Hall)

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

Allowed

Prohibited

- 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

- 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, Spring Lake 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: Karrie Staloch
Applicant

10-3-19
Date

☐ APPROVED ☐ DENIED

☒ REFER TO COUNCIL

City Clerk

Date

Receipt # R00202131 ☐ Book ☒ Online ☐ Park ☐ Police Staff Initials JS

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: mic for Bingo
AnnouncementsDATE OF EVENT: August 1, 2020BEGIN TIME: 11:30 amEND TIME: 3 pmLOCATION / SHELTER: Springlake Park Shelter 1EVENT NAME: True Value Company PicnicONSITE COORDINATOR: PRINT NAME: Karre StalochMOBILE NUMBER: 507 779 4593

☒ 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: Karre Staloch DATE: 10-3-19

CITY CLERK: _____

☐ DENIED ☐ APPROVED☐ BOOK ☐ POLICE ☐ ONLINE☒ \$25.00 FEE

R00202131

STAFF INITIALS JK

RESOLUTION DECLARING SURPLUS VEHICLES AND EQUIPMENT

WHEREAS, the City of North Mankato owns the following vehicles and equipment; and

1987 John Deere 72" Lawn Mower	Model: F836	Hours: 5123
2001 Ford Taurus	VIN 1FAFP55S11G144376	Miles: 125,000
1972 Ford 750 Oil Distributor	VIN C7EVP16342	Miles: 28,661
1982 FWD Snow Plow	VIN1F9A828G1CCFT1230	Miles: 41,062
1997 Gulf Stream Trailer	VIN 1NL10TP2XV1033662	

WHEREAS, these vehicles and equipment have been replaced, or are no longer in use causing them to become surplus;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, that the aforementioned vehicles and equipment be declared surplus and that the sale of said vehicles and equipment is hereby authorized.

Adopted by the City Council this 21st day of October 2019.

Mayor

ATTEST:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #10G	Department: Finance	Council Meeting Date: 10/21/19																																	
TITLE OF ISSUE: Consider Setting a Public Hearing on November 4, 2019, at 7:00 pm to Consider an Ordinance Repealing and Replacing City Code Chapter 34.4 through 34.5 Local Sales and Use Tax.																																			
BACKGROUND AND SUPPLEMENTAL INFORMATION: The League of Minnesota Cities contacted City staff along with other cities to make them aware of potential loopholes in the current Local Sales and Use Tax language. City staff has consulted with the League of Minnesota Cities, the Department of Revenue, and the City Attorney to repeal and replace the City's current Local Sales and Use Tax to close any potential loopholes in the language.																																			
<i>If additional space is required, attach a separate sheet</i>																																			
REQUESTED COUNCIL ACTION: Set a Public Hearing on November 4, 2019, at 7:00 pm to Consider an Ordinance Repealing and Replacing City Code Chapter 34.4 through 34.5 Local Sales and Use Tax.																																			
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NOTICE OF PUBLIC HEARING

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

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, November 4, 2019, at a meeting of the Council beginning at approximately 7:00 p.m. at the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, to consider an Ordinance repealing and replacing City Code Chapter 34.4 through 34.5 Local Sales and Use Tax. To view the complete ordinance please contact the City Clerk.

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

Dated: This 22nd day of October 2019.

BY ORDER OF THE NORTH MANKATO CITY COUNCIL

/s/April Van Genderen
April Van Genderen
City Clerk

ORDINANCE NO. 121, FOURTH SERIES

AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA, REPEALING AND REPLACING CHAPTER 34.4 THROUGH 34.5 OF THE CITY CODE, LOCAL SALES AND USE TAX

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO DOES HEREBY ORDAIN:

Section 1. Authority. Pursuant to Laws 2017, 1st Special Session Chapter 1, Article 5, Section 17, amends Laws 2008 Chapter 366, Article 7, Section 20 the Minnesota Legislature has authorized the City of North Mankato to impose a local sales and use tax to provide revenues to pay the costs of collecting and administering the tax to the commissioner of revenue of the state of Minnesota and to finance the capital and administrative costs related to the funding of designated projects as defined in Laws 2017, 1st Special Session Chapter 1, Article 5, Section 17 and approved by the voters at the 2016 referendum.

Section 2. Definitions. For purposes of this chapter, the following words, terms, and phrases have the meanings given them in this section unless the language or context clearly indicates a different meaning is intended.

(a) City. “City” means the City of North Mankato, Minnesota.

(b) Commissioner. “Commissioner” means the commissioner of revenue of the state of Minnesota or a person to whom the commissioner has delegated functions.

(c) Designated projects. “Designated projects” means the acquisition and development of regional parks, hiking and biking trails, existing and new recreational facilities, expansion of the North Mankato Taylor Library, riverfront redevelopment and lake improvement projects as authorized by the Minnesota Legislature in 1st Special Session Chapter 1, Article 5, Section 17, amends Laws 2008 Chapter 366, Article 7, Section 20 and approved by the voters at the 2016 referendum.

(d) State sales and use tax laws and rules. “State sales and use tax laws and rules” means those provisions of the state revenue laws applicable to state sales and use tax imposition, administration, collection, and enforcement, including Minnesota Statutes, chapters 270C, 289A, 297A, and Minnesota Rules, chapter 8130, as amended from time to time.

Section 3. Local sales and use tax imposed; amount of tax; coordination with state sales and use tax laws and rules. A local sales tax is imposed in the amount of one-half of one percent on the gross receipts from sales at retail sourced within city limits which are taxable under the state sales and use tax laws and rules. A local use tax is imposed in the amount of one-half of one percent on the storage, use, distribution or consumption of goods or services sourced within city limits which are taxable under the state sales and use tax laws and rules. All of the provisions of the state sales and use tax laws and rules apply to the local sales and use tax imposed by this chapter. The local sales and use tax imposed by this chapter shall be collected and remitted to the commissioner on any sale or purchase when the state sales tax must be collected and remitted to the commissioner under the state sales and use tax laws and rules and is in addition to the state sales and use tax.

Section 4. Effective date of tax; transitional sales. Except as otherwise provided herein, the local sales and use tax imposed by this chapter shall apply to sales and purchases made on or after October 1, 2008. The local sales and use tax imposed by this chapter shall not apply to:

(a) The gross receipts from retail sales or leases of tangible personal property made pursuant to a bona fide written contract, which unconditionally vests the rights and obligations of the parties thereto, provided that such contract was enforceable prior to October 1, 2008 and that delivery of the tangible personal property subject thereto is made on or before October 1, 2008.

(b) The gross receipts from retail sales made pursuant to a bona fide lump sum or fixed price construction contract, which unconditionally vests the rights and obligations of the parties thereto and which does not make provision or allocation of future taxes, provided that such contract was enforceable prior to October 1, 2008 and that delivery of the tangible personal property used in performing such construction contract is made before March 31, 2009.

(c) The purchase of taxable services, including utility services, if the billing period includes charges for services furnished before and after October 1, 2008, but the local sales and use tax imposed by this chapter shall apply on the first billing period not including charges for services furnished before October 1, 2008.

(d) Lease payments for tangible personal property and motor vehicles that includes a period before and after October 1, 2008, but the local sales and use tax imposed by this chapter shall apply on a prorated basis to lease payment amounts attributable to that portion of the lease payment period on or after October 1, 2008 and on the entire lease payment for all lease payment periods thereafter.

Section 5. Tax Clearance; Issuance of Licenses.

(a) The city may not issue or renew a license for the conduct of a trade or business within the city if the commissioner notified the licensing division of the city that the applicant owes delinquent city taxes as provided in this chapter, or penalties or interest due on such taxes.

(1) City taxes include sales and use taxes provided in this article. Penalties and interest are penalties and interest due on taxes included in this definition.

(b) Delinquent taxes does not include a tax liability if: (i) an administrative or court action which contests the amount or validity of the liability has been filed or served, (ii) the appeal period to contest the tax liability has not expired, or (iii) the applicant has entered into a payment agreement and is current with the payments.

(c) Applicant means an individual if the license is issued to or in the name of an individual or the corporation or partnership if the license is issued to or in the name of a corporation or partnership.

(1) A copy of the notice of delinquent taxes given to the licensing division of the city shall also be sent to the applicant taxpayer. In the case of renewal of a license, if the applicant requests in writing, within 30 days of receipt of the notice of hearing, then, a contested hearing shall be held under the same procedures as provided in Minn. Stat. 270A for the state sales and use tax imposed under Minn. Stat. 297A; provided further that if a hearing must be held on the state sales and use tax, hearings must be combined.

Section 6. Deposit of revenues; costs of administration; termination of tax.

(a) All of the revenues, interest, and penalties derived from the local sales and use tax imposed by this chapter collected by the commissioner and remitted to the city shall be deposited by the city finance director in the city treasury and shall be credited to the fund established to pay the

costs of collecting the local sales and use tax imposed by this chapter and to finance the capital and administrative costs directly related to completing the designated projects.

(b) The local sales and use tax imposed by this chapter shall terminate at the earlier of: (1) December 31, 2038; or (2) when the City Council determines that \$15 million, plus an amount sufficient to pay the costs related to issuing bonds and interest on the bonds has been received from the local sales and use tax imposed by this chapter to pay for all the capital and administrative costs directly related to completing the designated projects. Any funds remaining after payment of all such costs and retirement or redemption of the bonds shall be placed in the general fund of the city. The local sales and use tax imposed by this chapter may terminate at an earlier time if the City Council so determines by ordinance.

Section 7. Agreement with the commissioner. The city may enter into an agreement with the commissioner regarding each party's respective roles and responsibilities related to the imposition, administration, collection, enforcement, and termination of the local sales and use tax imposed by this chapter. Any such agreement shall not abrogate, alter, or otherwise conflict with the state sales and use tax laws and rules, this ordinance, or 2017, 1st Special Session Chapter 1, Article 5, Section 17, amends Laws 2008 Chapter 366, Article 7, Section 20.

Section 8. Summary publication. The following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance pursuant to Minnesota Statutes section 412.191:

Pursuant to a voter-approved referendum, the city is authorized to and will impose a local sales and use tax of one-half of one percent on retail sales made after October 1, 2008 to be used to fund certain designated projects related to the acquisition and development of regional parks, hiking and biking trails, existing and new recreational facilities, expansion of the North Mankato Taylor Library, riverfront redevelopment and lake improvement projects.

Section 9. This Ordinance shall be in full force and effect from and after its passage and publication.

Passed by the City Council of the City of North Mankato, Minnesota, this 4th day of November, 2019.

Ayes:

Nays:

Attest:

Mayor

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #12A	Department: Administration	Council Meeting Date: 10/21/19																																		
TITLE OF ISSUE: Consider Adopting Ordinance No. 118, Fourth Series Amending Chapter 34 and Creating Section 34.60 of the North Mankato City Code and Imposing a One Half of One Percent Local Sales Tax on all Sales of Food and Beverages by a Restaurant or Place of Refreshment that are Located within the City of North Mankato.																																				
BACKGROUND AND SUPPLEMENTAL INFORMATION: The City held a Public Hearing on October 7, 2019, concerning the implementation of a One Half of One Percent Local Sales Tax and additional comments were taken on October 21, 2019. The funds would be used to pay all or a portion of the expenses of operation, maintenance, and capital expenses for the Caswell Regional Sporting Complex and for costs related to regional tourism events. If passed the tax would be implemented on January 1, 2020.																																				
If additional space is required, attach a separate sheet																																				
REQUESTED COUNCIL ACTION: Adopt Ordinance No. 118, Fourth Series Amending Chapter 34 and Creating Section 34.60 of the North Mankato City Code and Imposing a One Half of One Percent Local Sales Tax on all Sales of Food and Beverages by a Restaurant or Place of Refreshment that are Located within the City of North Mankato.																																				
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The Free Press MEDIA

THE LAND

P.O. Box 3287, Mankato, MN 56002

www.mankatofreepress.com phone: (507) 344-6314, fax: (507) 625-1149

Affidavit of Publication

STATE OF MINNESOTA, COUNTY OF BLUE EARTH, SS.

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 the following dates: 10/10/19, 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: 38.23.

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, Publisher

Sworn to and subscribed before me, this day
10/10/2019

Notary Public

Public Notice

October 10, 2019

NOTICE OF PROPOSED ORDINANCE

CITY OF NORTH MANKATO
COUNTY OF NICOLLET

STATE OF MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, on Monday, October 21, 2019, at a meeting of the Council beginning at approximately 7:00 p.m. at the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, to consider an Ordinance relating to the proposal of the imposition of a one half of one percent local sales tax on all sales of food and beverages by a restaurant or place of refreshment. To view the entire ordinance please contact the City Clerk.

All interested persons may appear at the meeting.

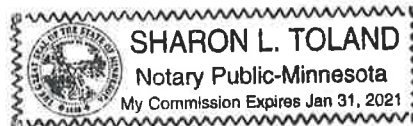
Dated: This 10th day of October 2019.

BY ORDER OF THE NORTH MANKATO
CITY COUNCIL

/s/April Van Genderen

April Van Genderen

City Clerk



ORDINANCE NO. 118, FOURTH SERIES

ORDINANCE AMENDING CHAPTER 34 AND CREATING SECTION 34.60 OF THE NORTH MANKATO CITY CODE AND IMPOSING A ONE HALF OF ONE PERCENT LOCAL SALES TAX ON ALL SALES OF FOOD AND BEVERAGES BY A RESTAURANT OR PLACE OF REFRESHMENT THAT ARE LOCATED WITHIN THE CITY OF NORTH MANKATO

WHEREAS, Law of Minnesota for 2019 Chapter 6, Article 6 Section 23 Authorizes the City of North Mankato to impose a sales tax of up to one percent on the gross receipts on all sales of food and beverages by a restaurant or place of refreshment located within the City; and

WHEREAS, proceeds of the taxes imposed hereby shall be used by the City of North Mankato to pay all or a portion of the expenses of operation, maintenance, and capital expenses for the Caswell Regional Sporting Complex and for costs related to regional tourism events; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of North Mankato that the City Code Section 34 be and hereby is amended as follows:

Section 1. Chapter 34.65 Definitions. The words, terms, and phrases used in Section 34.65 shall have the meaning ascribed to them in Minnesota Statutes, Section 297A.01 except where the context clearly indicates otherwise. In addition, the following definitions shall apply:

- A. "Act" means Law of Minnesota for 2019 Chapter 6, Article 6 Section 23.
- B. "City" means City of North Mankato, Minnesota
- C. "Commissioner" means the Commissioner of Revenue for the State of Minnesota, acting under the authority of an agreement entered into between the City and the State of Minnesota pursuant to the act, or such other person designated to administer and collect the North Mankato Sales and Use, and Food and Beverage tax.

Section 2. Chapter 34.70 Food and Beverage Tax.

Subd. 1. Except as otherwise provided in this Chapter, there is hereby imposed an additional excise tax in the amount of one half of one percent (.5%) on the gross receipts of all sales of food and beverages by a restaurant or place of refreshment, that are located within the City.

Subd. 2. For purposes of this section "restaurant" is defined as a business that sells unpackaged food to the customer in a ready-to-consume state, in individual servings, where the customer consumes these foods in the building, picks up the food from the building to consume elsewhere, or the food is delivered to the customer by employees of the restaurant and establishments. If liquor is served in the establishment as defined in Chapter 111: Alcoholic Beverages in the North Mankato City Code. Kitchen facilities shall be capable of servicing the permitted occupancy. This definition includes, but is not limited to: fast-food restaurants, sit down restaurants, pick-up or carry-out restaurants, and delivery restaurants, drive-in restaurants, drive-thru restaurants, cafes, tea rooms, delis, sidewalk vendors, coffee houses, clubs and any combination thereof. May also be referred to as an eating establishment.

Subd. 3. For the purpose of this Section, "place of refreshment" is defined as any premise or location where alcoholic beverages, non-alcoholic beverages, or food items are sold at retail for consumption at or near the premise or location. This definition includes but is not limited to bars,

saloons, clubs, pubs, taprooms, coffee houses, dance clubs, teen centers, concession stands, sidewalk vendors, and any combination thereof.

Section 2. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on January 1, 2020.

Adopted by the City Council this day of 2019.

Mayor

ATTEST:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #12B	Department: Finance	Council Meeting Date: 10/21/19																																
TITLE OF ISSUE: Consider Resolution Approving a Special Law Authorizing a Food & Beverage Tax for North Mankato.																																		
BACKGROUND AND SUPPLEMENTAL INFORMATION: The attached resolution provides compliance with Minnesota Statutes, Section 645.021, subdivision 2 & 3, which requires a resolution of approval of the Special Law by the governing body to be filed with the Secretary of State. The local law authority is effective only after approval by the City and is a separate act from the ordinance imposing the tax.																																		
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REQUESTED COUNCIL ACTION: Adopt Resolution Approving a Special Law Authorizing a Food & Beverage Tax for North Mankato.																																		
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RESOLUTION NO. _____

**RESOLUTION APPROVING A SPECIAL LAW AUTHORIZING A FOOD & BEVERAGE
TAX FOR NORTH MANKATO**

WHEREAS, the City of North Mankato sought authority to impose up to a one percent (1.0%) food and beverage tax to assist in funding operation, maintenance, and capital expenses for the Caswell Regional Sporting Complex and for costs related to regional tourism events; and

WHEREAS, the revenues collected must be used in accordance with the law; and

WHEREAS, the State Legislature during the 2019 Legislative First Special Session adopted Minnesota Laws, 2019, First Special Session, Chapter 6, Article 6, Section 23 (the "Special Law") to authorize up to a one percent (1.0%) food and beverage tax; and

WHEREAS, the Special Law is effective, for the city that approves it, the day after compliance by the governing body of that city with Minnesota Statutes, Section 645.021, subdivision 2 & 3, which requires a resolution of approval of the Special Law by the governing body to be filed with the Secretary of State; and

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA:

The Special Law is hereby approved and imposed at one half of one percent (0.5%) effective January 1st, 2020, and the City Clerk is hereby instructed to submit the appropriate certificate and a copy of this Resolution to the Secretary of the State of Minnesota.

Adopted this ____ day of _____, 2019

Mayor

Attest:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #12C	Department: Finance	Council Meeting Date: 10/21/19																																							
TITLE OF ISSUE: Consider Ordinance No. 119, Fourth Series Setting Mayor and City Council Compensation.																																									
BACKGROUND AND SUPPLEMENTAL INFORMATION: The North Mankato City Council and Mayor pay last increased in 2010. The proposed Ordinance would set the Mayor's pay at \$11,300, and the City Council pay at \$7,600. The pay increases would take effect after the next election on January 1, 2021. The Mayor and Council beginning in 2022 would receive a cost of living adjustment (COLA) to their salaries in the same percentage as the consumer price index (CPI) percentage for the preceding calendar year. The COLA would take effect biannually in accordance with Minnesota Statute.																																									
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ORDINANCE NO. 119, FOURTH SERIES

AN ORDINANCE SETTING MAYOR AND CITY COUNCIL COMPENSATION

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

SECTION I. Section 30.11 of the North Mankato City Code allows for the amendment of compensation as follows:

Sec. 30.12. Salary of the Mayor and Council Members. Salaries of the Mayor and City Council Members, effective January 1, 2021, are hereby fixed as follows, which amounts are deemed reasonable.

Subd. 1. The compensation payable to the duly elected Mayor of the City of North Mankato shall be the sum of \$11,300 for 2021, which shall be payable in equal monthly installments.

Subd. 2. The compensation payable to the duly elected members of the City Council of the City of North Mankato shall be the sum of \$7,600 for 2021, which shall be payable in equal monthly installments.

Subd. 3. The Mayor and Council members shall, on a calendar year basis, beginning with the 2022 calendar year, accumulate a cost of living adjustment (COLA) to their salaries in the same percentage as the consumer price index (CPI) percentage for the preceding calendar year. The COLA set out in this section shall take effect biannually in accordance with Minnesota Statute 415.11, or any state law amending or replacement said Statute.

SECTION II. This Ordinance shall be in full force and effect from and after its passage and publication.

ADOPTED by the City Council this ____ day of _____, 2019.

Mayor

ATTEST:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #12D	Department: Community Dev.	Council Meeting Date: 10/21/19																																																									
TITLE OF ISSUE: Consider Ordinance No. 120, Fourth Series, An Ordinance of 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.																																																											
BACKGROUND AND SUPPLEMENTAL INFORMATION: On August 29, 2019 the City received a request to annex 3.58 acres from Burnett Properties LLLP. The City Council accepted the petition of annexation on September 3, 2019. According Minnesota Statutes §414.033 Subdivision 2(3), Permitting Annexation by Ordinance the City must serve upon the Township Board and residents abutting the land 30-days notice that the City will conduct a Public Hearing. The City served the notices certified mail and held the Public Hearing on October 21, 2019. The City may now adopt an Ordinance of Annexation and submit the request to the Office of Administrative Hearings for approval.																																																											
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REQUESTED COUNCIL ACTION: Adopt Ordinance No. 120, Fourth Series, An Ordinance of 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.																																																											
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ORDINANCE NO. 120, FOURTH SERIES

**AN ORDINANCE OF 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**

WHEREAS, a petition signed by all the property owners, requesting that property legally described in Exhibit A be annexed to the City of North Mankato Minnesota, was duly presented to the Council of the City of North Mankato on the 3rd day of September 2019; and

WHEREAS, said property is unincorporated and abuts the City of North Mankato on its West boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently farmland and annexation is requested to facilitate the extension of city services for the residential development of the property; and

WHEREAS, the City of North Mankato held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on October 21, 2019, following thirty (30) days written notice by certified mail to the Township of Belgrade and to all landowners within and contiguous to the area legally described in Exhibit A, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH MANKATO
HEREBY ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that residential use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of North Mankato, Minnesota, are hereby extended to include the following described property, said land abutting the City of North Mankato and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

Commencing at the northeast corner of Outlot A, Northport No. 18, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 00 degrees 03 minutes 09 seconds East (assumed bearing) along the east line of said Outlot A, a distance of 287.22 feet to the most southerly corner of said Outlot A, said point being the point of beginning; thence

continuing South 00 degrees 03 minutes 09 seconds East, along the southerly extension of the easterly line of said Outlot A, a distance of 374.10 feet to a point on the north line of Outlot A, Northport No. 19, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 89 degrees 48 minutes 22 seconds East, along said north line, 643.76 feet to the northeast corner of Lot 1, Block 1, Northport No. 19; thence North 00 degrees 00 minutes 29 seconds West, along the North-South centerline of said Section 3, a distance of 110.78, thence North 67 degrees 35 minutes 54 seconds West, 696.66 feet to the point of beginning.

Containing 3.58 acres.

The above described property consists of a total of 3.58 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto in Exhibit B.

4. That the population of the area legally described herein and hereby annexed is 0.
5. The City of North Mankato pursuant to Minnesota Statutes §414.036, and in accordance with the reimbursement agreement (Exhibit C) that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to Belgrade Township of \$310.60 and shall not receive any further property tax income from the land commencing with the tax year 2018.
6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described there are no special assessments or debt incurred by the Town on the subject are for which reimbursement is required.
7. That the City Clerk of the City of North Mankato is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Nicollet County Auditor, and the Belgrade Township Clerk.
8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of North Mankato, Minnesota, this 21st day of October.

Mayor

ATTEST:

City Clerk

(City Seal)

PETITION FOR ANNEXATION BY ORDINANCE

IN THE MATTER OF THE PETITION FOR ANNEXATION OF
ALL THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3,
TOWNSHIP 108 NORTH, RANGE 27 WEST
BY THE CITY OF NORTH MANKATO
FOR ANNEXATION PURSUANT TO MINNESOTA STATUTES 414.033, SUBD. 2(3)

Petitioners state that the property owner or a majority of the property owners in number are required to commence a proceeding under M.S. 415.033, Subd. 2 (3).

It is hereby requested by:

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

The area proposed for annexation is described as follows:

That part of the Northeast Quarter of the Southwest Quarter of Section 3 Township 108 North Range 27 West, Nicollet County, Minnesota described as:

Commencing at the northeast corner of Outlot A, Northport No. 18, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 00 degrees 03 minutes 09 seconds East (assumed bearing) along the east line of said Outlot A, a distance of 287.22 feet to the most southerly corner of said Outlot A, said point being the point of beginning; thence continuing South 00 degrees 03 minutes 09 seconds East, along the southerly extension of the easterly line of said Outlot A, a distance of 374.10 feet to a point on the north line of Outlot A, Northport No. 19, according to the plat thereof on file and of record with the Nicollet County Recorder; thence South 89 degrees 48 minutes 22 seconds East, along said north line, 643.76 feet to the northeast corner of Lot 1, Block 1, Northport No. 19; thence North 00 degrees 00 minutes 29 seconds West, along the North-South centerline of said Section 3, a distance of 110.78, thence North 67 degrees 35 minutes 54 seconds West, 696.66 feet to the point of beginning.

Said parcel contains 3.58 acres, subject to any and all easements of record.

1. There is one property owner in the area proposed for annexation.
2. The property owner has signed this petition. (If the land is owned by both husband and wife, both must sign the petition to represent all owners.)
3. The population of the annexation area is 0.

4. Said property is unincorporated, abuts on the City's boundary, and is not included within any other municipality.
5. The area of land to be annexed, in acres, is 3.58
Platted 0 Unplatted 3,58 Total 3,58
6. The reason for the requested annexation is industrial development.
7. All of the annexation area is or is about to become urban or suburban in character.
8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to M.S. 414.0325.

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

8/29/2019
Date

Kay Ulrich
Burnett Properties, LLLP
Kay Ulrich, Trustee



Legend

- City Limits
- Medians
- Roadways
- Parcels (6-7-2018)
- Lakes & Ponds
- Minnesota River
- Nman_cty19_3inch.sid
- Red: Band_1
- Green: Band_2
- Blue: Band_3

Map Name



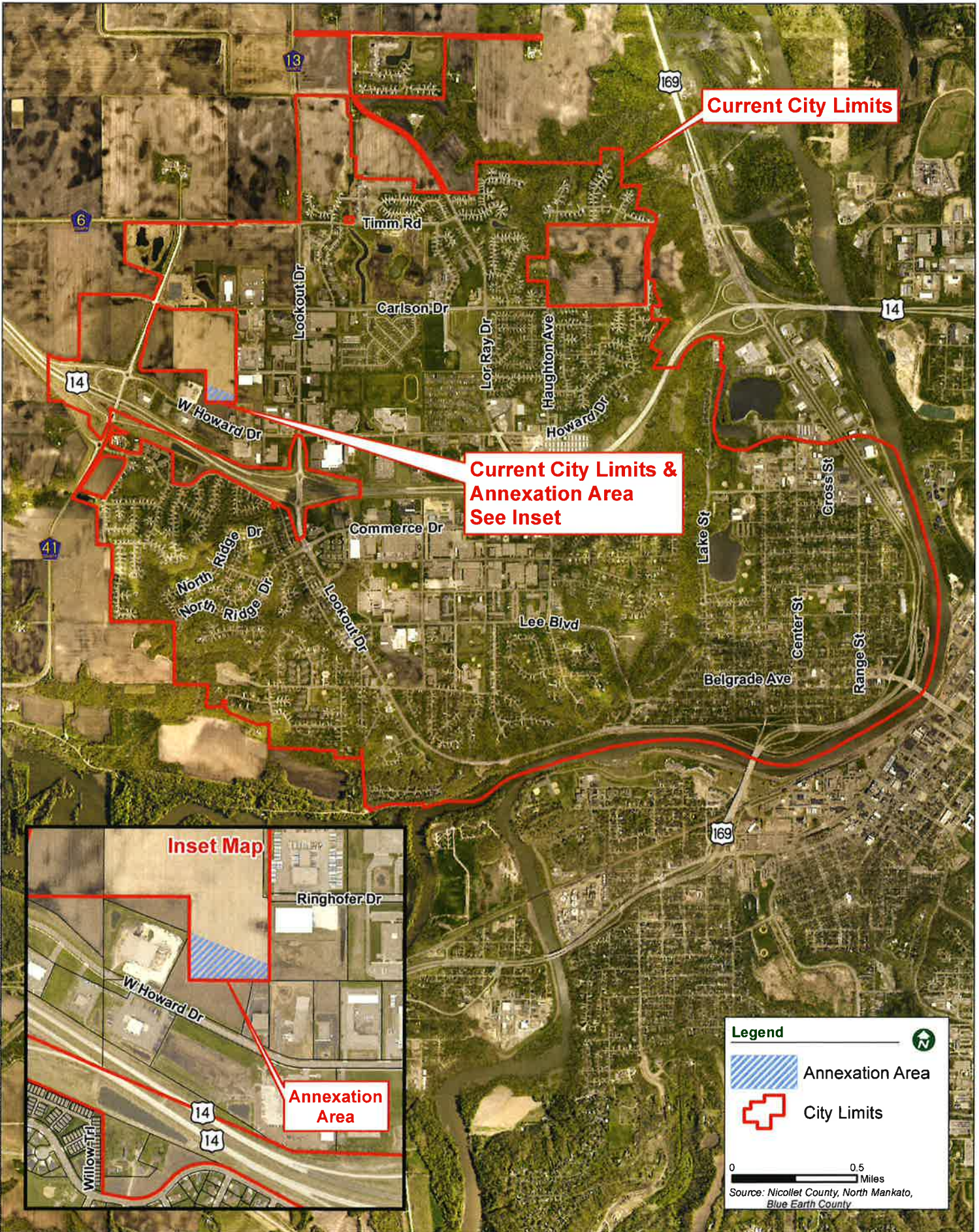
Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of North Mankato is not responsible for any errors or omissions that may appear in this drawing.

0 527 Feet

© Bolton & Menk, Inc - Web GIS 9/4/2019 10:19 AM





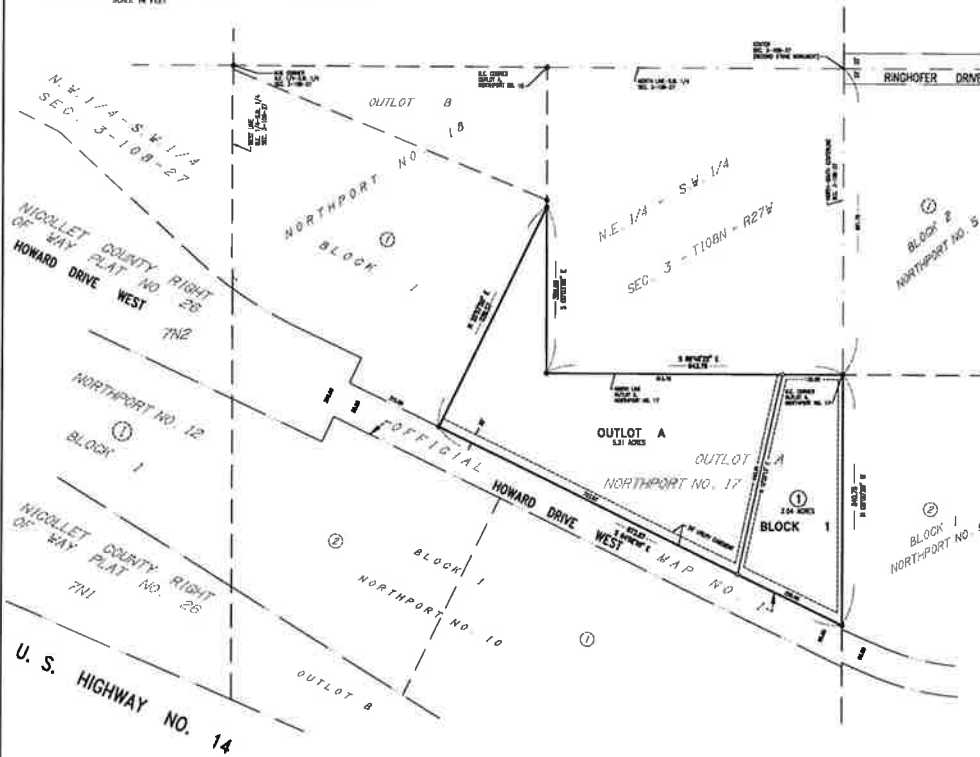
NORTHPORT NO. 19

CITY OF NORTH MANKATO

NICOLLET COUNTY, MINNESOTA



SCALE IN FEET



INSTRUMENT OF DESIGNATION

Know all men by these presents that we, the North Mankato Park Authority Commission, owners of the following described property to wit:

Outlot A, Northport No. 17, according to the plat thereof on file and of record with the Nicollet County Recorder, containing 1.28 acres.

do hereby declare that we have caused the above described property to be surveyed and platted and monuments to be set, that we have named said platted area NORTHPORT NO. 19, and that we dedicate to the public use the easements shown hereon.

Given this ____ day of _____, 2017 by the North Mankato Park Authority Commission, for cause,

David Arnold, President

NOTARY CERTIFICATE

State of Minnesota
County of Nicollet

On this the ____ day of _____, 2017, before me a Notary Public within and for said County, personally appeared David Arnold, who being duly sworn did say that he is the President of the North Mankato Park Authority Commission, and that said instrument was signed and sealed on behalf of said commission by authority of its Board of Directors, and said David Arnold acknowledged said instrument to be the free act and deed of said commission.

Notary Public

SURVEYOR'S CERTIFICATE

I, Michael R. Eichers, Licensed Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on this plat; prepared this plat or directly supervised the preparation of this plat; and that this plat is a correct representation of the surveying survey; that all measurements, data and labels are correctly designated on this plat; that all monuments indicated on this plat have been correctly set; that all water boundaries are set and labeled, as defined in Minnesota Statutes, Section 83B.01, Subd. 3, as of the date of the surveyor's certification are shown and labeled on this plat; and all public maps are shown and labeled on this plat.

Given this ____ day of _____, 2017.

Michael R. Eichers, Licensed Land Surveyor
Minnesota License No. 48864

On this the ____ day of _____, 2017, before me a Notary Public in and for said County, appeared Michael R. Eichers, and being duly sworn did say that he has executed the foregoing instrument.

Notary Public

APPROVALS

Be it known that on this the ____ day of _____, 2017, the Planning Commission of the City of North Mankato did duly review this plat of NORTHPORT NO. 19.

Chairperson

Secretary

Be it known that on this the ____ day of _____, 2017, the City Council of the City of North Mankato did duly approve this plat of NORTHPORT NO. 19, and that, as per MS 305.33, Subd. 3, this plat has been published in and written comments and recommendations have been received from the Nicollet County Highway Engineer.

Mayor

Clerk

TITLE OPINION

I, Michael R. Kennedy, City Attorney, State of Minnesota, do hereby certify that the owners as indicated hereon, represent all ownership interest in the land encompassed by this plat.

Michael R. Kennedy, Licensed Attorney

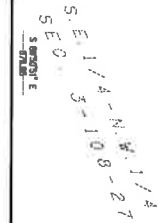
I hereby certify that there are no delinquent taxes and/or delinquent special assessments, that the current taxes have been paid and that the transfer has been entered on the land described herein on the ____ day of _____, 2017.

Property and Public Services

I hereby certify that this instrument was filed in my office for record on this, the ____ day of _____, 2017, at ____ o'clock ____ M., and that it was duly recorded on ____ Page, Number ____.

FINAL PLAT
PENDING FINAL REVIEW
(1-23-2017)

THIS PLAT PREPARED BY: [Signature] FIELD WORK: [Signature] DRAWN BY: [Signature]

[illegible]

Know all men by these presents that we, the North Meritale Port Authority Commission, owners of the following described property to wit:

[illegible]

On this the — day of _____, 2014, before me a Notary Public within and for said County, personally appeared David Arnold, who being duly sworn did say that he is the President of the North Minneca Pool Authority Commission, and that said transaction was signed and sealed on behalf of said commission by authority of its Board of Directors, and said David Arnold acknowledged said instrument to be the free act and deed of said commission.

1. Murray S. Bitt, Licensed Land Surveyor, do hereby certify that I have surveyed or directly supervised the survey of the property described on this plat, prepared this plat or directly supervised the preparation of this plat of W0060070.00. If this plat is a correct representation of the boundary survey, that all mathematical data and bearings are correctly designated on this plat; that all monuments indicated on this plat have been correctly set; that all water boundaries and wet lands, as defined in Minnesota Statute 509.01, are correctly shown on this plat; that all easements, rights of way, and other interests are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

On this the _____ day of _____, 2016, before me, Notary Public and County Clerk of Warren P. Smith, an acting duly sworn district judge both the New executed the foregoing instrument.

APPROVALS

Notary Public

It is known that on this the _____ day of _____, 2016, the Printing Commission of the City of _____, Minnesota did duly review this plat of LOT#P-087 and _____.

Chairperson	Secretary
<p>Bill Hume last won this title in 1992, and in 2014, the City Council of the City of North Dakota elected him to the position of Mayor of the City of Bismarck.</p> <p>He has been a member of the Bismarck City Council since 2008 and has been elected to the position of Mayor of the City of Bismarck in 2014.</p> <p>He has been a member of the Bismarck City Council since 2008 and has been elected to the position of Mayor of the City of Bismarck in 2014.</p>	<p>He has been a member of the Bismarck City Council since 2008 and has been elected to the position of Mayor of the City of Bismarck in 2014.</p> <p>He has been a member of the Bismarck City Council since 2008 and has been elected to the position of Mayor of the City of Bismarck in 2014.</p> <p>He has been a member of the Bismarck City Council since 2008 and has been elected to the position of Mayor of the City of Bismarck in 2014.</p>
Mayor	Clark

I hereby certify that there was _____ County Auditor/Treasurer Michael H. Kennedy, Assistant Attorney General, present at said meeting, and that the minutes were read and approved by the members of the Board of _____ of _____, 2014.

I hereby certify that this instrument was filed in my office on this _____ day of _____, 2014, at _____ M., and that it was duly recorded on page _____ of _____.

County Auditor/Treasurer

County Auditor for
THE STATE OF OHIO
PROVIDES TO: SURVEY SERVICES, INC.


EXHIBIT C

ANNEXATION REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF NORTH MANKATO AND BELGRADE TOWNSHIP

Pursuant to Minn. Stat. Sec. 414.036:

Unless otherwise agreed to by the annexing municipality and the affected town, when an order or other approval under this chapter annexes part of a town to a municipality the order or other approval must provide a reimbursement from the municipality to the town for all or part of the taxable property annexed as part of the order. The reimbursement shall be completed in substantially equal payments over not less than two nor more than eight years from the time of annexation. The municipality must reimburse the township for all special assessments assigned by the townships to the annexed property and any portion of debt incurred by the town prior to the annexation and attributable to the property to be annexed but for which no special assessments are outstanding, in substantially equal payments over a period of not less than two or no more than eight years.

In accordance with this State Statute, the City of North Mankato will reimburse Belgrade Township an annual amount based on the property taxes collected by Belgrade Township in the last year it collected taxes on any land valued over \$50,000 which the City of North Mankato annexes into its City limits. There will be no reimbursement for land valued under \$50,000 which the City annexes. Any reimbursement shall be paid for a period of five years. The City reserves the right to pre-pay at any time.



Mayor, City of North Mankato

1-16-07

Date



Belgrade Township Supervisor

1-9-2007

Date

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item #12E	Department: Administration	Council Meeting Date: 10/21/19																												
TITLE OF ISSUE: Consider Resolution Calling for a Public Hearing on Consenting to the Issuance of Educational Facility Revenue Refunding Notes (Bethany Lutheran College Project), on November 25, 2019, at noon in the North Mankato City Council Chambers.																														
BACKGROUND AND SUPPLEMENTAL INFORMATION: The public hearing will be held to consider the proposal of Bethany Lutheran College, Inc., a Minnesota nonprofit corporation that the City assist in the refinancing, in part, of certain debt associated with the acquisition, construction, and equipping of two academic facilities known as Honsey Hall and Meyer Hall, located on the Borrower's campus, 700 Luther Drive, Mankato, MN.																														
<i>If additional space is required, attach a separate sheet</i>																														
REQUESTED COUNCIL ACTION: Adopt Resolution Calling for a Public Hearing on Consenting to the Issuance of Educational Facility Revenue Refunding Notes (Bethany Lutheran College Project), on November 25, 2019, at noon in the North Mankato City Council Chambers.																														
Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Oachs</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Steiner	_____	_____	Norland	_____	_____	Oachs	_____	_____	Whitlock	_____	_____	Dehen	<div style="text-align: center; font-weight: bold; margin-bottom: 10px;">SUPPORTING DOCUMENTS ATTACHED</div> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____		Resolution	Ordinance	Contract	Minutes	Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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EXTRACT OF MINUTES OF A MEETING OF THE
CITY COUNCIL OF THE
CITY OF NORTH MANKATO, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of North Mankato, Minnesota, was duly held at the City Hall in said City on October 21, 2019, commencing at 7:00 o'clock P.M.

The following Council members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

A RESOLUTION CALLING FOR A PUBLIC HEARING
ON THE ISSUANCE OF
EDUCATIONAL FACILITY REVENUE REFUNDING NOTES
(BETHANY LUTHERAN COLLEGE PROJECT)

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

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

RESOLUTION NO. _____

A RESOLUTION CALLING FOR A PUBLIC HEARING
ON THE ISSUANCE OF
EDUCATIONAL FACILITY REVENUE REFUNDING NOTES
(BETHANY LUTHERAN COLLEGE PROJECT)

WHEREAS, Minnesota Statutes, Sections 469.152 through 469.165, relating to municipal industrial development (the "Act"), gives municipalities the power to issue revenue obligations for the purpose of promoting the welfare of the state by the active attraction and encouragement and development of economically sound industry and commerce to prevent so far as possible the emergence of blighted and marginal lands and areas of chronic unemployment; and

WHEREAS, the City of North Mankato, Minnesota (the "City"), has received from Bethany Lutheran College, Inc., a Minnesota nonprofit corporation and 501(c)(3) organization (the "Borrower"), a proposal that the City assist in the refinancing, in part, of certain debt associated with the acquisition, construction, and equipping of two academic facilities (the "Refinancing") known as Honsey Hall and Meyer Hall (the "Facilities"), located on the Borrower's campus, 700 Luther Drive, in the City of Mankato, Minnesota (the "Host"), through the issuance of revenue notes or obligations (in one or more series) (the "Notes") to be issued pursuant to the Act; and

WHEREAS, before proceeding with consideration of the request of the Borrower it is necessary for the City to hold a public hearing on the proposal pursuant to the Act:

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

1. The City designates the Port Authority of the City of North Mankato, Minnesota (the "Authority") to hold the public hearing on its behalf, and requests that the Authority submit a transcript of the proceedings to the City prior to the City giving its final approval to the issuance of its Notes for the Refinancing. The public hearing on the proposal of the Borrower will be held at the time and place set forth in the form of Notice of Public Hearing attached hereto as Exhibit A. An estimate of the aggregate principal amount of Notes to be issued are described in the Notice of Public Hearing.

2. Briggs and Morgan, Professional Association, acting as bond counsel for the Refinancing, is hereby authorized and directed to cause the submission of notice of the hearing for publication in the official newspaper of the City and a newspaper of general circulation available in the City, not less than 14 days nor more than 30 days prior to the date fixed for the hearing, substantially in the form of the attached Notice of Public Hearing.

Adopted by the City Council of the City of North Mankato, Minnesota, this 21st day of October, 2019.

Mayor

ATTEST:

City Clerk

STATE OF MINNESOTA
COUNTIES OF BLUE EARTH
AND NICOLLET
CITY OF NORTH MANKATO

I, the undersigned, being the duly qualified and acting City Clerk of the City of North Mankato, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City duly called and held on the date therein indicated, insofar as such minutes relate to calling for a public hearing on approving the issuance of educational facility revenue obligations.

WITNESS my hand this ____ day of _____, 2019.

City Clerk

EXHIBIT A

NOTICE OF PUBLIC HEARING ON A PROPOSAL FOR THE ISSUANCE OF EDUCATIONAL FACILITY REVENUE REFUNDING NOTES (BETHANY LUTHERAN COLLEGE PROJECT)

Notice is hereby given that a public hearing shall be conducted by the Board of Commissioners of the Port Authority of the City of North Mankato, Minnesota (the "Authority"), on Monday, November 25, 2019 at 12:00 P.M., at the City Hall of the City of North Mankato, Minnesota (the "City"), located at 1001 Belgrade Avenue in the City, on behalf of the City, to consider the proposal of Bethany Lutheran College, Inc., a Minnesota nonprofit corporation (the "Borrower"), that the City assist in the refinancing, in part, of certain debt associated with the acquisition, construction, and equipping of two academic facilities (the "Refinancing") known as Honsey Hall and Meyer Hall (the "Facilities"), located on the Borrower's campus, 700 Luther Drive, in the City of Mankato, Minnesota (the "Host"), and to finance certain other costs related to the Refinancing, by the issuance of revenue notes or other obligations in an amount not to exceed \$5,750,000 pursuant to Minnesota Statutes, Sections 469.152 to 469.165, as amended. The Facilities are owned and operated by the Borrower.

The notes or other obligations, as and when issued, will not constitute a charge, lien or encumbrance upon any property of the City or the Host, except the Facilities and the revenues to be derived from the Facilities. Such notes or obligations will not be a charge against the City's or Host's general credit or taxing powers, but will be payable from sums to be paid by the Borrower pursuant to a revenue agreement.

Draft copies of the proposed applications to the Commissioner of the Department of Employment and Economic Development, State of Minnesota, for approval of the Refinancing, together with all attachments and exhibits thereto, are available for public inspection during normal business hours, Monday through Friday, at the City Hall of the City.

At the time and place fixed for the public hearing, all persons who appear at the hearing shall be given an opportunity to express their views with respect to the proposal. In addition, interested persons may file written comments respecting the proposal with the Executive Vice President of the Port Authority of the City of North Mankato, Minnesota at or prior to the public hearing.

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

By April Van Genderen
Its City Clerk