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 January 7, 2019. Mayor Dehen called the meeting to order at 7:00 p.m. asking that everyone join in the Pledge of Allegiance. Judge Bradley Walker of the District Court gave the Oath of Office to newly elected Council Member Oachs, Council Member Norland, and Mayor Dehen. The following were present for roll call: Mayor Dehen, Council Members Whitlock, Steiner, Norland, and Oachs, City Administrator Harrenstein, City Attorney Kennedy, Finance Director McCann, Community Development Director Fischer, Public Works Director Host, and City Clerk Van Genderen.

#### Approval of Agenda

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

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

Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council meeting of December 17, 2018. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.

#### **Proclamation**

WHEREAS, all children in North Mankato should have access to the highest-quality education possible; and

WHEREAS, North Mankato recognizes the important role that an effective education plays in preparing all students in North Mankato to be successful adults; and

WHEREAS, quality education is crucial to the economic vitality of North Mankato; and

WHEREAS, North Mankato is home to a variety of high-quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

WHEREAS, educational variety not only helps to diversify our economy but also enhances the vibrancy of our community; and

WHEREAS, North Mankato has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools, and organizations to raise awareness of the need for effective educational options;

NOW THEREFORE I, Mark Dehen, Mayor of North Mankato, proclaim January 20-26, 2019 as:

#### NORTH MANKATO SCHOOL CHOICE WEEK

And I call this observance to the attention of all of our citizens.

#### Public Hearing, 7 pm-City Code Chapter 157 Short-Term Rentals

Community Development Director Fischer reported the Planning Commission spent time reviewing the proposed ordinance to regulate short-term rentals, often known as Airbnb's or Vrbo's. The Ordinance would require a \$50.00 application fee, and \$45.00 license fee plus a rental inspection before a property could be used as a short-term rental. Short-term rentals would not affect the rental density cap. The goal is to ensure rental properties are safe for renters. Community Development Director Fischer reviewed occupancy, parking requirements, and the rental strike system.

Kim Spears, 916 South Avenue, appeared before Council and questioned the need to regulate the short-term rentals.

#### **Consent Agenda**

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

- A. Bills and Appropriations.
- B. Res. No. 1-19 Approving Donations/Contributions/Grants.
- C. Set Public Hearing for 7 pm on January 22, 2019, for Revision of Code of Ordinances.
- D. Res. No. 2-19 Approving City Council Committee Assignments.
- E. Appointed Boards and Commission Members.
- F. Res. No. 3-19 Approving Consent Assessment.-1805 Marie Lane.
- G. Approved Audio Permit for the Anthony Ford Pond Hockey Tournament January 25-27, 2019, from 8:00 am to 5:00 pm each day.
- H. Res. No. 4-19 Setting Gas Mileage Reimbursement Rate.
- I. Res. No. 5-19 Designating Official Newspaper.
- J. Res. No. 6-19 Designating Depositories for the City of North Mankato.
- K. Res. No. 7-19 Allowing the On-Sale of Alcohol at Caswell Regional Sporting Complex.
- L. Approved Park and Audio Permit for the International Brotherhood of Electrical Workers Picnic on August 17, 2019, at Spring Lake Park Shelter #1 with Audio from 2:00 pm to 4:00 pm.

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

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

<u>Barb Church</u>, 102 Wheeler Avenue, appeared before Council and expressed concern about the proposed Auto Read Water meters, specifically survey results, possible bonding, and proposed benefits.

Phil Henry, 1300 Noretta Drive, appeared before Council and stated watering Caswell Park is expensive.

Tom Hagen, 927 Lake Street, appeared before Council and expressed concerns about the proposed Auto Read Water meters, specifically the use of two systems.

#### **Business Items**

Ordinance No. 111, Fourth Series An Ordinance of the City of North Mankato, Minnesota, Amending North Mankato City Code, Title XV, Land Usage, Chapter 157 Short-Term Rentals.

Council Member Norland thanked staff for reviewing short-term rentals and proposing an Ordinance to help ensure that the properties are well managed and safe.

City Administrator Harrenstein reported staff reviewed short-term rentals because they were uncertain if they could exist without an ordinance and staff wanted to make them available to the public. The Planning Commission wrestled with the ordinance before forwarding it to the Council for approval.

Mayor Dehen stated he approved of the Short-Term Rentals not affecting the rental density cap. Council Member Oachs requested clarification on if insurance would be required for the short-term rentals. Community Development Director Fischer reported no requirements were made.

Council Member Norland moved, seconded by Council Member Steiner to Adopt Ordinance No. 111, Fourth Series An Ordinance of the City of North Mankato, Minnesota, Amending North Mankato City Code, Title XV, Land Usage, Chapter 157 Short-Term Rentals. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.

# Res. No. 8-19 Receiving Feasibility Report and Calling Hearing for Project No. 18-07 ABCDEF Tyler Avenue Improvement Project.

City Engineer Sarff appeared before Council and presented the feasibility study for Project No. 18-07 ABCDEF Tyler Avenue Improvement Project. He reported the area for improvement was on Tyler Avenue between Cross Street and Range Street. The street and utilities are over 65 years old, and the project is included in the 2019 Capital Improvement Plan. City Engineer Sarff reviewed the sanitary sewer conditions, the watermain, storm sewer, and street and surface along with the proposed improvements for the project. He reported there were 21 existing boulevard trees and it is recommended to remove 16 trees. Seven of the trees are ash which are scheduled to be removed, one is unhealthy, four are too large for the boulevard, and four are misshapen and damaged by trimming for the power line. City Engineer Sarff indicated the City would offer replacement trees for those removed, but the trees will need to be placed in the yards as the boulevard will be too small. City Administrator Harrenstein reported the City tries to preserve trees when possible, but must consider the hardship on the trees during the reconstruction process which may make the tree a danger to the residents due to instability. City Engineer Sarff reported that staff reviewed the Complete Streets Policy and reviewed pedestrian accommodation requirements and 5 foot wide ADA accessible sidewalks will be constructed on both sides of the street. Staff also reviewed bicycle accommodations and determined the addition of on-street or off-street bicycle lanes are not considered feasible for this project. City Engineer Sarff reviewed the estimated project cost: Street-\$284,000, Storm Sewer-\$71,500, Sanitary Sewer Mainline-\$21,000, Watermain Mainline-\$58,600, and Water Services-\$35,300 for a total estimated project cost of \$521,600. City Engineer Sarff reviewed the City Assessment Policy and reported the estimated assessments per property ranged from \$11,600 to \$13,830. He stated the City has in the past used an assessment cap and is recommending an assessment cap of \$6,000 which is the same as what was used on the Jefferson Avenue project. City Engineer Sarff reported the assessments would meet the 20% requirement for a General Obligation Bond. City Administrator Harrenstein noted that to complete City improvements, certain projects are governed under State Statute 429. Attorney Kennedy noted that assessment must reflect the benefit to the property. City Administrator Harrenstein requested the City Engineer review what will happen if the City changes the trajectory of the sewer. He noted some residents had indicated sewer backups following changes to sewer trajectory after other similar projects. Council Member Whitlock indicated he had been approached concerning ensuring street lights were considered during the project. City Engineer Sarff reported a cost allowance was included in the Tyler Avenue project. Council Member Norland reported she had driven through the area and noted the sidewalks were in rough condition. City Engineer Sarff reported some of the sidewalks were in rough condition, but some had recently been replaced and that may need to be factored into the assessment process.

Council Member Steiner moved, seconded by Council Member Norland to adopt Res. No. 8-19 Receiving Feasibility Report and Calling Hearing for Project No. 18-07 ABCDEF Tyler Avenue Improvement Project. Vote on the motion: Whitlock, Steiner, Norland, Oachs, and Dehen aye; no nays. Motion carried.

#### Receive Information on Auto Read Water Meters.

City Administrator Harrenstein reported that a survey was completed in 2018 with approximately 61% of respondents indicating they did not want to pay for the amenity of self-read meters. He indicated the City listened and will not be mandating the service, but the City is listening to those who do want the service. City Administrator Harrenstein stated the City would not be borrowing money to move forward with the program. The meters will be the new standard meter for new construction, and water meter replacements must have the new meter. Individuals who are interested in an auto-read water meter may request one. Council Member Steiner requested clarification on if it would be mandated. City Administrator Harrenstein clarified at this time it would not be mandated, he could not foresee the will of the Council.

Public Works Director Host reviewed the Auto Read Water Meter information including the procurement process, which included five (5) companies. He reported the City chose Ferguson Waterworks. The system includes a belt clip receiver and a tablet. City employees will drive through the community to obtain the water readings. The results will include daily graphing, high usage detection, and leakage detection. The City will stock a supply of the new meters and residents can request the installation of the new meters. City staff will read the auto meters on or near the first of the month with a data drop to the City's utility billing system Tyler Technologies. Public Works Director Host reported the cost for meters: 5/8"-\$190.95, 3/4"-\$267.53, 1"-\$345.20, 1-1/2"-\$716.64, 2", 3" and 4" will also be available. City staff will install the meters at a \$42.00 rate with a 1-hour minimum. Homeowners may also request a professional plumber install the meters. The cost to the City includes the reader and tablet for approximately \$2500.00, and with the use of the Tiered Software, the cost per installed meter is \$0.75 per meter in service. No additional cost will be added to the residents' utility bill for the use of the meter. Council Member Whitlock requested clarification if the new meters were installed on the Jefferson Avenue Project. Public Works Director Host reported the plan is to install the meters in the houses affected by the Jefferson Avenue Project. City Administrator Harrenstein reported the plan would be to install the new meters during most reconstruction projects and the cost will be included in the assessment to the property. Council Member Oachs reported she was not in favor of the project, but sees how in the long run it could benefit the City. She requested clarification on any additional fees included on the utility bill. City Administrator Harrenstein reported the resident would pay for the meter and installation, but there will not be any monthly fee. Mayor Dehen stated while he was campaigning door to door, many residents requested clarification on why the City has not moved to auto read meters. Public Works Director Host reported the new system would have a minimal impact on utility staff because the City has approximately 7500 meters and staff should be able to read those meters in approximately 3 to 4 hours. Council Member Oachs requested clarification on software security. Public Works Director Host reported the system is a web-based software and Ferguson Waterworks secures the site.

#### **Open Forum**

Patrick Baker, 3 Civic Center Plaza, appeared before Council on behalf of Greater Mankato Growth and encouraged the City Council to consider indoor recreation options. Mr. Baker reported Greater Mankato Growth would support the planning, the facility and a community request for bonding dollars with the goal of making the region a hub for amateur sports.

<u>Derek Brown, 204 Queens Court,</u> appeared as President of the Tennis Association and requested Council consider an indoor facility that would accommodate court activities.

<u>Earle Peters, 140 Marion Lane, Mankato,</u> appeared before Council on behalf of Mankato Area Pickleball Association and encouraged the Council to consider an indoor sports facility that would accommodate court activities such as pickleball.

<u>Barb Church, 102 Wheeler Avenue,</u> appeared before Council and encouraged Council to create criteria for the use of the sales tax dollars before meeting with user groups.

Rich Lund, President of the Mankato Soccer Association, appeared before Council and reported there were over 1600 youth players and he was there to support indoor sports facility that would accommodate court activities that may also be used for soccer. He was also excited to announce that the greater Mankato area would have an additional entertainment option hosted at the North Mankato Caswell Soccer fields because Mankato United has been awarded the Women's Premier Soccer League franchise and will be launching in late summer or early fall. Mr. Lund thanked City Administrator Harrenstein and Caswell Sports Director Tostenson for their assistance in putting the proposal together.

Matt Mangulis, of the Mankato Area Girls Fastpitch Association, appeared before Council and thanked North Mankato for being a good partner and supporter of MAGFA.

<u>Tom Hagen, 927 Lake Street</u>, appeared before Council and requested an apology for the December 3, 2018, presentation on taxes that was based on 11 homes, which included his.

<u>Kim Spears, 916 South Avenue,</u> appeared before Council and requested clarification on if the auto read water meters had batteries and their life expectancy. Public Works Director Host reported the batteries had a 20-year warranty.

Phil Henry, 1300 Noretta Drive, appeared before Council and wanted to remind people to wear reflective clothing for visibility when walking or biking at night. Mr. Henry also reviewed an article in the Free Press with information from State Auditor Rebecca Ott in which he reported she said debt service should not be more than 20% of a budget and he indicated North Mankato's is 35%. Mayor Dehen reported that the City Council has taken steps to pay down the debt as quickly as possible.

#### City Administrator and Staff Comments

City Administrator Harrenstein thanked the recreation groups for coming out and reporting on unmet needs. He thanked the volunteers who filled the user groups' boards for all of their hard work in bringing professional groups to the area and supporting all ages of sports. He requested direction from the Council concerning the use of Sales Tax dollars.

Public Works Director Host reported the warming house would be open for the Anthony Ford Pond Hockey Tournament. He also mentioned that the street department would be rolling out the new tandem truck with snow plow.

#### **Mayor and Council Comments**

Council Member Oachs thanked the public for the opportunity to serve and stated she looked forward to working with the Council Members.

Council Member Whitlock reported he toured the warming house and it is beautiful and thanked Mr. Peters for speaking on behalf of the pickleball association.

Council Member Norland reported an erratic driver and encouraged people to drive safely.

Council Member Steiner reported the Nicollet County Board gave an additional \$5,000 to the North Mankato Taylor Library.

Mayor Dehen reported the Anthony Ford Pond Hockey tournament will be held on January 25-26, 2019.

Mayor Dehen reported Mankato/North Mankato was listed as the 9<sup>th</sup> safest city. Mayor Dehen noted that January 10, 2019, would be North Mankato's 120<sup>th</sup> Anniversary.

There being no further business, on a motion by Council Member Norland, seconded by Council Member Steiner, the meeting adjourned at 8:58 p.m.

	Mayor	
City Clerk		

Pursuant to due call and notice thereof, a Council Work Session of the North Mankato City Council was held in the North Mankato Police Annex on January 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 Norland, Oachs, Whitlock, and Steiner, City Administrator Harrenstein, Finance Director McCann, and City Clerk Van Genderen.

City Administrator Harrenstein opened the meeting by explaining the purpose of the Council Work Sessions. The purpose is to create an opportunity for open discussion between Council Members and Council Members and staff. No formal decisions will be made during the Council Work Sessions, and Robert's Rules of Order will not govern the discussions.

#### **Scam Prevention Utility Flyer**

Council Member Norland reported a personal experience with a scammer where she almost lost some money, because of this experience Council Member Norland is working with Police Chief Gullickson, Library Director Heintz and Victim/Witness Coordinator Bonnie Petersen from Nicollet County to educate the public. The team is willing to present to local groups concerning potential scams and providing handouts at the library. A letter will be going out in an upcoming utility bill highlighting the availability of the offerings.

#### St. Cloud Bonding

City Administrator Harrenstein reported St. Cloud has made a 24 million dollar plan to expand their sports facility and leaders plan to ask for \$16.2 million in bonding from the legislature. He reported that it would be wise for the City of North Mankato to lay the groundwork for a bonding request in 2019, as the next bonding year is 2020. City Administrator Harrenstein reported meetings had been held with a variety of stakeholders. The City did consult with the Minnesota Amateur Sports Commission who did not discourage the City from applying for legislative bonding money. The request should have the type of facility, what the City can afford, user groups, and operation costs. City staff will have a final report by the end of the month. Mayor Dehen reported most requests that go to the Minnesota Amateur Sports Commission are for new facilities and that is why the Sports Commission has not deterred the City from requesting bonding from the legislation. Caswell Park is in need of rehabilitation by way of upgrading concessions, lights, restrooms, and reconfiguring the parking lot. He noted any indoor recreation must fund itself and have a Proforma that works by partnering with user groups and other forms of revenue. The goal would be to increase traffic in the area promoting economic growth. He noted Mankato had the State legislature authorize a 1% Food & Beverage Tax but only enacted ½%, but they can change to a 1% when Council decides to increase the tax. He noted North Mankato could ask the state legislature to authorize a Food & Beverage Tax but wait to enact until needed. City Administrator Harrenstein noted that Caswell Park is absolutely worth state bonding because it has been the home of MSHSL for over 30 years, and has visitors from outside the state and country. The City has enjoyed Caswell Park for 30 years, and for the park to maintain its regional and national status, the City must invest in the park.

Council Member Norland requested clarification on a possible indoor recreation center. Mayor Dehen indicated the building must account for both tournament and practice opportunities. City Council must also explore options for community uses. Council Member Norland requested clarification on if the School District had reached out concerning pool space. City Administrator Harrenstein reported the district is in its long-range planning and they will continue to review options.

Council Member Oachs wanted to know if the City knew how much user groups were willing to pay. Mayor Dehen reported staff knew some of that information but that will continue to be discussed and will be brought back at a later time.

Mayor Dehen stated the Local Option Sales Tax dollars are last dollar in, because the City does not want to go to property owners to support the facility, and the goal would be to use Food & Beverage Taxes rather than property taxes.

Council Member Steiner requested clarification on when Local Option Sales Tax dollars would become available. City Administrator Harrenstein reported that information would be brought forward at the next Council Work Session. Mayor Dehen noted the City would probably not be ready to move forward until 2021 or later. Mayor Dehen also requested Finance Director McCann to review the Sales Tax dollars as additional revenue should be coming in due to sales tax on internet sales.

Council Member Whitlock reported he liked that there was a varied approach and not just relying on Sales Tax but approaching the legislature, user groups, and other options.

Council Member Oachs noted she liked that increased visitors would increase taxes and spur growth.

Council Member Norland indicated this facility could also encourage a healthy North Mankato and provide additional opportunities for women athletes.

Council Member Norland requested clarification on possibly having the park sponsored. City Administrator Harrenstein reported this is the second year staff has sold sponsorships, and they are looking for additional opportunities.

#### **Draft Legislative Priorities for 2019**

City Administrator Harrenstein reported the resolution would include Caswell bonding dollars, a 1% Food & Beverage Tax authorization and a grant request for expansion of transit services to residents. City Administrator Harrenstein reported the transit pilot results would be completed later this year and the results will be reviewed, but there is an opportunity to consider an expanded/different service that would be more on call. Additional information will be brought before Council at the January 28, 2019, Council Work Session.

#### Strategic Plan Review

City Administrator Harrenstein reviewed the structure of the Strategic Plan and stated a review/updates on the progress would be provided in the coming months. He did request Council provide feedback and suggestions.

#### **Council Handbook Overview**

City Council will review the Handbook and ask questions at the next Council Work Session.

#### **Huntley Wilmarth Update**

City Administrator Harrenstein provided background on the project. The project is a large 345 KV transmission line connecting the Huntley line to the Wilmarth line. The City Council has passed a resolution opposing one of the proposed lines which runs near County Road 41 which is planned by the City for residential development. He stated the latest action was a draft environmental impact from the Department of Commerce which was positive for North Mankato because it recognized that the proposed lines are detrimental to residential areas and planned residential growth and provided alternative routes. Mayor Dehen encouraged everyone to attend a meeting on the Huntley-Wilmarth line on January 30<sup>th</sup> from 1 pm to 6 pm at the Courtyard by Marriott Hotel in Mankato. Mayor Dehen stated the City's Comprehensive Plan has been beneficial during this process to show planned expansion and growth.

Mayor Dehen closed the Council Workshop at 1:05 p.m.

Mayor	
Mayor	

# CITY OF NORTH MANKATO REQUEST FOR COUNCIL ACTION



Agenda Item # 8	Dept: Com. D	evelopment	Council Meeting Date: 1/22/19		
TITLE OF ISSUE: Public Hearing -7 p	m Revision of	Code of Ordinanc	es.		
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BACKGROUND AND SUPPLEMENTAL INFORMATION: Minnesota Statutes authorize the City to cause its ordinances to be revised, updated and compiled. The Ordinances adopted since the last codification on April 2, 2018, will be codified. Exhibit A outlines proposed revisions to the City Code of North Mankato. The Planning Commission reviewed the proposed revisions, Community Development Director Fischer will review the Planning Commission's recommendations.					
			lf additional space is required, attach a separate s	sheet	
-	REQUESTED COUNCIL ACTION: Public Hearing.				
For Clerk's Use:		SUPPORTI	NG DOCUMENTS ATTACHED		
Motion By:Second By:		Resolution Ordinano	e Contract Minutes Map		
Vote Record: Aye NayWhitlock		Other (specify)	Notice of Public Hearing		
Steiner		0	Exhibit A		
Norland Oachs		? <del></del>			
Dehen		) <del></del>			
Workshop		Refer	o:		
X Regular Meeting		Table	until:		
Special Meeting		Other:	? <del></del>		

# The Free Press 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: 01/11/19, 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:

4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: 31.51.

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.

#### **Public Hearing**

January 11, 2019
NOTICE OF PUBLIC HEARING
TO AMEND NORTH MANKATO
CITY CODE

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, at 7 p.m. on the 22nd day of January 2019, to hold a public hearing to amend the City Code of North Mankato to include all Ordinances adopted by the City Council in 2019 and other amendments to the Code as necessary. Such persons as desire to be heard concerning the proposed amendment to the City Code will be heard at this meeting. Dated this 7th day of January 2019. April Van Genderen City Clerk City of North Mankato, Minnesota

FURTHER YOUR AFFIANT SAITH NOT.

Steve Jameson, Publisher

Sworn to and subscribed before me, this day 01/11/2019

Notary Public

SHARON L. TOLAND Notary Public-Minnesota My Commission Expires Jan 31, 2021

#### **NOTICE OF PUBLIC HEARING**

#### TO AMEND NORTH MANKATO CITY CODE

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, at 7 p.m. on the 22<sup>nd</sup> day of January 2019, to hold a public hearing to amend the City Code of North Mankato to include all Ordinances adopted by the City Council in 2019 and other amendments to the Code as necessary.

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

Dated this 7<sup>th</sup> day of January 2019.

April Van Genderen City Clerk City of North Mankato, Minnesota

#### ORDINANCE NO. 112, FOURTH SERIES

# AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF NORTH MANKATO, MINNESOTA REVISING, UPDATING AND

COMPILING CERTAIN ORDINANCES OF THE CITY DEALING WITH THE SUBJECTS EMBRACED IN THE CODE OF ORDINANCES, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE CODE OF ORDINANCES

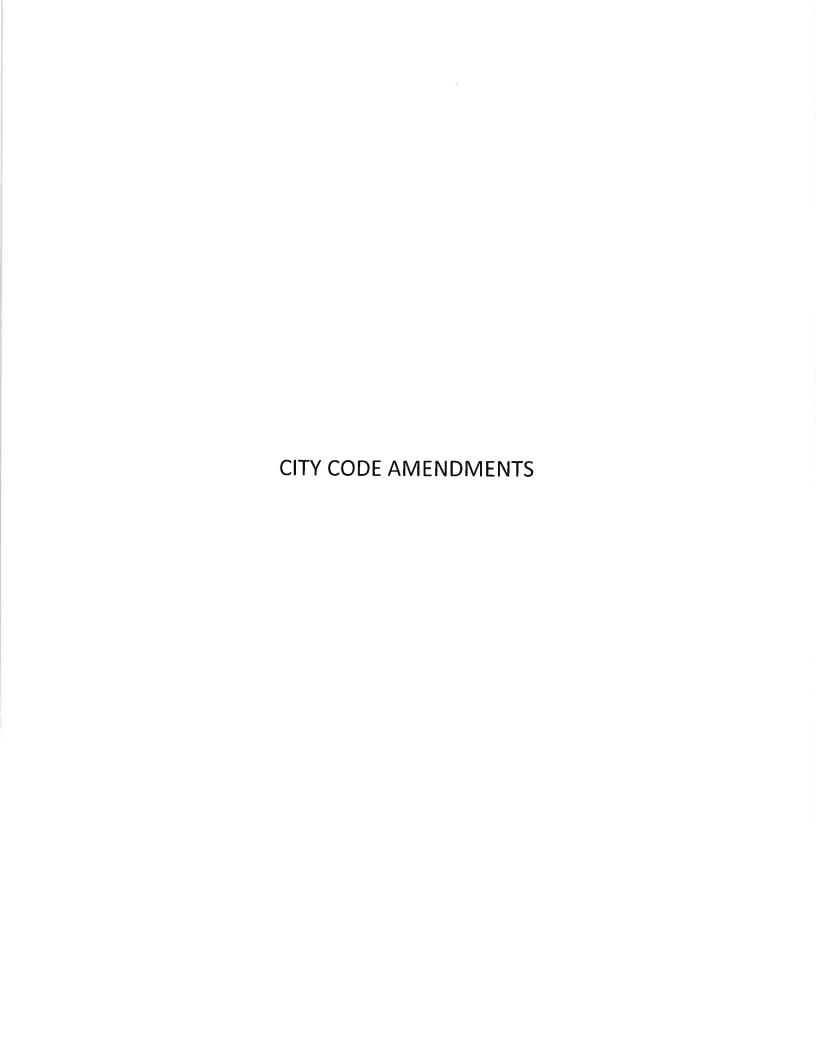
WHEREAS, Minnesota Statutes Section 415.02 and 415.021 authorize the City to cause its ordinances to be revised, updated and compiled;

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

- **Section 1**. All portions of the City of North Mankato Code will be revised as outlined in Exhibit A attached; and
- **Section 2.** Ordinance Nos. 93, 103, 104, 105, 106, 107, 108, 109, 110, and 111 Fourth Series, are incorporated into the revised Code of Ordinances;
- **Section 3.** This ordinance amending the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published in the City's official newspaper. The City Clerk shall cause a substantial quantity of the amended Code of Ordinances to be printed for public distribution to the public at actual cost and shall furnish a copy of the amended Code of Ordinances to the County Law Library or its designated depository. The official copy of this amended Code of Ordinances shall be marked and kept in the Office of the City Clerk.
- **Section 4.** The Code of Ordinances is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by Minnesota Statutes by the Courts of the State of Minnesota.
- **Section 5.** This ordinance amending the Code of Ordinances shall take effect upon publication of this ordinance in the City's official newspaper.

Adopted by the City Council of the City of North Mankato this 22<sup>nd</sup> day of January 2019.

ATTEOT	Mayor	
ATTEST:		
City Clerk		



#### THE CITY OF NORTH MANKATO

SUBJECT:

City Code Amendments

APPLICANT:

City of North Mankato

LOCATION:

**EXISTING ZONING:** 

-

DATE OF HEARING:

December 13, 2018

DATE OF REPORT:

December 6, 2018

REPORTED BY:

Mike Fischer, Community Development Director

#### APPLICATION SUBMITTED

Request to consider annual City Code amendments

#### COMMENT

On an annual basis, staff prepares City Code amendments for review and adoption. The purpose of the amendments is to make adjustments and additions to City Code language in an attempt to make the regulations understandable by the citizens and for consistent enforcement by staff. In some cases the amendments are simply typos or minor adjustments to code language. Otherwise, code language had been created or modified to address reoccurring issues staff encounters annually.

Attached are proposed City Code amendments for your review and consideration. Your recommendations will be forwarded to the City Council for their consideration as well.

#### RECOMMENDATION

Staff recommends approval of the City Code amendments

#### § 156.044 B-3, GENERAL COMMERCIAL DISTRICT.

- (A) *Purpose*. The General Commercial District is intended to establish a district of providing the broadest range of retail, wholesale, service, and commercial activities.
- (B) Special requirements. Every use, unless expressly exempted by this division, shall be operated in its entirety within a completely enclosed structure; the exemption of a use from the requirement of enclosure will be indicated by the phrase "need not be enclosed" appearing after any use exempted.
  - (C) Permitted uses.
    - (1) The following are permitted uses:
      - (a) Antique store.
      - (b) Apparel store.
      - (c) Appliance store.
      - (d) Art gallery, studio, school or supply store.
      - (e) Bakeries, retail.
      - (f) Banks, savings and loans or finance companies.
      - (g) Barber and beauty shops.
- (h) Bars, taverns and cocktail lounges licensed to sell soft drinks, beer malt, or alcoholic beverages on sale, off sale or both.
  - (i) Book store.
  - (j) Bowling alley.
  - (k) Business machine store.
  - (1) Business, trade or commercial school.
  - (m) Camera and photographic studio and supply.
  - (n) Candy, ice cream, confectionary store.
  - (o) Car sales lots, need not be enclosed.
  - (p) Catalog service and mail order house.
  - (q) Caterer.
  - (r) Cemetery, memorial garden, need not be enclosed.
  - (s) Churches.
  - (t) Clinic, dental or medical, but not animal clinic.
  - (u) Club or lodge.
  - (v) Community centers, parks or public buildings.
  - (w) Convent, monastery or similar institution for religious training.
  - (x) Conventions, or meeting facility.
  - (y) Dairy store.
  - (z) Dance studio.
  - (aa) Day cares.
  - (bb) Delicatessen.
  - (cc) Driveways.
  - (dd) Drug store.
  - (ee) Essential public utility and service structures.
  - (ff) Fences.
  - (gg) Floral and garden supply including nursery, need not be enclosed.
  - (hh) Gift, novelty or souvenir store.
  - (ii) Grocery store.
  - (ii) Hardware store.

- (kk) Hobby store.
- (ll) Hotels and motels.
- (mm) Institution of religious, charitable or philanthropic nature.
- (nn) Interior decorating store and supply.
- (00) Janitorial services.
- (pp) Laboratory, medical or dental.
- (qq) Laundry or dry-cleaning.
- (rr) Leather goods store retail only.
- (ss) Libraries, auditoriums, museums, or other cultural institutions.
- (tt) Locksmith or key stand, need not be enclosed.
- (uu) Medical appliance sales and fittings.
- (vv) Medical intern or resident doctor's quarters.
- (ww) Mortuary, funeral home.
- (xx) Motorcycle shop.
- (yy) Office condominium.
- (zz) Office of any type.
- (aaa) Optical services and supply.
- (bbb) Parking of vehicles, need not be enclosed.
- (ccc) Pet store, including animal clinic.
- (ddd) Private recreation facilities; tennis court, golf club, swimming pool.
- (eee) Public and private utilities.
- (fff) Rehabilitation center for handicapped persons.
- (ggg) Restaurants or other eating places including drive-ins.
- (hhh) School, public or private.
- (iii) Shoe repair shops.
- (jjj) Sporting goods store.
- (kkk) Stationery store.
- (lll) Tailor shops.
- (mmm) Theater.
- (nnn) Toy store.
- (000) Travel bureau or ticket agency.
- (ppp) Variety stores.
- (2) Every permitted use allowed shall be constructed on a permanent foundation and be connected to municipal utilities.
  - (3) Only 1 business permitted per lot except when located in the same structure.
  - (D) Conditional uses. The following uses may be permitted:
    - (1) Automobile wash, service or repair;
    - (2) Convenience store;
    - (3) Taxidermist;
    - (4) Home and building supply store;
    - (5) Pawnshop;
- (6) Dwelling units located in business establishments above the ground floor as regulated by this section;
- (7) Landing or take-off area for rotorcraft, not including maintenance, repair, fueling, or hangar facilities;

- (E) Accessory uses. The following is a permitted use: Storage buildings associated with the permitted use not exceeding 600 square feet.
  - (F) Lot area.
- (1) For each permitted or conditional use there shall be provided not less than 15,000 square feet of lot area.
- (2) For each dwelling unit located in business establishments above the ground floor there shall be provided 1,000 square feet of lot area in addition to that amount required for the business establishment.
  - (G) Lot width and depth.
- (1) Lot width. Every lot upon which there is a permitted or conditional use shall require a minimum width of 100 feet at the building setback line.
- (2) Lot depth. Every lot or plot upon which there is a permitted or conditional use shall require a minimum depth of 150 feet.
  - (H) Yard regulations.
    - (1) The minimum yard regulations are as follows:

<u></u>	
Front Yard:	
Main and Accessory Buildings	15 feet
Parking Areas	10 feet
Side Yards:	
Main and Accessory Buildings	10 feet
Parking Areas	10 feet
Rear Yard:	
Main and Accessory Buildings	15 feet
Parking Areas	10 feet

- (2) Where a lot is located at the intersection of 2 or more streets there shall be a front yard on each side street.
- (I) Ground coverage. Not more than 70% of a lot shall be covered by all main and accessory buildings.
- (J) Height regulations. No structure hereafter erected or altered shall exceed 3 stories or 45 feet in height. Accessory buildings shall not exceed 1 story in height. (1975 Code, § 11.14) (Am. Ord. 30, passed 2-22-1983; Am. Ord. 8, 4th Series, passed 1-16-2007; Am. Ord. 17, 4th Series, passed 1-17-2008; Am. Ord. 30, 4th Series, passed 1-4-2010; Am. Ord. 79, 4th Series, passed 8-1-2016)

#### § 93.01 UNLOADING ON STREET OR SIDEWALK.

No person shall unload any heavy material in the streets of the city by throwing or letting the material fall upon the pavement of any street, alley, sidewalk, or other public way, without first placing some sufficient protection over the pavement. Penalty, see § 10.99

#### 🦊 § 93.02 STREET AND SIDEWALK OBSTRUCTION.

No person shall obstruct any street, alley, sidewalk, or other public way within the city by erecting thereon any fence or building, or permitting any fence or building to remain thereon. Each day that any fence or building is permitted to remain upon the public way shall constitute a separate offense.

Penalty, see § 10.99

#### 🧏 § 93.03 MATERIALS ON STREET OR SIDEWALK.

No person shall encumber any street or sidewalk. No owner, occupant, or person having the care of any building or lot of land, bordering on any street or sidewalk, shall permit it to be encumbered with barrels, boxes, cans, articles, or substances of any kind, so as to interfere with the free and unobstructed use thereof. No owner, occupant or person shall discharge grass clippings or accumulate leaves on any public street or sidewalk. Penalty, see § 10.99

#### § 93.04 SUMP PUMP WATER DISCHARGE

As part of any street improvement or maintenance project, all sump pump discharge lines on properties adjacent to the improvement project that are discharging into the street or causing water to flow into the street are required to be tied directly into a storm sewer system. Water from any sump pump discharge line shall not create a nuisance affecting public health or safety. Penalty, see § 10.99

# 🦊 § 150.051 P-1, PUBLIC USE DISTRICT.

- (A) *Purpose*. The Public Use District is intended to establish a district designed to serve public uses.
  - (B) Permitted uses. The following are permitted uses.
- (1) Municipal government administrative buildings, utility stations, fire stations and police stations;
  - (2) Parks and playgrounds;
  - (3) Public libraries and community centers;
- (4) Other public uses determined by the Council to be of the same general character and consistent with the intent of division (A) of this section.
- (C) Lot area. For each permitted use there shall be provided not less than 6,000 square feet of lot area.
  - (D) Lot width and depth.
- (1) Every lot upon which there is a permitted use shall require a minimum width of 55 feet at the building setback lines.
  - (2) Every lot upon which there is a permitted use shall require a minimum depth of 100 feet.
  - (E) Yard regulations.

- (1) Front yard setback.
  - (a) Platted lots recorded prior to 1958 20 feet.
  - (b) Platted lots recorded 1958 and after 30 feet.
  - (c) Corner lots have 2 front yard setbacks.
- (2) Side yard setbacks.
  - (a) Platted lots recorded prior to 1958 5 feet.
  - (b) Platted lots recorded 1958 and after 10 feet.
  - (c) Rear yard setback 25 feet.
- (F) Maximum ground coverage. 50%.
- (G) Maximum building height.
  - (1) Main buildings 310 stories or 45100 feet, whichever is greaterless.
  - (2) Accessory buildings 1-1/2 stories or 22 feet, whichever is less.

#### § 156.035 GENERALLY.

- (2) Yards or lots created after the effective date of this chapter shall not be less than the minimum requirements established by this chapter.
- (E) Accessory uses. Accessory uses or structures shall not be located in any required front, side, rear or transitional yard except as may be permitted in this section.
- (1) The following accessory uses or structures shall be permitted in any required rear<u>or</u> <u>front</u> yard in any residential zoning district, provided a 15 foot rear yard setback <u>and the required</u> <u>front yard setback</u> is maintained:
- (a) Decks or elevated platforms, either attached to a dwelling or free standing, with no roof or overhead structure of any type;
- (b) Patios or paved areas that are level, flush or at grade with the ground, with no roof or overhead structure of any type, and is not used for parking purposes;
- (c) In-ground swimming pools, including aprons, and above-ground swimming pools with attached aprons.
- (2) The following accessory uses or structures shall be permitted in any required rear yard in any zoning district, provided a 5 foot rear yard setback is maintained, and any required side yard in any zoning district, provided a 5 foot side yard is maintained from the furthest point of the building to the respective property line: utility buildings;
- (3) The following accessory use shall be permitted within any required rear yard in any residential zoning district, provided a 15 foot rear yard setback and the required side yard setbacks are provided: In-ground swimming pools, including aprons, and above ground swimming pools with attached decks or aprons.

## § 54.16 BACK YARD DRAINS

(1) Purpose. The City finds that it is necessary to allow the drainage of water from some backyards to prevent pooling and other effects of standing water. The purpose of this section is to regulate the maintenance of these drains

(A) Drains installed as part of a new street construction or by the City. If a back yard drain was installed as a part of a new street project, or was installed by the City to alleviate ponding issues, the City shall have an easement to enter the property in order to maintain the drain, make changes to the drain, or

repair the drain. The easement area shall include the area necessary to maintain the structure and the piping.

(B) Drains installed by citizens or parties other than the City. If the drain and piping is installed by any entity other than the city, the property owner in which the structure and pipes are located shall assume responsibility for the maintenance and functionality of the structure and subsequent piping, this shall include the point of connection in to the city utility service. The property owner shall submit a construction plan to the City for review and approval, showing the size and location of any new private backyard drain. The property owner agrees to hold harmless the City for any damage that the structure, piping or connection to city utilities may have on any other property, or the city's utility that are the result of the actions or inactions of the property in the installation, maintenance, lack of maintenance, of the structure, piping and connection.

#### №§ 150.051 P-1, PUBLIC USE DISTRICT.

- (A) *Purpose*. The Public Use District is intended to establish a district designed to serve public uses.
  - (B) Permitted uses. The following are permitted uses.
- (1) Municipal government administrative buildings, utility stations, fire stations and police stations;
  - (2) Parks and playgrounds;
  - (3) Public libraries and community centers;
- (4) Other public uses determined by the Council to be of the same general character and consistent with the intent of division (A) of this section.
- (C) Conditional Uses.
  - (1) Indoor sport and recreational facilities
- (CD) Lot area. For each permitted use there shall be provided not less than 6,000 square feet of lot area.
  - (DE) Lot width and depth.
- (1) Every lot upon which there is a permitted use shall require a minimum width of 55 feet at the building setback lines.
  - (2) Every lot upon which there is a permitted use shall require a minimum depth of 100 feet.
  - (EF) Yard regulations.
    - (1) Front yard setback.
      - (a) Platted lots recorded prior to 1958 20 feet.
      - (b) Platted lots recorded 1958 and after 30 feet.
      - (c) Corner lots have 2 front yard setbacks.
    - (2) Side yard setbacks.
      - (a) Platted lots recorded prior to 1958 5 feet.
      - (b) Platted lots recorded 1958 and after 10 feet.
      - (c) Rear yard setback 25 feet.
  - (FG) Maximum ground coverage. 50%.
  - (GH) Maximum building height.
    - (1) Main buildings 33 stories or 4545 feet, whichever is lessless.
    - (2) Accessory buildings 1-1/2 stories or 22 feet, whichever is less.
    - (3) Conditional Uses maximum of 100 feet

# CITY OF NORTH MANKATO REQUEST FOR COUNCIL ACTION



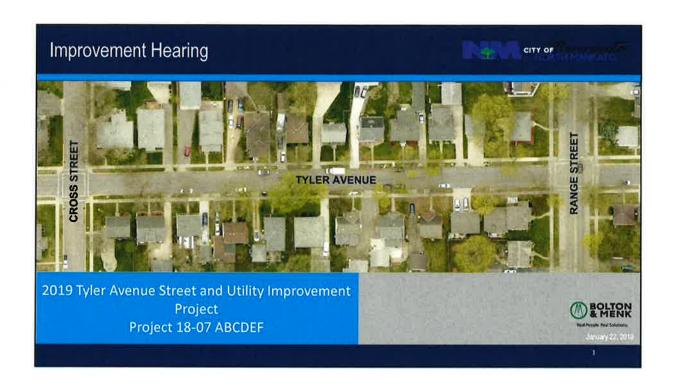
Agenda Item # 9	Dept: City Engineer	Council Meeting Date: 1/22/19
TITLE OF ISSUE: Public Hearing- 7 p	m for Project No. 18-07 ABC	DEF Tyler Avenue Improvement Project.
		orth Mankato City Council set a public hearing Tyler Avenue from Range Street to Cross Street.
Notice was provided in the paper and mail		-
		If additional space is required, attach a separate sheet
REQUESTED COUNCIL ACTION: P	ublic Hearing	
For Clerk's Use:	SUPPO	RTING DOCUMENTS ATTACHED
Motion By: Second By:	Resolution Ordi	nance Contract Minutes Map
Vote Record: Aye NayWhitlock	Other (specify)	
Steiner Norland		
Oachs Dehen		
Workshop	Re	efer to:
X Regular Meeting	Ta	ble until:
Special Meeting	O <sub>1</sub>	her:

# NOTICE OF PUBLIC HEARING PROJECT NO. 18-07 ABCDEF TYLER AVENUE IMPROVEMENT PROJECT

Notice is hereby given that the City Council of North Mankato will meet in the Council Chambers of the City Hall at 7:00 p.m. on January 22, 2018, to consider the making of Improvement No. 18-07 ABCDEF, an improvement on Tyler Avenue from Cross Street to Range Street, pursuant to Minn. Stat. §429.011 to 429.111. The estimated cost of the improvement is \$521,600. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons as desire to be heard with reference to the proposed improvement will be heard at this meeting.

/s/April Van Genderen City Clerk

Published in the Free Press on January 10 and January 18, 2019.



# Project Location/Background

- CITY OF
- Project location Tyler Avenue between Cross Street and Range Street (300 block)
- Included in City's Capital Improvement Plan for 2019
- Preliminary Engineering Report authorized by Council on December 17<sup>th</sup> and presented to City Council on January 7<sup>th</sup>

# Sanitary Sewer

CITY OF

- Existing Conditions:
  - o Over 65 years old
  - Existing 12" clay pipe
  - o Less than minimum slope
  - o Tree roots, offset joints, evidence of groundwater infiltration
  - o Service line failure in 2018
- Proposed Improvements
  - New 8" PVC pipe with watertight joints
  - Slope both directions from high point in center of block
  - o Replace manholes with new precast concrete manholes:
    - New castings
    - Water-tight joints in manhole sections
  - Replace existing services from sewer main to ROW with new pipe
  - Property owner's responsibility to replace service line from ROW to house if deficient

#### Watermain

CITY OF

- Existing Conditions:
  - Over 65 years old
  - Existing 6" cast iron pipe
  - No significant history of breaks, but beyond expected design life
  - Services copper or galvanized
- Proposed Improvements
  - New 6" PVC watermain pipe
  - Provide new hydrant at Cross Street intersection
  - New valves & fittings at all appropriate locations and spacing
  - Replace existing service lines within street right-of-way with 1" diameter plastic piping
  - Property owner's responsibility to replace service line from ROW to house if deficient

### Storm Sewer

CITY OF

- Existing Conditions:
  - Existing 21" storm sewer constructed in 1993 with Range Street project
  - Surface drains from Range Street to Cross Street
  - Slope in existing gutters is less than desirable and settlement of curb and street – results in isolated ponding
- Proposed Improvements
  - Remove and replace existing 21" storm sewer necessary to accommodate sanitary sewer reconstruction
  - Remove and replace manholes and catch basins near Range Street intersection

## Existing Street and Surface



- Existing street constructed over 65 years ago
- Existing 30-foot wide bituminous (blacktop) street with curb and gutter both sides –parking allowed on both sides
- Bituminous pavement and curb pavement in fair to poor condition
- Existing 5-foot wide sidewalk on both sides mostly in poor condition

## Proposed Street and Surface Improvements

CITY OF

- · Reconstruct existing street with new bituminous pavement and curb and gutter
- Proposed width 30 feet from face of curb to face of curb (same as existing)
- Continue to allow parking on both sides
- New 5-foot wide sidewalk on both sides
- New concrete driveway aprons
- Proposed pavement section
  - 4 inches bituminous surfacing
  - o 8 inches aggregate base class 6
  - o 6 inches of select granular borrow
  - Geogrid (if required)
- · Perforated subsurface drains on both sides of street
- Restore all disturbed residential turf areas with seed

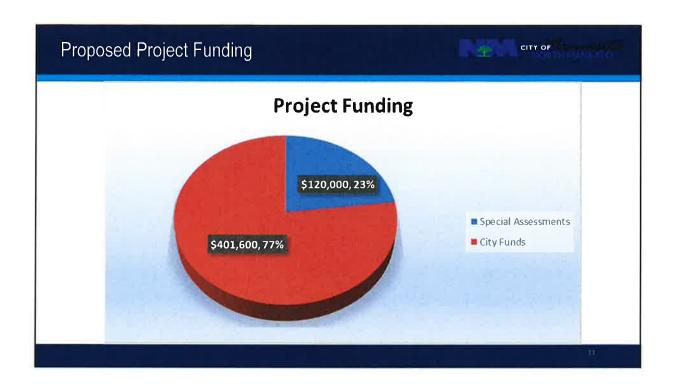
#### Trees

CITY OF

- 21 existing boulevard trees
- Many trees are very large and in some cases the base of the trunks fills the entire boulevard area
- Many of the existing sidewalk deficiencies are being caused by tree roots
- Removal of most of the existing trees is recommended
- Property owners will be offered new trees to replace those removed – to be installed behind sidewalk

es				CITY OF
	_	_		
Address	Species	Size	Proposed Action	Comments
835 Range Street	Ash	20"	Remove	All ash trees to be removed
835 Range Street	Ash	18"	Remove	All ash trees to be removed
835 Range Street	Linden	12"	Leave in place and protect	
315 Tyler Avenue	Linden	26"	Remove	Too large for boulevard
317 Tyler Avenue	Linden	28"	Remove	Too large for boulevard
317 Tyler Avenue	Linden	24"	Remove	Too large for boulevard
321 Tyler Avenue	Mapie	10"	Leave in place and protect	
327 Tyler Avenue	Linden	16"	Leave in place and protect	
331 Tyler Avenue	Maple	32"	Remove	Too large for boulevard
335 Tyler Avenue	Maple	22"	Remove	Unhealthy tree
335 Tyler Avenue	Ash	20"	Remove	All ash trees to be removed
339 Tyler Avenue	Maple	6"	Leave in place and protect	
343 Tyler Avenue	Ash	34"	Remove	All ash trees to be removed
349 Tyler Avenue	Maple	1"	Leave in place and protect	
903 Range Street	Maple	18"	Remove	Tree misshapen and damaged by trimming for power line
310 Tyler Avenue	Maple	22"	Remove	Tree misshapen and damaged by trimming for power line
314 Tyler Avenue	Maple	24"	Remove	Tree misshapen and damaged by trimming for power line
314 Tyler Avenue	Maple	16"	Remove	Tree misshapen and damaged by trimming for power line
318 Tyler Avenue	Ash	20"	Remove	All ash trees to be removed
320 Tyler Avenue	Ash	18"	Remove	All ash trees to be removed
322 Tyler Avenue	Ash	18"	Remove	All ash trees to be removed

ltem	Estimated Cost
Street	\$284,200
Storm Sewer	\$71,500
Sanitary Sewer Mainline	\$51,000
Sanitary Sewer Services	\$21,000
Watermain Mainline	\$58,600
Water Services	\$35,300
TOTAL:	\$521,600





## Assessment Cap

- CITY OF
- Assessment cap: \$6,000 assessment cap used on 2018
   Jefferson Avenue Reconstruction Project
- Construction costs have not changes significantly in the past year
- Proposed adjusted assessment cap for Tyler Avenue -\$6,000

#### Assessment Process



- Actual assessment amount for each property will be provided in mailed notice – approximately two weeks before hearing
- Assessments can be pre-paid with no interest
  - Prepayment date will be set by Council typically in late October/early November
  - Prepayment date will be provided in assessment hearing notice
- If not pre-paid, assessments will be certified to County auditor and will be added to property tax statement starting in 2020:
  - o Equal annual payments
  - o Payment period typically 15 years
  - o Interest rate will be set by the Council
- Remaining principal and accrued interest can be prepaid in future years with no penalty
- Additional information will be provided in assessment notice



# Approximate construction duration: Start after Memorial Day Finish before Labor Day General construction sequence Construction access Maintenance of water and sewer service Garbage and recycling during construction Mail service during construction Construction communications



# Claims List - Regular

MA

City of North Mankato, MN

By Vendor Name

Date Range: 1-22-19

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-A	PBNK				•	
00036	ALEX AIR APPARATUS, INC.	12/28/2018	VOID	0	-412.44	VOID
00009	A-1 KEY CITY LOCKSMITHS, INC	01/22/2019	Regular	0	87.00	90478
02970	ABACUS	01/22/2019	Regular	0	4,800.00	90479
00029	AG SPRAY EQUIPMENT	01/22/2019	Regular	0	51.58	90480
00070	AMLAWN, INC.	01/22/2019	Regular	0	160.00	90482
02968	ATLAS BUSINESS SOLUTIONS, INC.	01/22/2019	Regular	0	691.20	90483
00140	BERGERSON-CASWELL, INC.	01/22/2019	Regular	0	65,545.00	90484
00147	BLACKSTONE PUBLISHING	01/22/2019	Regular	0	260.59	90485
02972	BLAZING, STEVEN	01/22/2019	Regular	0	475.00	90486
00156	BLUE EARTH COUNTY FINANCE	01/22/2019	Regular	0	23,000.00	90487
00154	BLUE EARTH COUNTY	01/11/2019	Regular	0	31.75	90471
00221	CARGILL, INC.	01/22/2019	Regular	0	19,361.93	90488
02757	CINTAS	01/22/2019	Regular	0	261.63	90489
00331	DE MARS CONSTRUCTION	01/22/2019	Regular	0	151,329.71	90490
02275	DEM-CON MATERIALS & RECOVERY	01/22/2019	Regular	0	1,531.51	90491
00387	EMERGENCY AUTOMOTIVE TECHNOLOGY, INC	01/22/2019	Regular	0	251.94	90492
00401	EXPRESS SERVICES, INC.	01/22/2019	Regular	0	331.45	90493
00404	FASTENAL COMPANY	01/22/2019	Regular	0	75.52	90494
00409	FERGUSON ENTERPRISES, INC #1657	01/22/2019	Regular	0	5,673.70	90495
00432	FLEETPRIDE	01/22/2019	Regular	0	17.56	90496
00447	FREE PRESS	01/22/2019	Regular	0	1,013.53	90497
02752	FRESHWATER SOCIETY	01/22/2019	Regular	0	580.00	90498
02891	GLOBAL SPECIALTY CONTRACTORS, INC.	01/22/2019	Regular	0	69,350.00	90499
02969	GORDY SERBUS & SONS GRAVEL LLC	01/22/2019	Regular	0	39,702.18	90500
02973	GOSCH, RIELLE	01/22/2019	Regular	0	850.00	90501
00506	GREATER MANKATO GROWTH, INC.	01/22/2019	Regular	0	31,640.53	90502
02930	GSM PLUMBING AND DRAIN CLEANING	01/22/2019	Regular	0	22,139.73	90503
02917	JENNINGS, STROUSS & SALMON, P.L.C.	01/22/2019	Regular	0	3,659.00	90504
02967	LAKE COUNTRY UPHOLSTERY AND CANVAS	01/11/2019	Regular	0	309.72	90472
00746	LAW ENFORCEMENT LABOR SERVICES, INC.	01/16/2019	Regular	0	714.00	90475
00747	LAW ENFORCEMENT TECHNOLOGY GROUP, LL	01/22/2019	Regular	0	2,700.00	90505
00754	LEAGUE OF MINNESOTA CITIES	01/22/2019	Regular	0	1,350.00	90506
00797	MAC TOOLS DISTRIBUTOR	01/22/2019	Regular	0	541.20	90507
00800	MADDEN, GALANTER, HANSEN, LLP	01/22/2019	Regular	0	192.00	90508
02643	MANKATO DOWNTOWN KIWANIS	01/22/2019	Regular	0	170.00	90509
00819	MANKATO FORD, INC.	01/22/2019	Regular	0	200.40	90510
02974	MANKATO IRON & METAL INC	01/22/2019	Regular	0	210.00	90511
00963	MINNESOTA BUREAU OF CRIMINAL APPREHEN	01/22/2019	Regular	0	270.00	90512
02971	MINNESOTA FIREFIGHTERS SAFETY AND HEAL'	01/22/2019	Regular	0	278.43	90513
00966	MINNESOTA PUBLIC FACILITIES AUTHORITY (P	01/22/2019	Regular	0	45,215.02	90514
00904	MINNESOTA STATE FIRE CHIEFS ASSOCIATION	01/22/2019	Regular	0	606.00	90515
00908	MINNESOTA TRANSPORTATION ALLIANCE, INC	01/22/2019	Regular	0	515.00	90516
00951	MINNESOTA TRUCK & TRACTOR, INC.	01/22/2019	Regular	0	14.25	90517
02245	ONSITE	01/22/2019	Regular	0	2,495.00	90518
01106	PETTY CASH	01/22/2019	Regular	0	251.95	90519
01133	POWERPLAN/RDO EQUIPMENT	01/22/2019	Regular	0	2,383.74	90520
01184	REHRIG PACIFIC COMPANY	01/22/2019	Regular	0	6,667.00	90521
01205	RICKWAY, INC.	01/22/2019	Regular	0	200.00	90522
01278	SHERWIN-WILLIAMS CO.	01/22/2019	Regular	0	125.35	90523
01312	SOUTHWEST MINNESOTA CHAPTER OF ICC	01/22/2019	Regular	0	150.00	90524
02784	SPORTAFLEX, LLC	01/22/2019	Regular	0	59,987.50	90525
01339	STATE OF MINNESOTA	01/09/2019	Regular	0	48.00	90470
01402	TIRE ASSOCIATES	01/22/2019	Regular	0	1,690.13	90526
01409	TOPPERS & TRAILERS PLUS	01/22/2019	Regular	0	83.38	90527
01414	TOWMASTER	01/22/2019	Regular	0	133,832.00	90528
01439	UNIQUE PAVING MATERIALS CORP.	01/22/2019	Regular	0	1,073.25	90529
02640	VALLEY LANDSCAPE SUPPLY	01/22/2019	Regular	0	3,320.00	90530
					•	

01504	WATCH GUARD VIDEO	01/22/2019	Regular	0	5,300.00	90531
01515	WELLS FARGO BANK, N.A.	01/22/2019	Regular	0	1,600.00	90532
01525	WEST CENTRAL SANITATION, INC.	01/22/2019	Regular	0	27,119.82	90533
00050	ALPHA WIRELESS COMMUNICATIONS	01/24/2019	EFT	0	3,232.16	1481
00063	AMERICAN PEST CONTROL	01/24/2019	EFT	0	65.00	1482
00088 00105	APPLIED CONCEPTS, INC.	01/24/2019 01/24/2019	EFT EFT	0	3,109.20	1483
00103	AUTO VALUE MANKATO BOLTON & MENK, INC.	01/24/2019	EFT .	0	435.51 33,650.50	1484 1485
00176	BORDER STATES ELECTRIC SUPPLY	01/24/2019	EFT	0	422.17	1486
00216	C & S SUPPLY CO, INC.	01/24/2019	EFT	0	227.11	1487
00310	CRYSTEEL TRUCK EQUIPMENT, INC	01/24/2019	EFT	0	413.89	1488
02294	D & K POWDER COATING	01/24/2019	EFT	0	110.00	1489
00322	DALCO	01/24/2019	EFT	0	307.31	1490
00453	FREYBERG PETROLEUM SALES, INC.	01/24/2019	EFT	0	15,766.38	1491
00463	G & L AUTO SUPPLY, LLC	01/24/2019	EFT	0	283.98	1492
00478	GISH ELECTRIC, LLC	01/24/2019	EFT	0	33,384.00	1493
00494	GOPHER STATE ONE-CALL	01/24/2019	EFT	0	50.00	1494
00503	GREAT AMERICAN BUSINESS PRODUCTS	01/24/2019	EFT	0	802.99	1495
02476	HARRISON TRUCK CENTERS	01/24/2019	EFT	0	779.31	1496
00538 00596	HAWKINS, INC.	01/24/2019	EFT	0	3,409.77	1497
00609	I & S GROUP, INC. INMAN, RICH	01/24/2019 01/24/2019	EFT EFT	0	410.75 70.00	1498 1499
00680	J.J. KELLER & ASSOCIATES, INC.	01/24/2019	EFT	0	626.00	1500
02941	JAGUAR COMMUNICATIONS	01/24/2019	EFT	0	4,408.02	1501
00691	KENNEDY & KENNEDY LAW OFFICE	01/24/2019	EFT	0	8,915.85	1502
02209	KRAL, JACOB	01/24/2019	EFT	0	600.00	1503
00767	LIME VALLEY ADVERTISING, INC.	01/24/2019	EFT	0	225.00	1504
00776	LLOYD LUMBER CO.	01/24/2019	EFT	0	1,366.18	1505
02644	MACQUEEN EMERGENCY GROUP	01/24/2019	EFT	0	127.20	1506
00825	MANKATO MOTOR COMPANY	01/24/2019	EFT	0	12.99	1507
00874	MENARDS-MANKATO	01/24/2019	EFT	0	336.74	1508
02466	MIDWEST RECYCLING SOLUTIONS	01/24/2019	EFT	0	12,772.00	1509
00902	MINNESOTA IRON & METAL CO	01/24/2019	EFT	0	35.00	1510
00910	MINNESOTA VALLEY TESTING LAB, INC.	01/24/2019	EFT	0	305.50	1511
00956 01052	MINNESOTA WASTE PROCESSING CO.	01/24/2019	EFT	0	18,861.69	1512
01052	NORTH CENTRAL INTERNATIONAL NORTH MANKATO FIREMEN'S RELIEF ASSOCIA	01/24/2019	EFT EFT	0	578.35 6,907.00	1513 1514
01179	RED FEATHER PAPER CO.	01/24/2019	EFT	0	102.86	1514
01211	RIVER BEND BUSINESS PRODUCTS	01/24/2019	EFT	0	963.95	1516
01281	SIGN PRO	01/24/2019	EFT	0	559.00	1517
01286	SKARPOHL PRESSURE WASHER SALES	01/24/2019	EFT	0	24.66	1518
01323	SPS COMPANIES, INC.	01/24/2019	EFT	0	17.21	1519
01407	TOOL SALES COMPANY	01/24/2019	EFT	0	70.00	1520
01478	VIKING FIRE & SAFETY LLC	01/24/2019	EFT	0	320.99	1521
01486	VON BERGE, DAVID	01/24/2019	EFT	0	148.01	1522
01524	WERNER ELECTRIC SUPPLY	01/24/2019	EFT	0	142.10	1523
01568	ZIEGLER, INC.	01/24/2019	EFT	0	1,040.00	1524
01572	ZWASCHKA, JAMES	01/24/2019	EFT	0	63.06	1525
00234 02181	CENTER POINT ENERGY	01/14/2019 01/02/2019	Bank Draft	0 0	214.83	DFT0002771
00614	ETS CORPORATION	01/02/2019	Bank Draft Bank Draft	0	1,071.84	DFT0002749
00614	INTERNAL REVENUE SERVICE INTERNAL REVENUE SERVICE	01/16/2019	Bank Draft	o	3,967.98 11,194.73	DFT0002788 DFT0002790
00614	INTERNAL REVENUE SERVICE	01/16/2019	Bank Draft	o	11,524.58	DFT0002790
02003	MINNESOTA DEPT OF REVENUE	01/03/2019	Bank Draft	Ō	7,758.00	DFT0002731
02003	MINNESOTA DEPT OF REVENUE	01/16/2019	Bank Draft	0	5,687.99	DFT0002789
02766	SPROUT SOCIAL	01/07/2019	Bank Draft	0	99.00	DFT0002763
01477	VIKING ELECTRIC SUPPLY, INC.	01/10/2019	Bank Draft	0	1,764.02	DFT0002768
01477	VIKING ELECTRIC SUPPLY, INC.	01/16/2019	Bank Draft	0	576.78	DFT0002795
01557	XCEL ENERGY	01/14/2019	Bank Draft	0	26.68	DFT0002772
01557	XCEL ENERGY	01/14/2019	Bank Draft	0	168.54	DFT0002773
00182	BOYER TRUCKS	01/14/2019	Bank Draft	0	42.42	DFT0002774
00241	CHARTER COMMUNICATIONS	01/07/2019	Bank Draft	0	497.16	DFT0002755
02058	CONSOLIDATED COMMUNICATIONS	01/07/2019	Bank Draft	0	16.72	DFT0002756
02058 02058	CONSOLIDATED COMMUNICATIONS	01/07/2019	Bank Draft	0	51.22	DFT0002757
02058	CONSOLIDATED COMMUNICATIONS CONSOLIDATED COMMUNICATIONS	01/07/2019 01/07/2019	Bank Draft Bank Draft	0	1,101.83 18.70	DFT0002758 DFT0002759
02058	CONSOLIDATED COMMUNICATIONS  CONSOLIDATED COMMUNICATIONS	01/07/2019	Bank Draft	0	60.00	DFT0002759 DFT0002760
		,, 2013			55.00	51 15002/00

02058	CONSOLIDATED COMMUNICATIONS	01/07/2019	Bank Draft	0	19.39	DFT0002761
02058	CONSOLIDATED COMMUNICATIONS	01/07/2019	Bank Draft	0	36.06	DFT0002762
00608	INGRAM LIBRARY SERVICES	01/16/2019	Bank Draft	0	2,210.16	DFT0002792
00733	LAKES GAS CO #10	01/03/2019	Bank Draft	0	81.50	DFT0002747
00733	LAKES GAS CO #10	01/10/2019	Bank Draft	0	107.00	DFT0002767
00733	LAKES GAS CO #10	01/14/2019	Bank Draft	0	16.50	DFT0002777
00749	LAWSON PRODUCTS, INC	01/07/2019	Bank Draft	0	145.96	DFT0002753
00749	LAWSON PRODUCTS, INC	01/10/2019	Bank Draft	0	610.79	DFT0002765
00923	MINNESOTA DEPARTMENT OF LABOR & INDU!	01/07/2019	Bank Draft	0	100.00	DFT0002754
00936	MINNESOTA POLLUTION CONTROL AGENCY	01/03/2019	Bank Draft	0	125.00	DFT0002748
00936	MINNESOTA POLLUTION CONTROL AGENCY	01/14/2019	Bank Draft	0	390.00	DFT0002775
01335	STAPLES ADVANTAGE	01/03/2019	Bank Draft	0	120.74	DFT0002751
01335	STAPLES ADVANTAGE	01/14/2019	Bank Draft	0	80.02	DFT0002778
01335	STAPLES ADVANTAGE	01/15/2019	Bank Draft	0	66.29	DFT0002794
01377	TELRITE CORPORATION	01/15/2019	Bank Draft	0	99.39	DFT0002793
01470	VERIZON WIRELESS	01/10/2019	Bank Draft	0	680.27	DFT0002766
01470	VERIZON WIRELESS	01/14/2019	Bank Draft	0	30.15	DFT0002776
02178	WASTE MANAGEMENT OF WI-MN	01/07/2019	Bank Draft	0	280.74	DFT0002752
01525	WEST CENTRAL SANITATION, INC.	01/10/2019	Bank Draft	0	4,946.75	DFT0002764
				\$	954,934.30	143

# **Authorization Signatures**

# All Council The above manual and regular claims lists for 1-22-19 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
Jo Marie Robbins	Library-Donation for Books	\$ 100.00
		\$100.00

Adopted by the City Council this 22 <sup>nd</sup>	day of January 2019.	
	Mayor	
City Clerk		

# RESOLUTION APPROVING CONSENT ASSESSMENT AGREEMENT

WHEREAS, the City of North Mankato has, at the property owner's request, paid for certain improvements that will benefit such property, specifically repair/replacement of sewer line for the following described real estate:

1716 Mary Lane PIN #18.766.0060

Lot 6 & N 25' of Lot 5 SubdivisionCd 18766 Subdivision Name Ridge View Subd.

Cost: \$12,415.44

WHEREAS, the property owner desires that the cost of the sewer line be made as a special assessment against the property; and

WHEREAS, the property owner has executed a consent assessment agreement;

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

That the attached consent assessment agreement is approved and that the City Clerk is directed to forward a certified copy of this resolution along with a copy of the consent assessment agreement to the Nicollet County Auditor.

Adopted by the City Council this 22<sup>nd</sup> day of January 2019.

	Mayor
ATTEST:	
City Clerk	

#### **CONSENT ASSESSMENT AGREEMENT**

This Agreement is made between the City of North Mankato (City) and Tom and Vickie Senne (Owner).

The parties are guided in reaching this agreement by the following facts:

1. Owner's property is described as follows:

1716 Mary Lane PIN #18.766.0060

Lot 6 & N 25' of Lot 5 SubdivisionCd 18766 Subdivision Name Ridge View Subd.

- 2. Owner replaced the sewer line.
- 3. Owner desires to waive all of the procedures mandated by Chapter 429 of Minnesota Statutes and to consent to the imposition of an assessment directly upon the described property.
- 4. City is willing to pay for the repair in consideration for the owner's consent to the assessment.

The parties therefore make the following agreement:

Adopted this \_\_\_\_\_\_ day of \_\_\_\_\_\_ , 2019.

1. As a result of the improvement, a special assessment shall be filed against owner's land in the amount of \$12,415.44. The assessment shall be payable in equal installments extending over a period of ten (10) years and bear interest at the rate of 7.00% per annum from the date of this agreement. The City may transmit notice of this assessment to the County Auditor.

City of North Mankato
Ву:
lts:
Property Owner
Property Owner

# RESOLUTION APPROVING CONSENT ASSESSMENT AGREEMENT

WHEREAS, the City of North Mankato has, at the property owner's request, paid for certain improvements that will benefit such property, specifically repair/replacement of sidewalk for the following described real estate:

546 Garfield Avenue PIN #18.557.0682

Block 17 "EX N 25" Lot S 1/2 OF LOT 3 SubdivisionCd 18557 SubdivisionName WENDEL

HODAPP'S ADD

Cost: \$2,822.94

WHEREAS, the property owner desires that the cost of the sidewalk be made as a special assessment against the property; and

WHEREAS, the property owner has executed a consent assessment agreement;

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

That the attached consent assessment agreement is approved and that the City Clerk is directed to forward a certified copy of this resolution along with a copy of the consent assessment agreement to the Nicollet County Auditor.

Adopted by the City Council this 22<sup>nd</sup> day of January 2019.

	Mayor
ATTEST:	
City Clerk	

#### CONSENT ASSESSMENT AGREEMENT

This Agreement is made between the City of North Mankato (City) and Jerry Timm (Owner).

The parties are guided in reaching this agreement by the following facts:

1. Owner's property is described as follows:

546 Garfield Avenue

PIN #18.557.0682

Block 17 "EX N 25" Lot S 1/2 OF LOT 3 SubdivisionCd 18557 SubdivisionName WENDEL HODAPP'S ADD

- 2. Owner replaced the sidewalk.
- 3. Owner desires to waive all of the procedures mandated by Chapter 429 of Minnesota Statutes and to consent to the imposition of an assessment directly upon the described property.
- 4. City is willing to pay for the repair in consideration for the owner's consent to the assessment.

The parties therefore make the following agreement:

1. As a result of the improvement, a special assessment shall be filed against owner's land in the amount of \$2,822.94. The assessment shall be payable in equal installments extending over a period of five (5) years and bear interest at the rate of 7.00% per annum from the date of this agreement. The City may transmit notice of this assessment to the County Auditor.

Adopted this	, 2019.	
		City of North Mankato
		Ву:
		lts:
		Property Owner
		, repairly owner
		Property Owner

## RESOLUTION SETTING FEES AND CHARGES

WHEREAS, the City of North Mankato provides various municipal services for which a fee is charged; and

WHEREAS, the City Code provides that such fees shall be set by resolution of the City Council; and

WHEREAS, a report containing recommendations for fees for certain municipal services is attached and will be effective upon approval by the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF NORTH MANKATO, MINNESOTA, that said fees and charges are adopted.

Adopted by the City Council this 22<sup>nd</sup> day of January 2019.

	Mayor	
ATTEST:		
City Clerk		

# LICENSES AND PERMIT FEES

LICENSE / PERMIT	2018 FEES	2019 PROPOSED
Assessment Search	\$35; Rush fee of \$70 if not requested within 72 hours of closing	\$35; Rush fee of \$70 if not requested within 72 hours of closing
Band Shell Rental	\$400	\$400
Burning Permit	\$10	\$10
Cabaret	\$375 (annual)	\$375 (annual)
Carnival License	\$75 / per day	\$75 / per day
Cigarette	\$200	\$200
City Audit	\$10	\$10
City Budget	\$15	\$15
City Code	\$70	\$70
Coin Operated Amusement	\$20/ site; \$20 per	\$20/ site; \$20 per
Device	Device	Device
City Plat Maps	\$10 + sales tax	\$10 + sales tax
Community Room Rental	\$100 – Police Annex \$100 – Fire Station	\$100 – Police Annex \$100 – Fire Station
Comprehensive Plan		\$35.00 per Plan \$2.58 Tax \$37.58 Total
Concession Permit	\$20 first day; \$5 each Additional day; \$100 deposit	\$20 first day; \$5 each Additional day; \$100 deposit
Copies of City Documents	\$.25 each page	\$.25 each page
Copies using Plat Printer		\$.50 sq. ft. black and
		white
		\$2.00 sq. ft. color
Dog License	( All 2-year) \$10 fixed female/male \$20 fixed female/male \$2 duplicate	( All 2-year) \$10 fixed female/male \$20 fixed female/male \$2 duplicate
Dangerous Dog License	\$250.00 (1-time fee) plus proof of liability	\$250.00 (1-time fee) plus proof of liability

	insurance of \$300,000	insurance of \$300,000
Event Trailer (Concession	\$60 per two-day event;	\$60 per two-day event;
Trailer)	\$30 each additional day	\$30 each additional day
Excavation Permit	\$160 plus \$1 State Surcharge \$85 plus \$1 State Surcharge – Boulevard Only	\$160 plus \$1 State Surcharge \$85 plus \$1 State Surcharge – Boulevard Only
NSF Fee	\$30	\$30
Recycling Containers	\$11 + sales tax	\$11 + sales tax
*LICENSE / PERMIT		
Mobile Home Park	\$60	\$60
Parade Permit	\$35	\$35
Park Shelter Reservations	\$100	\$100
Park Use Beer Permit Deposit Audio Permit Peddlers (Per Person)  Refuse Hauling	\$30 \$300 \$25 \$15 / day \$50 / week \$125 / month \$350 / 6 months \$35 first vehicle; \$25	\$30 \$300 \$25 \$15 / day \$50 / week \$125 / month \$350 / 6 months \$35 first vehicle; \$25
Rental License	\$25 one-time application fee; \$45/ Unit	\$50 one-time application fee; \$45/Unit Annual License Fee
Short Term Rental License		\$50 one-time application fee; \$45/Unit Annual License Fee
Snow Removal	\$125 / hour; one hour minimum	\$125 / hour; one hour minimum
Soft Drink	\$25	\$25
Taxicab	\$75 per vehicle	\$75 per vehicle
Weed Mowing	\$125 / hour; one hour minimum	\$125 / hour; one hour minimum
PLANNING		
Annexation Petition	\$5 per acre (Min. \$100 - Max \$600)	\$5 per acre (Min. \$100 - Max \$600)

Conditional Use Permits	\$335 plus	\$335 plus
	\$2.00 per notice	\$2.00 per notice
Encroaching in Right-of- Way	Delete	Delete
Ordinance Amendment	\$335	\$335
Comprehensive Plan Amendment	\$335	\$335
Plat Subdivision – Preliminary	\$60 plus \$5 / lot	\$60 plus \$5 / lot
Plat Subdivision – Final	\$60 plus \$10 / lot over 10 lots	\$60 plus \$10 / lot over 10 lots
Rezoning	\$335 plus 2.00 per notice	\$335 plus 2.00 per notice
Sign Permit	\$35	\$35
Utility Easements, Street or Alley Vacation	\$325	\$325
Variance	\$95 Residential plus \$2.00 per notice; \$325 for all others	\$95 Residential plus \$2.00 per notice; \$325 for all others
Wetland Sequencing or Replacement Plan	\$270	\$270
Wetland Exemption or No Net Loss Determination	\$200	\$200
Notification Billing	\$2.00 for each required notice	\$2.00 for each required notice
Zoning Maps	\$10 + sales tax	\$10 + sales tax
ECONOMIC DEVELOPMENT		
T.I.F.	\$4,000 or actual, whichever is greater	\$4,000 or actual, whichever is greater
Grant Applications	\$4,000 or actual, whichever is greater	\$4,000 or actual, whichever is greater
Industrial Revenue Bonds	\$4,000 or actual, whichever is greater	\$4,000 or actual, whichever is greater
BUILDING PERMITS	Ĭ	
TOTAL VALUATION		
\$1.00 to \$500.00	\$25.30	\$25.30
\$501.00 to \$2,000.00	\$25.85 for the first \$500.00 plus \$3.36 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$25.85 for the first \$500.00 plus \$3.36 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2001.00 to \$25,000.00	\$76.18 for the first \$2,000.00 plus \$15.40 for each additional	\$76.18 for the first \$2,000.00 plus \$15.40 for each additional

	Τ .	· .
	\$1,000.00 or fraction	\$1,000.00 or fraction
	thereof, to and including \$25,000.00	thereof, to and including \$25,000.00
	\$430.38 for the first	\$430.38 for the first
	\$25,000.00 plus \$11.11	\$25,000.00 plus \$11.11
#05 004 00 to #50 000 00	for each additional	for each additional
\$25,001.00 to \$50,000.00	\$1,000.00 or fraction	\$1,000.00 or fraction
	thereof, to and including	thereof, to and including
	\$50,000.00	\$50,000.00
	\$708.13 for the first	\$708.13 for the first
	\$50,000.00 plus \$7.70	\$50,000.00 plus \$7.70
\$50,001.00 to \$100,000.00	for each additional	for each additional
φοσ,σσ1.σσ ισ φ1σσ,σσσ.σσ	\$1,000.00 or fraction	\$1,000.00 or fraction
	thereof, to and including	thereof, to and including
	\$100,000.00	\$100,000.00
	\$1,093.13 for the first	\$1,093.13 for the first
\$400,004,00 to	\$100,000.00 plus \$6.16	\$100,000.00 plus \$6.16
\$100,001.00 to	for each additional	for each additional
\$500,000.00	\$1,000.00 or fraction	\$1,000.00 or fraction
	thereof, to and including \$500,000.00	thereof, to and including \$500,000.00
	\$3,557.13 for the first	\$3,557.13 for the first
	\$500,000.00 plus \$5.23	\$500,000.00 plus \$5.23
\$500,001.00 to	for each additional	for each additional
\$1,000,000.00	\$1,000.00 or fraction	\$1,000.00 or fraction
<b>,</b> , ,	thereof, to and including	thereof, to and including
	\$1,000,000.00	\$1,000,000.00
	\$6,169.63 for the first	\$6,169.63 for the first
	\$1,000,000.00 plus	\$1,000,000.00 plus
\$1,000,001.00 and up	\$3.47 for each	\$3.47 for each
	additional \$1,000.00 or	additional \$1,000.00 or
	fraction thereof	fraction thereof
Disc. Do. :	65% of Building Permit	65% of Building Permit
Plan Review	Fee (3 units or more or	Fee (3 units or more or
	Industrial/ Commercial)	Industrial/ Commercial)
PLUMBING PERMIT		
Per Fixture	\$1	\$1
Per Inspection	\$25	\$25
Plus Residential	\$25 / unit	\$25 / unit
Plus Commercial	\$25 / room	\$25 / room
Plus Reinspections	\$25	\$25
LIQUOR		
On-Sale Intoxicating Liquor	\$3,750	\$3,750
Sunday On-Sale	\$200	\$200
Intoxicating Liquor		

Club On-Sale	\$330	\$330
Wine License	\$275	\$275
Bottle Club (Set-Up	\$330	\$330
License)		
On-Sale 3.2 Liquor	\$275	\$275
Off-Sale 3.2 Liquor	\$100	\$100
Off-Sale Intoxicating	\$300	\$300
Temporary 3.2 Liquor	\$50	\$50
Temporary Intoxicating On-	\$200	\$200
Sale Liquor	•	•
Seasonal Extension of	\$250	\$250
Permitted Non Enclosed		
Area		
Permanent Non Enclosed	\$415	\$415
License in the License		
Premises		
INVESTIGATION FEES		
(LIQUOR)		
On-Sale Intoxicating Liquor	\$500	\$500
Off-Sale Intoxicating Liquor	\$625	\$625
Club On-Sale	\$625	\$625
Wine	\$125	\$125
On-Sale 3.2 Liquor	\$125	\$125
Off-Sale 3.2 Liquor	\$125	\$125
Temporary 3.2 Liquor	\$30	\$30
Temporary Intoxicating	\$30	\$30
POLICE DEPARTMENT		
FEES		
Duplication of Audio Tapes	\$10 / tape	\$10 / tape
Duplication of Pictures	\$6 / 1 <sup>st</sup> picture; \$1 for	\$6 / 1 <sup>st</sup> picture; \$1 for
	each additional picture	each additional picture
Police Reports - Accident,	\$.25 each page	\$.25 each page
Case File		
CASWELL PARK *		
Maintenance Fee	\$65.00 per field, per	\$65.00 per field, per
	day	day
Striping Fee	\$10.00 per field, per time	\$10.00 per field, per time
	All fields striped prior to	All fields striped prior to
	the start of play each	the start of play each
	tournament day.	tournament day.
Dragging Fee	\$10.00 per field, per	\$10.00 per field, per
	time	time
	All fields dragged prior	All fields dragged prior
	to the start of play each	to the start of play each

Diamond Dry  \$11.00 per bag Diamond Dry will only be used at Tournament Director's request.  Light Fee  \$25.00 per hour, per field Seposit will be forfeited if tournament is not held. Deposit will apply toward tournament is held.  BATTING CAGES  \$20.00 per day  SOUTH CENTRAL FIELDS  Maintenance Fee  \$20.00 per field for dragging and striping Diamond Dry  \$11.00 per bag Diamond Dry will only be used at Tournament Director's request.  \$20.00 per field for dragging and striping Diamond Dry  \$11.00 per bag Diamond Dry will only be used at Tournament Director's request.  \$100.00 per tournament Director's request.  \$20.00 per field for dragging and striping Diamond Dry will only be used at Tournament Director's request.  \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament fees if tournament is not held. Deposit will apply toward tournament is not held. Deposit will apply toward tournament fees if tournament is held.		tournament day.	tournament day.
Diamond Dry will only be used at Tournament Director's request.  Light Fee \$25.00 per hour, per field Deposit \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament is held.  BATTING CAGES \$25.00 per day \$25.00 per day  BATTING CAGES \$25.00 per day  SOUTH CENTRAL FIELDS  Maintenance Fee \$20.00 per field for dragging and striping Diamond Dry Will only be used at Tournament Director's request.  Deposit \$11.00 per bag Diamond Dry will only be used at Tournament Director's request.  Deposit \$100.00 per tournament Director's request.  Deposit \$100.00 per tournament Director's request.  Deposit \$100.00 per tournament Director's request.  Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament fees toward tournament is not held. Deposit will apply toward tournament fees toward tournament fees ward tournament is not held. Deposit will apply toward tournament fees	Diamond Dry	\$11.00 per bag	\$11.00 per bag
Director's request.  Light Fee \$25.00 per hour, per field \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament is held.  BATTING CAGES \$25.00 per day \$25.00 per day  SOUTH CENTRAL FIELDS  Maintenance Fee \$20.00 per field for dragging and striping Diamond Dry \$11.00 per bag Diamond Dry will only be used at Tournament Director's request.  Deposit will be forfeited if tournament per substantial poly toward tournament per substantial	,	Diamond Dry will only	Diamond Dry will only
Light Fee \$25.00 per hour, per field field  Deposit \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament is held.  BATTING CAGES \$25.00 per day \$25.00 per day  SOUTH CENTRAL FIELDS  Maintenance Fee \$20.00 per field for dragging and striping dragging and striping Diamond Dry \$11.00 per bag Diamond Dry will only be used at Tournament Director's request.  Deposit \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament fees toward tournament fees		be used at Tournament	be used at Tournament
Deposit \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament is held. Deposit will apply toward tournament is held. Deposit will apply toward tournament is held.  BATTING CAGES \$25.00 per day \$25.00 per day  SOUTH CENTRAL FIELDS  Maintenance Fee \$20.00 per field for dragging and striping dragging and striping Diamond Dry \$11.00 per bag Diamond Dry will only be used at Tournament Director's request.  Deposit \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament fees toward tournament fees		Director's request.	Director's request.
Deposit \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament is held. Deposit will apply toward tournament is held. Deposit will apply toward tournament is held.  BATTING CAGES \$25.00 per day \$25.00 per day  SOUTH CENTRAL FIELDS  Maintenance Fee \$20.00 per field for dragging and striping dragging and striping Diamond Dry \$11.00 per bag Diamond Dry will only be used at Tournament Director's request.  Deposit \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament fees toward tournament fees	Light Fee	\$25.00 per hour, per	\$25.00 per hour, per
Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament fees if tournament is held.  BATTING CAGES \$25.00 per day \$25.00 per day  SOUTH CENTRAL FIELDS  Maintenance Fee \$20.00 per field for dragging and striping Diamond Dry \$11.00 per bag Diamond Dry will only be used at Tournament Director's request.  Deposit \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament fees if tournament is not held. Deposit will apply toward tournament fees		field	field
Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament fees if tournament is held.  BATTING CAGES \$25.00 per day \$25.00 per day  SOUTH CENTRAL FIELDS  Maintenance Fee \$20.00 per field for dragging and striping Diamond Dry \$11.00 per bag Diamond Dry will only be used at Tournament Director's request.  Deposit \$100.00 per tournament Deposit will be forfeited if tournament is not held. Deposit will apply toward tournament fees if tournament is not held. Deposit will apply toward tournament fees	Deposit	\$100.00 per tournament	\$100.00 per tournament
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<sup>\*</sup>Penalty fee of 10% of fee if not submitted by due date.

# CITY OF NORTH MANKATO REQUEST FOR COUNCIL ACTION



Agenda Item # 10F	Dept: Administration	Council Meeting Date: 1/22/19
TITLE OF ISSUE: Consider Resolution	on Approving Pay Equity Re	port.
report. The City of North Mankato must that males and females are paid equitable have a 5% reduction in State aid. Attachedata. Part I is general information from t Compliance Report give test results. Usi an underpayment ratio of 80%. The result has passed the Underpayment ratio test. underpayment ration below 80%, but a result of the complex service of the Underpayment ratio test.	submit a report by January 31 for jobs in the same class. If ed please find the compliance he Pay Equity Implementation ng predicted pay, the minimum lts in the compliance report should be reported to the T-test & Degrees of Freed eview of the T-test shows that if 52, the Value of T would need to submit the submit to the test of the T-test shows that if 52, the Value of T would need to submit the submit to the test shows that if 52, the Value of T would need to submit the submit to the test shows that if 52, the Value of T would need to submit the test shows that if 52, the Value of T would need to submit the test shows that if 52, the Value of T would need to submit the test shows that the test shows that the test shows that if 52, the Value of T would need to submit the test shows that the test shows the test sho	eriodically requires the submission of a pay equity, 2019. The report reviews job classes to ensure the City fails to submit the report, the City may report which includes the statistical analysis of the
REQUESTED COUNCIL ACTION: A	Adopt Resolution Approving	If additional space is required, attach a separate sheet  Pay Equity Report.
For Clerk's Use:	SUPPO	ORTING DOCUMENTS ATTACHED
Motion By:  Second By:  Vote Record:  Aye  Nay  Steiner  Norland	Resolution Or  X  Other (specification)	
Oachs Whitlock Dehen		
Workshop  X Regular Meeting		Refer to:  Table until:
Special Meeting		Other:

# RESOLUTION APPROVING UPDATED PAY EQUITY REPORT

WHEREAS, the State of Minnesota mandated equitable compensation relationships under M.S.A. 471.991 through 471.9981 (Comparable Worth); and

WHEREAS, the Department of Employee Relations has promulgated rules and regulations relating to comparable worth; and

WHEREAS, Minnesota Management and Budget requires the submission of a pay equity report by January 31, 2019; and

WHEREAS, the penalty for failure to submit such a report is a 5% reduction in State aids payable to the City; and

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of North Mankato, Minnesota, that the pay equity report is approved and the Mayor is authorized to sign on behalf of the City.

Adopted by the City Council this 22<sup>nd</sup> day of January, 2019.

	Mayor	
ATTEST:		
City Clerk		

#### Compliance Report

Jurisdiction:

North Mankato

1001 Belgrade Avenue

Report Year: 2019

Case: 1 - 2019 DATA (Private (Jur Only))

North Mankato

MN 56003

Contact: April Vangenderan

Phone: (507) 625-4141

E-Mail: aprilv@northmankato.com

The statistical analysis, salary range and exceptional service pay test results are shown below. Part I is general information from your pay equity report data. Parts II, III and IV give you the test results.

For more detail on each test, refer to the Guide to Pay Equity Compliance and Computer Reports.

#### I. GENERAL JOB CLASS INFORMATION

	Male	Female	Balanced	All Job
	Classes	Classes	Classes	Classes
# Job Classes	22	12	1	35
# Employees	41	16	3	60
Avg. Max Monthly Pay per employee	5,973.60	4,766.79		5,746.28

#### **II. STATISTICAL ANALYSIS TEST**

#### A. Underpayment Ratio =

100.00 \*

. ,	Male Classes	Female Classes
a. # At or above Predicted Pay	11	6
b. # Below Predicted Pay	11	6
c. TOTAL	22	12
<ul><li>d. % Below Predicted Pay</li><li>(b divided by c = d)</li></ul>	50.00	50.00

<sup>\*(</sup>Result is % of male classes below predicted pay divided by % of female classes below predicted pay.)

#### **B.** T-test Results

Degrees of Freedom (DF) =	55	Value of T = 0.055
, ,		

a. Avg. diff. in pay from predicted pay for male jobs =

(\$9)

b. Avg. diff. in pay from predicted pay for female jobs =

(\$11)

#### III. SALARY RANGE TEST = 0.00 (Result is A divided by B)

A. Avg. # of years to max salary for male jobs =

0.00

B. Avg. # of years to max salary for female jobs =

0.00

## IV. EXCEPTIONAL SERVICE PAY TEST = 0.00 (Result is B divided by A)

A. % of male classes receiving ESP

9.09 \*

B. % of female classes receiving ESP

0.00

<sup>\*(</sup>If 20% or less, test result will be 0.00)

# RESOLUTION APPROVING NEW AUTO READ WATER METERS AS THE STANDARD METER

WHEREAS, the City Code requires all residential, commercial and industrial buildings within the City of North Mankato boundaries to connect to the municipal utility system; and

WHEREAS, the City of North Mankato utility department sells water meters to plumbers for installation and replacement within all residential, commercial and industrial buildings; and

WHEREAS, the City charges the cost of the water meter with no mark-up.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF NORTH MANKATO, MINNESOTA, that on January 1, 2019, all meters sold and installed will be auto read meters.

Adopted by the City Council this 22<sup>nd</sup> day of January 2019.

		Mayor	
ATTEST:	444		
City Clerk			

# CITY OF NORTH MANKATO REQUEST FOR COUNCIL ACTION



urth Series An Ordinance Amending the Code of Ordinances for the gand Compiling Certain Ordinances of the City Dealing with the oviding Penalties for the Violation of the Code of Ordinances.  RMATION: Minnesota Statutes authorize the City to cause its e Ordinances adopted since the last codification on April 2, 2018,
ons to the City Code of North Mankato. The Planning Commission opment Director Fischer will review the Planning Commission's
If additional space is required, attach a separate sheet
nance No. 112, Fourth Series An Ordinance Amending the Code nnesota Revising, Updating and Compiling Certain Ordinances n the Code of Ordinances, and Providing Penalties for the
SUPPORTING DOCUMENTS ATTACHED
Resolution Ordinance Contract Minutes Map    X
r

#### **NOTICE OF PUBLIC HEARING**

### TO AMEND NORTH MANKATO CITY CODE

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, at 7 p.m. on the 22<sup>nd</sup> day of January 2019, to hold a public hearing to amend the City Code of North Mankato to include all Ordinances adopted by the City Council in 2019 and other amendments to the Code as necessary.

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

Dated this 7<sup>th</sup> day of January 2019.

April Van Genderen City Clerk City of North Mankato, Minnesota

## ORDINANCE NO. 112, FOURTH SERIES

## AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF NORTH MANKATO, MINNESOTA REVISING, UPDATING AND

COMPILING CERTAIN ORDINANCES OF THE CITY DEALING WITH THE SUBJECTS EMBRACED IN THE CODE OF ORDINANCES, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE CODE OF ORDINANCES

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

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

- **Section 1**. All portions of the City of North Mankato Code will be revised as outlined in Exhibit A attached; and
- **Section 2.** Ordinance Nos. 93, 103, 104, 105, 106, 107, 108, 109, 110, and 111 Fourth Series, are incorporated into the revised Code of Ordinances;
- **Section 3.** This ordinance amending the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published in the City's official newspaper. The City Clerk shall cause a substantial quantity of the amended Code of Ordinances to be printed for public distribution to the public at actual cost and shall furnish a copy of the amended Code of Ordinances to the County Law Library or its designated depository. The official copy of this amended Code of Ordinances shall be marked and kept in the Office of the City Clerk.
- **Section 4.** The Code of Ordinances is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by Minnesota Statutes by the Courts of the State of Minnesota.
- **Section 5.** This ordinance amending the Code of Ordinances shall take effect upon publication of this ordinance in the City's official newspaper.

Adopted by the City Council of the City of North Mankato this 22<sup>nd</sup> day of January 2019.

ATTEST;	Mayor	
City Clerk		

## **■§ 156.044 B-3, GENERAL COMMERCIAL DISTRICT.**

- (A) *Purpose*. The General Commercial District is intended to establish a district of providing the broadest range of retail, wholesale, service, and commercial activities.
- (B) *Special requirements*. Every use, unless expressly exempted by this division, shall be operated in its entirety within a completely enclosed structure; the exemption of a use from the requirement of enclosure will be indicated by the phrase "need not be enclosed" appearing after any use exempted.
  - (C) Permitted uses.
    - (1) The following are permitted uses:
      - (a) Antique store.
      - (b) Apparel store.
      - (c) Appliance store.
      - (d) Art gallery, studio, school or supply store.
      - (e) Bakeries, retail.
      - (f) Banks, savings and loans or finance companies.
      - (g) Barber and beauty shops.
- (h) Bars, taverns and cocktail lounges licensed to sell soft drinks, beer malt, or alcoholic beverages on sale, off sale or both.
  - (i) Book store.
  - (j) Bowling alley.
  - (k) Business machine store.
  - (1) Business, trade or commercial school.
  - (m) Camera and photographic studio and supply.
  - (n) Candy, ice cream, confectionary store.
  - (o) Car sales lots, need not be enclosed.
  - (p) Catalog service and mail order house.
  - (q) Caterer.
  - (r) Cemetery, memorial garden, need not be enclosed.
  - (s) Churches.
  - (t) Clinic, dental or medical, but not animal clinic.
  - (u) Club or lodge.
  - (v) Community centers, parks or public buildings.
  - (w) Convent, monastery or similar institution for religious training.
  - (x) Conventions, or meeting facility.
  - (y) Dairy store.
  - (z) Dance studio.
  - (aa) Day cares.
  - (bb) Delicatessen.
  - (cc) Driveways.
  - (dd) Drug store.
  - (ee) Essential public utility and service structures.
  - (ff) Fences.
  - (gg) Floral and garden supply including nursery, need not be enclosed.
  - (hh) Gift, novelty or souvenir store.
  - (ii) Grocery store.
  - (ii) Hardware store.

- (kk) Hobby store.
- (ll) Hotels and motels.
- (mm) Institution of religious, charitable or philanthropic nature.
- (nn) Interior decorating store and supply.
- (oo) Janitorial services.
- (pp) Laboratory, medical or dental.
- (qq) Laundry or dry-cleaning.
- (rr) Leather goods store retail only.
- (ss) Libraries, auditoriums, museums, or other cultural institutions.
- (tt) Locksmith or key stand, need not be enclosed.
- (uu) Medical appliance sales and fittings.
- (vv) Medical intern or resident doctor's quarters.
- (ww) Mortuary, funeral home.
- (xx) Motorcycle shop.
- (yy) Office condominium.
- (zz) Office of any type.
- (aaa) Optical services and supply.
- (bbb) Parking of vehicles, need not be enclosed.
- (ccc) Pet store, including animal clinic.
- (ddd) Private recreation facilities; tennis court, golf club, swimming pool.
- (eee) Public and private utilities.
- (fff) Rehabilitation center for handicapped persons.
- (ggg) Restaurants or other eating places including drive-ins.
- (hhh) School, public or private.
- (iii) Shoe repair shops.
- (jjj) Sporting goods store.
- (kkk) Stationery store.
- (lll) Tailor shops.
- (mmm) Theater.
- (nnn) Toy store.
- (000) Travel bureau or ticket agency.
- (ppp) Variety stores.
- (2) Every permitted use allowed shall be constructed on a permanent foundation and be connected to municipal utilities.
  - (3) Only 1 business permitted per lot except when located in the same structure.
  - (D) Conditional uses. The following uses may be permitted:
    - (1) Automobile wash, service or repair;
    - (2) Convenience store;
    - (3) Taxidermist;
    - (4) Home and building supply store;
    - (5) Pawnshop;
- (6) Dwelling units located in business establishments above the ground floor as regulated by this section:
- (7) Landing or take-off area for rotorcraft, not including maintenance, repair, fueling, or hangar facilities;

- (E) Accessory uses. The following is a permitted use: Storage buildings associated with the permitted use
  - (F) Lot area.
- (1) For each permitted or conditional use there shall be provided not less than 15,000 square feet of lot area.
- (2) For each dwelling unit located in business establishments above the ground floor there shall be provided 1,000 square feet of lot area in addition to that amount required for the business establishment.
  - (G) Lot width and depth.
- (1) Lot width. Every lot upon which there is a permitted or conditional use shall require a minimum width of 100 feet at the building setback line.
- (2) Lot depth. Every lot or plot upon which there is a permitted or conditional use shall require a minimum depth of 150 feet.
  - (H) Yard regulations.
    - (1) The minimum yard regulations are as follows:

Front Yard:	
Main and Accessory Buildings	15 feet
Parking Areas	10 feet
Side Yards:	
Main and Accessory Buildings	10 feet
Parking Areas	10 feet
Rear Yard:	
Main and Accessory Buildings	15 feet
Parking Areas	10 feet

- (2) Where a lot is located at the intersection of 2 or more streets there shall be a front yard on each side street.
- (I) *Ground coverage*. Not more than 70% of a lot shall be covered by all main and accessory buildings.
- (J) *Height regulations*. No structure hereafter erected or altered shall exceed 3 stories or 45 feet in height. Accessory buildings shall not exceed 1 story in height.

(1975 Code, § 11.14) (Am. Ord. 30, passed 2-22-1983; Am. Ord. 8, 4th Series, passed 1-16-2007; Am. Ord. 17, 4th Series, passed 1-17-2008; Am. Ord. 30, 4th Series, passed 1-4-2010; Am. Ord. 79, 4th Series, passed 8-1-2016)

# **№ 93.01 UNLOADING ON STREET OR SIDEWALK.**

No person shall unload any heavy material in the streets of the city by throwing or letting the material fall upon the pavement of any street, alley, sidewalk, or other public way, without first placing some sufficient protection over the pavement.

Penalty, see § <u>10.99</u>

# § 93.02 STREET AND SIDEWALK OBSTRUCTION.

No person shall obstruct any street, alley, sidewalk, or other public way within the city by erecting thereon any fence or building, or permitting any fence or building to remain thereon. Each day that any fence or building is permitted to remain upon the public way shall constitute a separate offense.

Penalty, see § 10.99

## 📙 § 93.03 MATERIALS ON STREET OR SIDEWALK.

No person shall encumber any street or sidewalk. No owner, occupant, or person having the care of any building or lot of land, bordering on any street or sidewalk, shall permit it to be encumbered with barrels, boxes, cans, articles, or substances of any kind, so as to interfere with the free and unobstructed use thereof. No owner, occupant or person shall discharge grass clippings or accumulate leaves on any public street or sidewalk. Penalty, see § 10.99

## **№ 93.04 SUMP PUMP WATER DISCHARGE**

As part of any street improvement or maintenance project, all sump pump discharge lines on properties adjacent to the improvement project that are discharging into the street or causing water to flow into the street are required to be tied directly into a storm sewer system. Water from any sump pump discharge line shall not create a nuisance affecting public health or safety. Penalty, see § 10.99

# **■§ 150.051 P-1, PUBLIC USE DISTRICT.**

- (A) *Purpose*. The Public Use District is intended to establish a district designed to serve public uses.
  - (B) *Permitted uses*. The following are permitted uses.
- (1) Municipal government administrative buildings, utility stations, fire stations and police stations;
  - (2) Parks and playgrounds;
  - (3) Public libraries and community centers;
- (4) Other public uses determined by the Council to be of the same general character and consistent with the intent of division (A) of this section.
  - (C) Conditional Uses.
    - (1) Indoor sport and recreational facilities
- (D) Lot area. For each permitted use there shall be provided not less than 6,000 square feet of lot area.
  - (E) Lot width and depth.
- (1) Every lot upon which there is a permitted use shall require a minimum width of 55 feet at the building setback lines.
  - (2) Every lot upon which there is a permitted use shall require a minimum depth of 100 feet.
  - (F) Yard regulations.

- (1) Front yard setback.
  - (a) Platted lots recorded prior to 1958 20 feet.
  - (b) Platted lots recorded 1958 and after 30 feet.
  - (c) Corner lots have 2 front yard setbacks.
- (2) Side yard setbacks.
  - (a) Platted lots recorded prior to 1958 5 feet.
  - (b) Platted lots recorded 1958 and after 10 feet.
  - (c) Rear yard setback 25 feet.
- (G) Maximum ground coverage. 50%.
- (H) Maximum building height.
  - (1) Main buildings 3 stories or 45 feet, whichever is less.
  - (2) Accessory buildings 1-1/2 stories or 22 feet, whichever is less.
  - (3) Conditional Uses maximum of 100 feet

## **№ 156.035 GENERALLY.**

- (2) Yards or lots created after the effective date of this chapter shall not be less than the minimum requirements established by this chapter.
- (E) Accessory uses. Accessory uses or structures shall not be located in any required front, side, rear or transitional yard except as may be permitted in this section.
- (1) The following accessory uses or structures shall be permitted in any required rear or front yard in any residential zoning district, provided a 15 foot rear yard setback and the required front yard setback is maintained:
- (a) Decks or elevated platforms, either attached to a dwelling or free standing, with no roof or overhead structure of any type;
- (b) Patios or paved areas that are level, flush or at grade with the ground, with no roof or overhead structure of any type, and is not used for parking purposes;
- (2) The following accessory uses or structures shall be permitted in any required rear yard in any zoning district, provided a 5 foot rear yard setback is maintained, and any required side yard in any zoning district, provided a 5 foot side yard is maintained from the furthest point of the building to the respective property line: utility buildings;
- (3) The following accessory use shall be permitted within any required rear yard in any residential zoning district, provided a 15 foot rear yard setback and the required side yard setbacks are provided: In-ground swimming pools, including aprons, and above ground swimming pools with attached decks or aprons.

### **№ § 54.16 BACK YARD DRAINS**

- (1) Purpose. The City finds that it is necessary to allow the drainage of water from some backyards to prevent pooling and other effects of standing water. The purpose of this section is to regulate the maintenance of these drains
- (A) **Drains installed as part of a new street construction or by the City**. If a back yard drain was installed as a part of a new street project, or was installed by the City to alleviate ponding issues, the City shall have an easement to enter the property in order to maintain the drain, make changes to the drain, or repair the drain. The easement area shall include the area necessary to maintain the structure and the piping.

(B) **Drains installed by citizens or parties other than the City.** If the drain and piping is installed by any entity other than the city, the property owner in which the structure and pipes are located shall assume responsibility for the maintenance and functionality of the structure and subsequent piping, this shall include the point of connection in to the city utility service. The property owner shall submit a construction plan to the City for review and approval, showing the size and location of any new private backyard drain. The property owner agrees to hold harmless the City for any damage that the structure, piping or connection to city utilities may have on any other property, or the city's utility that are the result of the actions or inactions of the property in the installation, maintenance, lack of maintenance, of the structure, piping and connection.

# CITY OF NORTH MANKATO REQUEST FOR COUNCIL ACTION



Agenda Item # 12B	Dept: City Engineer	Council Meeting Date: 1/22/19
TITLE OF ISSUE: Consider Resolution ABCDEF Tyler Avenue Improvement P	-	d Preparation of Plans Project No. 18-07
	18-07 ABCDEF which propo	nuary 22, 2019, the North Mankato City Council oses improvements on Tyler Avenue from Range soltuion.
		If additional space is required, attach a separate sheet
No. 18-07 ABCDEF Tyler Avenue Impro	ovement Project.	nprovement and Preparation of Plans Project
For Clerk's Use:	SUPPO	RTING DOCUMENTS ATTACHED
Motion By: Second By:  Vote Record: Aye Nay	Resolution Ord	inance Contract Minutes Map
Steiner Norland Oachs Whitlock Dehen	Other (specify	
Workshop  X Regular Meeting  Special Meeting	Т	efer to: able until: ther:

# NOTICE OF PUBLIC HEARING PROJECT NO. 18-07 ABCDEF TYLER AVENUE IMPROVEMENT PROJECT

Notice is hereby given that the City Council of North Mankato will meet in the Council Chambers of the City Hall at 7:00 p.m. on January 22, 2018, to consider the making of Improvement No. 18-07 ABCDEF, an improvement on Tyler Avenue from Cross Street to Range Street, pursuant to Minn. Stat. §429.011 to 429.111. The estimated cost of the improvement is \$521,600. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons as desire to be heard with reference to the proposed improvement will be heard at this meeting.

/s/April Van Genderen City Clerk

Published in the Free Press on January 10 and January 18, 2019.

#### RESOLUTION NO.

# RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS PROJECT NO. 18-07 ABCDEF TYLER AVENUE IMPROVEMENT

WHEREAS, a resolution of the city council adopted the 7<sup>th</sup> day of January 2019, fixed a date for a council hearing on Improvement No. 18-07 ABCDEF, the proposed improvement of Tyler Avenue from Range Street to Cross Street; and

WHEREAS, notice of the hearing was published twice, a week apart, with the last publication being at least three days before the hearing date, and ten days' mailed notice was given, and

WHEREAS, the hearing was held thereon on the 22<sup>nd</sup> day of January, 2019, at which all persons desiring to be heard were given an opportunity to be heard thereon.

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

- 1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
- 2. Such improvement is hereby ordered as proposed in the council resolution adopted the 7<sup>th</sup> day of January 2019.
- 3. Such improvement has no relationship to the Comprehensive Plan.
- 4. Bolton & Menk is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.
- 5. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax exempt bonds.

Adopted by the City Council this 22<sup>nd</sup> day of January 2019.

	Mayor	
ATTEST:		
City Clerk		

# CITY OF NORTH MANKATO REQUEST FOR COUNCIL ACTION



the Expenditure of Sale ilities.  DRMATION: A reques				h
DRMATION: A reques	st was made to re	eview a Sale	s Tax Expenditu	
				ure
	If additional space	is required, attac	ch a separate sheet	
	_	of Sales Tax	Dollars Extend	ted
SUPPOR	TING DOCUM	ENTS ATT	ACHED	
Resolution Ordina	nce Contract	Minutes	Map	
Other (specify)				
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# A RESOLUTION RELATED TO THE EXPENDITURE OF SALES TAX DOLLARS EXTENDED BY THE VOTERS OF NORTH MANKATO IN 2016 FOR USE NEW INDOOR RECREATIONAL FACILITIES

**WHEREAS**, the Citizens of North Mankato have approved the extension of the local sales and use tax; and,

WHEREAS, one authorized use of the tax is new recreational facilities; and,

WHEREAS, the City Council looks forward to partnering with various groups to consider new recreational facilities in North Mankato; and,

WHEREAS, to establish fairness, transparency and openness in consideration of various projects the City Council seeks to articulate the manner in which potential partnerships may be established; and,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NORTH MANKATO, MINNESOTA;** The following guidelines are hereby established for funds used for new indoor recreational facilities as extended by the voters in November of 2016 when they are authorized for use by the Minnesota State Legislature:

- I. <u>New Capital Construction</u> Construction of new indoor facilities finances with sales tax proceeds should require the following:
- A. The City Council shall be provided with information that identifies the anticipated operational costs associated with the proposed facility.
- B. The City Council shall be provided with information that identifies anticipated sources of operational revenue associated with the proposed facility. If any operational revenue for a new indoor recreational facility is anticipated to be funded from the property tax levy or general fund dollars, specific notation of this will be made in materials presented to the council and made available for public review.
- C. If operational revenue is anticipated to be secured from an entity other than the City, an agreement outlining the financial obligations of the entity or entities proposing the to fund operations of a new indoor facility must be presented to the City Council, before sales tax dollars are considered as a source of revenue for financing or constructing the project. The agreement must include:
  - 1. Length of agreement
  - 2. Amount of financial obligation committed by each entity proposing to fund operations of the facility
  - 3. A contract or lease agreement the entity or entities are prepared to execute with the City
  - 4. A proposal of how capital replacement on the facility will be shared between the city and users. If users assume no responsibility for capital replacement, then the City must identify the sources of funding for capital replacement/depreciation at the time the agreement is proposed to the City Council.
- II. The Use of Sales Tax Dollars as Matching Funds

A. If state of Minnesota funding, state of Minnesota bonding, other government appropriations, grants, bonds, private financing, or private fundraising are proposed to be used as a matching or primary funding sources for a new indoor recreation project, consideration of the matter should be consistent with the following requirements

- 1. If funding has been officially approved by state statute or other official agreement at the time a request is presented to the City Council, requirements of section 1 of this resolution shall apply.
- 2. If funding is to be requested or is in consideration of being requested to any public or private agency, then the Council, prior to receiving a request seeking to obligate such dollars, shall be provided the following information:
  - a. Proposed ownership
  - b. Entity responsible for depreciation expenses
  - c. Entity responsibility for general maintenance and repair for proposed facility
  - d. Entity responsible for post construction operation of the facility
- B. If any sales tax dollars are proposed to be used as a pledge or grant to secure matching funds from other agencies, either public or private, the City Council must approve reserving those funds to act as a pledge or a grant.
  - If sales tax dollars are pledged or granted to new indoor recreational facility not yet completed, those funds will be recognized in the City of North Mankato's annual budget as a pledge or a grant making them unavailable for other uses.
  - 2. If such a pledge or grant is made, it will be time-limited by the City Council at the time of making such a pledge or grant and presented as such in the annual budget documents of the City.
  - 3. The City Council may remove itself from a pledge or grant made to a project by a simple majority vote of the City Council at any regular or special meeting called by the Council.
- III. New Facilities Constructed & Financed by Sales Tax Dollars Any commitment by the City to be operationally responsibility for any newly constructed indoor recreational facilities where construction dollars are also financed by the sales tax should be outlined and provided prior to the governing body making such provisions possible according to section 1 of this resolution.
- IV. Super Majority Required for New Indoor Facilities Constructed after 2016 Sales Tax Extension -

A. Any construction of a new indoor recreational facility not affiliated with any previously owned city asset at the time of the sales tax referendum passed by citizens in November of 2016 shall require a "super majority" vote for approval as identified as four of five members of the North Mankato City Council, provided any of the following apply:

- Any cash payment appropriation exceeding \$550,000 from cash balances in the sales tax fund or current year sales tax collections
- 2. Any bond issue financed by North Mankato sales tax dollars where the par value and interest on the bonds will equal \$1.5 million dollars or greater.
- B. No supermajority will be required for expansion of a recreational facility owned by the City of North Mankato at the time of November 2016 sales tax referendum passed by citizens.

#### V. Reporting of Sales Tax Funds as part of Annual City Budget

Information on all special accounts holding proceeds and expenditures from sales tax revenue including:

- 1. Cash balances held in any sales tax funds
- 2. Expenditures made in the previous fiscal year
- 3. Remaining balances of any bond proceeds
- 4. Proposed end date of each separate bond financed with sales tax proceeds and bond schedule showing interest rates of each bond
- 5. Anticipated Capital Expenditures requests within the CIP provided for upcoming budget to be financed with sales tax proceeds.
- 6. Remaining available dollars as permitted by most recent sales tax extension approved by the Minnesota State Legislature and North Mankato Electorate
- 7. All balances of any depreciation accounts associated with sales tax funds
- 8. Listing of all dollars held as "unencumbered" for budget purposes

### VI. Inclusion into future Debt Management Studies

Sales tax dollars will be included as part of any future debt management study completed by the City of North Mankato including discussion of what funds are to be used for cash replacement, future debt issues, and existing indebtedness financed with sales tax dollars.

Adopted by the City Council this 22 <sup>114</sup> day of January, 2019.	
	Mayor
ATTEST:	
City Clerk	