

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 September 16, 2019. Mayor Dehen called the meeting to order at 7:20 p.m. asking that everyone join in the Pledge of Allegiance. The following were present for roll call: Council Members Steiner, Norland, Oachs, Whitlock, and Mayor Dehen, 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. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

**Approval of Council Meeting Minutes September 3, 2019**

**Council Member Norland moved, seconded by Council Member Whitlock, to approve the minutes of the Council meeting of September 3, 2019. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

**Approval of Council Work Session Minutes September 9, 2019**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council Work Session meeting of September 9, 2019. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

**Proclamation**

Mayor Dehen read the following proclamation into the record:

WHEREAS, September 17, 2019, marks the two-hundred-thirty-second anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW THEREFORE I, Mark Dehen, Mayor of North Mankato, by virtue of the power vested in me as Mayor of the City of North Mankato do hereby proclaim September 17 through 23 as:

**CONSTITUTION WEEK**

And ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

**Consent Agenda**

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

A. Bills and Appropriations.

B. Res. No. 68-19 Approving Donations/Contributions/Grants.

- C. Approved Audio Permits for the Circle Inn at 232 Belgrade Avenue for September 19, 20, 25, 27 and 28, 2019 from 6:00 p.m. to 10:00 p.m.
- D. Set a Public Hearing for October 7, 2019, at 7:00 p.m. to consider the Abatement of the Property Located at 415 Webster Avenue.
- E. Set a Public Hearing for October 7, 2019, at 7:00 p.m. to consider the Abatement of the Property Located at 229 Allan Avenue.
- F. Res. No. 69-19 on the Proposal to Establish Tax Increment Financing District IDD No. 1-26 and Calling for Consultation with Other Affected Jurisdictions and Public Hearing.
- G. Set a Public Hearing for October 7, 2019, at 7:00 p.m. to Consider Adopting an Ordinance Imposing a One Half of One Percent Food & Beverage Sales Tax.

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

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

None.

**Business Items**

**Res. No. 70-19 Approving a Proposed Tax Levy.**

Finance Director McCann reported the proposed tax rate is 50.311% is a decrease of .639% from 2019. The total tax levy will capture new growth and produce nearly \$111,000 in additional spending. **Council Member Steiner moved, seconded by Council Member Norland to adopt Res. No. 70-19 Approving a Proposed Tax Levy. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

**Res. No. 71-19 Accepting Bid Project No. 19-02A Carol Court Force Main Improvements**

City Engineer Sarff reported the project is the installation of sanitary sewer force main pipe by directional drilling. It is a very specialized construction method, and few companies can perform the work. GM Contracting, Inc., out of Lake Crystal was the low and only bid at \$205,116.57 which is approximately 2.8% over the Engineers Estimate of \$199,603.00. After discussion with staff it is recommended that Council award the bid. **Council Member Norland moved, seconded by Council Member Steiner to adopt Res. No. 71-19 Accepting Bid Project No. 19-02A Carol Court Force Main Improvements. Vote on the motion: Steiner, Norland, Oachs, Whitlock, and Dehen aye; no nays. Motion carried.**

**Open Forum**

Alma Erkel, 1586 Sherwood Drive, appeared before Council and reported damage from deer.

Susan Beetsch, 925 Lake Street, appeared before Council and reported damage from deer and stated she thinks the deer are causing erosion.

Tom Hagen, 927 Lake Street, appeared before Council and reported damage from deer.

**City Administrator and Staff Comments**

None.

**Mayor and Council Comments**

Council Member Oachs encouraged residents and business owners to come out for the Public Hearing concerning the proposed Food and Beverage Tax. She encouraged people to come out for Bier on Belgrade on September 21, 2019.

Council Member Norland thanked City staff for their work on managing the erosion issues on Lake Street.

Council Member Whitlock encouraged people to attend Bier on Belgrade from noon to 10:00 p.m.

Council Member Whitlock reported he received an email from Gary Doering who lives on Sherwood Street. Mr. Doering reported he moved to North Mankato to enjoy the wildlife and encouraged residents to plant deer-resistant plants not kill the deer.

Mayor Dehen reported Council Member Whitlock, Community Development Director Fischer and himself attended the annual REDA meeting where the City received an award for ten years of participation. He encouraged people to review the REDA Annual Report at [https://issuu.com/gretermankatogrowth/docs/2018-2019\\_reda\\_annual\\_review](https://issuu.com/gretermankatogrowth/docs/2018-2019_reda_annual_review)

Mayor Dehen invited residents to Coffee with the Council on Saturday, September 28<sup>th</sup> from 10 to 11 am at Sota Sisters, at 1754 Commerce Dr. Suite 104.

At 8:46 p.m. on a motion by Council Member Norland, seconded by Council Member Steiner the Council Meeting was adjourned.

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Mayor

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City Clerk

Pursuant to due call and notice thereof, a Council Work Session of the North Mankato City Council was held at the Police Annex at 1001 Belgrade Avenue on September 23, 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, Community Development Director Fischer and City Clerk Van Genderen.

**Discuss the Rooftop Bar + Kitchen, and Retail Bank and the Belgrade Master Plan**

City Administrator Harrenstein reported with the proposed TIF application concerning the redevelopment of the area; discussion has occurred concerning if the project adheres to design guidelines outlined in the Belgrade Master Plan. He reported Bolton & Menk Transportation Planner, Matt Lassonde, is prepared to review the proposed development with the Belgrade Master Plan. City Administrator Harrenstein reported Belgrade Avenue has changed over the years. It was a major highway until work on the bridge occurred, and a major portion of Belgrade was demolished. The aesthetics of the proposed buildings is an attempt at a unifying aspect of the current architectural themes on Belgrade including the historic building of Spinners and the more modern aspects of the Marigold buildings.

Matt Lassonde appeared before Council and reviewed the proposed development's adherence to the Belgrade Master Plan, the Comprehensive Plan, the Belgrade Avenue Corridor Study; specific attention was given to the development's adherence to Belgrade Avenue Master Plan's Central Business District Design guidelines. The review indicated the development adheres to 90% of all guidelines and plan goals while balancing the new and historic nature of the Central Business District. Discussion was held that the design guidelines outlined in the Belgrade Avenue Master Plan are guidelines and Attorney Kennedy stated in a letter that they are suggested guidelines and not binding regulations like City Code. The items identified as non-compliant with plan initiatives include the following:

1. Corrugated metal panels used on the façade of the Frandsen Bank building. These are specifically not recommended in CBD Design Guidelines.
2. The developer has not yet provided a lighting plan.
3. There is no plan for trash receptacle locations and how these will be screened on site.
4. The Frandsen Bank building has no street-facing public entrance on the public façade of Belgrade Avenue as recommended in the CBD Design Guidelines.

City staff will work with developers to address the concerns listed in items one through three before issuing the building permit. Issue four was dismissed by City Council because the developers presented information concerning the decision to not include the main entrance facing Belgrade which included safety concerns with the drive-through.

Discussion was held by Council concerning certain items of the plan. Concerns and questions included pedestrian crossings and safety, glass refraction, parking, access points, lighting, wayfinding signage, a car charging station, and curb design. Staff was directed to provide additional information and options for improving the Range and Belgrade pedestrian crossing, lighting on the 200 block of Belgrade, wayfinding signage, consideration of moving a power pole at the corner of Range and Belgrade, and closing the municipal parking lot (located next to the American Legion) access point onto Belgrade Avenue and potentially closing the access point onto Belgrade at the Circle Inn. The City is also planning a pedestrian study to review pedestrian crossings before and after the new development to help plan for continued pedestrian safety.

Council Member Norland moved, seconded by Council Member Oachs to close the Council Work Session at 1:30 p.m.

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Mayor

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City Clerk

# The Free Press MEDIA

## THE LAND

P.O. Box 3287, Mankato, MN 56002

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

## Affidavit of Publication

### STATE OF MINNESOTA, COUNTY OF BLUE EARTH, SS.

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

1. I am the publisher of The Free Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

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

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

The printed notice which is attached was cut from the columns of said newspaper, and was printed and published the following dates: 09/21/19, and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: 27.62.

5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue Earth County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

By:   
Steve Jameson, Publisher

Sworn to and subscribed before me, this day  
09/21/2019

  
Notary Public

### Public Notice

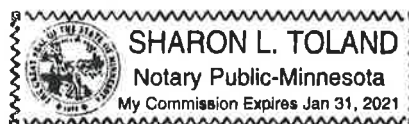
September 21, 2019

#### 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 7th day of October 2019, to hold a public hearing to consider abatement procedures against the property located at 415 Webster Avenue, North Mankato, MN. Such persons as desire to be heard with reference to the abatement of public nuisance will be heard at this meeting.

Dated this 16th day of September 2019.

April Van Genderen  
City Clerk  
City of North Mankato, MN



**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 7<sup>th</sup> day of October 2019, to hold a public hearing to consider abatement procedures against the property located at 415 Webster Avenue, North Mankato, MN. Such persons as desire to be heard with reference to the abatement of public nuisance will be heard at this meeting.

Dated this 16<sup>th</sup> day of September 2019.

April Van Genderen  
City Clerk  
City of North Mankato, Minnesota



**CITY OF NORTH MANKATO**

**OFFICE OF  
CITY ATTORNEY**

**MICHAEL H. KENNEDY  
CHRISTOPHER M. KENNEDY**

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

**August 30, 2019**

**Mr. Francisco Carrera  
415 Webster Avenue  
North Mankato, MN 56003**

**Dear Mr. Carrera:**

You are listed as the owner of property at 415 Webster Avenue, North Mankato, MN. You have previously been served with notices from the City of North Mankato on May 2, 2019 and July 18, 2019. You also received a letter from my office dated August 5, 2019. I am enclosing copies of those notice to point out the corrective actions you are required to take. According to city staff you have not taken all necessary steps to correct these violations so the matter will be brought before the North Mankato City Council at their regular meeting on the 16<sup>th</sup> of September. At that time I will ask the City Council to set a time for a public hearing at the first council meeting in the month of October (October 7, 2019). At that hearing I will ask the City Council for authority to move forward against your property as a public nuisance under City Code 8221 (A).

The City of North Mankato wants to work with you in this matter. If you wish to come up with a plan to correct these deficiencies I would ask that you contact:

**Mr. Michael Fischer  
Community Development Director  
City of North Mankato  
North Mankato, MN 56003**

**Sincerely,**

**Michael H. Kennedy  
City Attorney  
cc. Michael Fischer, April Van Genderen**







CITY OF NORTH MANKATO

OFFICE OF  
CITY ATTORNEY

MICHAEL H. KENNEDY  
CHRISTOPHER M. KENNEDY

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

5 August 2019

Mr. Francisco Carrera  
415 Webster Avenue  
North Mankato, MN 56003

Re: City Code violation

Dear Mr. Carrera:

I am the city attorney for the city of North Mankato. You have twice been notified by Michael Fischer that you are in violation of City Code 92.21 (B)(2). To correct this violation you need to repaint the exterior of your house. If you fail to take corrective action by August 15 I will ask that this matter be set before the City Council for further action. Should it become necessary the City will correct the violation and will assess all costs against your property. Should you have any questions contact Michael Fischer at 625-4141.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael H. Kennedy'.

Michael H. Kennedy  
City Attorney  
MHK/mhk  
cc. Michael Fischer



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### OFFICIAL NOTICE TO CORRECT VIOLATIONS

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**Case Number:** GV-000095-2019

**Staff Contact:** Michael Fischer

**Notice Date:** 05/02/2019

**Staff Email:** [michaelf@northmankato.com](mailto:michaelf@northmankato.com)

**Subject Property:** 415 WEBSTER AVE  
N MANKATO, MN 56003

**Owner:** Francisco Carrera

**Occupant:**

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Pursuant to the provisions of the City of North Mankato, you are hereby notified to correct the following violations:

**Violation:** 92.21 (A)-Building Maintenance and Appearance - Building Maintenance and Appearance

Buildings, fences and other structures that have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they (a) are unsightly, (b) decrease adjoining landowners and occupants' enjoyment of their property and neighborhood, and (c) adversely affect property values and neighborhood patterns.

(B) Standards. A building, fence or other structure is a public nuisance if it does not comply with the following requirements:

- (1) No part of any exterior surface may have deterioration, holes, breaks, gaps, loose or rotting boards or timbers.
- (2) Every exterior surface that has had a surface finish such as paint applied must be maintained to avoid noticeable deterioration of the finish. No wall or other exterior surface may have peeling, cracked, chipped or otherwise deteriorated surface finish on more than 20% of:
  - (a) Any 1 wall or other flat surface; or
  - (b) All door and window moldings, eaves, gutters, and similar projections on any 1 side or surface.
- (3) No glass, including windows and exterior light fixtures, may be broken or cracked, and no screens may be torn or separated from moldings.
- (4) Exterior doors and shutters must be hung properly and have an operable mechanism to keep them securely shut or in place.
- (5) Cornices, moldings, lintels, sills, bay or dormer windows and similar projections must be kept in good repair and free from cracks and defects that make them hazardous or unsightly.
- (6) Roof surfaces must be tight and have no defects that admit water. All roof drainage systems must be secured and hung properly.
- (7) Chimneys, antennae, air vents, and other similar projections must be structurally sound and in good repair. These projections must be secured properly, where applicable, to an exterior wall or exterior roof.
- (8) Foundations must be structurally sound and in good repair.

**Corrective Action:** Necessary to repaint house

**Compliance Date:** 7/15/19

Thank you for your attention to this issue and please feel free to contact me at 625-4141 should you have questions.

Sincerely,

THE CITY OF NORTH MANKATO

A handwritten signature in cursive script, appearing to read "Michael Fischer".

Michael Fischer  
Community Development Director



## City of North Mankato, MN

1001 Belgrade Avenue • City of North Mankato, MN 56003

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### OFFICIAL NOTICE TO CORRECT VIOLATIONS

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**Case Number:** GV-000095-2019

**Staff Contact:** Michael Fischer

**Notice Date:** 07/18/2019

**Staff Email:** [michaelf@northmankato.com](mailto:michaelf@northmankato.com)

**Subject Property:** 415 WEBSTER AVE  
N MANKATO, MN 56003

**Owner:** Francisco Carrera

**Occupant:**

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Pursuant to the provisions of the City of North Mankato, you are hereby notified to correct the following violations:

**Violation:** 92.21 (A)-Building Maintenance and Appearance - Building Maintenance and Appearance

Buildings, fences and other structures that have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they (a) are unsightly, (b) decrease adjoining landowners and occupants' enjoyment of their property and neighborhood, and (c) adversely affect property values and neighborhood patterns.

(B) Standards. A building, fence or other structure is a public nuisance if it does not comply with the following requirements:

(1) No part of any exterior surface may have deterioration, holes, breaks, gaps, loose or rotting boards or timbers.

(2) Every exterior surface that has had a surface finish such as paint applied must be maintained to avoid noticeable deterioration of the finish. No wall or other exterior surface may have peeling, cracked, chipped or otherwise deteriorated surface finish on more than 20% of:

(a) Any 1 wall or other flat surface; or

(b) All door and window moldings, eaves, gutters, and similar projections on any 1 side or surface.

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(6) Roof surfaces must be tight and have no defects that admit water. All roof drainage systems must be secured and hung properly.

(7) Chimneys, antennae, air vents, and other similar projections must be structurally sound and in good repair. These projections must be secured properly, where applicable, to an exterior wall or exterior roof.

(8) Foundations must be structurally sound and in good repair.

**Corrective Action:** Necessary to repaint house. Repeat/recurring code violations on the same property within 12 months are subject to expedited legal action

**Compliance Date:** 8/1/19

Thank you for your attention to this issue and please feel free to contact me at 625-4141 should you have questions.

Sincerely,

THE CITY OF NORTH MANKATO

A handwritten signature in dark ink, appearing to read "Michael Fischer". The signature is fluid and cursive, with the first name "Michael" and last name "Fischer" clearly distinguishable.

Michael Fischer  
Community Development Director

# The Free Press MEDIA

# THE LAND

P.O. Box 3287, Mankato, MN 56002

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

## Affidavit of Publication

### STATE OF MINNESOTA, COUNTY OF BLUE EARTH, SS.

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

1. I am the publisher of The Free Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

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

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

The printed notice which is attached was cut from the columns of said newspaper, and was printed and published the following dates: 09/21/19, and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: 27.00.

5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue Earth County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

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

Steve Jameson, Publisher

Sworn to and subscribed before me, this day  
09/21/2019

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

### Public Notice

September 21, 2019

### NOTICE OF PUBLIC HEARING TO AMEND NORTH MANKATO CITY CODE

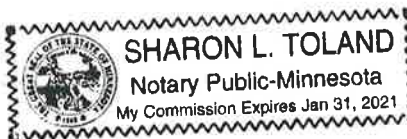
NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, at 7 p.m. on the 7th day of October 2019, to hold a public hearing to consider abatement procedures against the property located at 229 Allan Avenue, North Mankato, MN. Such persons as desire to be heard with reference to the abatement of public nuisance will be heard at this meeting.

Dated this 16th day of September 2019.

April Van Genderen

City Clerk

City of North Mankato, MN



**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 7<sup>th</sup> day of October 2019, to hold a public hearing to consider abatement procedures against the property located at 229 Allan Avenue, North Mankato, MN. Such persons as desire to be heard with reference to the abatement of public nuisance will be heard at this meeting.

Dated this 16<sup>th</sup> day of September 2019.

April Van Genderen  
City Clerk  
City of North Mankato, Minnesota



## City of North Mankato, MN

1001 Belgrade Avenue • City of North Mankato, MN 56003

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### OFFICIAL NOTICE TO CORRECT VIOLATIONS

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**Case Number:** GV-000106-2019

**Staff Contact:** Michael Fischer

**Notice Date:** 07/26/2019

**Staff Email:** [michaelf@northmankato.com](mailto:michaelf@northmankato.com)

**Subject Property:** 229 ALLAN AVE  
N MANKATO, MN 56003

**Owner:** Edward & Ann Borchardt

**Occupant:**

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Pursuant to the provisions of the City of North Mankato, you are hereby notified to correct the following violations:

**Violation:** 90.110 - Grass and Weed Control - Grass and Weed Control

Every owner and occupant of private real property shall be responsible for cutting and controlling the grass and weeds on such property. Furthermore, if the private property abuts any street or alley, then the owner and occupant shall be responsible for cutting and controlling grass and weeds on the public property between the private property and the center of the street or alley.

**Corrective Action:** Maintain all grass and weeds at a height lower than 6 inches

**Compliance Date:** 8/9/19

**Violation:** 156.035 (EE)-Outside Storage of Mat. in Res. Dist. - Outdoor Storage of Materials in Residential Districts

In any Residential zoning district, it is unlawful for any person to discard, place, accumulate, maintain or store out of doors, the following:

- (1) (a) Unlicensed, unregistered or inoperable motor vehicles, recreational vehicle, boats, campers, snowmobiles, trailers or similar equipment.
- (b) In the event a licensed motor vehicle parked or stored out of doors on private property has not been moved within a consecutive 30-day time period, the Zoning Administrator may, by written letter to the property owner, request that the vehicle owner demonstrate the vehicle is operable by starting and driving the vehicle a distance of not less than 500 feet. The operation to be observed by the Zoning Administrator or his or her designee.
- (2) Motor vehicle bodies, frames, parts, tires, rims or other machinery or equipment.
- (3) Household furnishings or appliances.
- (4) Lumber or construction materials.
- (5) Non-residential vehicles including but not limited to: tractors, buses, skid loaders and commercial trucks.
- (6) Lawnmowers, snowblowers and other lawn and garden equipment.
- (7) Garbage, litter and other debris which is considered to be a public nuisance by the Zoning Administrator.
- (8) The outside storage of materials shall not be located within any building setback area.

**Corrective Action:** Items on driveway including tarps must either be stored in doors or removed from the property. Items in backyard including tarps must either be stored indoors or removed from the property.

**Compliance Date:** 8/9/19

Thank you for your attention to this issue and please feel free to contact me at 625-4141 should you have questions.



Sincerely,

THE CITY OF NORTH MANKATO

A handwritten signature in cursive script, appearing to read "Michael Fischer".

Michael Fischer  
Community Development Director



## City of North Mankato, MN

1001 Belgrade Avenue • City of North Mankato, MN 56003

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# OFFICIAL NOTICE TO CORRECT VIOLATIONS

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**Case Number:** GV-000106-2019

**Staff Contact:** Michael Fischer

**Notice Date:** 08/12/2019

**Staff Email:** [michaelf@northmankato.com](mailto:michaelf@northmankato.com)

**Subject Property:** 229 ALLAN AVE  
N MANKATO, MN 56003

**Owner:** Edward & Ann Borchardt

**Occupant:**

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Pursuant to the provisions of the City of North Mankato, you are hereby notified to correct the following violations:

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**Corrective Action:** Maintain all grass and weeds at a height lower than 6 inches. Repeat/recurring code violations on the same property within 12 months are subject to expedited legal action

**Compliance Date:** 8/26/19

**Violation:** 156.035 (EE)-Outside Storage of Mat. in Res. Dist. - Outdoor Storage of Materials in Residential Districts

In any Residential zoning district, it is unlawful for any person to discard, place, accumulate, maintain or store out of doors, the following:

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(b) In the event a licensed motor vehicle parked or stored out of doors on private property has not been moved within a consecutive 30-day time period, the Zoning Administrator may, by written letter to the property owner, request that the vehicle owner demonstrate the vehicle is operable by starting and driving the vehicle a distance of not less than 500 feet. The operation to be observed by the Zoning Administrator or his or her designee.

(2) Motor vehicle bodies, frames, parts, tires, rims or other machinery or equipment.

(3) Household furnishings or appliances.

(4) Lumber or construction materials.

(5) Non-residential vehicles including but not limited to: tractors, buses, skid loaders and commercial trucks.

(6) Lawnmowers, snowblowers and other lawn and garden equipment.

(7) Garbage, litter and other debris which is considered to be a public nuisance by the Zoning Administrator.

(8) The outside storage of materials shall not be located within any building setback area.

**Corrective Action:** Items on driveway including tarps must either be stored in doors or removed from the property. Items in backyard including tarps must either be stored indoors or removed from the property. Repeat/recurring code violations on the same property within 12 months are subject to expedited legal action.

**Compliance Date:** 8/26/19

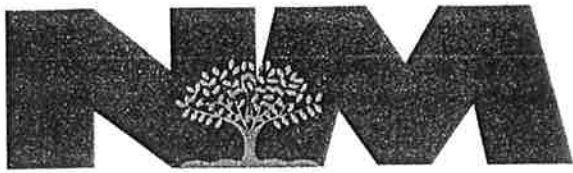
Thank you for your attention to this issue and please feel free to contact me at 625-4141 should you have questions.

Sincerely,

THE CITY OF NORTH MANKATO

A handwritten signature in dark ink, appearing to read "Michael Fischer". The signature is fluid and cursive, with the first name "Michael" and last name "Fischer" clearly distinguishable.

Michael Fischer  
Community Development Director



CITY OF NORTH MANKATO

June 13, 2019

COPY

Edward Borchardt  
229 Allan Ave  
North Mankato, MN 56003

RE: Grass and Weed Violation

Dear Property Owner:

Upon inspection of your property at 229 Allan Ave, the City has found the grass and weeds to be in violation of *City Code Chapter 90, Management of Public and Private Property, Grass and Weed Control, Section 90.111 Failure to Maintain* (copy enclosed). The grass and weeds at your property are at a height in excess of 6 inches.

You are hereby given five (5) days from the date of this notice to comply with the grass and weed height limitation. If, after five (5) days the property is not in compliance, the City or its designated contractor will mow the grass and spray the weeds and bill you at \$125 per hour rate (one-hour minimum per lot). Additionally, if this is a licensed rental property, Rental Strike(s) and subsequent Rental Strike fine(s) shall be issued.

**This letter serves as the only official notification you will receive this year.** If future complaints for non-compliance are received, the City will continue to mow and spray and bill you for the cost.

Contact me at (507) 625-3382 should you have any questions.

Sincerely,

THE CITY OF NORTH MANKATO

*Duane Rader* /mf

Duane Rader  
Parks Superintendent

DR:mf





**CITY OF NORTH MANKATO**

**OFFICE OF  
CITY ATTORNEY**

**August 28, 2019**

**MICHAEL H. KENNEDY  
CHRISTOPHER M. KENNEDY**

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

**Edward and Ann Borchardt  
229 Allan Avenue  
North Mankato, MN 56003**

**Dear Mr. and Mrs. Borchardt:**

You are listed as the owners of property at 229 Allan Avenue, North Mankato, MN. You have previously been served with notices from the City of North Mankato on June 13, 2019, July 26, 2019 and August 12, 2019. I am enclosing copies of those notices to point out the corrective actions you are required to take. According to city staff you have not taken all necessary steps to correct these violations so the matter will be brought before the North Mankato City Council at their regular bi-monthly meeting on 16<sup>th</sup> of September. At that time I will ask the City Council to set a time for a public hearing at the first council meeting in the month of October (October 7, 2019). At that hearing I will ask the City Council for authority to move forward against your property as a public nuisance under City Code 92.23.

The City of North Mankato wants to work with you in this matter. I have reviewed the letter you sent to the city explaining your efforts to date. However, more needs to be done and the city is left with no choice but to seek enforcement under the Ordinance. If you wish to come up with a plan to correct these deficiencies I would ask that you contact:

**Mr. Michael Fischer  
Community Development Director  
City of North Mankato  
1001 Belgrade Avenue  
North Mankato, MN 56003**

**Sincerely,**

**Michael H. Kennedy  
City Attorney  
Enclosures  
cc. Michael Fischer**

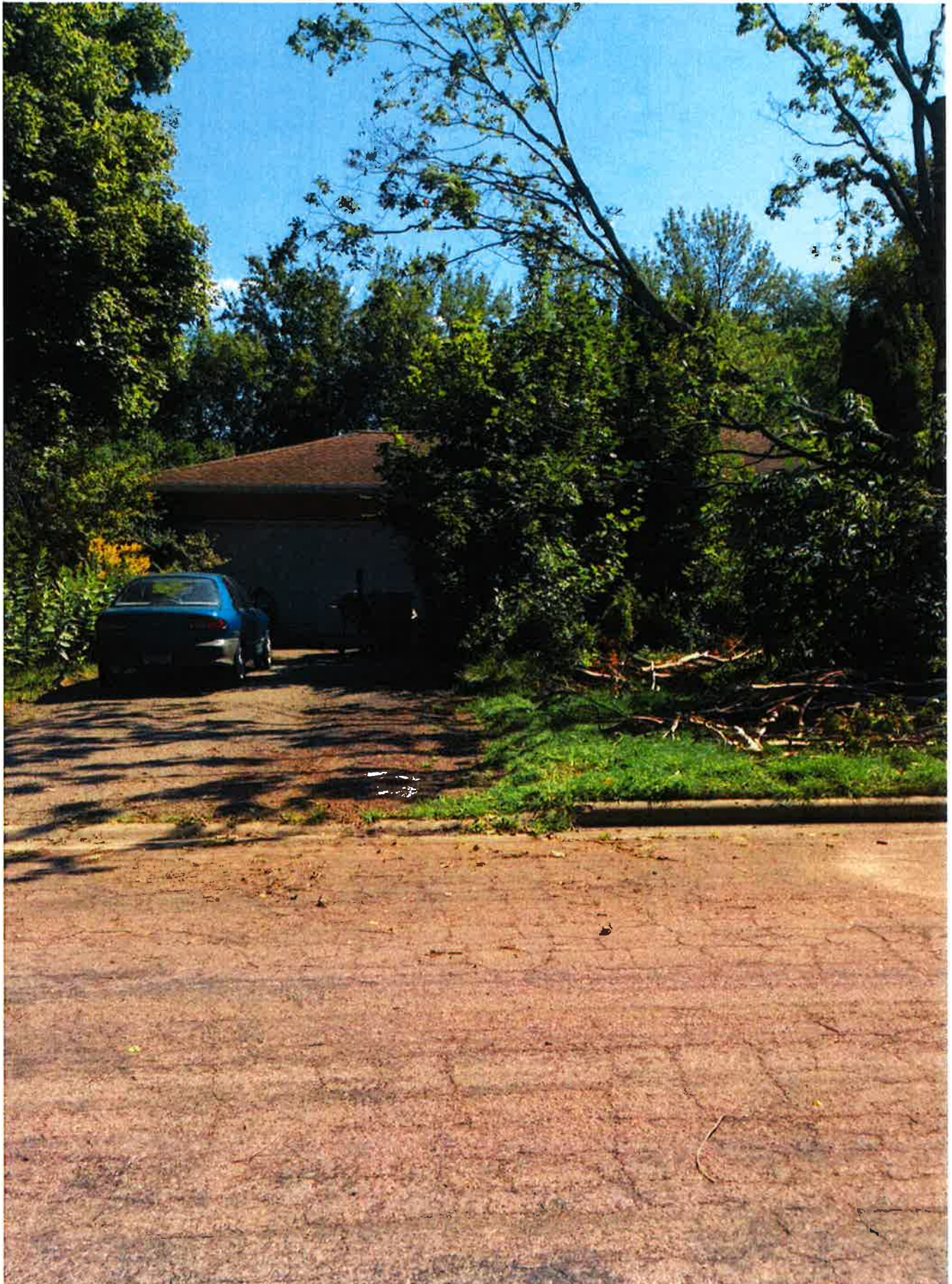


**1001 Belgrade Avenue • North Mankato, MN 56003 • Telephone 507-625-4141  
An Equal Opportunity - Affirmative Action Employer**



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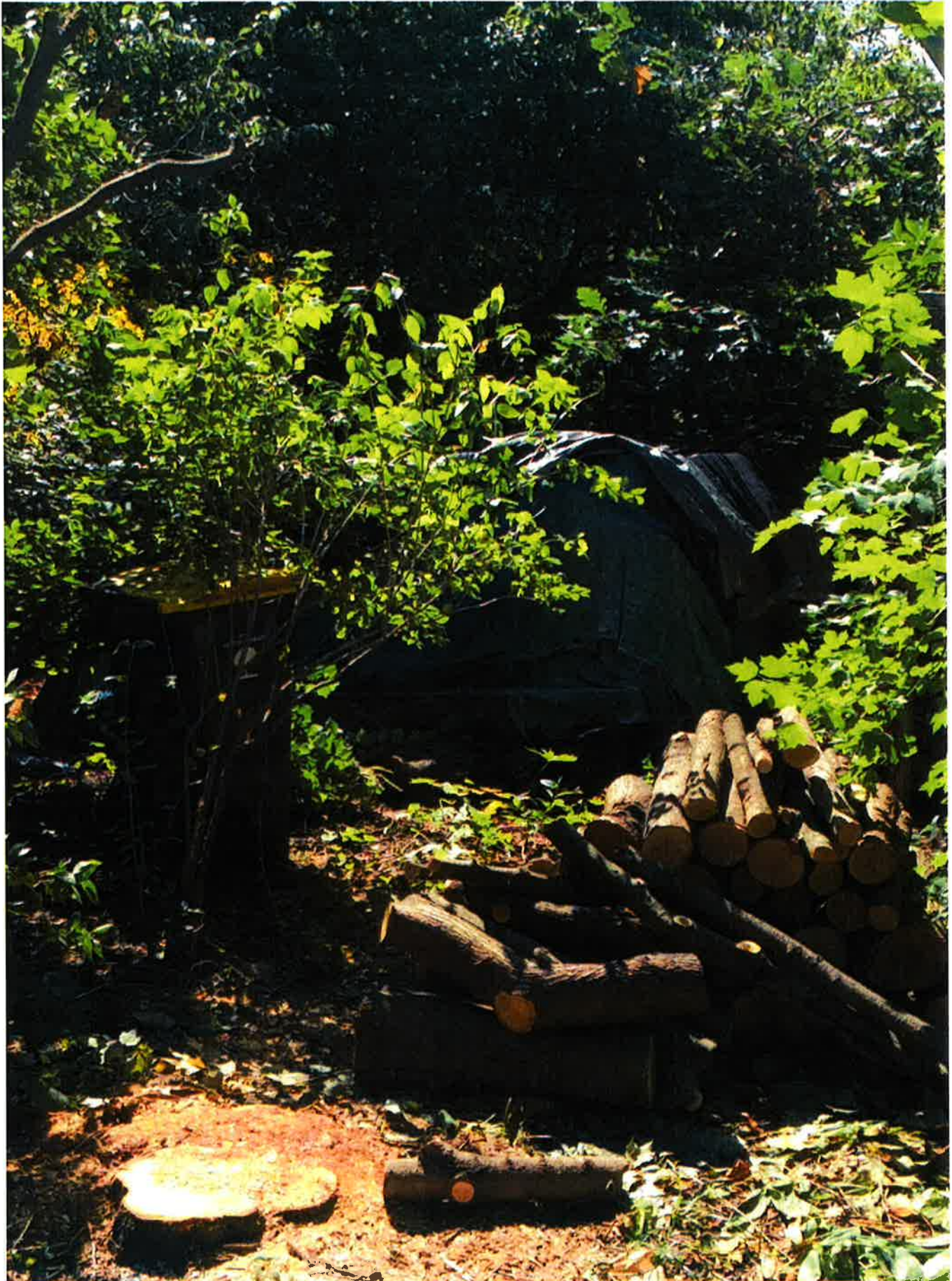






















**From:** Curt Anderson [<mailto:duster49@hickorytech.net>]  
**Sent:** Tuesday, October 01, 2019 11:18 AM  
**To:** Michael Fischer <[michaelf@northmankato.com](mailto:michaelf@northmankato.com)>  
**Cc:** john harrenstein <[johnharrenstein@northmankato.com](mailto:johnharrenstein@northmankato.com)>; mark dehen <[markdehen@northmankato.com](mailto:markdehen@northmankato.com)>; billy steiner <[billysteiner@northmankato.com](mailto:billysteiner@northmankato.com)>; diane norland <[dianenorland@northmankato.com](mailto:dianenorland@northmankato.com)>; sandra oachs <[sandraoachs@northmankato.com](mailto:sandraoachs@northmankato.com)>; jim whitlock <[jimwhitlock@northmankato.com](mailto:jimwhitlock@northmankato.com)>  
**Subject:** Abatement Hearing against 229 Allan Avenue

November 1, 2019

Dear North Mankato Council,

Responding to the Public Hearing on October 7th regarding Abatement Hearing against the property located at 229 Allen Avenue.

Ed and Ann Borchardt purchased their property located at 229 Allan Avenue in North Mankato July of 1984. Neighbors throughout the years have voiced their concerns regarding the condition of the property. The neighbors and the City of North Mankato have been very patient and approached the Bocharchts in a professional and compassionate manner to resolve this issue. Due to years of non-compliance the City has no other choice than treating them more harshly.

It is now 2019 and the property is in such extreme poor condition it is affecting the neighborhood and the property value. There is a concern with the amount of wildlife and rodents possibly making their home on this property.

Yes, the Bocharchts are now in their 70's and may have health issues. However, the condition of their property has been deteriorating for more than 30 years.

We understand the Bocharchts have a passion for supporting pollinators, birds and Monarchs. There are many beautiful gardens supporting this type of environment. Those environments do not include overgrown brush or piles of 'we don't know what' stored under plastic. The city government has made great progress in Benson and Bluff Park trying to sustain pollinator friendly environments. Yes, milkweed is essential for Monarch egg laying. A team of researchers has discovered that milkweed plants in farmland have three-and-a-half times more monarch butterfly eggs than milkweed growing in urban gardens, natural areas and roadsides. These findings are published in the **peer-reviewed** journal *Biological Conservation*. They stem from a two-year survey of monarch egg-laying preferences by graduate student **Grace Pitman** and her professor ecologist **Ryan Norris** at the University of Guelph in Ontario, Canada, and by conservation biologist **Tyler Flockhart** at the University of Maryland.

We have heard other concerns and opinions from people not living in this neighborhood expressing support and assistance that should be offered to the Bocharchts. This is a City of North Mankato and an Allan Avenue neighborhood issue. We are the ones living on the 200 block of Allan Avenue. We are the

ones who have to look at this unsightly property. We, the remaining 16 residents, pay our property taxes and maintain our homes and property.

Thank you

Curt & Diane Anderson

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## April Van Genderen

---

**From:** Michael Fischer <michaelf@northmankato.com>  
**Sent:** Thursday, October 03, 2019 10:48 AM  
**To:** 'John Harrenstein'; aprilv@northmankato.com  
**Subject:** FW: Property at 229 Allan Ave.

Mike Fischer  
Community Development Director  
City of North Mankato  
1001 Belgrade Avenue  
North Mankato, MN 56003  
507-625-4141  
[michaelf@northmankato.com](mailto:michaelf@northmankato.com)

**From:** MC Wyrowski [mailto:mclare47@hotmail.com]  
**Sent:** Thursday, October 03, 2019 10:47 AM  
**To:** jimwhitlock@northmanakto.com; michaelf@northmankato.com  
**Subject:** Property at 229 Allan Ave.

To Whom It May Concern,

We are sending this letter to encourage you to step in and assist the people living at 229 Allan Ave., North Mankato with their property clean up. This concern stems from the way this yard reflects on the neighborhood and our street in particular. We have lived here for 40+ years and have noticed that things in that location have become very overgrown. Perhaps it's time for the city to step in and do something about the condition of said property. Many of the neighbors have wild life visiting, flowers and milkweed for pollinators without being unsightly and in an orderly fashion. This overgrown situation requires addressing for the good and safety of all. Preservation and protection of the environment can be done in a pleasing way without it being overgrown and unsafe. The condition in its present state appears to border on neglect rather than environmental preservation.

Another note, we were told that the residents of our street had been contacted by the group of people supporting the Borchardts at 229 Allan. No one from that group talked to us about our thoughts and or feelings. In addition to being unsightly I would think it affects the property

value of their nearest neighbors as well as the rest of the inhabitants on this block. As much as conflict is difficult, it is time to do something.

Thank you for addressing this concern,

Mary Clare and Tom Wyrowski  
239 Allan Ave.  
North Mankato

---

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## Michael Fischer

---

**From:** cessna4780@aol.com  
**Sent:** Tuesday, September 10, 2019 9:34 AM  
**To:** michael@northmankato.com  
**Cc:** cessna4780@aol.com  
**Subject:** Borchardt RV

September 10, 2019

Michael,

I had Mark Devlaeminck from All American Towing see about extracting the RV behind our house. He feels it would tear up the neighbor's yard in the process and recommends I try to disassemble the RV before we attempt extraction. I will try to disassemble the top 1 foot, then the four foot sidewalls. I will be working by myself and this will not be a fast process, but I will work at it. I already mentioned this RV has much sentimental value as one of my deceased father's last possessions I have and I don't want to just demolish it. I would ask you consider this also has to take place within the scope of my wife's and my medical problems.

Ed Borchardt

Duane Rader  
Park Superintendent  
City of North Mankato  
North Mankato, MN 56003

I have worked many hours each day to address the concerns you listed. I extensively trimmed and pruned the trees and shrubs. This is the wrong time of year to do most pruning because of the increased risk of transmitting plant diseases, but under the circumstances I pruned them anyway. I have moved utility trailer loads of these trimmings to the recycling center in North Mankato.

I mowed the grass at a height of 3 inches and used the string trimmer on areas not accessible with the lawn mower. The only areas above six inches are a patch of ornamental grass behind the tool shed and a grouping of grass surrounding the ornamental antique wagon wheel in the front yard.

I walked the yard numerous days to hand eliminate weeds.

Our yard is certified by the National Wildlife Federation as a certified Wildlife Habitat. This designation includes that we will utilize conscientious planning, landscaping and sustainable gardening that provide wildlife with quality habitat-food, water, cover and places to raise their young. To meet these criteria we have a large diversity of plants that provide food and shelter in different stages throughout the year. The High Bush Cranberry berries for instance will be cleaned out in a single day by migrating Cedar Waxwing birds next spring. This certification also certifies that we are a no spray yard. I did bend this somewhat by spot spraying weed killer three different days on the plantain, creeping Charlie and several other species to speed up the elimination process. When they are reduced in area I can eliminate the others by hand. I also used the string trimmer again. These methods are slower than mass spraying but effective and much more environmentally conscientious which I hope would be a high priority of North Mankato as well as us. There are a number of ground cover plants such as Ajuga reptans that would be severely damaged by any other method of control.

I have transplanted several of the ferns to more desirable locations and can do more after they go dormant.

I have applied over 40 bags of colored wood mulch to areas around the hostas and other plants to help keep weeds from growing. This mulch is



getting harder to buy as the summer season winds down, but I will try to find more.

I have referenced the US Department of Agriculture, the Minnesota Department Of Agriculture and other sources to determine that plants in the yard are not listed. I am eliminating buckthorn that was listed.

Our yard is also certified by Monarch Watch as a Monarch Waystation and is listed in the national registry as a Certified Monarch-Pollinator Waystations.

Several of the plants in the yard had blown over during recent storms. I have added stakes behind these plants and tied the specimens up for a more attractive display. It is a rare day see Monarchs, other butterflies, bees and other pollinators not utilizing these plants. Every day the plants are utilized. Only today, I photographed Monarch butterflies depositing eggs on our plants. The monarch population is estimated to have decreased 90% from the use of insecticides and habitat destruction. Mankato had an excellent display in the library on this subject a year or so ago and among other facts described that many urban-suburban areas now might as well be dessert or asphalt areas as far as animal habitats are concerned. After the plants go dormant this year, I could attempt transplanting a number of plants to be East of the shrubs by the mailbox and therefore farther from the street area. Moving, spraying or moving anything now would be devastating to the eggs and larvae that can only survive on these plants as a food source. I can also move plants that are elsewhere around the yard to a more compact area in the dormant season.

I have trimmed the Helianthus to be in a more compact grouping. These are an essential plant for the pollinators and in the fall the plants usually shake with over a dozen goldfinch feeding at one time. There are birdbaths on the ground and one on the deck rail as well as several upside down containers with openings as a shelter for various critters such as toads.

The items on the driveway consisted of several BBQ grills. I grew up in Kansas City and these are about the only way to get a good supply of good BBQ. To accommodate in this area, I could move the offset stick smoker, the related stack of smoker wood and the vertical propane smoker off the property. This leaves a propane grill which cannot be kept inside and the smallest Traeger pellet grill which cannot be inside and requires electricity from the nearby electric outlet to operate. The grills are housed in vinyl covers and have been moved to a more inconspicuous corner of the driveway shielded by shrubs.

I have purchased three 5 gallon buckets of driveway sealer to make the driveway more attractive.

The large front yard maple and probably two mulberry trees will be removed this year.

As I noted before, my wife and I both have health issues. I am 77, have an [REDACTED] and much pain which is being treated by Back to Wellness, Optivus Physical Therapy and Advanced Pain Management. Working on these tasks has been risky and most days, very painful.

Ed Borchardt

Michael Fischer  
Community Development Director  
City Of North Mankato  
North Mankato, MN 56003

Mr. Fischer,

I received your letter August 30 that I need to continue work to correct items in our yard and I would like to supply an update. My wife has been hospitalized and I could not respond sooner. It was very encouraging that you want to work with me in this matter. I have worked diligently for many weeks to make the property more acceptable to both of us. Many days I worked in the yard more than 12 hours and in heat that was very hard on me since I have heart problems. I have only taken about 3 days off from yard work in this entire time and have made considerable progress. I will continue working on the yard.

I have continued to trim and prune the trees and shrubs to remove dead or diseased wood and improve their shape. To date I have removed over 7 utility trailer loads to the North Mankato recycling area. I will continue efforts in this area. I did find five Buckthorn trees on the property which certainly needed to be removed. I am now working on removing a number of seedlings I suspect are Buckthorn. I have one larger Buckthorn tree that is beyond my skill/safety level and VINE is going to help me remove from the property.

I had a tree service cut the dead growth from the sugar maple in the front yard and they will cut the rest later this fall. I am responsible for removing the trimmings and am sawing and removing such after it is cut. This is a lot of work.

I also had the tree service cut down a large mulberry tree on the north side of the property. It was in full leaf and delimbing, cutting and removing this tree has been a major effort for me.

I have now applied about 60 bags of mulch to areas that might become weedy and I have planted several dozen shady area plants to make the areas more attractive. I am going to remove two smaller walnut and two smaller maple trees that would make the back yard overgrown if not removed. This will be done after leaf drop and I take care of several other areas.

The items on the driveway could not be stored inside. I removed my offset stick burner meat smoker and my vertical propane smoker from the property. I assume you are not an experienced at BBQ. Each one does a specific task best like a hammer and a screwdriver are both tools but are used quite differently. I attempted to remove them several weeks ago but they were too heavy for me. I work alone and was finally able to manage to do this by removing all shelves, grills, etc. If the city requires me to have my propane grill

inside, I cannot do this for safety and space reasons and would have to remove it from the property. This leaves the smallest Traeger pellet grill which as I noted requires continuous electricity to operate and the only outside outlet is near the garage door. I think I would have to place an add and sell that grill. Meeting this requirement means we can no longer grill or do BBQ. I think the intent of the city is to make a neater yard, but the end result for many residents would be a hardship. The only items remaining in front are a few tools I am using and a few plants left to plant.

The items in the back yard are several bird baths and six bird feeders. Watching birds and squirrels on our deck is one of my wife's favorite past times. She is now pretty much confined to the house for health reasons. There are three 30 gallon waterproof containers which house kindling twigs to start our fireplace in winter. These cannot be inside for space reasons and because they introduce insect problems in the house. One of the containers has been leaking and I am removing that container and wood from the property. There is a dedicated compost container with a locking lid furnished by the Blue Earth Soil and Water District. They had a grant to increase organics recycling in the home and reduce unnecessary strain on landfills.

There is a Rolite fold down hardwall RV that is one of the last items I have that belonged to my deceased father. It has a lot of sentimental value is a rather rare model made in Grantsburg Wisconsin before Larson Boats bought the company to obtain a patent and then shut down the RV production. I had hoped to restore it, but I contacted VINE to see if they could help remove it. The only solutions we have come up with are to try to use a Bobcat to pull it out or to disassemble the top portion down to the platform and repurpose the remaining part to perhaps a raised bed planter for my wife near the back door. I will contact a service that has Bobcats to see if they can find a way across my neighbor's yard. I cannot recall how I ever got it in.

Because of [REDACTED] I purchased a small riding mower a few months ago and am making monthly payments for a year more. It is covered by the factory cover made for that mower. It cannot be housed inside and would have to be removed from the property. Again this result but I would hope this was not the intent of the Council

There are only two plants on our property I think you may be concerned with other than the Buckthorn I located. One is *Lamium maculatum* cultivars. These are named patented/trade marked cultivars that I purchased from garden centers in Rochester, Owatonna and elsewhere in the state. They included White Nancy, Ghost, Purple Dragon, etc. They were also being sold in Mankato last summer at a major retailer that operates nationwide. I am including a page from a retailer that notes the difference in these and the parent plant. It also shows they are rather expensive. I taught graduate botany at Minnesota State University and am including information or links from the Chicago Botanical Garden, and also information from the University of Wisconsin about these

plants, Both these are highly regarded institutions. I purchased these plants as a shade ground cover after six years of failed attempts to grow grass in the dense shade. They have an attractive flower frequented by pollinators. Since I was having much back pain I had hoped to expand them into a low maintenance yard. Removal of the maple now decreases the dense shade and I would propose reducing the coverage in the front yard by returning these plants to be ground cover in smaller areas of the yard.

As noted on my property I have a plot certified as a Monarch Way Station by Monarch Joint Venture. This is a nationwide organization trying to prevent the extinction of Monarch Butterflies. It is estimated their population may be as much as 90% smaller due primarily to pesticide use and habitat loss and the decline can hopefully be stopped by conscientious citizen and government efforts. These plants require six hours of sunlight daily. I certainly can remove the seed pods to confine the plants to a certain area and can cut the plants after a killing frost this year. I have observed monarch eggs and caterpillars on these plants in our yard. These are the sole food plant of the Monarch and are critical in our yard for their survival. For next year I would propose I could move the plants farther from the street to be partially visually screened by my shrub area and less prominent in the yard but still meet this critical need. Many municipalities are recognizing this critical need and are taking steps to increase the Monarch/pollinator habitat. Among other things Monarchs make an excellent flagship species for pollinator conservation which we rely on for pollination services in agricultural and natural settings. Conserving pollinators and their habitat has positive cascading effects leading to conservation of other animals like song birds and mammals.

Several links that would provide good information are listed:

<https://monarchjointventure.org/>

*Senator Amy Klobuchar (Minnesota) releasing a tagged monarch butterfly at the Minnesota Valley USFWS National Wildlife Refuge. Photo by Wendy Caldwell, 2015.*

<https://monarchjointventure.org/get-involved/advocacy>

**Mayors for Monarchs Over 300 Cities Participating Cities to Increase Monarch Habitat**

<https://monarchjointventure.org/our-work/projects/mayors-for-monarchs>



I hope this supplies the information you needed.  
Sincerely  
Ed Borchardt



# Lamium maculatum Purple Chablis™

**Shipment begins in Fall 2019**

SKU: F32688

**1 for \$16.00**

     [0 REVIEWS](#)

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## SHIPPING DETAILS

Shipment begins in mid September 2019, depending on your zone. [See shipping tab for details](#)

## QUICK FACTS

Common Name:

Dead Nettle

Hardiness Zone: 4-8S/W

Exposure: Sun to Shade

[Find your zone ?](#)

Blooms in: May-Aug

Height: 8-12"

Spacing: 12"

[Read our Growing Guide](#)

Ships as: 1 PINT 28.86 CU IN.


Deer Resistance: Yes

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Ships at the right time for fall planting

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This colorful variety of a popular shade plant can tolerate full sun. The frosted green foliage creates an impressive mound that's topped by a mass of lavender-purple blossoms. A Proven Winners® variety.

Most of the 40-odd species Lamium are rampant-growing plants from Asia and Europe. All tolerate poor soils and a range of light conditions. The few ornamental varieties have the great value of being lovely ground covers that prosper in dry shade.



## Plant Evaluation Notes

# A Comparative Study of Ground Cover *Lamium*

Mark R. Rudy, Plant Evaluator

Shady gardens offer a number of challenges for gardeners. A variety of light levels as well as moisture gradients from soggy to dry can make it difficult for gardeners to place the right plant in the right location. The edge of the shade garden often represents a sharp line of cultural change, where sun-loving plants flop and shade-lovers scorch. However, there's at least one group of plants able to stand up to the rigors of the unpredictable shaded garden. Dead nettles (*Lamium*) are an ideal choice for the gardener who wants a tough plant as well as a variety of foliage colors and textures.

The genus *Lamium* contains approximately 50 species from Europe and Asia. Out of these, only a few have been deemed ornamental. The species most commonly under cultivation include *L. album*, *L. galeobdolon* (syn. *Lamiastrum galeobdolon*), *L. maculatum* and *L. oryala*. This group is commonly referred to as dead nettles due to their resemblance to stinging nettle (*Urtica dioica*); however, *Lamium* species lack stinging hairs on their stems and leaves.

*Lamium* is well suited to a variety of growing conditions. Naturally occurring in

areas ranging from poor rocky slopes to forest edges, dead nettles display a breadth of cultural adaptability, something that has made them attractive to gardeners. In addition, the genus *Lamium* provides a variety of plant habits from low-growing and spreading to upright and rounded.

Of the cultivated species, spotted dead nettles (*Lamium maculatum*) constitute the majority of commercially available varieties. At the time of this publication, there were 30 cultivars of *L. maculatum* listed in the RHS Plant Finder, compared to 11 cultivars for all the other species combined. Commonly used as a ground cover in the shade garden, spotted dead nettle is short-branched and stoloniferous and likely the most recognizable of all the dead nettles. Whether donning leaves with a silver stripe or entirely silver, its appearance is unlike other perennial ground covers and contrasts well with dark-leaved varieties of perennials such as coral bells (*Heuchera* 'Velvet Night') and black snakeroot (*Cimicifuga ramosa* 'Hillside Black Beauty'). Tolerance of a variety of light regimes makes it the ideal plant to use as a transition between sunny and shady sites. With a long bloom period and colorful foliage, the many varieties of

spotted dead nettles are eye-catching plants throughout the year.

Exhibiting a more upright habit than *Lamium maculatum*, white dead nettle (*L. album*) is generally considered a weed in Europe and grows in a number of sites including hedgerows, waste dumps and alongside streams. Like spotted dead nettle, it spreads vigorously and is used as an effective ground cover. Although it may have an unfavorable reputation in some parts of the world, it is actually considered by some to be less aggressive than *L. maculatum*. White dead nettle combines well with a variety of grasses, forget-me-nots, primroses and other wildflowers.

### DEAD NETTLES (*LAMIAM*)

ARE AN IDEAL CHOICE FOR

THE GARDENER WHO WANTS

A TOUGH PLANT AS WELL AS

A VARIETY OF FOLIAGE

COLORS AND TEXTURES.



*Lamium maculatum* 'Red Nancy'

Jenny Lee

Giant dead nettle (*Lamium oryala*) possesses larger leaves as well as a greater stature than ground cover dead nettles. Stems emerge from a central crown, are generally unbranched and combine to form a nearly spherical habit. Unlike its relatives, giant dead nettle does not spread readily, and any spread it does achieve is due to reseedling rather than vegetative growth. Leaves are up to 6 inches long, sharply toothed and typically solid green, although leaves with a silver stripe down the midrib have been documented in the wild. The species grows best in part shade and is tolerant of a variety of moisture regimes. It can be used in the garden in combination with spring bulbs, ferns and other woodland perennials.

Regardless of differences in foliage and habit type, all dead nettles share the same



flower structure consistent with other members of the mint family (Lamiaceae). The bilabiate, or two-lipped, flower consists of a distinct, large, hooded upper lip and a smaller, bisected lower lip. Closer to the leaf axil, where the flowers first emerge, the lips fuse together into a single tube or throat. In fact, the name *Lamium* is adapted from the Greek *lamios*, which means throat.

Dead nettles are stalwarts of the shade garden, although their adaptability to a variety of light and moisture regimes makes them worthy candidates for sites that receive more light throughout the day. In addition, unique foliage colors and textures allow the gardener to combine *Lamium* species and cultivars with each other as well as with other annuals and perennials.

### The Evaluation Project

In 1998, the Chicago Botanic Garden (USDA Hardiness Zone 5b, AHS Plant Heat-Zone 5) gathered commercially available *Lamium* taxa, concentrating on cultivars of *L. maculatum*, for a multi-year evaluation study. Observations of the initial evaluation group began in 1998 with subsequent additions as the trial expanded to include *L. album* and *L. orvala*, and newly available *L. maculatum* cultivars. The project concluded at the end of the 2003 growing season. The goal was to recommend superior taxa based on general health and habit, bloom coverage, length of bloom, pest and disease resistance, and cultural adaptability.

All dead nettle taxa were grown in the Pullman Shade Evaluation Garden. Shade was provided by mature trees including oak,

birch, ginkgo and pine, and in most cases, trial plants were planted in raised beds to maximize drainage. Protection was provided throughout the garden by wood fencing. The clay-loam soil, amended with composted leaves, had a pH of 7.4 throughout the evaluation term.

Maintenance practices were kept to a minimum to simulate home garden culture. A combination of overhead sprinklers and hand watering provided moisture as needed, and no fertilizer was applied. Trial beds were weeded, and mulch consisting of shredded leaves and wood chips was placed around the plants for weed suppression and water conservation.

### Observations

From 1998 to 2003, 21 taxa of *Lamium* were evaluated, including 17 varieties of *L. maculatum*, one variety of *L. album* and three varieties of *L. orvala*. Of these, 15 taxa survived for more than two seasons and received final ratings (Table 1). Based on the performance of the *Lamium* group, the following criteria determined final ratings: 1) peak flower coverage; 2) length of bloom period; 3) plant health; 4) plant habit quality; and 5) cultural adaptability. The amount of flower production was a significant factor in the comparison between the excellent and mediocre performers. Regardless of the species examined, flowers were consistently borne on the upper half to upper third of the stems. However, flowers were seldom displayed on all stems. For this reason, peak coverage of 60% or greater was considered excellent.

In addition to the variety of leaf forms

and colors, another desirable attribute of many dead nettles is their exceptionally long bloom period. In midwestern climates, it is not unusual for varieties of *Lamium maculatum* and *L. album* to bloom from spring until frost. Obviously, these plants are not at peak bloom for the entire period, and may in fact persist at 5% to 10% coverage for the final two months of bloom. *Lamium orvala* and its cultivars tend to bloom for a more modest six weeks from spring to early summer, but blooms densely populate the leaf axils for the majority of the time. Any taxa that did not meet their potential bloom length received a lower rating.

Plant health and habit quality throughout the trial period are always significant factors in the determination of plant performance. While health is generally judged the same for all plants, habit quality rating depends on the desired shape or garden use of the plant group being trialed. In the case of *Lamium maculatum* and *L. album*, plants were expected to have continuous mats of foliage without holes or unsightly upright stems. *Lamium orvala* varieties were expected to maintain dense, rounded habits.

Finally, a factor that significantly affected the performance ratings of *Lamium* varieties was cultural adaptability. Upon initial inspection, plant losses during the winter pointed to a lack of cold hardiness. However, none of the varieties studied were known to be susceptible to severe winter injury in our climate. A closer look at our site revealed that the soil had a higher moisture content than was likely ideal for

Table 1: Plant Characteristics and Performance Summary Ratings

Overall Rating	<i>Lamium</i>	Leaf Character	Flower Color	Peak Flower coverage <sup>1</sup>	Bloom Period	Height	Width
★★★★★	<i>album</i> 'Friday'	variegated green	white	30-50%	late Apr-mid Sep	22 in.	36 in.
★★★★★	<i>maculatum</i> 'Album'	green, silver stripe	white	30-50%	late Apr-late Sep	8 in.	20 in.
★★★★	<i>maculatum</i> 'Beacon Silver'	silver, green margin	purple-pink	30-50%	late Apr-late Sep	9 in.	19 in.
★★★★	<i>maculatum</i> 'Beedham's White'	yellow, white stripe	white	10-25%	late May-mid Oct	9 in.	35 in.
★★★	<i>maculatum</i> 'Bracade'	silver, green margin	rose-pink	<10%	late Apr-late Aug	5 in.	19 in.
★★★★	<i>maculatum</i> 'Chequers'	green, silver stripe	violet	30-50%	late Apr-mid Oct	12 in.	26 in.
★★★★	<i>maculatum</i> 'Elisabeth de Haas'	green/yellow streaks, white stripe	pink	30-50%	early May-late Sep	13 in.	27 in.
★★★★	<i>maculatum</i> 'Pink Nancy'	silver, green margin	pale pink	30-50%	early May-mid Aug	6 in.	10 in.
★★★★	<i>maculatum</i> 'Pink Pearls'	green, silver stripe	pink	30-50%	late Apr-late Sep	9 in.	19 in.
★★★★	<i>maculatum</i> 'Pink Pewter'	silver, green margin	pink	30-50%	late Apr-mid Sep	6 in.	18 in.
★★★★★	<i>maculatum</i> 'Red Nancy'	silver, green margin	purple-pink	60+%	mid May-mid Sep	6 in.	35 in.
★★★★★	<i>maculatum</i> 'Shell Pink'	green, silver stripe	pink	60+%	late May-early Oct	12 in.	24 in.
★★★★	<i>maculatum</i> 'White Nancy'	silver, green margin	white	10-25%	mid May-mid Sep	6 in.	21 in.
★★★★	<i>orvala</i> 'Album'	green	creamy white	30-50%	early Apr-late Jun	26 in.	32 in.
★★★★	<i>orvala</i> 'Silva'	green	dusty pink	30-50%	late Apr-late Jun	36 in.	53 in.

Overall Rating: ★★★★★ excellent, ★★★★ good, ★★★ fair, ★★ poor, ★ very poor. Height and width ratings included in table. <sup>1</sup> Ratings of peak flower coverage percentages: 60+ excellent, 30-50% good, 10-25% fair, <10% poor.



Mark Rudy

*Lamium maculatum* 'Shell Pink'

Jenny Lee

*Lamium orvala* 'Silva'

Jenny Lee

*Lamium maculatum* 'Beedham's White'**Table 2:** Plants surviving less than two years of trial

<i>Lamium</i>	Reason
<i>maculatum</i> 'Angel Wings'	poor cultural adaptability
<i>maculatum</i> 'Anne Greenaway'	poor cultural adaptability
<i>maculatum</i> 'Ickwell Beauty'	poor cultural adaptability
<i>maculatum</i> 'Orchid Frost'	poor cultural adaptability
<i>maculatum</i> 'White Anniversary'	poor cultural adaptability
<i>orvala</i>	rabbit damage

this genus. Nevertheless, several varieties displayed outstanding adaptability to these conditions, while others did not. Since this soil situation is common throughout garden sites in the Midwest, adaptability to moist soils was deemed appropriate to use in the ranking of plants relative to one another. A list of dead nettles that died as a result of poor cultural adaptability is included in Table 2.

Based on the evaluation criteria, nine *Lamium maculatum* varieties received good to excellent ratings of four stars or greater. These included 'Album', 'Beacon Silver', 'Beedham's White', 'Chequers', 'Elisabeth de Haas', 'Pink Pearls', 'Pink Pewter', 'Red Nancy' and 'Shell Pink'.

Of the spotted dead nettles under trial, four varieties had green leaves with a silver stripe in the midrib. *Lamium maculatum* 'Shell Pink' proved to be the best performer of this group. In fact, it was the only plant in the dead nettle trial to receive a five-star excellent rating. In addition to its abundant coverage of clear pink blossoms and extended bloom period, 'Shell Pink' had excellent health and the best habit of all the *L. maculatum* varieties. 'Shell Pink' maintained a full, mounded habit and was a fast spreader, making it an effective ground cover. *Lamium maculatum* 'Album' was another excellent performer out of the group with silver-striped leaves. This white-

flowered variety was rated slightly lower than 'Shell Pink' due to a shorter bloom time and lower maximum flower coverage, but it exhibited superior traits to other plants in the trial.

*Lamium maculatum* 'Red Nancy' performed best of the taxa that possessed predominantly silver foliage. Vigorous growth and excellent flower coverage separated this variety from other similarly colored cultivars. Purple-pink flowers were held clearly above the silver foliage with dark green margins, but red-tinged stems distinguished it from other pink-flowered varieties. This trait was not as apparent as some references indicated, because stem pigmentation varied throughout the growing season. 'Red Nancy' also made an effective ground cover, as evidenced by its rapid spread during the trial period. Plants quickly grew together within two years of planting to create a solid mass generally free of open spaces.

A departure from the green or silver leaves of other dead nettles, *Lamium maculatum* 'Beedham's White' has bright yellow foliage with a white stripe and white flowers. More than any other *Lamium* variety, 'Beedham's White' can brighten the darker corners of the shade garden. A preliminary trial of 'Beedham's White' was conducted from 1993 to 1999. As the lone variety that preceded the main evaluation group, it had the benefit of being grown in a number of different sites within the trial gardens. In a site with even-to-dry moisture levels, this variety thrived, forming a dense mat of bright yellow that eventually faded to chartreuse. However, in moister sites

'Beedham's White' did not demonstrate the same tolerance as other *Lamium* varieties, with plants dying out during the first winter. This lack of cultural adaptability, coupled with low flower coverage, is what kept 'Beedham's White' from earning the highest rating.

Aside from *Lamium maculatum*, several other dead nettles stood out as worthy plants for Midwest gardens. *Lamium album* 'Friday' features a coarser, taller habit than *L. maculatum* and can appear weedy from a distance. Upon closer inspection, it has interesting lance-shaped leaves with a variegation of three different shades of green. The white flowers offer contrast but are generally obscured by the foliage. 'Friday' did spread, but it is likely not as aggressive as the species, although this was the only *L. album* variety in the trial. The upright flowering stems did show a propensity to flop in mid- to late summer, creating a somewhat unsightly, tangled appearance at times.

The two cultivars of large-leaved *Lamium orvala* in this trial were both good performers overall. 'Silva', with dusty pink flowers, was generally a larger plant than 'Album'. In the spring and early summer, these plants had tight, nearly spherical habits that rival many small or medium-sized shrubs. Plants became somewhat leggy after flowering and had a tendency to flop open as summer wore on. As an alternative, giant dead nettles can be grown for early season interest and then cut back when habits become floppy or open, much like *Dicentra spectabilis* (common bleeding heart) or *Euphorbia palustris* (marsh spurge).

Slugs and chewing insects were common pests that dead nettles faced during

the trial period. Slug damage left holes in the interior of leaves and chewing insect damage created notches along the margins. A significant occurrence of slug damage was noted in early June of 2001 following several days of high humidity and fog coupled with temperatures 15°F below average. Cultivars of *Lamium maculatum* that exhibited some degree of slug damage included 'Album', 'Beacon Silver', 'Brocade', 'Pink Nancy', 'Pink Pewter', 'Red Nancy', 'Shell Pink' and 'White Nancy'.

Chewing insect damage occurred over a wider span of time than slug damage, ranging anywhere from late June to late August in multiple years. Varieties exhibiting chewing insect damage included *Lamium album* 'Friday', *L. maculatum* 'Beedham's White', *L. maculatum* 'Beacon Silver', *L. maculatum* 'Brocade', *L. maculatum* 'Red Nancy', *L. maculatum* 'Shell Pink', *L. maculatum* 'White Nancy' and *L. orvala* 'Silva'. Generally, damage from slugs and chewing insects was not significant enough to affect the overall appearance of any of the plants being studied. *Lamium orvala* was so badly damaged by rabbits in its first year that it did not survive (see Table 2) and was not retested.

Though they are tough garden plants, dead nettles are not entirely maintenance free. A high level of promiscuity leads to large numbers of seedlings annually, and without some attention to weeding and maintenance, new seedlings may overtake the original plants. *Lamium* cultivars do not remain true from seed; therefore, seedlings should be removed to maintain the integrity of the cultivars that were originally planted. Seedlings of *L. maculatum* are easy to spot among the silver- and yellow-leaved varieties, since the true species has green leaves with a silver stripe. Weeding out seedlings among silver-striped varieties can prove more challenging, as it requires proper identification using flower color or subtle variations in leaf traits to distinguish differences.



*Lamium album* 'Friday'



*Lamium maculatum* 'White Nancy'

### Conclusion

Among the challenges that face the shade gardener, unpredictable light and uneven moisture regimes can make the placement of plants in the shady garden an all-or-nothing experiment. In these circumstances, a variety of dead nettles come to the rescue. From green, silver, yellow and variegated leaves to ground covers and upright habits, dead nettles offer ornamental versatility as well as a tolerance to a wide range of conditions. A breadth of cultural adaptability gives dead nettles the upper hand whether growing in deep shade or along the sunny edges of the garden. Dead nettles combine well with ferns, spring bulbs and a variety of wildflowers, among other plants.

Indicating their excellent overall performance as a plant group, 12 *Lamium* taxa received ratings of four stars or greater, including *L. album* 'Friday', *L. maculatum* 'Album', *L. maculatum* 'Beacon Silver', *L. maculatum* 'Beedham's White', *L. maculatum* 'Chequers', *L. maculatum* 'Elisabeth de Haas', *L. maculatum* 'Pink Pearls', *L. maculatum* 'Pink Pewter', *L. maculatum* 'Red Nancy', *L. maculatum* 'Shell Pink', *L. orvala* 'Album' and *L. orvala* 'Silva'. These varieties possessed good flower coverage and long bloom periods as well as good cultural adaptability. Poor cultural adaptability to wet soils was the greatest factor in the failure of a few taxa, while

damage from chewing insects and slugs had little more than a temporary impact on plant appearance.

Dead nettles offer a number of advantages in the shade garden and beyond. The ability to adapt to a variety of conditions makes them ideal for spaces where other plants have languished and died. Numerous varieties of *Lamium maculatum* maintain a reputation as effective ground covers in shady situations. In addition, varieties of white dead nettle and giant dead nettle expand the palette of plant sizes and foliar textures. Whether several varieties are grown together as a tapestry or combined with annuals, perennials and shrubs, dead nettles stand up to the challenges of the unpredictable shade garden.

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Duane Rader, Parks Superintendant

City of North Mankato

Mankato, MN 56003

Edward Borchardt

229 Allan Ave

North Mankato, MN 56003

June 17, 2019

Duane,

I received your letter that the grass and weeds in our yard are not in compliance. It is not our intent to offend any of our neighbors. I would like to offer some information.

Two years ago [REDACTED] She walks with a cane and is not able to do any yard work and mostly only limited work inside. Therefore I do the shopping, cooking, what housework gets done etc. I am happy to do this and do my best,. One of her favorite pastimes is looking out the patio doors and watching the birds and animals in our yard. She has 5 bird feeders, a bird bath and puts feed out on the deck. Much of our yard is maintained to be a friendly attraction for them. Many of our plantings are to provide food or shelter as they visit us. We get large groups of migratory birds that stop at this oasis for several days to safely refuel and refresh, many of them on multi-thousand mile migrations. We also have our yearly summer resident wren. We have plantings of several fern species for the few plants that grow in shady areas and Jerusalem Artichoke (*Helianthus tuberosus*), with many yellow flowers but also for the seeds are one of the favorite foods for the goldfinches in the fall. It also has edible parts for us. We have American Highbush Cranberries (*Viburnum trilobum*) the cedar waxwings clean off during spring migrations. There are shrubs most of the birds need and enjoy. We have several milkweed plants (2 species), a necessity for the embattled monarch butterflies. These are confined mainly on the north side of the yard. I pick the pods off in the fall. The Mankato mayor wrote an article in the Mankato Newsletter regarding this need a year or two ago and an extensive display at the Mankato Library explained their plight along with plantings many birds and pollinators need. City yards it explained are desserts for these plant and animal species and might as well be asphalt and insecticides add to the problem. Their populations are dropping drastically. Monarch Watch, a nationwide site at the University of Kansas has good information. Our front yard among other things contains a small planting of *Solidago* sp., also for the pollinators, a few elderberry (Adams and John cultivars), *Lamium maculatum* ( a somewhat expensive and patented cultivar) and a large hosta bed. The *Lamium* grows well in our shady yard and smothers weeds. They have an attractive purple flower, only grow 9 to 12 inches except for the temporary flower spike and are environmentally and owner friendly requiring no mowing and little water usage. I am enclosing information from the University of

Wisconsin. The display at the library mentioned earlier also pointed out the home lawn mower is a major contributor to the nation's environmental problem.

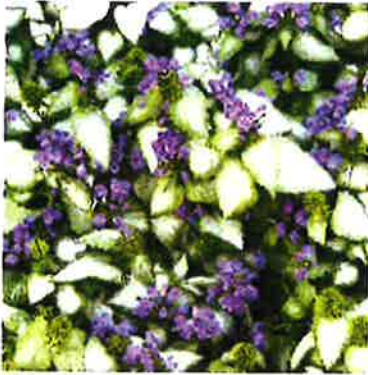
I have a bid for removing the Red Maple tree in our yard that is having major age problems along with a mulberry tree that is dying and am waiting for another company to respond. I have applied over 20 bags of gold or red mulch to flower beds in the front and back yard for appearance and to keep down weeds and will do more as my health permits.

More on the planting choices. I am 77 years old have [REDACTED] that has not worked out. These conditions limit many of my activities! I am being treated for back and hip pain at Optivus Physical Therapy, the Back to Wellness Chiropractic Clinic and Advanced pain Management. Often walking can be a chore, and using a lawnmower is seldom an option most days without intense pain. Besides environmental concerns, these are additional reasons for our planting choices. My wife is seeing a surgeon at Mayo regarding a knee replacement also.

I have not ignored your letter regarding our yard. I maintain my mower height at 3.5 inches. I have used a string trimmer extensively throughout the yard and used spot weed spray on the front lawn. I will continue this in the back yard. We have many spring wildflowers that are now withering for the year and can then be cut down. I have done extensive trimming in the yard and will continue this. I will apply more mulch around many plants. All of these efforts are as my health permits.

Sincerely,

Ed Borchardt



## Purple Dragon Dead Nettle

Lamium maculatum 'Purple Dragon'

Plant Patent #15,890

Item 024901 USDA Zone: 4-9

This plant will grow in my zone: 4

Review and plant

Key features

Dramatic Foliage Color

Light Needs

Filtered sun, Full shade, Partial shade

Watering Needs

Water regularly to maintain evenly moist soil - weekly, or more often

Description:

Silvery white leaves with green edges form a lush groundcover that is topped by charming deep purple flowers in summer. Brightens shady areas, and tolerates dry shade conditions when established. Beautiful trailing from mixed containers or used to edge borders. An herbaceous perennial.

Price: \$16.99

#1 - 7.5 Gallon

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### Spotted deadnettle, *Lamium maculatum*

Published on **August 14, 2017** by [susan.mahr](#)



Several cultivars of spotted deadnettle in bloom.

Spotted deadnettle, *Lamium maculatum*, is one of about 50 species in the type genus for the mint family (Lamiaceae) native to Europe, temperate western Asia and North Africa. The common name of "deadnettle" refers to the resemblance of the leaves to stinging nettles, but without the sting (therefore "dead"). This prostrate, herbaceous perennial is hardy in zones 3-8.

This near-evergreen plant (at least in mild climates) is generally a low (6-9 inches tall), spreading plant, but sometimes becomes mounded. The plants branch only at the base with the square, hollow trailing stems rooting as they spread to form a dense mat. The opposite leaves are toothed, pointed oval to triangular to heart-shaped, and can grow to over 3" long on petioles up to 1 ½ inches long. The downy to softly hairy

leaves, which are unpleasantly scented when bruised, are green with a white or silver stripe down the midvein, or other markings or variegation in various cultivars. Leaf size, shape, variegation and hairiness is quite variable.



The opposite leaves (L) vary in shape, size and markings (LC and RC) and the amount of hairs on the leaves (R).



Spotted deadnettle blooms prolifically in late spring to early summer.

Spotted deadnettle blooms prolifically from late spring to early summer and continues sporadically into fall, attracting bees, especially bumblebees. The flowers occur in leafy heads (verticillasters) formed at nodes on the upper half to upper third of the stems and terminals, but not on all stems. Each inflorescence



A bumblebee pushes into a spotted deadnettle flower.

has 2-8 widely spaced pink to purple, or sometimes white, two-lipped flowers, up to  $\frac{3}{4}$ " long. The upper lips of the flowers are hood or helmet-shaped, like a roof over the stamens with their orange pollen, while the bisected lower lips are often whitish with purple dots (but vary by cultivar).



Whorls (L) of buds (LC) open along the stems (C), with individual flowers typical of the mint family with an upper "hood" and bisected lower lip (RC) with the hood covering the stamens (viewed from below, R).



Flowers are followed by small, inconspicuous fruits hidden by the leafy parts of the inflorescence that start out green and change to brown as they mature. Each fruit is comprised of four nutlets, or one-seeded sections.



The leafy whorls of inflorescences hide the inconspicuous dry fruits (L) which change from green (LC) to brown (RC). The individual nutlets or seeds (R)



Spotted deadnettle can cover large areas quickly as a groundcover.

-This plant is typically used as a groundcover in shady areas, and can cover large areas quickly. Since it is adaptable to a variety of light regimes, it is an ideal plant to use in transition areas between shade and sun. It fills in nicely between other, larger or more upright perennials such as ostrich or cinnamon fern, bleeding heart, bellflower, goatsbeard (*Aruncus dioicus*), *Grinnery macrophylla*, Japanese forest grass (*Hakonechloa macro*),

or medium to large hostas, but is often too vigorous to site near shorter perennials which it tends to overrun

(although it is easy to cut back or pull off wayward stems throughout the growing season to prevent this from happening, if desired). It works well to cover dying bulb foliage and smothers many weeds. Try growing several varieties with different leaf colors together or in combination with **sweet woodruff**, ***Galium odoratum***, as a tapestry for an interesting underplanting beneath small trees or around roses.



L. maculatum combines well with hostas.

## Product Description

- Tired of mulching bare spots in the shade garden? Lamium covers up that dirt and adds colorful flowers, foliage and texture. This easy-care, mat-forming ground cover provides pops of purple blooms from mid spring to early summer. But what really makes this tough perennial a standout is its vivid foliage that ranges from chartreuse to silvery white to many shades of green.

Lamium grows well in shaded to partially shaded to shaded areas, making it perfect for planting along the edges of woodland gardens or as a transition from one shade garden area to the next. When planted with spring blooming bulbs, its colorful leaves hide fading bulb foliage. Ships in 3" pot. *Lamium maculatum* 'Ghost'

Perennial • Z4-9 • H6 12"Wx6 12" • Mid Spring to Early Summer • Shade Part Shade

## Product Details

<b>Botanical Name:</b>	Lamium maculatum 'Ghost'	<b>Shipping Season:</b>	Spring
<b>Sun Exposure:</b>	Full Shade, Partial Shade	<b>Flower Color:</b>	purple
<b>Height/Habit:</b>	10 - 14 inches	<b>Flower Form:</b>	Clusters of "snapdragon like" flowers along the top 1/2 of the short sturdy stems
<b>Spread:</b>	12 - 24 inches	<b>Foliage Type:</b>	Broad, oval, silver white leaves with greenish edges.
<b>Spacing:</b>	12 - 24 inches	<b>Pruning:</b>	Remove spent blooms to keep the plant tidy. After flowering
<b>Hardiness Zone:</b>	3-8	<b>Soil Requirement:</b>	Prefers well-drained moist soil, but will grow in other conditions.
<b>Flowering Date:</b>	Mid spring to early summer	<b>Additional Information:</b>	Prefers moist, well-drained shaded areas, but also does well in drier spots. In drier areas, its habit may open up a bit and get a little leggy, and not stay as dense and compact
<b>Planting Instructions:</b>	Dig a hole large enough to spread out the roots without bending them		
<b>Winter Care:</b>	Hardy. No special requirements.		
<b>Shipped:</b>	2.5 INCH POT		
<b>Growth Rate:</b>	Moderate		



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Johns & Adams Elderberry Pair

*Sambucus canadensis 'Johns' & 'Adams'*

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Product's Features

Feature	Value
Colors:	Black, Purple, White
Max Height (feet):	10
Plant Lighting:	Full Sun, Partial Sun/Shade
Season Color:	Spring, Summer
Spread:	5-10'
Zones:	3-9



**NOTICE OF PUBLIC HEARING**

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

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

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

Dated: This 16<sup>th</sup> day of September 2019.

BY ORDER OF THE NORTH MANKATO CITY COUNCIL

*/s/April Van Genderen*  
April Van Genderen  
City Clerk

**ORDINANCE NO. 118, FOURTH SERIES**

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

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

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

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

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

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

**Section 2. Chapter 34.70 Food and Beverage Tax.**

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

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

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

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

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

Adopted by the City Council this    day of        2019.

\_\_\_\_\_  
Mayor

ATTEST:

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



City of North Mankato, MN

# Claims List - Regular

By Vendor Name

Date Range: 10-7-19

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
00008	A+ SYSTEMS GROUP	10/07/2019	Regular	0	337.50	91716
00009	A-1 KEY CITY LOCKSMITHS, INC	10/07/2019	Regular	0	756.00	91717
00012	ABDO, EICK & MEYERS, LLP	10/07/2019	Regular	0	200.00	91718
02887	BELLE PLAINE SOFTBALL TEAM	10/07/2019	Regular	0	1,073.00	91719
00158	BLUE EARTH COUNTY HIGHWAY DEPT.	10/07/2019	Regular	0	939.75	91720
02169	BLUE LINE SHARPENING & SALES	10/07/2019	Regular	0	180.00	91721
03133	BODE, BRYAN	09/18/2019	Regular	0	1,246.00	91695
00189	BRAUN INTERTEC CORPORATION	10/07/2019	Regular	0	1,490.00	91722
03135	BRAUN, BRANDON	10/07/2019	Regular	0	1,440.00	91723
00232	CEMSTONE CONCRETE MATERIALS, LLC	10/07/2019	Regular	0	1,104.00	91724
02757	CINTAS	10/07/2019	Regular	0	292.13	91725
00255	CITY OF MANKATO	10/07/2019	Regular	0	4,048.18	91726
00344	DIAMOND VOGEL PAINT CENTER	10/07/2019	Regular	0	20.40	91727
00381	ELECTRICAL & COMMUNICATION SPECIALISTS	10/07/2019	Regular	0	398.95	91728
00401	EXPRESS SERVICES, INC.	10/07/2019	Regular	0	1,282.12	91729
00404	FASTENAL COMPANY	10/07/2019	Regular	0	268.10	91730
00409	FERGUSON ENTERPRISES, INC	10/07/2019	Regular	0	4,232.23	91731
00447	FREE PRESS	10/07/2019	Regular	0	594.61	91732
03136	GOOD NIGHT GOLD DUST	10/07/2019	Regular	0	500.00	91733
00496	GOVERNMENT FINANCE OFFICERS ASSOCIATION	10/07/2019	Regular	0	190.00	91734
00595	HY-VEE, INC.	10/07/2019	Regular	0	67.61	91735
03137	JOHN WINGERT PLASTERING, LLC	10/07/2019	Regular	0	475.00	91736
00664	JWP SCHOOLS	10/07/2019	Regular	0	250.00	91737
03055	KELLY & SONS EXCAVATING, LLC	10/07/2019	Regular	0	2,175.00	91738
00747	LAW ENFORCEMENT TECHNOLOGY GROUP, LLC	10/07/2019	Regular	0	106.33	91739
00780	LOCATORS & SUPPLIES, INC.	10/07/2019	Regular	0	580.40	91740
00800	MADDEN, GALANTER, HANSEN, LLP	10/07/2019	Regular	0	34.10	91741
00805	MAGFA	09/18/2019	Regular	0	427.84	91697
00805	MAGFA	09/30/2019	Regular	0	111.97	91714
03134	MALAMUD, SHERWOOD	10/07/2019	Regular	0	500.00	91742
00812	MANKATO BEARING COMPANY	10/07/2019	Regular	0	309.71	91743
00819	MANKATO FORD, INC.	10/07/2019	Regular	0	545.64	91744
00832	MANKATO TENT & AWNING CO.	10/07/2019	Regular	0	298.00	91745
00847	MATHESON TRI-GAS, INC.	10/07/2019	Regular	0	153.35	91746
00861	MCFOA REGION V	10/07/2019	Regular	0	5.00	91747
00929	MINNESOTA FIRE SERVICE CERTIFICATION BOARD	10/07/2019	Regular	0	200.00	91748
03022	MINNESOTA PAVING & MATERIALS	10/07/2019	Regular	0	410.20	91749
00951	MINNESOTA TRUCK & TRACTOR, INC.	10/07/2019	Regular	0	5.57	91750
01037	NICOLLET COUNTY	10/07/2019	Regular	0	22,927.01	91751
01057	NORTH MANKATO MOTOR VEHICLE REGISTRATION	09/23/2019	Regular	0	44.25	91706
01071	NUSS TRUCK & EQUIPMENT, INC.	10/07/2019	Regular	0	462.97	91752
03020	NUTRIEN AG SOLUTIONS, INC.	10/07/2019	Regular	0	1,455.40	91753
01084	OVERHEAD DOOR CO. OF MANKATO, INC.	10/07/2019	Regular	0	274.37	91754
01106	PETTY CASH	10/07/2019	Regular	0	154.56	91755
01107	PINE PRODUCTS, INC.	10/07/2019	Regular	0	2,600.00	91756
02677	PIZZA RANCH	10/07/2019	Regular	0	1,798.46	91757
03138	PLUMB-RITE PLUMBING	10/07/2019	Regular	0	21.00	91758
01130	POSTMASTER	09/18/2019	Regular	0	1,340.00	91699
01133	POWERPLAN/RDO EQUIPMENT	10/07/2019	Regular	0	4,386.93	91759
03139	RAFORTH, ANGELA	10/07/2019	Regular	0	425.00	91760
01170	RAMY TURF PRODUCTS	10/07/2019	Regular	0	1,056.00	91761
01278	SHERWIN-WILLIAMS CO.	10/07/2019	Regular	0	908.72	91762
01331	STANDARD & POOR'S	10/07/2019	Regular	0	10,925.00	91763
01352	STREICHER'S, INC	10/07/2019	Regular	0	399.78	91764
01371	TACTICAL SOLUTIONS	10/07/2019	Regular	0	1,663.25	91765
01402	TIRE ASSOCIATES	10/07/2019	Regular	0	1,899.66	91766
01414	TOWMASTER	10/07/2019	Regular	0	6,454.00	91767

01415	TOYOTA-LIFT OF MINNESOTA	10/07/2019	Regular	0	360.28	91768
01431	TWIN CITY STRIPING	10/07/2019	Regular	0	4,050.40	91769
01432	TWIN RIVERS COUNCIL FOR THE ARTS	09/18/2019	Regular	0	100.00	91700
01433	TYLER TECHNOLOGIES	10/07/2019	Regular	0	13,567.75	91770
01443	UNITED STATES POSTAL SERVICE	10/07/2019	Regular	0	1,000.00	91771
01449	UNIVERSITY OF MINNESOTA	10/01/2019	Regular	0	17.00	91715
02112	WATER CONSERVATION SERVICES, INC.	10/07/2019	Regular	0	4,650.00	91772
01523	WENZEL AUTO ELECTRIC CO	10/07/2019	Regular	0	89.00	91773
01552	WW BLACKTOPPING, INC	10/07/2019	Regular	0	716,159.34	91774
02033	AMAZON.COM	09/26/2019	Bank Draft	0	12.50	DFT0003444
00062	AMERICAN SECURITY CABINETS GROUP	10/01/2019	Bank Draft	0	93.00	DFT0003441
00101	AT&T MOBILITY	09/17/2019	Bank Draft	0	28.71	DFT0003415
00182	BOYER TRUCKS	10/02/2019	Bank Draft	0	129.25	DFT0003451
02740	BRANDT PRINTING	09/25/2019	Bank Draft	0	266.70	DFT0003432
02058	CONSOLIDATED COMMUNICATIONS	09/25/2019	Bank Draft	0	60.81	DFT0003433
02058	CONSOLIDATED COMMUNICATIONS	09/25/2019	Bank Draft	0	344.42	DFT0003434
02058	CONSOLIDATED COMMUNICATIONS	09/25/2019	Bank Draft	0	1,497.50	DFT0003435
02058	CONSOLIDATED COMMUNICATIONS	09/25/2019	Bank Draft	0	42.94	DFT0003436
02058	CONSOLIDATED COMMUNICATIONS	09/25/2019	Bank Draft	0	37.68	DFT0003437
02058	CONSOLIDATED COMMUNICATIONS	09/25/2019	Bank Draft	0	190.87	DFT0003438
02058	CONSOLIDATED COMMUNICATIONS	09/25/2019	Bank Draft	0	209.70	DFT0003439
00311	CULLIGAN WATER CONDITIONING	10/02/2019	Bank Draft	0	27.80	DFT0003452
00311	CULLIGAN WATER CONDITIONING	10/02/2019	Bank Draft	0	34.70	DFT0003453
02750	DPS MEDIA	09/25/2019	Bank Draft	0	178.47	DFT0003440
00608	INGRAM LIBRARY SERVICES	10/03/2019	Bank Draft	0	2,594.75	DFT0003454
02941	JAGUAR COMMUNICATIONS	09/18/2019	Bank Draft	0	4,062.57	DFT0003418
00733	LAKES GAS CO #10	09/16/2019	Bank Draft	0	132.50	DFT0003409
00733	LAKES GAS CO #10	09/17/2019	Bank Draft	0	107.00	DFT0003414
00733	LAKES GAS CO #10	10/02/2019	Bank Draft	0	107.00	DFT0003450
00815	MANKATO CLINIC, LTD.	09/25/2019	Bank Draft	0	198.00	DFT0003430
00993	MRCI	09/30/2019	Bank Draft	0	1,000.00	DFT0003446
01117	PLUNKETT'S PEST CONTROL, INC.	09/16/2019	Bank Draft	0	122.87	DFT0003410
01320	SPRING TOUCH LAWN SPECIALIST	09/25/2019	Bank Draft	0	40.99	DFT0003429
01322	SPRINT	09/25/2019	Bank Draft	0	36.08	DFT0003431
01335	STAPLES ADVANTAGE	09/17/2019	Bank Draft	0	157.94	DFT0003413
01335	STAPLES ADVANTAGE	09/24/2019	Bank Draft	0	652.85	DFT0003428
01335	STAPLES ADVANTAGE	09/25/2019	Bank Draft	0	202.39	DFT0003442
01335	STAPLES ADVANTAGE	09/26/2019	Bank Draft	0	58.27	DFT0003445
01470	VERIZON WIRELESS	09/16/2019	Bank Draft	0	31.01	DFT0003411
00551	A.H. HERMEL COMPANY	10/09/2019	EFT	0	1,185.83	2200
00016	ADAMS, NICOLE	10/09/2019	EFT	0	55.00	2201
02254	ALBRIGHT LAWNS	10/09/2019	EFT	0	285.00	2202
00090	APT MACHINING INC.	10/09/2019	EFT	0	1,285.82	2203
00105	AUTO VALUE MANKATO	10/09/2019	EFT	0	198.52	2204
00142	BETHANY LUTHERAN COLLEGE	10/09/2019	EFT	0	10,562.50	2205
03142	BEYER, CURT	10/09/2019	EFT	0	306.00	2206
03133	BODE, BRYAN	10/09/2019	EFT	0	31.28	2207
00172	BOHRER, TOM	10/09/2019	EFT	0	255.00	2208
00174	BOLTON & MENK, INC.	10/09/2019	EFT	0	356,922.50	2209
00176	BORDER STATES ELECTRIC SUPPLY	10/09/2019	EFT	0	168.02	2210
03143	BOWE, MICHAEL	10/09/2019	EFT	0	76.50	2211
00216	C & S SUPPLY CO, INC.	10/09/2019	EFT	0	333.64	2212
02706	CORE & MAIN LP	10/09/2019	EFT	0	296.14	2213
00348	DIRT MERCHANT, INC.	10/09/2019	EFT	0	1,000.00	2214
00373	ECKERT, LELAND	10/09/2019	EFT	0	255.00	2215
00453	FREYBERG PETROLEUM SALES, INC.	10/09/2019	EFT	0	14,224.28	2216
02946	FROELICH, PAUL	10/09/2019	EFT	0	600.00	2217
00463	G & L AUTO SUPPLY, LLC	10/09/2019	EFT	0	574.55	2218
00469	GANGELHOFF, BRIAN	10/09/2019	EFT	0	89.98	2219
00494	GOPHER STATE ONE-CALL	10/09/2019	EFT	0	330.75	2220
00503	GREAT AMERICAN BUSINESS PRODUCTS	10/09/2019	EFT	0	784.00	2221
03145	HANSON, ALAN	10/09/2019	EFT	0	153.00	2222
02476	HARRISON TRUCK CENTERS	10/09/2019	EFT	0	133.16	2223
00538	HAWKINS, INC.	10/09/2019	EFT	0	3,670.78	2224
00657	JT SERVICES	10/09/2019	EFT	0	5,224.41	2225
00682	KELLY, ANGELA	10/09/2019	EFT	0	84.97	2226
00776	LLOYD LUMBER CO.	10/09/2019	EFT	0	4,926.71	2227



02575	LOCHER BROS, INC.	10/09/2019	EFT	0	4,956.15	2229
00796	MACQUEEN EQUIPMENT, INC.	10/09/2019	EFT	0	2,904.96	2230
00874	MENARDS-MANKATO	10/09/2019	EFT	0	260.68	2231
00889	MIDWEST TAPE/HOOPLA	10/09/2019	EFT	0	1,158.20	2232
00910	MINNESOTA VALLEY TESTING LAB, INC.	10/09/2019	EFT	0	596.50	2233
00956	MINNESOTA WASTE PROCESSING CO.	10/09/2019	EFT	0	26,486.32	2234
02323	MOBOTREX	10/09/2019	EFT	0	100.00	2235
00997	MTI DISTRIBUTING CO	10/09/2019	EFT	0	783.64	2236
01036	NICOLLET COUNTY RECORDER/ABSTRACTER	10/09/2019	EFT	0	184.00	2237
01052	NORTH CENTRAL INTERNATIONAL	10/09/2019	EFT	0	2,471.09	2238
01064	NORTHERN STATES SUPPLY, INC.	10/09/2019	EFT	0	16.89	2239
01078	OLYMPIC FIRE PROTECTION CORP.	10/09/2019	EFT	0	440.00	2240
02005	PANTHEON COMPUTERS	10/09/2019	EFT	0	9,601.72	2241
01090	PARAGON PRINTING, MAILING & SPECIALTIES	10/09/2019	EFT	0	8,546.87	2242
01099	PET EXPO DISTRIBUTORS	10/09/2019	EFT	0	60.00	2243
03141	PIPES, ROGER	10/09/2019	EFT	0	280.50	2244
01136	PRAIRIE RESTORATIONS, INC.	10/09/2019	EFT	0	1,226.00	2245
01198	RETROFIT COMPANIES, INC.	10/09/2019	EFT	0	133.86	2246
01211	RIVER BEND BUSINESS PRODUCTS	10/09/2019	EFT	0	582.41	2247
01263	SCHWICKERT'S TECTA AMERICA LLC	10/09/2019	EFT	0	885.00	2248
01281	SIGN PRO	10/09/2019	EFT	0	2,243.75	2249
01323	SPS COMPANIES, INC.	10/09/2019	EFT	0	425.72	2250
01429	TURFWERKS	10/09/2019	EFT	0	154.76	2251
03144	VELDHUISEN, ROGER	10/09/2019	EFT	0	102.00	2252
03140	VELDHUISEN, ROSE	10/09/2019	EFT	0	408.00	2253
01478	VIKING FIRE & SAFETY LLC	10/09/2019	EFT	0	501.50	2254
01524	WERNER ELECTRIC SUPPLY	10/09/2019	EFT	0	302.85	2255
03146	WESTRUP, CHRISTOPHER	10/09/2019	EFT	0	153.00	2256
00234	CENTER POINT ENERGY	09/17/2019	Bank Draft	0	20.24	DFT0003417
00234	CENTER POINT ENERGY	10/03/2019	Bank Draft	0	1,149.79	DFT0003455
02003	MINNESOTA DEPT OF REVENUE	09/18/2019	Bank Draft	0	25.00	DFT0003416
02003	MINNESOTA DEPT OF REVENUE	09/25/2019	Bank Draft	0	6,341.14	DFT0003425
02003	MINNESOTA DEPT OF REVENUE	10/01/2019	Bank Draft	0	395.87	DFT0003449
01477	VIKING ELECTRIC SUPPLY, INC.	09/17/2019	Bank Draft	0	563.44	DFT0003419
01477	VIKING ELECTRIC SUPPLY, INC.	09/30/2019	Bank Draft	0	1,855.40	DFT0003447
01557	XCEL ENERGY	09/16/2019	Bank Draft	0	186.28	DFT0003412
01557	XCEL ENERGY	10/01/2019	Bank Draft	0	16,318.24	DFT0003448
					1,335,933.20	161

## Authorization Signatures

### All Council

The above manual and regular claims lists for 10-7-19 are approved by:

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MARK DEHEN- MAYOR

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DIANE NORLAND- COUNCIL MEMBER

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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
Sandra Oachs	8x8 Paver-Centennial Park	\$ 75.00
TOTAL		\$75.00

Adopted by the City Council this 7<sup>th</sup> day of October 2019.

\_\_\_\_\_  
Mayor

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

Permit #: 89 -2019 Start Time: NOON Fee: \$ 100.00  
Date: 10/26/19 Stop Time: 5:00 pm  
Shelter: ☐ Spring Lake Shelter #1 ☒ Spring Lake Shelter #2 ☐ Wheeler Park Indoor Shelter  
Event Name: BENCHS fundraiser # of People 7100  
Name: Sierra Hietala / MSU project  
Address: 420 Ellis Ave.  
City: Mankato State: MN Zip 56001  
Phone: (763) 482-3960 Email: sierra.hietala@mnsu.edu

to call  
in  
w/ pymt

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

Notes:

**Alcoholic Beverages** (wine & beer only) ☒ No ☐ Yes

Please specify: Cans Keg \* (\$300 refundable deposit and \$30 keg permit) Catering\* (must contact City Hall)

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

**Allowed**

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

**Prohibited**

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

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

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

SIGNED:

Applicant

Date

☐ APPROVED ☐ DENIED

☒ REFER TO COUNCIL

City Clerk

Date

Receipt # \_\_\_\_\_ Book \_\_\_\_\_ Online \_\_\_\_\_ Park \_\_\_\_\_ Police \_\_\_\_\_ Staff Initials \_\_\_\_\_

## Audio Permit

**About:**

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

**Audio Permit Responsibilities:**

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

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

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

AMPLIFIED SOUND: ☐ LIVE MUSIC/BAND  
☒ DJ/KARAOKE MACHINE  
☐ OTHER: \_\_\_\_\_DATE OF EVENT: 10-26-19  
BEGIN TIME: 2:00  
END TIME: 4:00LOCATION / SHELTER: SLP #2EVENT NAME: BENCHS fundraiser (msu project)ONSITE COORDINATOR: PRINT NAME: Andrew Burk / Sierra Hietala  
MOBILE NUMBER: 763-482-3960

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

SIGNATURE: [Signature] DATE: 9/30/19CITY CLERK: \_\_\_\_\_ ☐ DENIED ☐ APPROVED  
☐ BOOK ☐ POLICE ☐ ONLINE ☐ \$25.00 FEE STAFF INITIALS \_\_\_\_\_



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

For Office Use Only

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

☐ PARK USE ☐ AUDIO USE

## Application For PARADE PERMIT

### REQUIRED INFORMATION:

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

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

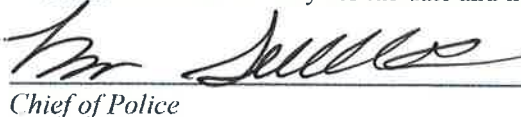
Name of Applicant <b>Chris Gordon</b>	Address <b>819 S. Broadway New City/MN 56073</b>	Phone <b>507-382-0643</b>	Email <b>christopher.gordon@hps294.us</b>
Sponsoring Organization Name <b>Minnesota Virtual Academy</b>	Address <b>306 W. Elm St. Houston, MN 55943</b>	Phone <b>507-933-0799</b>	
Contact during event	Phone		
Event Location <b>Caswell Park</b>	Date <b>10/25/19</b>	From Time <b>8:30 am</b>	To <b>12:00 pm</b>
Occasion for Parade <b>Fall Festival 5K</b>			
Parade Description / Composition <b>Caswell Park / Howard Dr. to Lookout Dr. to Carlson Dr W to Benson Park, back to</b>			
Estimated Number of Participants: <b>20</b> <b>Carlson DE W to Lor Ray Dr. to Caswell Park (all sidewalks)</b>			

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

  
Applicant

**9/17/19**  
Date

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

  
Chief of Police

**9/24/19**  
Date

Caswell Sports Director

Date





**NOTICE OF PUBLIC HEARING**

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

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

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

Dated: This 10<sup>th</sup> day of October 2019.

BY ORDER OF THE NORTH MANKATO CITY COUNCIL

*/s/April Van Genderen*  
April Van Genderen  
City Clerk

**ORDINANCE NO. 119, FOURTH SERIES**

**AN ORDINANCE SETTING MAYOR AND CITY COUNCIL COMPENSATION**

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

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

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

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

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

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

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

**ADOPTED** by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

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

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #13 A	Department: City Attorney	Council Meeting Date: 10/7/19
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**TITLE OF ISSUE:** Consider Resolution of the North Mankato City Council in the Matter of a Nuisance Property Located at 415 Webster Avenue.

**BACKGROUND AND SUPPLEMENTAL INFORMATION:** In response to citizen concerns about the property located at 415 Webster Avenue, the City Building Official inspected the property and submitted to the owner an Official Notice to Correct Violations. The violation notices were sent on May 2, 2019, and July 18, 2019. The owner of the property did not correct the violations and Attorney Kennedy sent a letter informing the owner that the City would be proceeding with abatement measures if corrective action was not taken by August 15, 2019. A Public Hearing was set on September 16, 2019, for October 7, 2019 and a Public Hearing was held earlier in the evening.

If additional space is required, attach a separate sheet

**REQUESTED COUNCIL ACTION:** Adopt Resolution of the North Mankato City Council in the Matter of a Nuisance Property Located at 415 Webster Avenue.

<p>Motion By: _____</p> <p>Second By: _____</p> <p>Vote Record:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 15%; text-align: center;">Aye</th> <th style="width: 15%; text-align: center;">Nay</th> <th style="width: 55%;"></th> </tr> </thead> <tbody> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Oachs</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </tbody> </table>		Aye	Nay			_____	_____	Steiner		_____	_____	Norland		_____	_____	Oachs		_____	_____	Whitlock		_____	_____	Dehen	<p style="text-align: center;"><b>SUPPORTING DOCUMENTS ATTACHED</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>Other (specify) <u>Letters and Notices of Violation</u></p> <p>_____</p> <p>_____</p> <p>_____</p>	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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A RESOLUTION OF THE NORTH MANKATO CITY COUNCIL IN THE MATTER OF A NUISANCE PROPERTY  
LOCATED AT 415 WEBSTER AVENUE, NORTH MANKATO, MINNESOTA 56003 DESCRIBED AS SET FORTH  
IN THIS RESOLUTION OWNED BY CARRERA FRANCISCO

WHEREAS, Carrera Francisco is the owner of a building located at 415 Webster Avenue, North Mankato, MN 56003, more specifically described as follows:

**Block N 136' of W 66' of E 181.5' of BLK 27 WENDEL HODAPP'S ADD**

WHEREAS, the City Council of the City of North Mankato has reviewed the Official Notice to Correct Violations dated May 2, 2019, and July 18, 2019 attached hereto;

WHEREAS, the City Council of the City of North Mankato and the staff of the City of North Mankato have received numerous reports relating to the condition of the premises;

NOW, THEREFORE BE IT RESOLVED, pursuant to North Mankato City Code, 92.23 Abatement, the City Council of the City of North Mankato, Minnesota, has duly considered the matter and finds that:

1. An inspection of the exterior of the property occurred on May 2, 2019, and July 18, 2019, by the City of North Mankato. During that inspection, the following violation of City Code 92.21 (B) (2) Building Maintenance and Appearance was noted:
  - a. Exterior surface finish has peeling, cracked, chipped or otherwise deteriorated surface finish of more than 20%.
2. The result of the inspections determined that the structure needs to be painted.
3. Correspondence with the owners has not resulted in action to abate the conditions described.

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

1. The City Administrator shall cause the Resolution to be served upon the owner at his most recent known address, which is 415 Webster Avenue. Should it be determined that there is any lienholder against the property, that they shall also receive notice.
2. The owner or interested parties shall, within twenty (20) days of service, submit a plan to the Community Development Director to complete the painting of the structure by June 1, 2020.
3. A motion for summary enforcement of this order will be made to the District Court of Nicollet County unless corrective action is taken as provided above.
4. The City Administrator and staff shall take such other action as may be necessary to enforce this order.



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

\_\_\_\_\_  
Mayor

ATTEST:

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

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #13 B	Department: City Attorney	Council Meeting Date: 9/16/19																																	
<b>TITLE OF ISSUE:</b> Consider Resolution of the North Mankato City Council in the Matter of a nuisance Property Located at 229 Allan Avenue.																																			
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> In response to citizen concerns about the property located at 229 Allan Avenue, the property was inspected and an Official Notice to Correct Violations was given to the property owner. The violation notices were sent on July 26, 2019, and August 12, 2019. The owner of the property did not correct the violations and Attorney Kennedy sent a letter informing the owner that the City would be proceeding with abatement measures. A Public Hearing was set on September 16, 2019, for October 7, 2019 and a Public Hearing was held earlier in the evening.																																			
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RESOLUTION NO.

A RESOLUTION OF THE NORTH MANKATO CITY COUNCIL IN THE MATTER OF A NUISANCE PROPERTY LOCATED AT 229 ALLAN AVENUE, NORTH MANKATO, MINNESOTA 56003 DESCRIBED AS SET FORTH IN THIS RESOLUTION OWNED BY EDWARD R BORCHARDT AND ANN M BORCHARDT

WHEREAS, Edward R Borchardt and Ann M Borchardt are the owners of a property located at 229 Allan Avenue, North Mankato, MN 56003, more specifically described as follows:

**Lot 170 Langness Heights sub.**

WHEREAS, the City Council of the City of North Mankato has reviewed the Official Notice to Correct Violations dated July 26, 2019, and August 12, 2019 attached hereto;

WHEREAS, the City Council of the City of North Mankato and the staff of the City of North Mankato have received numerous reports relating to the condition of the premises;

NOW, THEREFORE BE IT RESOLVED, pursuant to North Mankato City Code, 92.23 Abatement, the City Council of the City of North Mankato, Minnesota, has duly considered the matter and finds that:

1. An inspection of the exterior of the property occurred on July 26, 2019, and August 12, 2019, by the City of North Mankato. During that inspection, the following violation of City Code 90.110 Grass and Weed Control and 156.035 (EE) Outside Storage of Materials in Residential Districts was noted:
  - a. Grass and Weeds are at a height higher than 6 inches.
  - b. Items on driveway and items in the backyard including tarps stored outside.
2. The result of the inspections determined that the grass and weeds need to be mowed to height less than 6 inches and there are items stored under tarps in the driveway and in the backyard that need to be removed or stored inside.
3. Correspondence with the owners has not resulted in action to abate the conditions described.

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

1. The City Administrator shall cause the Resolution to be served upon the owner at his most recent known address, which is 229 Allan Avenue. Should it be determined that there is any lienholder against the property, that they shall also receive notice.
2. The owner or interested parties shall, within twenty (20) days of service must mow the grass and weeds to a height less than 6 inches and remove the items stored under tarps from both the driveway and the backyard.
3. A motion for summary enforcement of this order will be made to the District Court of Nicollet County unless corrective action is taken as provided above.
4. The City Administrator and staff shall take such other action as may be necessary to enforce this order.

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

\_\_\_\_\_  
Mayor

ATTEST:

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

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #13 C	Department: Finance	Council Meeting Date: 10/7/19																																																															
<b>TITLE OF ISSUE:</b> Consider Resolution Providing for the Issuance and Sale of \$3,065,000 General Obligation Bonds, Series 2019A, Pledging for the security Thereof Special Assesments and Net Revenues and Levying a Tax for the Payment Thereof.																																																																	
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> The GO Bond will finance the construction os various street improvements, sanitary sewer and storm water systems and capital equipment. The Sale will occur on Monday, October 7, 2019, and the final resolution will be provided at the Council Meeting.																																																																	
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EXTRACT OF MINUTES OF A MEETING  
CITY COUNCIL OF THE  
CITY OF NORTH MANKATO, MINNESOTA

HELD: OCTOBER 7, 2019

Pursuant to due call, a regular or special meeting of the City Council of the City of North Mankato, Nicollet and Blue Earth Counties, Minnesota, was duly held at the City Hall on October 7, 2019, at 7:00 P.M., for the purpose, in part of authorizing the issuance and awarding the sale of \$3,065,000 General Obligation Bonds, Series 2019A.

The following members were present:

and the following were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

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

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$3,065,000 GENERAL  
OBLIGATION BONDS, SERIES 2019A, PLEDGING FOR THE SECURITY THEREOF  
SPECIAL ASSESSMENTS AND NET REVENUES AND LEVYING A TAX FOR THE  
PAYMENT THEREOF

A. WHEREAS, the City Council has heretofore determined and declared that it is necessary and expedient to issue \$3,065,000 General Obligation Bonds, Series 2019A (the "Bonds" or individually a "Bond"), pursuant to Minnesota Statutes, Chapters 475; and

i. Section 429 to finance the construction of various street improvements within the City (the "Street Improvements") in the amount of \$ \_\_\_\_\_ (the "Street Improvement Portion of the Bonds");

ii. Section 444.075 to finance improvements to the sanitary sewer and storm water systems (the "Utility Improvements") in the amount of \$ \_\_\_\_\_ (the "Utility Portion of the Bonds"); and

iii. Section 412.301 to finance the acquisition of capital equipment for the City (the "Equipment") in the amount of \$ \_\_\_\_\_ (the "Equipment Portion of the Bonds"); and

iv. The Street Improvements, the Utility Improvements, and the Equipment, are herein referred to together as the Project; and

B. WHEREAS, the Street Improvements and all their components have been ordered prior to the date hereof, after a hearing thereon for which notice was given describing the Street Improvements or all their components by general nature, estimated cost, and area to be assessed; and

C. WHEREAS, the City owns and operates a municipal sanitary sewer utility system (the "Sanitary Sewer System"), and a municipal storm water utility system (the "Storm Water System" and together with the Sanitary Sewer System, the "System"), as separate revenue producing public utilities and there are outstanding payable from the net revenues of the System the City's outstanding \$690,000 original principal amount General Obligation Utility Revenue Bonds, Series 2009B, dated May 1, 2009 (the "Outstanding System Bonds"); and

D. WHEREAS, the City owns and operates a municipal water utility system (the "Water Utility System") as a separate revenue producing public utility and there are outstanding payable from the net revenues of the Water Utility System and the System the "System Portion" of the City's outstanding \$3,180,000 original principal amount General Obligation Refunding Bonds, Series 2015B, dated September 15, 2015, designated in the resolution issuing the bonds (the "Outstanding Water Utility and System Bonds"); and

E. WHEREAS, the net revenues of the Water Utility System and the Sanitary Sewer System are pledged to the payment of: (i) the "System Portion" of the City's outstanding \$1,920,000 original principal amount General Obligation Bonds, Series 2014A, dated July 1, 2014, designated in the resolution issuing the bonds; and (ii) the "System Portion" of the City's outstanding \$420,000 original principal amount General Obligation Bonds, Series 2016A, dated August 15, 2016, designated in the resolution issuing the bonds (the "Outstanding Water Utility and Sanitary Sewer Bonds"); and

F. WHEREAS, each item of Equipment to be financed by the Equipment Portion of the Bonds, as hereinafter defined, has an expected useful life at least as long as the term of the Equipment Portion of the Bonds; and

G. WHEREAS, the principal amount of the Equipment Portion of the Bonds does not exceed one-quarter of one percent (0.25%) of the estimated market value of the taxable property in the City; and

H. WHEREAS, the City has retained Northland Securities, Inc., in Minneapolis, Minnesota ("Northland Securities"), as its independent municipal advisor for the sale of the Bonds and was therefore authorized to sell the Bonds by private negotiation in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9) and proposals to purchase the Bonds have been solicited by Northland Securities; and

I. WHEREAS, the proposals set forth on Exhibit A attached hereto were received by the Finance Director, or designee, at the offices of Northland Securities at 10:30 a.m. this same day pursuant to the Preliminary Official Statement dated \_\_\_\_\_, 2019, established for the Bonds; and

J. WHEREAS, it is in the best interests of the City that the Bonds be issued in book-entry form as hereinafter provided; and

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

1. Acceptance of Proposal. The proposal of \_\_\_\_\_, \_\_\_\_\_ (the "Purchaser"), to purchase the Bonds, in accordance with the Preliminary Official Statement established for the Bonds, at the rates of interest hereinafter set forth, and to pay therefor the sum of \$ \_\_\_\_\_, plus interest accrued to settlement, is hereby found, determined and declared to be the most favorable proposal received, is hereby accepted and the Bonds are hereby awarded to the Purchaser. The Finance Director is directed to retain the deposit of the Purchaser.

2. Bond Terms.

(a) Original Issue Date; Denominations; Maturities; Term Bond Option. The Bonds shall be dated October 30, 2019, as the date of original issue and shall be issued forthwith on or after such date in fully registered form, shall be numbered from R-1 upward in the denomination of \$5,000 each or in any integral multiple thereof of a single maturity (the "Authorized Denominations") and shall mature on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2020		2028	
2021		2029	
2022		2030	
2023		2031	
2024		2032	
2025		2033	
2026		2034	
2027			

As may be requested by the Purchaser, one or more term Bonds may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the foregoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

(b) Allocation. The Street Improvement Portion of the Bonds, being the aggregate principal amount of \$ \_\_\_\_\_, maturing in each of the years and amounts hereinafter set forth, is issued to finance the Street Improvements. The Utility Portion of the Bonds, being the aggregate principal amount of \$ \_\_\_\_\_, maturing in each of the years and amounts hereinafter set forth, is issued to finance the Utility Improvements. The Equipment Portion of the Bonds, being the aggregate principal amount of \$ \_\_\_\_\_, maturing in each of the years and amounts hereinafter set forth, is issued to finance the Equipment.

<u>Year</u>	<u>Street Improvement Portion</u>	<u>Utility Portion</u>	<u>Equipment Portion</u>	<u>Total</u>
2020				
2021				
2022				

<u>Year</u>	<u>Street Improvement Portion</u>	<u>Utility Portion</u>	<u>Equipment Portion</u>	<u>Total</u>
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030				
2031				
2032				
2033				
2034				

If Bonds are prepaid, the prepayments shall be allocated to the portions of debt service (and hence allocated to the payment of Bonds treated as relating to a particular portion of debt service) as provided in this paragraph. If the source of prepayment moneys is the general fund of the City, or other generally available source, including the levy of taxes, the prepayment may be allocated to any portions of debt service in such amounts as the City shall determine. If the source of the prepayment is special assessments pledged to the Street Improvements, the prepayment shall be allocated to the Street Improvement Portion of debt service. If the source of a prepayment is excess net revenues of the System pledged to the Utility Improvements, the prepayment shall be allocated to the Utility Portion of debt service.

(c) Book Entry Only System. The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York or any of its successors or its successors to its functions hereunder (the "Depository") will act as securities depository for the Bonds, and to this end:

(i) The Bonds shall be initially issued and, so long as they remain in book entry form only (the "Book Entry Only Period"), shall at all times be in the form of a separate single fully registered Bond for each maturity of the Bonds; and for purposes of complying with this requirement under paragraphs 5 and 10 Authorized Denominations for any Bond shall be deemed to be limited during the Book Entry Only Period to the outstanding principal amount of that Bond.

(ii) Upon initial issuance, ownership of the Bonds shall be registered in a bond register maintained by the Bond Registrar (as hereinafter defined) in the name of CEDE & CO., as the nominee (it or any nominee of the existing or a successor Depository, the "Nominee").

(iii) With respect to the Bonds neither the City nor the Bond Registrar shall have any responsibility or obligation to any broker, dealer, bank, or any other financial institution for which the Depository holds Bonds as securities depository (the "Participant") or the person for which a Participant holds an interest in the Bonds shown

on the books and records of the Participant (the "Beneficial Owner"). Without limiting the immediately preceding sentence, neither the City, nor the Bond Registrar, shall have any such responsibility or obligation with respect to (A) the accuracy of the records of the Depository, the Nominee or any Participant with respect to any ownership interest in the Bonds, or (B) the delivery to any Participant, any Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or (C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the principal of or premium, if any, or interest on the Bonds, or (D) the consent given or other action taken by the Depository as the Registered Holder of any Bonds (the "Holder"). For purposes of securing the vote or consent of any Holder under this Resolution, the City may, however, rely upon an omnibus proxy under which the Depository assigns its consenting or voting rights to certain Participants to whose accounts the Bonds are credited on the record date identified in a listing attached to the omnibus proxy.

(iv) The City and the Bond Registrar may treat as and deem the Depository to be the absolute owner of the Bonds for the purpose of payment of the principal of and premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to the Bonds, for the purpose of obtaining any consent or other action to be taken by Holders for the purpose of registering transfers with respect to such Bonds, and for all purpose whatsoever. The Bond Registrar, as paying agent hereunder, shall pay all principal of and premium, if any, and interest on the Bonds only to the Holder or the Holders of the Bonds as shown on the bond register, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid.

(v) Upon delivery by the Depository to the Bond Registrar of written notice to the effect that the Depository has determined to substitute a new Nominee in place of the existing Nominee, and subject to the transfer provisions in paragraph 10 hereof, references to the Nominee hereunder shall refer to such new Nominee.

(vi) So long as any Bond is registered in the name of a Nominee, all payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, by the Bond Registrar or City, as the case may be, to the Depository as provided in the Letter of Representations to the Depository required by the Depository as a condition to its acting as book-entry Depository for the Bonds (said Letter of Representations, together with any replacement thereof or amendment or substitute thereto, including any standard procedures or policies referenced therein or applicable thereto respecting the procedures and other matters relating to the Depository's role as book-entry Depository for the Bonds, collectively hereinafter referred to as the "Letter of Representations").

(vii) All transfers of beneficial ownership interests in each Bond issued in book-entry form shall be limited in principal amount to Authorized Denominations and shall be effected by procedures by the Depository with the Participants for recording and transferring the ownership of beneficial interests in such Bonds.



(viii) In connection with any notice or other communication to be provided to the Holders pursuant to this Resolution by the City or Bond Registrar with respect to any consent or other action to be taken by Holders, the Depository shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action; provided, that the City or the Bond Registrar may establish a special record date for such consent or other action. The City or the Bond Registrar shall, to the extent possible, give the Depository notice of such special record date not less than fifteen calendar days in advance of such special record date to the extent possible.

(ix) Any successor Bond Registrar in its written acceptance of its duties under this Resolution and any paying agency/bond registrar agreement, shall agree to take any actions necessary from time to time to comply with the requirements of the Letter of Representations.

(d) Termination of Book-Entry Only System. Discontinuance of a particular Depository's services and termination of the book-entry only system may be effected as follows:

(i) The Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving written notice to the City and discharging its responsibilities with respect thereto under applicable law. The City may terminate the services of the Depository with respect to the Bond if it determines that the Depository is no longer able to carry out its functions as securities depository or the continuation of the system of book-entry transfers through the Depository is not in the best interests of the City or the Beneficial Owners.

(ii) Upon termination of the services of the Depository as provided in the preceding paragraph, and if no substitute securities depository is willing to undertake the functions of the Depository hereunder can be found which, in the opinion of the City, is willing and able to assume such functions upon reasonable or customary terms, or if the City determines that it is in the best interests of the City or the Beneficial Owners of the Bond that the Beneficial Owners be able to obtain certificates for the Bonds, the Bonds shall no longer be registered as being registered in the bond register in the name of the Nominee, but may be registered in whatever name or names the Holder of the Bonds shall designate at that time, in accordance with paragraph 10. To the extent that the Beneficial Owners are designated as the transferee by the Holders, in accordance with paragraph 10, the Bonds will be delivered to the Beneficial Owners.

(iii) Nothing in this subparagraph (d) shall limit or restrict the provisions of paragraph 10.

(e) Letter of Representations. The provisions in the Letter of Representations are incorporated herein by reference and made a part of the resolution, and if and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Letter of Representations shall control.

3. Purposes. The Bonds shall provide funds to finance the Project. The total cost of the Project, which shall include all costs enumerated in Minnesota Statutes, Section 475.65, is

estimated to be at least equal to the amount of the Bonds. The City covenants that it shall do all things and perform all acts required of it to assure that work on the Project proceeds with due diligence to completion and that any and all permits and studies required under law for the Project are obtained.

4. Interest. The Bonds shall bear interest payable semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing February 1, 2020, calculated on the basis of a 360-day year of twelve 30-day months, at the respective rates per annum set forth opposite the maturity years as follows:

<u>Maturity Year</u>	<u>Interest Rate</u>	<u>Maturity Year</u>	<u>Interest Rate</u>
2020		2028	
2021		2029	
2022		2030	
2023		2031	
2024		2032	
2025		2033	
2026		2034	
2027			

5. Redemption. All Bonds maturing on February 1, 2028 and thereafter, shall be subject to redemption and prepayment at the option of the City on February 1, 2027, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the City; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds thirty (30) days prior to the date fixed for redemption.

To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar prior to giving notice of redemption shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers so assigned to such Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the City or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the City and Bond Registrar duly executed by the Holder thereof or the Holder's attorney duly authorized in writing) and the City shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of the Bond, without service charge, a new Bond or Bonds

having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by the Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

6. Bond Registrar. U.S. Bank National Association, in St. Paul, Minnesota, is appointed to act as bond registrar and transfer agent with respect to the Bonds (the "Bond Registrar"), and shall do so unless and until a successor Bond Registrar is duly appointed, all pursuant to any contract the City and Bond Registrar shall execute which is consistent herewith. The Bond Registrar shall also serve as paying agent unless and until a successor paying agent is duly appointed. Principal and interest on the Bonds shall be paid to the registered Holders (or record holders) of the Bonds in the manner set forth in the form of Bond and paragraph 12 of this resolution.

7. Form of Bond. The Bonds, together with the Bond Registrar's Certificate of Authentication, the form of Assignment and the registration information thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
NICOLLET COUNTY  
CITY OF NORTH MANKATO

R- \_\_\_\_\_

\$ \_\_\_\_\_

GENERAL OBLIGATION BOND, SERIES 2019A

Interest Rate

Maturity Date

Date of Original Issue

CUSIP

\_\_\_\_\_ %

February 1, \_\_\_\_\_

October 30, 2019

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The City of North Mankato, Nicollet County, Minnesota (the "Issuer"), certifies that it is indebted and for value received promises to pay to the registered owner specified above, or registered assigns, unless called for earlier redemption, in the manner hereinafter set forth, the principal amount specified above, on the maturity date specified above, and to pay interest thereon semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing February 1, 2020, at the rate per annum specified above (calculated on the basis of a 360-day year of twelve 30-day months) until the principal sum is paid or has been provided for. This Bond will bear interest from the most recent Interest Payment Date to which interest has been paid or, if no interest has been paid, from the date of original issue hereof. The principal of and premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of U.S. Bank National Association, in St. Paul, Minnesota (the "Bond Registrar"), acting as paying agent, or any successor paying agent duly appointed by the Issuer. Interest on this Bond will be paid on each Interest Payment Date by check or draft mailed to the person in whose name this Bond is registered (the "Holder" or "Bondholder") on the registration books of the Issuer maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any interest not so timely paid shall cease to be payable to the person who is the Holder hereof as of the Regular Record Date, and shall be payable to the person who is the Holder hereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given to Bondholders not less than ten days prior to the Special Record Date. The principal of and premium, if any, and interest on this Bond are payable in lawful money of the United States of America. So long as this Bond is registered in the name of the Depository or its Nominee as provided in the Resolution hereinafter described, and as those terms are defined therein, payment of principal of, premium, if any, and interest on this Bond and notice with respect thereto shall be made as provided in the Letter of Representations, as defined in the Resolution, and surrender of this Bond shall not be required for payment of the redemption price upon a partial redemption of this Bond. Until termination of the book-entry only system pursuant to the Resolution, Bonds may only be registered in the name of the Depository or its Nominee.

Optional Redemption. All Bonds of this issue (the "Bonds") maturing on February 1, 2028, and thereafter, are subject to redemption and prepayment at the option of the Issuer on February 1, 2027, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the Issuer; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds thirty (30) days prior to the date fixed for redemption.

Selection of Bonds for Redemption; Partial Redemption. To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers assigned to the Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the Issuer or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the Issuer and Bond Registrar duly executed by the Holder thereof or the Holder's attorney duly authorized in writing) and the Issuer shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of the Bond, without service charge, a new Bond or Bonds having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by the Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

Issuance; Purpose; General Obligation. This Bond is one of an issue in the total principal amount of \$3,065,000, all of like date of original issue and tenor, except as to number, maturity, interest rate, denomination and redemption privilege, issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota and pursuant to a resolution adopted by the City Council on October 7, 2019 (the "Resolution"), for the purpose of providing money to finance public improvement projects and the acquisition of capital equipment, all within the jurisdiction of the Issuer. This Bond is payable out of the General Obligation Bonds, Series 2019A Fund of the Issuer. This Bond constitutes a general obligation of the Issuer, and to provide moneys for the prompt and full payment of its principal, premium, if any, and interest when the same become due, the full faith and credit and taxing powers of the Issuer have been and are hereby irrevocably pledged.

Denominations; Exchange; Resolution. The Bonds are issuable solely in fully registered form in Authorized Denominations (as defined in the Resolution) and are exchangeable for fully registered Bonds of other Authorized Denominations in equal aggregate principal amounts at the office of the Bond Registrar, but only in the manner and subject to the limitations provided in the



Resolution. Reference is hereby made to the Resolution for a description of the rights and duties of the Bond Registrar. Copies of the Resolution are on file in the office of the Bond Registrar.

Transfer. This Bond is transferable by the Holder in person or the Holder's attorney duly authorized in writing at the office of the Bond Registrar upon presentation and surrender hereof to the Bond Registrar, all subject to the terms and conditions provided in the Resolution and to reasonable regulations of the Issuer contained in any agreement with the Bond Registrar. Thereupon the Issuer shall execute and the Bond Registrar shall authenticate and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee (but not registered in blank or to "bearer" or similar designation), of an Authorized Denomination or Denominations, in aggregate principal amount equal to the principal amount of this Bond, of the same maturity and bearing interest at the same rate.

Fees upon Transfer or Loss. The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of this Bond and any legal or unusual costs regarding transfers and lost Bonds.

Treatment of Registered Owners. The Issuer and Bond Registrar may treat the person in whose name this Bond is registered as the owner hereof for the purpose of receiving payment as herein provided (except as otherwise provided herein with respect to the Record Date) and for all other purposes, whether or not this Bond shall be overdue, and neither the Issuer nor the Bond Registrar shall be affected by notice to the contrary.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security unless the Certificate of Authentication hereon shall have been executed by the Bond Registrar.

Qualified Tax-Exempt Obligation. This Bond has been designated by the Issuer as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed, precedent to and in the issuance of this Bond, have been done, have happened and have been performed, in regular and due form, time and manner as required by law; that the Issuer has covenanted and agreed with the Holders of the Bonds that it will impose and collect charges for the service, use and availability of its sanitary sewer and storm water utility systems (collectively, the "System") at the times and in amounts necessary to produce net revenues, together with other sums pledged to the payment of the Utility Portion of the Bonds, as defined in the Resolution, adequate to pay all principal and interest when due on the Utility Portion of the Bonds; and that the Issuer will levy a direct, annual, irrevocable ad valorem tax upon all of the taxable property of the Issuer, without limitation as to rate or amount, for the years and in amounts sufficient to pay the principal and interest on Utility Portion of the Bonds as they respectively become due, if the net revenues from the System, and any other sums irrevocably appropriated to the Debt Service Account are insufficient therefor; and that this Bond, together with all other debts of the Issuer outstanding on the date of original issue hereof and the date of

its issuance and delivery to the original purchaser, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the City of North Mankato, Nicollet County, Minnesota, by its City Council has caused this Bond to be executed on its behalf by the facsimile signatures of its Mayor and its City Administrator, the corporate seal of the Issuer having been intentionally omitted as permitted by law.

Date of Registration:

Registrable by: U.S. BANK NATIONAL  
ASSOCIATION

\_\_\_\_\_  
BOND REGISTRAR'S  
CERTIFICATE OF  
AUTHENTICATION

Payable at: U.S. BANK NATIONAL  
ASSOCIATION

CITY OF NORTH MANKATO,  
NICOLLET COUNTY, MINNESOTA

This Bond is one of the  
Bonds described in the  
Resolution mentioned  
within.

/s/ Facsimile  
Mayor

U.S. BANK NATIONAL  
ASSOCIATION  
St. Paul, Minnesota,  
Bond Registrar

/s/ Facsimile  
City Administrator

By: \_\_\_\_\_  
Authorized Signature

## ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as tenants in common

UTMA - \_\_\_\_\_ as custodian for \_\_\_\_\_  
(Cust) (Minor)

under the \_\_\_\_\_ Uniform  
(State)

Transfers to Minors Act

Additional abbreviations may also be used though not in the above list.

## ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_  
Notice:

The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

\_\_\_\_\_  
Signature(s) must be guaranteed by a national bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges or any other "Eligible Guarantor Institution" as defined in 17 CFR 240.17 Ad-15(a)(2).

The Bond Registrar will not effect transfer of this Bond unless the information concerning the transferee requested below is provided.

Name and Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Include information for all joint owners if the Bond is held by joint account.)

8. Execution. The Bonds shall be in typewritten form, shall be executed on behalf of the City by the signatures of its Mayor and City Administrator and be sealed with the seal of the City; provided, as permitted by law, both signatures may be photocopied facsimiles and the corporate seal has been omitted. In the event of disability or resignation or other absence of either officer, the Bonds may be signed by the manual or facsimile signature of the officer who may act on behalf of the absent or disabled officer. In case either officer whose signature or facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of the Bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery.

9. Authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this resolution unless a Certificate of Authentication on such Bond, substantially in the form hereinabove set forth, shall have been duly executed by an authorized representative of the Bond Registrar. Certificates of Authentication on different Bonds need not be signed by the same person. The Bond Registrar shall authenticate the signatures of officers of the City on each Bond by execution of the Certificate of Authentication on the Bond and by inserting as the date of registration in the space provided the date on which the Bond is authenticated, except that for purposes of delivering the original Bonds to the Purchaser, the Bond Registrar shall insert as a date of registration the date of original issue of October 30, 2019. The Certificate of Authentication so executed on each Bond shall be conclusive evidence that it has been authenticated and delivered under this resolution.

10. Registration; Transfer; Exchange. The City will cause to be kept at the principal office of the Bond Registrar a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the Bond Registrar shall provide for the registration of Bonds and the registration of transfers of Bonds entitled to be registered or transferred as herein provided.

Upon surrender for transfer of any Bond at the principal office of the Bond Registrar, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration (as provided in paragraph 9) of, and deliver, in the name of the designated transferee or transferees, one or more new Bonds of any Authorized Denomination or Denominations of a like aggregate principal amount, having the same stated maturity and interest rate, as requested by the transferor; provided, however, that no Bond may be registered in blank or in the name of "bearer" or similar designation.

At the option of the Holder, Bonds may be exchanged for Bonds of any Authorized Denomination or Denominations of a like aggregate principal amount and stated maturity, upon surrender of the Bonds to be exchanged at the principal office of the Bond Registrar. Whenever any Bonds are so surrendered for exchange, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration of, and deliver the Bonds which the Holder making the exchange is entitled to receive.

All Bonds surrendered upon any exchange or transfer provided for in this resolution shall be promptly canceled by the Bond Registrar and thereafter disposed of as directed by the City.

All Bonds delivered in exchange for or upon transfer of Bonds shall be valid general obligations of the City evidencing the same debt, and entitled to the same benefits under this resolution, as the Bonds surrendered for such exchange or transfer.

Every Bond presented or surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, in form satisfactory to the Bond Registrar, duly executed by the Holder thereof or his, her or its attorney duly authorized in writing.

The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of any Bond and any legal or unusual costs regarding transfers and lost Bonds.

Transfers shall also be subject to reasonable regulations of the City contained in any agreement with the Bond Registrar, including regulations which permit the Bond Registrar to close its transfer books between record dates and payment dates. The Finance Director is hereby authorized to negotiate and execute the terms of said agreement.

11. Rights Upon Transfer or Exchange. Each Bond delivered upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

12. Interest Payment; Record Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered (the "Holder") on the registration books of the City maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid shall cease to be payable to the person who is the Holder thereof as of the Regular Record Date, and shall be payable to the person who is the Holder thereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given by the Bond Registrar to the Holders not less than ten days prior to the Special Record Date.

13. Treatment of Registered Owner. The City and Bond Registrar may treat the person in whose name any Bond is registered as the owner of such Bond for the purpose of receiving payment of principal of and premium, if any, and interest (subject to the payment provisions in paragraph 12) on, such Bond and for all other purposes whatsoever whether or not such Bond shall be overdue, and neither the City nor the Bond Registrar shall be affected by notice to the contrary.

14. Delivery; Application of Proceeds. The Bonds when so prepared and executed shall be delivered by the Finance Director to the Purchaser upon receipt of the purchase price, and the Purchaser shall not be obliged to see to the proper application thereof.

15. Fund and Accounts. There is hereby established a special fund to be designated "General Obligation Bonds, Series 2019A Fund" (the "Fund") to be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Fund shall be maintained in the



manner herein specified until all of the Bonds and the interest thereon have been fully paid. The Operation and Maintenance Accounts heretofore established by the City for the Sanitary Sewer System and the Storm Water System shall continue to be maintained in the manner heretofore provided by the City (the Operation and Maintenance Account for the Sanitary Sewer System, and the Operation and Maintenance Account for the Storm Water System are referred to collectively herein as the "Operation and Maintenance Accounts".) All moneys remaining after paying or providing for the items set forth in the resolutions establishing the Operation and Maintenance Accounts shall constitute or are referred to as "net revenues" until the Bonds, the Outstanding System Bonds, the Outstanding Water Utility and System Bonds, and the Outstanding Water Utility and Sanitary Sewer System Bonds have been paid. There shall be maintained in the Fund the following separate accounts to which shall be credited and debited all income and disbursements of the System as hereinafter set forth. The Finance Director and all officials and employees concerned therewith shall establish and maintain financial records of the receipts and disbursements of the System in accordance with this resolution. In such records there shall be established the following accounts of the Fund for the purposes as follows:

(a) Capital Account. There shall be established a Capital Account in the Fund. To the Capital Account there shall be credited the proceeds of the sale of the Bonds[, less any amount paid for the Bonds in excess of the minimum bid]. From the Capital Account there shall be paid all costs and expenses of making the Project, including the cost of any construction or other contracts heretofore let and all other costs incurred and to be incurred of the kind authorized in Minnesota Statutes, Section 475.65. Moneys in the Capital Account shall be used for no other purpose except as otherwise provided by law; provided that the proceeds of the Bonds may also be used to the extent necessary to pay interest on the Bonds due prior to the anticipated date of commencement of the collection of taxes and special assessments herein levied or covenanted to be levied; and provided further that if upon completion of the Project there shall remain any unexpended balance in the Capital Account, the balance (other than any special assessments) shall be transferred to the Debt Service Account or the unexpended portion of the Street Improvement Portion of the Bonds may be transferred by the Council to the fund of any other improvement instituted pursuant to Minnesota Statutes, Chapter 429, and provided further that any special assessments credited to the Capital Account shall only be applied towards payment of the costs of the Street Improvements upon adoption of a resolution by the City Council determining that the application of the special assessments for such purpose will not cause the City to no longer be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1.

(b) Debt Service Account. There shall be established a Debt Service Account in the Fund. There shall be maintained separate subaccounts in the Debt Service Account to be designated the "Street Improvement Project Debt Service Subaccount", the "Utility Improvements Project Debt Service Subaccount" and the "Equipment Debt Service Subaccount." There are hereby irrevocably appropriated and pledged to, and there shall be credited to the separate subaccounts of the Debt Service Account:

(i) Street Improvement Project Debt Service Subaccount. To the Street Improvement Project Debt Service Subaccount there shall be credited: (A) \$ \_\_\_\_\_ in City funds, sufficient to pay the principal and interest due on the Street Improvement Portion of the Bonds on February 1, 2020; (B) all collections of special assessments herein covenanted to be levied with respect to the Street

Improvements and either initially credited to the Capital Account and not already spent as permitted above and required to pay any principal and interest due on the Street Improvement Portion of the Bonds or collected subsequent to the completion of the Street Improvements and payment of the costs thereof; (C) [a pro rata share of any amount paid for the Bonds in excess of the minimum bid;] (D) any collections of all taxes herein or hereinafter levied for the payment of the Street Improvement Portion of the Bonds and interest thereon; (E) a pro rata share of all funds remaining in the Capital Account after completion of the Project and payment of the costs thereof; (F) all investment earnings on funds held in the Street Improvement Project Debt Service Subaccount; and (G) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Street Improvement Project Debt Service Subaccount. The Street Improvement Project Debt Service Subaccount shall be used solely to pay the principal and interest and any premium for redemption of the Street Improvement Portion of the Bonds and any other general obligation improvement bonds of the City hereafter issued by the City and made payable from said subaccount as provided by law.

(ii) Utility Improvements Project Debt Service Subaccount. To the Utility Improvements Project Debt Service Subaccount there shall be credited: (A) the net revenues of the System not otherwise pledged and applied to the payment of other obligations of the City, in an amount, together with other funds which may herein or hereafter from time to time be irrevocably appropriated to the Utility Improvements Project Debt Service Subaccount, sufficient to meet the requirements of Minnesota Statutes, Section 475.61 for the payment of the principal and interest of the Utility Portion of the Bonds; (B) [a pro rata share of any amount paid for the Bonds in excess of the minimum bid;] (C) any collections of all taxes which may hereafter be levied in the event that the net revenues of the System and other funds herein pledged to the payment of the principal and interest on the Utility Portion of the Bonds are insufficient therefore; (D) a pro rata share of all funds remaining in the Capital Account after completion of the Project and payment of the costs thereof; (E) all investment earnings on funds held in the Utility Improvements Project Debt Service Subaccount; and (F) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Utility Improvements Project Debt Service Subaccount. The Utility Improvements Project Debt Service Subaccount shall be used solely to pay the principal and interest and any premium for redemption of the Utility Portion of the Bonds and any other general obligation utility revenue bonds of the City hereafter issued by the City and made payable from said subaccount as provided by law.

(iii) Equipment Debt Service Subaccount. To the Equipment Debt Service Subaccount there shall be credited: (A) \$\_\_\_\_\_ in City funds, sufficient to pay the principal and interest due on the Equipment Portion of the Bonds on February 1, 2020; (B) all collections of taxes herein or hereinafter levied for the payment of the Equipment Portion of the Bonds and interest thereon; (C) [a pro rata share of any amount paid for the Bonds in excess of the minimum bid;] (D) a pro rata share of all funds remaining in the Capital Account after completion of the Project and payment of the costs thereof; (E) all investment earnings on funds held in the Equipment Debt Service Subaccount; and (F) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Equipment Debt Service

Subaccount. The Equipment Debt Service Subaccount shall be used solely to pay the principal and interest and any premium for redemption of the Equipment Portion of the Bonds.

No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (1) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued and (2) in addition to the above in an amount not greater than the lesser of five percent of the proceeds of the Bonds or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Capital Account, Operation and Maintenance Accounts or Debt Service Account (or any other City account which will be used to pay principal or interest to become due on the bonds payable therefrom) in excess of amounts which under then applicable federal arbitrage regulations may be invested without regard to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by said arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. Money in the Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

16. Covenants Relating to the Street Improvement Portion of the Bonds.

(a) Special Assessments. It is hereby determined that no less than twenty percent of the cost to the City of each Street Improvement financed hereunder within the meaning of Minnesota Statutes, Section 475.58, Subdivision 1(3), shall be paid by special assessments to be levied against every assessable lot, piece and parcel of land benefited by any of the Street Improvements. The City hereby covenants and agrees that it will let all construction contracts not heretofore let within one year after ordering each Street Improvement financed hereunder unless the resolution ordering the Street Improvement specifies a different time limit for the letting of construction contracts. The City hereby further covenants and agrees that it will do and perform as soon as they may be done all acts and things necessary for the final and valid levy of such special assessments, and in the event that any such special assessment be at any time held invalid with respect to any lot, piece or parcel of land due to any error, defect, or irregularity in any action or proceedings taken or to be taken by the City or the City Council or any of the City officers or employees, either in the making of the special assessments or in the performance of any condition precedent thereto, the City and the City Council will forthwith do all further acts and take all further proceedings as may be required by law to make the special assessments a valid and binding lien upon such property. It is hereby determined that the assessments shall be payable in equal, consecutive, annual installments, with general taxes for the years shown below and with interest on the declining balance of all such assessments at a rate per annum not greater than the maximum permitted by law and not less than the rates per annum shown opposite their collection years specified below:

Street Improvement	<u>Levy</u>	Collection	
<u>Designation</u>	<u>Years</u>	<u>Years</u>	<u>Amount</u>

See Attached Schedule

At the time the assessments are in fact levied the City Council shall, based on the then-current estimated collections of the assessments, make any adjustments in any ad valorem taxes required to be levied in order to assure that the City continues to be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1.

(b) Tax Levy; Coverage Test. To provide moneys for payment of the principal and interest on the Street Improvement Portion of the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Levy Years</u>	<u>Collection Years</u>	<u>Amount</u>
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See attached schedule

The tax levies are such that if collected in full they, together with estimated collections of special assessments and other revenues herein pledged for the payment of the Street Improvement Portion of the Bonds, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Street Improvement Portion of the Bonds. The tax levies shall be irrevocable so long as any of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

#### 17. Covenants Relating to the Utility Portion of the Bonds.

(a) Sufficiency of Net Revenues; Coverage Test. It is hereby found, determined and declared that the net revenues of the System are sufficient in an amount to pay when due the principal and interest on the Utility Portion of the Bonds, the Outstanding System Bonds and a sum at least five percent in excess thereof. The net revenues of the Water Utility System and the System are sufficient in amount to pay when due the principal of and interest on the Outstanding Water Utility and System Bonds and a sum at least five percent in excess thereof. The net revenues of the Water Utility System and the Sanitary Sewer System are sufficient in amount to pay when due the principal of and interest on the Outstanding Water Utility and Sanitary Sewer Bonds and a sum at least five percent in excess thereof. The net revenues of the System are hereby pledged on a parity lien with the Outstanding System Bonds, Outstanding Water Utility and System Bonds, and Outstanding Water Utility and Sanitary Sewer Bonds, and shall be applied for that purpose, but solely to the extent required to meet, together with other pledged sums, the principal and interest requirements of the Utility Portion of the Bonds as the same become due.

Nothing contained herein shall be deemed to preclude the City from making further pledges and appropriations of the net revenues of the System for the payment of other or

additional obligations of the City, provided that it has first been determined by the City Council that the estimated net revenues of the System will be sufficient in addition to all other sources, for the payment of the Utility Portion of the Bonds and such additional obligations and any such pledge and appropriation of the net revenues may be made superior or subordinate to, or on a parity with the pledge and appropriation herein.

(b) Excess Net Revenues. Net revenues in excess of those required for the foregoing may be used for any proper purpose.

(c) Covenant to Maintain Rates and Charges. In accordance with Minnesota Statutes, Section 444.075, the City hereby covenants and agrees with the Holders of the Bonds that it will impose and collect charges for the service, use, availability and connection to the System at the times and in the amounts required to produce net revenues adequate to pay all principal and interest when due on the Utility Portion of the Bonds. Minnesota Statutes, Section 444.075, Subdivision 2, provides as follows: "Real estate tax revenues should be used only, and then on a temporary basis, to pay general or special obligations when the other revenues are insufficient to meet the obligations."

18. Covenants Relating to the Equipment Portion of the Bonds; Tax Levy. To provide moneys for payment of the principal and interest on the Equipment Portion of the Bonds there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Levy Years</u>	<u>Collection Years</u>	<u>Amount</u>
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See attached schedule

The tax levies are such that if collected in full they, together with other revenues herein pledged for the payment of the Equipment Portion of the Bonds, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Equipment Portion of the Bonds. The tax levies shall be irrepealable so long as any of the Equipment Portion of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

19. Defeasance. When all Bonds have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution to the registered holders of the Bonds shall, to the extent permitted by law, cease. The City may discharge its obligations with respect to any Bonds which are due on any date by irrevocably depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full; or if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Bond Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The City may also discharge its obligations with respect to any prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full, provided that notice of redemption thereof has been duly given. The City may also at any time



discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a suitable banking institution qualified by law as an escrow agent for this purpose, cash or securities described in Minnesota Statutes, Section 475.67, Subdivision 8, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without regard to sale and/or reinvestment, to pay all amounts to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

20. Continuing Disclosure. The City is the sole obligated person with respect to the Bonds. The City hereby agrees, in accordance with the provisions of Rule 15c2-12 (the "Rule"), promulgated by the Securities and Exchange Commission (the "Commission") pursuant to the Securities Exchange Act of 1934, as amended, and a Continuing Disclosure Undertaking (the "Undertaking") hereinafter described to:

(a) Provide or cause to be provided to the Municipal Securities Rulemaking Board (the "MSRB") by filing at [www.emma.msrb.org](http://www.emma.msrb.org) in accordance with the Rule, certain annual financial information and operating data in accordance with the Undertaking. The City reserves the right to modify from time to time the terms of the Undertaking as provided therein.

(b) Provide or cause to be provided to the MSRB notice of the occurrence of certain events with respect to the Bonds in not more than ten (10) business days after the occurrence of the event, in accordance with the Undertaking.

(c) Provide or cause to be provided to the MSRB notice of a failure by the City to provide the annual financial information with respect to the City described in the Undertaking, in not more than ten (10) business days following such occurrence.

(d) The City agrees that its covenants pursuant to the Rule set forth in this paragraph and in the Undertaking is intended to be for the benefit of the Holders of the Bonds and shall be enforceable on behalf of such Holders; provided that the right to enforce the provisions of these covenants shall be limited to a right to obtain specific enforcement of the City's obligations under the covenants.

The Mayor and the City Administrator of the City, or any other officer of the City authorized to act in their place (the "Officers") are hereby authorized and directed to execute on behalf of the City the Undertaking in substantially the form presented to the City Council subject to such modifications thereof or additions thereto as are (i) consistent with the requirements under the Rule, (ii) required by the Purchaser of the Bonds, and (iii) acceptable to the Officers

21. Compliance With Reimbursement Bond Regulations. The provisions of this paragraph are intended to establish and provide for the City's compliance with United States Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations") applicable to the "reimbursement proceeds" of the Bonds, being those portions thereof which will be used by the City to reimburse itself for any expenditure which the City paid or will have paid prior to the Closing Date (a "Reimbursement Expenditure").

The City hereby certifies and/or covenants as follows:

(a) Not later than sixty days after the date of payment of a Reimbursement Expenditure, the City (or person designated to do so on behalf of the City) has made or will have made a written declaration of the City's official intent (a "Declaration") which effectively (i) states the City's reasonable expectation to reimburse itself for the payment of the Reimbursement Expenditure out of the proceeds of a subsequent borrowing; (ii) gives a general and functional description of the property, project or program to which the Declaration relates and for which the Reimbursement Expenditure is paid, or identifies a specific fund or account of the City and the general functional purpose thereof from which the Reimbursement Expenditure was to be paid (collectively the "Project"); and (iii) states the maximum principal amount of debt expected to be issued by the City for the purpose of financing the Project; provided, however, that no such Declaration shall necessarily have been made with respect to: (i) "preliminary expenditures" for the Project, defined in the Reimbursement Regulations to include engineering or architectural, surveying and soil testing expenses and similar prefatory costs, which in the aggregate do not exceed twenty percent of the "issue price" of the Bonds, and (ii) a *de minimis* amount of Reimbursement Expenditures not in excess of the lesser of \$100,000 or five percent of the proceeds of the Bonds.

(b) Each Reimbursement Expenditure is a capital expenditure or a cost of issuance of the Bonds or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Reimbursement Regulations.

(c) The "reimbursement allocation" described in the Reimbursement Regulations for each Reimbursement Expenditure shall and will be made forthwith following (but not prior to) the issuance of the Bonds and in all events within the period ending on the date which is the later of three years after payment of the Reimbursement Expenditure or one year after the date on which the Project to which the Reimbursement Expenditure relates is first placed in service.

(d) Each such reimbursement allocation will be made in a writing that evidences the City's use of Bond proceeds to reimburse the Reimbursement Expenditure and, if made within 30 days after the Bonds are issued, shall be treated as made on the day the Bonds are issued.

Provided, however, that the City may take action contrary to any of the foregoing covenants in this paragraph upon receipt of an opinion of its Bond Counsel for the Bonds stating in effect that such action will not impair the tax-exempt status of the Bonds.

22. General Obligation Pledge. For the prompt and full payment of the principal and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City shall be and are hereby irrevocably pledged. If the balance in the Debt Service Account is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency shall be promptly paid out of any other funds of the City which are available for such purpose, and such other funds may be reimbursed with or without interest from the Debt Service Account when a sufficient balance is available therein.

23. Certificate of Registration. The City Clerk is hereby directed to file a certified copy of this resolution with the County Auditor of Nicollet County, Minnesota and the County Auditor of Blue Earth County, Minnesota, together with such other information as the County Auditors shall require, and to obtain each respective County Auditor's certificate that the Bonds

have been entered in the County Auditor's Bond Register, and that the tax levy required by law has been made.

24. Records and Certificates. The officers of the City are hereby authorized and directed to prepare and furnish to the Purchaser, and to the attorneys approving the legality of the issuance of the Bonds, certified copies of all proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other affidavits, certificates and information as are required to show the facts relating to the legality and marketability of the Bonds as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

25. Negative Covenant as to Use of Bond Proceeds and Project. The City hereby covenants not to use the proceeds of the Bonds or to use the Project, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the Project, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

26. Tax-Exempt Status of the Bonds; Rebate. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Bonds, including without limitation (i) requirements relating to temporary periods for investments, (ii) limitations on amounts invested at a yield greater than the yield on the Bonds, and (iii) the rebate of excess investment earnings to the United States if the Bonds (together with other obligations reasonably expected to be issued and outstanding at one time in this calendar year) exceed the small-issuer exception amount of \$5,000,000.

For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements for governmental units issuing \$5,000,000 or less of bonds, the City hereby finds, determines and declares that (i) the Bonds are issued by a governmental unit with general taxing powers; (ii) no Bonds are a private activity bond; (iii) 95% or more of the net proceeds of the Bonds are to be used for local governmental activities of the City (or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the City); and (iv) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the City (and all entities subordinate to, or treated as one issuer with the City) during the calendar year in which the Bonds are issued and outstanding at one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code.

27. Designation of Qualified Tax-Exempt Obligations. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the City hereby makes the following factual statements and representations:

- (a) the Bonds are issued after August 7, 1986;
- (b) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;
- (c) the City hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;

(d) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the City (and all entities treated as one issuer with the City, and all subordinate entities whose obligations are treated as issued by the City) during this calendar year 2019 will not exceed \$10,000,000;

(e) not more than \$10,000,000 of obligations issued by the City during this calendar year 2019 have been designated for purposes of Section 265(b)(3) of the Code; and

(f) the aggregate face amount of the Bonds does not exceed \$10,000,000.

The City shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

28. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution

29. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

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

and the following voted against the same:

Whereupon the resolution was declared duly passed and adopted.

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

I, the undersigned, being the duly qualified and acting Clerk of the City of North Mankato, Minnesota, do hereby certify that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council, duly called and held on the date therein indicated, insofar as such minutes relate to authorizing the issuance and awarding the sale of \$3,065,000 General Obligation Bonds, Series 2019A.

WITNESS my hand on \_\_\_\_\_, 2019.

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



EXHIBIT A  
PROPOSALS

[To be supplied by Northland Securities ]

EXHIBIT B  
SCHEDULES

[To be supplied by Northland Securities]