

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 3, 2019. Mayor Dehen called the meeting to order at 7:00 p.m. asking that everyone join in the Pledge of Allegiance. The following were present for roll call: Council Members Norland, Oachs, Whitlock, Steiner, and Mayor Dehen, City Administrator Harrenstein, City Attorney Kennedy, Finance Director McCann, Community Development Director Fischer, 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: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

**Approval of Council Meeting Minutes August 19, 2019**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council meeting of August 19, 2019. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

**Approval of Council Work Session Minutes August 26, 2019**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council Work Session meeting of August 26, 2019. Vote on the motion: Norland, Oachs, Steiner, and Dehen aye; Whitlock abstain. Motion carried.**

**Proclamation**

Mayor Dehen read the following proclamation into the record:

Whereas: Direct support professionals are the primary providers of long-term support services for tens of thousands of individuals with disabilities in Minnesota; and

Whereas: Direct support professionals build close, respectful, and trusting relationships with individuals with disabilities and assist to meet their needs; and

Whereas: Direct support professionals provide essential support to individuals with disabilities, helping them stay connected to family, friends and the community, and helping them live their best lives; and

Whereas: Direct support professionals provide a broad range of individualized supports, including meal preparation, medication assistance, bathing, dressing, mobility, and other daily tasks; and

Whereas: An adequate workforce of high-quality direct support professionals is necessary to meet obligations for people with disabilities and minimize more costly care settings.

Now, therefore: be it resolved that to honor and support the important work of direct support professionals in our community, the week of September 9-15, 2019, will be proclaimed Direct Support Professionals Recognition Week in the cities of North Mankato and Mankato.

**Consent Agenda**

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

- A. Approved Large Group and Audio Permit for Jen Konicek and Patty Neubert Fundraiser on October 5, 2019, from 8:00 a.m. to 8:00 p.m. at Spring Lake Park Shelter #1.
- B. Approved Seasonal Extension of Patio for the North Mankato American Legion 256 Belgrade Avenue, North Mankato, MN 56003.
- C. Approved Audio Permit for the American Legion's 40<sup>th</sup> Anniversary at 256 Belgrade Avenue on September 14, 2019, from 11:00 a.m. until 6:00 p.m.
- D. Approved Parade Permit for Lasting Imprint's 5K Walk/Run "Our Community Has Heart" Event on September 28, 2019, from 6:00 a.m. to 1:30 p.m.
- E. Approved and Accept the Traffic and Safety Committee Recommendations on Judson Bottom Road.
- F. Accepted Property Owner Petition to Annex 3.58 Acres into the City of North Mankato and Set a Public Hearing for 7:00 p.m. on October 21, 2019.

Council Member Steiner requested clarification on Judson Bottom Road. Public Works Director Host reported the last of the large boulders will be removed, appropriate signage has been posted, and swing gates will be installed and City staff and engineers will continue to monitor the road and bluff during rain events and the freeze-thaw cycle. The road should be opened on Tuesday, September 4, 2019. Mayor Dehen requested the information provided by Attorney Kennedy concerning liability be included in the minutes. The letter was sent via email on August 8, 2019. Below is the letter submitted to the Council.

Questions that have arisen regarding the level of maintenance that must be maintained on Judson Bottom Road.

I am enclosing a copy of Minnesota Statute 160.095 Subd. 4. It states that a minimum maintenance road may be maintained at a level less than the minimum-maintenance standards required for state-aid highways, roads, and streets, but must be maintained at the level required to serve the occasional or intermittent traffic. Where a road has been designated by resolution as a minimum-maintenance road and signs have been posted under subdivision 2 (see above), the road authority with jurisdiction over the road, and its officers and employees, are exempt from liability for any tort claim for injury to person or property arising from travel on the minimum maintenance road and related to its maintenance or condition.

I spoke briefly at the council meeting of August 5th regarding statutory discretionary immunity. State agencies and municipalities are immune from tort claims challenging a discretionary decision, act, or failure to act. Minnesota Statute 3.736,466.03, Subd. 6. In order to be entitled to immunity under this statutory provision, the governmental entity must demonstrate that the challenged act or omission arose out of a "planning-level" decision. *Zank v. Larson*, 552 N.W.2d 719 (Minn. 1996). Planning-level or policy-making decisions are those decisions that involve the balancing of public policy objectives, including social, economic, financial, and political factors.

Statutory discretionary immunity applies not only to those losses resulting from the decisions made by elected officials, but those of staff in certain circumstances. In those cases where the challenged conduct of staff amounts to nothing more than an attack on the policy itself: it is appropriate to bar

the claim under the doctrine of statutory discretionary immunity. *Watson v. Metropolitan Transit Comm.*, 533 N.W.2d 406, 413 (Minn. 1996); *Nusbaum*, 422 N.W.2d at 721-722; *Holmquist*, 425 N.W.2d at 232.

The following are examples of decisions protected by statutory discretionary immunity: The placement of warning signs, barricades, and guardrails. *Steinke v. City of Andover*, 525 N.W.2d 173 (Minn. 1994).

In addition to the various types of immunity awarded to a City, there are limits on any claims that may be made against a City. The City of North Mankato is fully insured with the League of Minnesota Cities up to and including those limits. No-one can sue a governmental body for an amount in excess of those limits unless the limits have been waived by the City. Those limits have not been waived by the City of North Mankato.

In summary so long as any decision of the city council is a policy making decision where you weigh the public policies including economic, financial and political factors there would be immunity.

#### 160.095 DESIGNATION OF MINIMUM-MAINTENANCE ROADS.

§ Subdivision 1. Resolution. A road authority, other than the commissioner, may by resolution designate a road under its jurisdiction as a minimum-maintenance road if it determines that the road or road segment is used only occasionally or intermittently for passenger and commercial travel. The resolution must identify the beginning and end points of the road being designated. After adopting the resolution, the road authority must post signs on the road to notify the motoring public that it is a minimum-maintenance road and that the public travels on the road at its own risk. A road authority must notify the road authorities of adjoining jurisdictions of designations under this section.

If an affected road or road segment runs along a county or town line, the designation applies only to that part of the road that is under the jurisdiction of the road authority adopting the resolution.

Subd. 2. Signs. Designation of a minimum-maintenance road is effective on the erection of the signs required under this section. The signs shall be posted at entry points to and at regular intervals along a minimum-maintenance road. Signs posted must conform to the commissioner's Manual on Uniform Traffic Control Devices. Properly posted signs are prima facie evidence that adequate notice of a minimum-maintenance road has been given to the motoring public.

Subd. 3. Limitations. A trunk highway may not be designated as a minimum-maintenance road. A road may not be designated a minimum-maintenance road if federal-state aid to Minnesota will be reduced as a result. A road authority may not acquire additional right-of-way or easement by eminent domain or otherwise without the consent of the landowner, for the purpose of constructing or designating a minimum-maintenance road, except where necessary for drainage or public safety.

Subd. 4. Liability. A minimum-maintenance road may be maintained at a level less than the minimum-maintenance standards required for state-aid highways, roads, and streets, but must be

maintained at the level required to serve the occasional or intermittent traffic. Where a road has been designated by resolution as a minimum-maintenance road and signs have been posted under subdivision 2, the road authority with jurisdiction over the road, and its officers and employees, are exempt from liability for any tort claim for injury to person or property arising from travel on the minimum-maintenance road and related to its maintenance or condition.

Nothing in this section shall exempt a road authority from its duty to maintain bridges under chapter 165 or other applicable law.

Attorney Kennedy cautioned residents to be diligent when traveling on the road.

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

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

None.

#### **Business Items**

##### **Res. No. 67-19 Accepting Bid Project No. 19-04A The Landing Subdivision Trunk Sanitary Sewer.**

City Engineer Sarff reported six bids were received and opened. The Engineer's Estimate for the project was \$249,600. The low bidder for the project is Hjerpe Contracting, Inc., from Hutchinson, Minnesota. The low bid is approximately 33% below the Engineer's Estimate and approximately 5.5% under the next lowest bid. It is recommended to award the bid. **Council Member Steiner moved, seconded by Council Member Norland to adopt Res. No. 67-19 Accepting Bid Project No. 19-04A The Landing Subdivision Trunk Sanitary Sewer. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

#### **Open Forum**

Barb Church, 102 Wheeler Avenue, requested clarification on the meaning of the new City logo.

Tom Hagen, 927 Lake Street, appeared before Council and spoke about civic engagement.

#### **City Administrator and Staff Comments**

City Administrator Harrenstein reported comments would be included in the minutes concerning the new logo. The new logo reflects a modern North Mankato, green for the trees and parks, and blue for water. The lines all merge together as an arrow that points to North Mankato growing together and moving forward as a community.

City Administrator Harrenstein invited everyone out to Beir on Belgrade on September 21, 2019, and Party on the Prairie at Benson Park on October 5, 2019.

Public Works Director Host reported the Benson Park Shelter is getting framed and plumbing completed. He reported that on Wednesday, September 18, 2019, MPCA would be out to conduct a smart salting class. The city was awarded a grant to pay for the training.

Finance Director McCann reported a budget would be provided to the Council.

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

Council Member Oachs provided her view of the new logo. She stated if you point the leaf up, it is a tree growing up, and upper North is the area of growth. If you point the leaf down, you see the roots of the tree growing down, and lower North is the roots of the community.

Council Member Whitlock noted the pool was a hit.

Mayor Dehen thanked the staff for their work on the pool and indicated excitement about a full pool season in 2020.

At 7:21 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 9, 2019. Mayor Dehen called the meeting to order at 12:00 p.m. The following were present for roll call: Mayor Dehen, Council Members Steiner, Norland, Oachs, and Whitlock, City Administrator Harrenstein, Finance Director McCann and City Clerk Van Genderen.

### **Discuss Proposed 2020 Budget**

Finance Director McCann reviewed North Mankato's vision which states "North Mankato is a growing and safe community with outstanding recreational assets, well-maintained infrastructure, vibrant business districts and neighborhoods, and provides residents with an excellent quality of life." He stated the budget is used to fulfill the vision. The focus will be on Tax Levy supported funds, including the General Fund, Port Authority Fund, Debt Service Fund, and the Capital Improvement Plan.

Finance Director McCann reported the General Fund Revenue had a total increase of \$465,067 which included increases of \$79,345 in Property Taxes, \$150,078 in Local Government Aid, \$165,938 in increased swim fees and concessions, and \$22,856 in increased interest revenue. Increases in expenditures totaled \$490,300 which included increases of \$261,499 in personnel services, \$98,610 in supplies, \$37,234 services and charges, \$33,317 in Area Agency Disbursements, \$70,100 in Transfers and a decrease of \$10,460 in Capital Outlay. Council Member Norland requested clarification on Area Agency Disbursements. City Administrator Harrenstein reported the fund is used to fund agencies that are in a partnership with the City. The \$33,317 increase in Area Agency Disbursements is to help fund the City's partnership with Ruby Ride. City Administrator Harrenstein noted the \$70,000 in transfers will go to repair the North Ridge Ravine and the funds are the bulk of the increase in collected property taxes.

Finance Director McCann reviewed the General Fund Budget, breaking out the expenditures by department. Discussion was held concerning enacting pay increases for the legislative body. Currently the Mayor is paid \$8,600, and Council Members are paid \$5,800, noting the last pay increase was in 2010. A survey of comparable cities was provided, and staff recommended Council consider increasing the pay to \$11,200 for the Mayor and \$7,600. It was also recommended to consider tying future Council and Mayor pay increases to the Consumer Price Index, making the increases automatic. City Administrator Harrenstein commented that an Ordinance approving the increase would need to be passed and would not go into effect until after the next election in 2020. Council decided to continue the discussion at a later date. Discussion was also held concerning the increased cost in the Street Lighting and Traffic Signals due to increased supply costs and continued conversion to LED. The Swimming Facility personnel and supplies increased due to additional staff and the purchase of concessions for the concession stand and chemicals for the pool. Mayor Dehen noted the increased expenditures and was excited about the prospect of the continued use of the pool. City Administrator Harrenstein commented on the decrease in the capital outlay for the Parks department noting continued support and capital improvement in the parks. City Administrator Harrenstein noted the continued projected increase in the cash balance, noting that the proposed 42% is within the City's policy of between 35-50%, noting revenues exceed expenditures and the City has a good financial picture.

Finance Director McCann reviewed the Debt Service Funds, reviewing the payments for the bonds. City Administrator Harrenstein noted the 2010C GO Refunding Bond has a balloon payment in 2019 and 2020 of over \$600,000. During the recession the bonds were necessary, and the City has been planning ahead for the balloon payments. He noted that over the next few years the City will draw down the Debt Service Fund to cover the balloon payments while still maintaining a cash balance in line with the policy. Discussion was held concerning the continued transfers out to the Recycling

Fund to continue to pay for the debt on the building. Mayor Dehen noted the City and Nicollet County built the building together, Nicollet County paid off their portion of the building, and the City continues to pay for the building.

Finance Director McCann reviewed the Port Authority Fund noting the Fund was included because its revenue includes \$75,000 from the levy. City Administrator Harrenstein noted the TIF projects were producing for the City.

Finance Director McCann presented a draft of the Five-Year Capital Improvement Fund, noting staff would like feedback concerning prioritizing projects. Included in the Capital Facilities & Equipment were new Police Cruiser, Squad Cameras/Radios, Breathing Air Compressor & Cascade Bottles, Bluff Park Gazebo, City Hall Improvements, Computers. Projects included in the Five-Year Capital Improvement Plan were Safe Routes to School-Dakota Meadows, North Ridge Ravine, Harrison Avenue (Cross to Range) and projects yet to be identified. City Administrator Harrenstein noted the City is committed to maintaining and improving infrastructure with over \$8,000,000 planned in G.O. backed bond projects projected in the next five years. Mayor Dehen requested clarification on if the Carol Court lift station was scheduled. City Administrator Harrenstein reported the plan is to complete the project this fall. Finance Director McCann reported the City received a grant for 2023 to complete a roundabout at Howard Drive and Lor Ray Drive with the City's portion at \$500,000. Discussion was held concerning electric car charging stations. Council Member Whitlock requested Belgrade Avenue improvements be considered with the new development on the 300 block and various improvements already considered in the Belgrade Master Plan.

### **Discuss Proposed Levy**

Finance Director McCann reported the staff prepared three levy options for the Council's consideration. A flat levy where the estimated tax rate would drop from 50.950% to 49.491%. The flat levy would require significant cuts to the general fund and cash levels would decrease 2% over the 5-year forecast going from 42% in 2020 to 40% in 2024. The second option would set the levy based on new growth. The tax rate would decrease from 50.950% to 50.311% and would generate \$111,000 in additional spending. Staff has developed the proposed budget on this model. The third option is based on total growth, and the tax rate is estimated to remain flat at 50.950%. The option generates \$197,000 in additional spending. Discussion was held concerning the proposal. City Administrator Harrenstein assured City Council that the proposed budget would allow the City to respond to emergency situations. The proposed levy and budget attempts to balance the needs of the City while considering the individual property owners. Council Members requested staff continue with the proposed budget as presented.

### **Discuss Food & Beverage Resolution and Ordinance**

City Administrator Harrenstein reported the resolution is what the City would file with the State to accept the legislation. The Ordinance would need to be adopted to codify the Food and Beverage Tax at 1/2%. He reported the estimated \$50,000 in increased revenue would benefit the City and Caswell Sports. Mayor Dehen noted the funds would also offset the loss of lodging tax as discussed at the last Council Work Session. Council Member Oachs reported she was in favor of the Indoor Recreational Facility but would not, at this time, support the 1/2% tax. She reviewed information that she gathered reviewing the seven cities that have imposed a Food and Beverage Tax. She reported on the cities population, property tax, and accommodation & food sales. She noted the information was taken from the 2012 Census Bureau. She reported three of the cities are tourist destinations and three have a population over 42,000. With the reported accommodation & food sales in North Mankato she did not believe the 1/2% Food and Beverage Tax would be worth the

implementation. Council Member Oachs noted that Mankato is currently not looking to increase its collection to 1%. Mayor Dehen noted that Mankato collects the ½% and benefits from our assets in North Mankato. City Administrator Harrenstein noted that the collection of the tax could allow the current Caswell Sports operations to break even. Council Member Oachs noted that not all of the changes that have been implemented this year at Caswell have fully been realized and Caswell may not need the tax. Mayor Dehen noted the City could adopt the tax and defer implementation to a later date. Mayor Dehen also commented that with the bonding bill before legislation it may look like the City is not doing its part if the tax is not enacted.

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



CITY OF NORTH MANKATO

OFFICE OF THE MAYOR

## ***PROCLAMATION***

*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.*

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



*Mark Dehen, Mayor  
City of North Mankato*



City of North Mankato, MN

# Claims List - Regular

By Vendor Name

Date Range: 9-16-19

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: APBNK-APBNK</b>						
03125	2 PIGS BBQ AND CATERING, LLC	09/05/2019	Regular	0	400.00	91598
03122	ACE PLUMBING	09/05/2019	Regular	0	187.20	91599
00029	AG SPRAY EQUIPMENT	09/16/2019	Regular	0	111.15	91646
03079	ANJEE MAI CREATIONS	09/05/2019	Regular	0	900.00	91600
03053	ASPHALT ZIPPER	09/05/2019	Regular	0	174,025.00	91601
00113	BAKER & TAYLOR	09/16/2019	Regular	0	44.73	91648
00136	BENCHS	09/16/2019	Regular	0	1,066.00	91649
00145	BETTER HOUSEKEEPING VACUUMS, INC.	09/16/2019	Regular	0	85.05	91650
02169	BLUE LINE SHARPENING & SALES	09/05/2019	Regular	0	70.00	91602
02317	BOEHLKE, LISA	09/05/2019	Regular	0	180.00	91603
00172	BOHRER, TOM	09/05/2019	Regular	0	43.14	91604
00194	BRICK HOUSE GRAPHICS	09/05/2019	Regular	0	667.10	91605
00232	CEMSTONE CONCRETE MATERIALS, LLC	09/05/2019	Regular	0	425.00	91606
00233	CEMSTONE PRODUCTS COMPANY	09/05/2019	Regular	0	424.20	91607
02757	CINTAS	09/05/2019	Regular	0	157.11	91608
02757	CINTAS	09/16/2019	Regular	0	164.96	91651
00255	CITY OF MANKATO	09/16/2019	Regular	0	181,248.29	91652
03126	CONTRACTORS EDGE, INC	09/16/2019	Regular	0	1,650.00	91653
00304	CREATIVE AD SOLUTIONS, INC.	09/05/2019	Regular	0	26.17	91609
02098	CUMMINS	09/05/2019	Regular	0	157.02	91610
00364	DRUMMER'S GARDEN CENTER & FLORAL	09/05/2019	Regular	0	299.95	91611
00074	EARL F. ANDERSEN INC.	09/16/2019	Regular	0	615.63	91654
00381	ELECTRICAL & COMMUNICATION SPECIALISTS	09/16/2019	Regular	0	766.50	91655
00386	EMERGENCY APPARATUS MAINTENANCE, INC.	09/16/2019	Regular	0	2,144.04	91656
03101	EVENSON CONCRETE SYSTEMS, INC	09/05/2019	Regular	0	20,427.37	91612
02380	EVERGREEN COMPANIES	09/05/2019	Regular	0	7,044.80	91613
02380	EVERGREEN COMPANIES	09/16/2019	Regular	0	295.00	91657
00409	FERGUSON ENTERPRISES, INC	09/05/2019	Regular	0	4,453.21	91614
00409	FERGUSON ENTERPRISES, INC	09/16/2019	Regular	0	3,286.20	91658
00432	FLEETPRIDE	09/05/2019	Regular	0	57.68	91615
00432	FLEETPRIDE	09/16/2019	Regular	0	205.16	91659
00447	FREE PRESS	09/05/2019	Regular	0	230.83	91616
00447	FREE PRESS	09/16/2019	Regular	0	51.06	91660
00456	FROMM'S AUTO, INC.	09/16/2019	Regular	0	519.80	91661
00473	GENERATOR SYSTEM SERVICES, INC.	09/05/2019	Regular	0	360.00	91617
02891	GLOBAL SPECIALTY CONTRACTORS, INC.	09/16/2019	Regular	0	9,500.00	91662
00499	GRAINGER	09/16/2019	Regular	0	87.94	91663
03127	HALLS, TERRY	09/16/2019	Regular	0	335.07	91664
00873	HENRY G. MEIGS LLC	09/16/2019	Regular	0	28,160.00	91665
00563	HINIKER HOMES, INC.	09/16/2019	Regular	0	16,791.69	91666
00595	HY-VEE, INC.	09/05/2019	Regular	0	142.35	91618
00595	HY-VEE, INC.	09/16/2019	Regular	0	88.61	91667
02429	J D TRUFFLES CATERING	09/16/2019	Regular	0	101.14	91668
02917	JENNINGS, STROUSS & SALMON, P.L.C.	09/16/2019	Regular	0	9,000.00	91669
02642	JOB'S DAUGHTERS	09/16/2019	Regular	0	1,680.00	91670
00754	LEAGUE OF MINNESOTA CITIES	09/05/2019	Regular	0	30.00	91619
00754	LEAGUE OF MINNESOTA CITIES	09/05/2019	Regular	0	12,967.00	91620
03129	MADSEN, AVERY	09/16/2019	Regular	0	96.00	91672
03130	MADSEN, CAMERON	09/16/2019	Regular	0	60.00	91673
00812	MANKATO BEARING COMPANY	09/05/2019	Regular	0	7.25	91621
00819	MANKATO FORD, INC.	09/05/2019	Regular	0	203.14	91622
00828	MANKATO PEPPERS	09/16/2019	Regular	0	400.00	91674
00832	MANKATO TENT & AWNING CO.	09/05/2019	Regular	0	25.00	91623
00847	MATHESON TRI-GAS, INC.	09/05/2019	Regular	0	156.64	91624
03128	MEIGS ADVANTAGE LLC	09/16/2019	Regular	0	7,040.00	91675
03123	MIDWAY FORD COMPANY	09/05/2019	Regular	0	26,282.92	91625
00283	MINNESOTA DEPARTMENT OF TRANSPORTATION	09/16/2019	Regular	0	131.27	91676
03022	MINNESOTA PAVING & MATERIALS	09/05/2019	Regular	0	5,165.75	91626

03022	MINNESOTA PAVING & MATERIALS	09/16/2019	Regular	0	1,560.32	91677
03132	MINNESOTA SIGNAL LLC	09/16/2019	Regular	0	11,975.30	91678
00951	MINNESOTA TRUCK & TRACTOR, INC.	09/16/2019	Regular	0	512.51	91679
01000	MULCAHY COMPANY	09/05/2019	Regular	0	922.66	91627
01057	NORTH MANKATO MOTOR VEHICLE REGISTRAR	09/16/2019	Regular	0	28.50	91680
02245	ONSITE	09/16/2019	Regular	0	3,045.60	91681
01106	PETTY CASH	09/16/2019	Regular	0	51.51	91682
01107	PINE PRODUCTS, INC.	09/05/2019	Regular	0	600.00	91628
01133	POWERPLAN/RDO EQUIPMENT	09/05/2019	Regular	0	23.10	91629
01133	POWERPLAN/RDO EQUIPMENT	09/16/2019	Regular	0	1,254.20	91683
01137	PRAXAIR DISTRIBUTION, INC	09/05/2019	Regular	0	143.01	91630
01170	RAMY TURF PRODUCTS	09/05/2019	Regular	0	465.00	91631
01170	RAMY TURF PRODUCTS	09/16/2019	Regular	0	260.00	91684
03124	REICHEL, JASON & ANNAKEIKO	09/05/2019	Regular	0	412.50	91632
03014	RUBY RIDE	09/16/2019	Regular	0	1,419.00	91685
02151	SAFE ASSURE CONSULTANTS INC	09/05/2019	Regular	0	7,209.08	91633
02108	SIREK'S HYDRAULIC SERVICE, INC.	09/05/2019	Regular	0	669.17	91634
01295	SNELL MOTORS, INC	09/05/2019	Regular	0	797.48	91635
02885	SPECIAL OLYMPICS MINNESOTA	08/28/2019	Regular	0	101.93	91597
02430	STRATEGIC INSIGHTS INC.	09/05/2019	Regular	0	725.00	91636
01352	STREICHER'S, INC	09/05/2019	Regular	0	315.13	91637
01402	TIRE ASSOCIATES	09/05/2019	Regular	0	1,921.14	91638
01402	TIRE ASSOCIATES	09/16/2019	Regular	0	1,109.70	91686
01415	TOYOTA-LIFT OF MINNESOTA	09/16/2019	Regular	0	590.96	91687
01432	TWIN RIVERS COUNCIL FOR THE ARTS	09/16/2019	Regular	0	2,500.00	91688
01433	TYLER TECHNOLOGIES	09/05/2019	Regular	0	600.00	91639
02150	U.S. BANK	09/05/2019	Regular	0	450.00	91640
01456	US HIGHWAY 14 PARTNERSHIP	09/16/2019	Regular	0	2,500.00	91689
02496	USA SOFTBALL OF MINNESOTA	09/16/2019	Regular	0	504.00	91690
02833	VALLEY ASPHALT PRODUCTS, INC.	09/16/2019	Regular	0	6,122.24	91691
02282	WARD EINESS STRATEGIES	09/16/2019	Regular	0	2,000.00	91692
03131	WASECA GIRLS HOCKEY BLUE LINE	09/16/2019	Regular	0	84.00	91693
01525	WEST CENTRAL SANITATION, INC.	09/16/2019	Regular	0	27,887.55	91694
01552	WW BLACKTOPPING, INC	09/05/2019	Regular	0	569,256.39	91641
01568	ZIEGLER, INC.	09/05/2019	Regular	0	36.00	91642
00012	ABDO, EICK & MEYERS, LLP	09/06/2019	Bank Draft	0	3,810.00	DFT0003383
00241	CHARTER COMMUNICATIONS	09/06/2019	Bank Draft	0	259.33	DFT0003386
00311	CULLIGAN WATER CONDITIONING	09/06/2019	Bank Draft	0	27.80	DFT0003378
00311	CULLIGAN WATER CONDITIONING	09/06/2019	Bank Draft	0	34.75	DFT0003379
00608	INGRAM LIBRARY SERVICES	09/11/2019	Bank Draft	0	1,856.11	DFT0003398
00733	LAKES GAS CO #10	09/06/2019	Bank Draft	0	49.50	DFT0003380
00749	LAWSON PRODUCTS, INC	09/11/2019	Bank Draft	0	471.23	DFT0003402
00749	LAWSON PRODUCTS, INC	09/11/2019	Bank Draft	0	534.71	DFT0003402
00775	LIP WASTE & RECYCLE, LLC	09/11/2019	Bank Draft	0	365.00	DFT0003399
00857	MC GOWAN WATER CONDITIONING, INC.	09/06/2019	Bank Draft	0	26.40	DFT0003377
00923	MINNESOTA DEPARTMENT OF LABOR & INDUS	09/11/2019	Bank Draft	0	10.00	DFT0003400
00998	MTM RECOGNITION	09/06/2019	Bank Draft	0	1,566.00	DFT0003382
01130	POSTMASTER	09/04/2019	Bank Draft	0	194.00	DFT0003367
01335	STAPLES ADVANTAGE	08/26/2019	Bank Draft	0	60.22	DFT0003368
01335	STAPLES ADVANTAGE	08/26/2019	Bank Draft	0	521.71	DFT0003369
01335	STAPLES ADVANTAGE	09/05/2019	Bank Draft	0	1,234.69	DFT0003374
01335	STAPLES ADVANTAGE	09/12/2019	Bank Draft	0	93.84	DFT0003404
02591	UNITED TEAM ELITE	09/06/2019	Bank Draft	0	160.00	DFT0003381
02496	USA SOFTBALL OF MINNESOTA	09/06/2019	Bank Draft	0	1,065.00	DFT0003375
02496	USA SOFTBALL OF MINNESOTA	09/06/2019	Bank Draft	0	80.00	DFT0003376
01470	VERIZON WIRELESS	09/06/2019	Bank Draft	0	782.55	DFT0003385
02178	WASTE MANAGEMENT OF WI-MN	09/06/2019	Bank Draft	0	329.35	DFT0003384
01525	WEST CENTRAL SANITATION, INC.	09/11/2019	Bank Draft	0	4,202.55	DFT0003401
00551	A.H. HERMEL COMPANY	09/07/2019	EFT	0	875.98	2134
00551	A.H. HERMEL COMPANY	09/18/2019	EFT	0	372.32	2164
00028	AFFORDABLE TOWING OF MANKATO, INC.	09/18/2019	EFT	0	100.00	2165
02254	ALBRIGHT LAWNS	09/07/2019	EFT	0	380.00	2135
00036	ALEX AIR APPARATUS, INC.	09/18/2019	EFT	0	115.65	2166
00039	ALL AMERICAN TOWING	09/07/2019	EFT	0	135.00	2136
00039	ALL AMERICAN TOWING	09/18/2019	EFT	0	45.00	2167
00058	AMERICAN ENGINEERING TESTING, INC.	09/18/2019	EFT	0	30,215.37	2168

00063	AMERICAN PEST CONTROL	09/18/2019	EFT	0	200.00	2169
00105	AUTO VALUE MANKATO	09/07/2019	EFT	0	339.18	2137
00105	AUTO VALUE MANKATO	09/18/2019	EFT	0	13.97	2170
00106	AUTOMATIC SYSTEMS CO.	09/07/2019	EFT	0	966.00	2138
00174	BOLTON & MENK, INC.	09/18/2019	EFT	0	41,692.00	2171
00176	BORDER STATES ELECTRIC SUPPLY	09/18/2019	EFT	0	525.30	2172
00216	C & S SUPPLY CO, INC.	09/07/2019	EFT	0	221.90	2139
00216	C & S SUPPLY CO, INC.	09/18/2019	EFT	0	469.69	2173
02706	CORE & MAIN LP	09/07/2019	EFT	0	1,362.31	2140
00310	CRYSTEEL TRUCK EQUIPMENT, INC	09/18/2019	EFT	0	864.00	2174
00322	DALCO	09/07/2019	EFT	0	547.25	2141
02275	DEM-CON MATERIALS & RECOVERY	09/18/2019	EFT	0	5,650.41	2175
00343	DH ATHLETICS LLC	09/18/2019	EFT	0	816.00	2176
03076	FREYBERG MANAGEMENT	09/18/2019	EFT	0	104.76	2177
00463	G & L AUTO SUPPLY, LLC	09/07/2019	EFT	0	114.00	2142
00463	G & L AUTO SUPPLY, LLC	09/18/2019	EFT	0	582.98	2178
01098	GILLETTE GROUP/PEPSI-COLA	09/07/2019	EFT	0	776.92	2143
00478	GISH ELECTRIC, LLC	09/07/2019	EFT	0	1,384.57	2144
00482	GMS INDUSTRIAL SUPPLIES, INC.	09/18/2019	EFT	0	39.14	2179
02560	GOLD MEDAL	09/07/2019	EFT	0	99.40	2145
00494	GOPHER STATE ONE-CALL	09/18/2019	EFT	0	392.85	2180
02476	HARRISON TRUCK CENTERS	09/18/2019	EFT	0	182.22	2181
00538	HAWKINS, INC.	09/07/2019	EFT	0	6,476.80	2146
00680	J.J. KELLER & ASSOCIATES, INC.	09/18/2019	EFT	0	751.50	2182
00632	JAVENS MECHANICAL CONTRACTING CO.	09/18/2019	EFT	0	85.00	2183
00657	JT SERVICES	09/07/2019	EFT	0	12,690.00	2147
00691	KENNEDY & KENNEDY LAW OFFICE	09/18/2019	EFT	0	8,957.07	2184
00767	LIME VALLEY ADVERTISING, INC.	09/07/2019	EFT	0	75.00	2148
00776	LLOYD LUMBER CO.	09/07/2019	EFT	0	266.97	2149
00776	LLOYD LUMBER CO.	09/18/2019	EFT	0	15,717.99	2185
00796	MACQUEEN EQUIPMENT, INC.	09/18/2019	EFT	0	2,682.98	2186
00825	MANKATO MOTOR COMPANY	09/07/2019	EFT	0	875.00	2150
00874	MENARDS-MANKATO	09/07/2019	EFT	0	227.97	2151
00874	MENARDS-MANKATO	09/18/2019	EFT	0	15.48	2187
00889	MIDWEST TAPE/HOOPLA	09/07/2019	EFT	0	1,225.75	2152
00997	MTI DISTRIBUTING CO	09/07/2019	EFT	0	114.09	2153
00997	MTI DISTRIBUTING CO	09/18/2019	EFT	0	101.13	2188
01036	NICOLLET COUNTY RECORDER/ABTRACTER	09/18/2019	EFT	0	46.00	2189
01064	NORTHERN STATES SUPPLY, INC.	09/07/2019	EFT	0	28.98	2154
02005	PANTHEON COMPUTERS	09/07/2019	EFT	0	189.95	2155
02005	PANTHEON COMPUTERS	09/18/2019	EFT	0	1,295.00	2190
01090	PARAGON PRINTING, MAILING & SPECIALTIES	09/07/2019	EFT	0	342.84	2156
01090	PARAGON PRINTING, MAILING & SPECIALTIES	09/18/2019	EFT	0	3,359.03	2191
01179	RED FEATHER PAPER CO.	09/07/2019	EFT	0	26.40	2157
01179	RED FEATHER PAPER CO.	09/18/2019	EFT	0	826.97	2192
02747	RENT-N-SAVE	09/18/2019	EFT	0	320.00	2193
01211	RIVER BEND BUSINESS PRODUCTS	09/07/2019	EFT	0	882.66	2158
01211	RIVER BEND BUSINESS PRODUCTS	09/18/2019	EFT	0	525.15	2194
01263	SCHWICKERT'S TECTA AMERICA LLC	09/07/2019	EFT	0	820.93	2159
01263	SCHWICKERT'S TECTA AMERICA LLC	09/18/2019	EFT	0	3,100.89	2195
01281	SIGN PRO	09/07/2019	EFT	0	56.25	2160
01281	SIGN PRO	09/18/2019	EFT	0	467.25	2196
01419	TRAVERSE DES SIOUX LIBRARY COOPERATIVE	09/07/2019	EFT	0	2,251.03	2161
01492	WACO SCAFFOLDING & SUPPLY CO.	09/18/2019	EFT	0	52.76	2197
03010	WILKUS ARCHITECTS	09/07/2019	EFT	0	4,750.00	2162
01552	WW BLACKTOPPING, INC	09/18/2019	EFT	0	596.94	2198
01563	ZARNOTH BRUSH WORKS, INC.	09/07/2019	EFT	0	468.00	2163
00137	BENCO ELECTRIC COOPERATIVE	09/05/2019	Bank Draft	0	33,394.98	DFT0003364
00234	CENTER POINT ENERGY	09/05/2019	Bank Draft	0	1,042.31	DFT0003365
02181	ETS CORPORATION	09/03/2019	Bank Draft	0	2,061.35	DFT0003370
02003	MINNESOTA DEPT OF REVENUE	09/06/2019	Bank Draft	0	437.76	DFT0003373
02003	MINNESOTA DEPT OF REVENUE	09/11/2019	Bank Draft	0	5,924.24	DFT0003395
03029	OPEN EDGE	09/03/2019	Bank Draft	0	560.24	DFT0003371
02766	SPROUT SOCIAL	09/09/2019	Bank Draft	0	99.00	DFT0003388
01477	VIKING ELECTRIC SUPPLY, INC.	09/06/2019	Bank Draft	0	560.09	DFT0003387
01477	VIKING ELECTRIC SUPPLY, INC.	09/11/2019	Bank Draft	0	146.45	DFT0003406
01557	XCEL ENERGY	09/05/2019	Bank Draft	0	22,361.53	DFT0003366
					1,413,870.72	191

## Authorization Signatures

### All Council

The above manual and regular claims lists for 9-16-19 are approved by:

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MARK DEHEN- MAYOR

---

DIANE NORLAND- COUNCIL MEMBER

---

WILLIAM STEINER- COUNCIL MEMBER

---

SANDRA OACHS- COUNCIL MEMBER

---

JAMES WHITLOCK- COUNCIL MEMBER

## RESOLUTION APPROVING DONATIONS/CONTRIBUTIONS/GRANTS

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

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

Donor	Restriction	Amount
Teresa Rove	Paver	\$75.00
Jo Robbins	Library Donation	\$155.00
TOTAL		\$230.00

Adopted by the City Council this 16<sup>th</sup> day of September 2019.

\_\_\_\_\_  
Mayor

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



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

Audio Permit \_\_\_\_\_ 2019  
Park Permit \_\_\_\_\_ 2019

## 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.
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- 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:

9/19/19

BEGIN TIME:

6 pm

END TIME:

9 pm

LOCATION / SHELTER:

tent

EVENT NAME:

Jeremy Poland Band

ONSITE COORDINATOR:

PRINT NAME:

Jeni Bobholz

MOBILE NUMBER:

507-382-6001

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

SIGNATURE:

Jeni Bobholz

DATE:

9/15/19

CITY CLERK:



DENIED



APPROVED



BOOK



POLICE



ONLINE



\$25.00 FEE

STAFF INITIALS



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Audio Permit \_\_\_\_\_ 2019  
Park Permit \_\_\_\_\_ 2019

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

DATE OF EVENT: 9/20/19  
BEGIN TIME: 6pm  
END TIME: 10pm

LOCATION / SHELTER: tent

EVENT NAME: Free Bier Pub Crawl w/ DWB Band

ONSITE COORDINATOR: \_\_\_\_\_ PRINT NAME: Jeni Bobholz

MOBILE NUMBER: 507-382-6001

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SIGNATURE: Jeni Bobholz DATE: 9/5/19

CITY CLERK: \_\_\_\_\_ ☐ DENIED ☐ APPROVED

☐ BOOK ☒ POLICE ☐ ONLINE ☐ \$25.00 FEE

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



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

Audio Permit \_\_\_\_\_ 2019  
Park Permit \_\_\_\_\_ 2019

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AMPLIFIED SOUND: ☒ LIVE MUSIC/BAND ☐ DJ/KARAOKE MACHINE ☐ OTHER: \_\_\_\_\_  
DATE OF EVENT: 9/25/19  
BEGIN TIME: 6pm  
END TIME: ~~10pm~~ 9pm

LOCATION / SHELTER: tent

EVENT NAME: Bart & friends

ONSITE COORDINATOR: \_\_\_\_\_ PRINT NAME: Jeni Bobholz  
MOBILE NUMBER: 507-382-6001

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SIGNATURE: Jeni Bobholz DATE: 9/5/19

CITY CLERK: \_\_\_\_\_ ☐ DENIED ☐ APPROVED

☐ BOOK ☒ POLICE ☐ ONLINE ☐ \$25.00 FEE

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



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Audio Permit \_\_\_\_\_ 2019  
Park Permit \_\_\_\_\_ 2019

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AMPLIFIED SOUND:



LIVE MUSIC/BAND  
DJ/KARAOKE MACHINE  
OTHER: \_\_\_\_\_

DATE OF EVENT:

BEGIN TIME:

END TIME:

9/27/19  
6pm  
9pm

LOCATION / SHELTER:

tent

EVENT NAME:

Kayla Daniels

ONSITE COORDINATOR:

PRINT NAME:

Jeni Bobholz

MOBILE NUMBER:

507-382-6001

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SIGNATURE:

Jeni Bobholz

DATE:

9/15/19

CITY CLERK:

☐ DENIED ☐ APPROVED

☐ BOOK

☒ POLICE

☐ ONLINE

☐ \$25.00 FEE

STAFF INITIALS

126



1001 Belgrade Avenue  
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[www.northmankato.com](http://www.northmankato.com)

Audio Permit \_\_\_\_\_ 2019  
Park Permit \_\_\_\_\_ 2019

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

DATE OF EVENT: 9/28/19  
BEGIN TIME: 7pm  
END TIME: 10pm

LOCATION / SHELTER: tent

EVENT NAME: Wedding Reception / Rain Kings

ONSITE COORDINATOR: Jeni Bobholz PRINT NAME: Jeni Bobholz

MOBILE NUMBER: 507-382-6061

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

SIGNATURE: Jeni Bobholz DATE: 9/5/19

CITY CLERK: \_\_\_\_\_

☐ DENIED ☐ APPROVED

☐ BOOK ☒ POLICE ☐ ONLINE ☐ \$25.00 FEE

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

126

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #9D	Department: City Attorney	Council Meeting Date: 9/16/19																																	
<b>TITLE OF ISSUE:</b> Consider Setting a Public Hearing for October 7, 2019, at 7:00 p.m. to consider the Abatement of the Property Located at 415 Webster Avenue.																																			
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> 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. Notice of the Public Hearing date will be mailed to the owner by certified mail.																																			
<i>If additional space is required, attach a separate sheet</i>																																			
<b>REQUESTED COUNCIL ACTION:</b> Set Public Hearing for October 7, 2019, at 7:00 p.m. to consider the Abatement of the Property Located at 415 Webster Avenue.																																			
Motion By: _____ Second By: _____  <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Vote Record:</td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>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>Steiner</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Vote Record:	Aye	Nay			_____	_____	Oachs		_____	_____	Whitlock		_____	_____	Steiner		_____	_____	Norland		_____	_____	Dehen	<div style="text-align: center; font-weight: bold; margin-bottom: 10px;">SUPPORTING DOCUMENTS ATTACHED</div> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Resolution</td> <td style="width: 20%;">Ordinance</td> <td style="width: 20%;">Contract</td> <td style="width: 20%;">Minutes</td> <td style="width: 20%;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) <u>Letters and Notices of Violation</u> _____ _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vote Record:	Aye	Nay																																	
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Resolution	Ordinance	Contract	Minutes	Map																															
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																															
<input type="checkbox"/> Workshop  <input checked="" type="checkbox"/> Regular Meeting  <input type="checkbox"/> Special Meeting	<input type="checkbox"/> Refer to: _____  <input type="checkbox"/> Table until: _____  <input type="checkbox"/> Other: _____																																		

**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,**

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





## City of North Mankato, MN

1001 Belgrade Avenue • City of North Mankato, MN 56003

<http://www.northmankato.com/> • (507) 625-4141 • Fax 507) 625-4151

---

### OFFICIAL NOTICE TO CORRECT VIOLATIONS

---

**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:**

---

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

<http://www.northmankato.com/> • (507) 625-4141 • Fax 507) 625-4151

---

## OFFICIAL NOTICE TO CORRECT VIOLATIONS

---

**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:**

---

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.

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- (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 cursive script, appearing to read "Michael Fischer".

Michael Fischer  
Community Development Director

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #9E	Department: City Attorney	Council Meeting Date: 9/16/19																																																									
<b>TITLE OF ISSUE:</b> Consider Setting a Public Hearing for October 7, 2019, at 7:00 p.m. to consider the Abatement of the 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. Notice of the Public Hearing date will be mailed to the owner by certified mail.																																																											
<i>If additional space is required, attach a separate sheet</i>																																																											
<b>REQUESTED COUNCIL ACTION:</b> Set Public Hearing for October 7, 2019, at 7:00 p.m. to consider the Abatement of the Property Located at 229 Allan Avenue.																																																											
Motion By: _____ Second By: _____  <table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">Vote Record:</td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td></td> <td></td> <td></td> <td>Oachs</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td></td> <td></td> <td></td> <td>Whitlock</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td></td> <td></td> <td></td> <td>Steiner</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td></td> <td></td> <td></td> <td>Norland</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td></td> <td></td> <td></td> <td>Dehen</td> <td></td> </tr> </table>	Vote Record:	Aye	Nay							_____	_____				Oachs			_____	_____				Whitlock			_____	_____				Steiner			_____	_____				Norland			_____	_____				Dehen		<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>SUPPORTING DOCUMENTS ATTACHED</b> </div> <table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">Resolution</td> <td style="width: 15%;">Ordinance</td> <td style="width: 15%;">Contract</td> <td style="width: 15%;">Minutes</td> <td style="width: 15%;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) <u>Letters and Notices of Violation</u> _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**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

<http://www.northmankato.com/> • (507) 625-4141 • Fax 507) 625-4151

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# OFFICIAL NOTICE TO CORRECT VIOLATIONS

---

**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:**

---

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

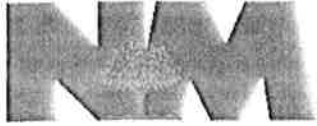
Thank you for your attention to this issue and please feel free to contact me at 625-4141 should you have questions.

Sincerely,

THE CITY OF NORTH MANKATO

A handwritten signature in 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, MN

1001 Belgrade Avenue • City of North Mankato, MN 56003

<http://www.northmankato.com/> • (507) 625-4141 • Fax 507) 625-4151

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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:**

---

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. 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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- (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

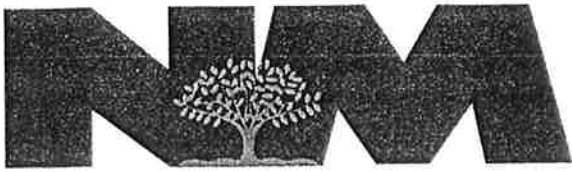
Thank you for your attention to this issue and please feel free to contact me at 625-4141 should you have questions.

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,**

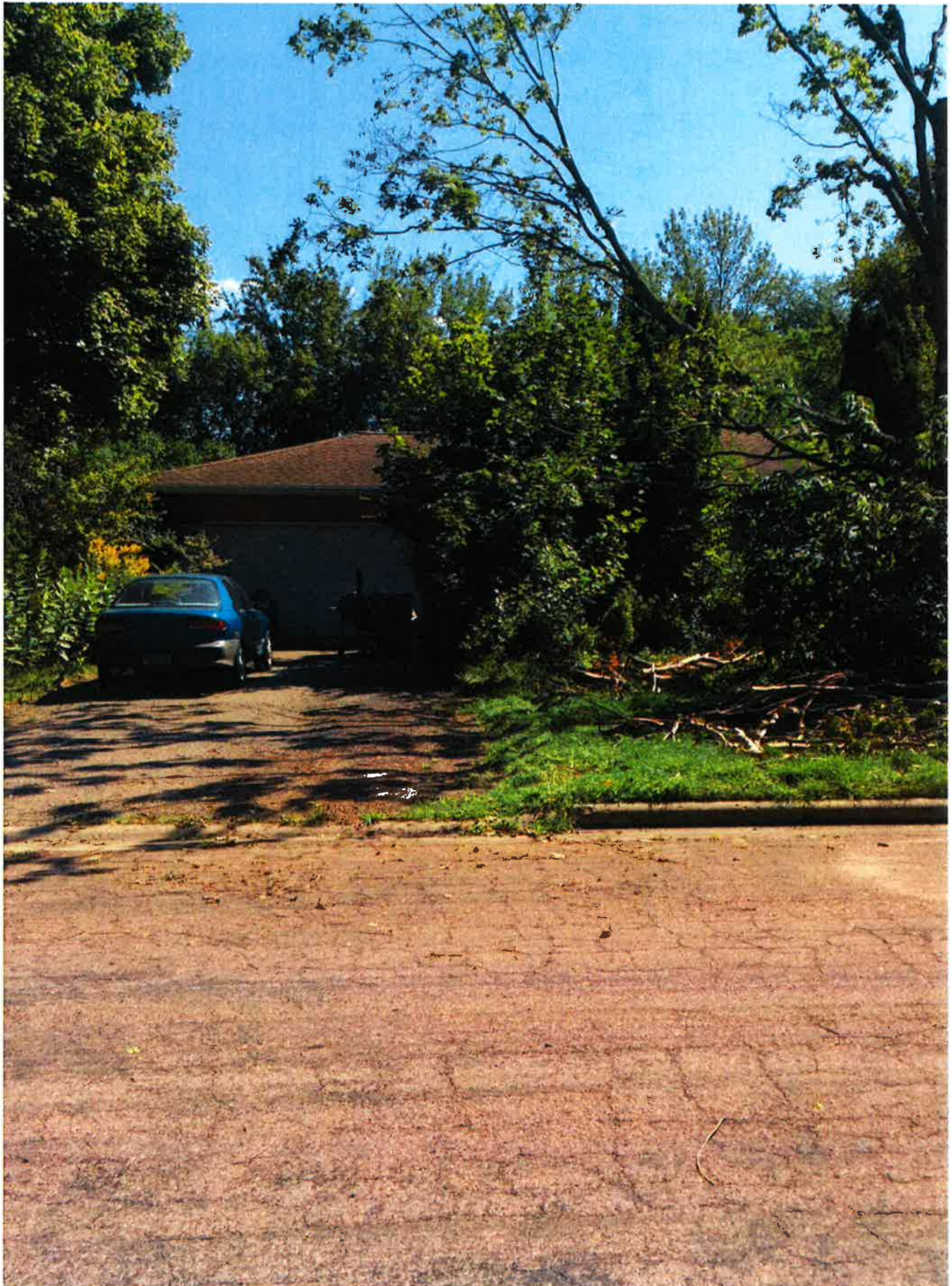
**Michael H. Kennedy  
City Attorney  
Enclosures  
cc. Michael Fischer**



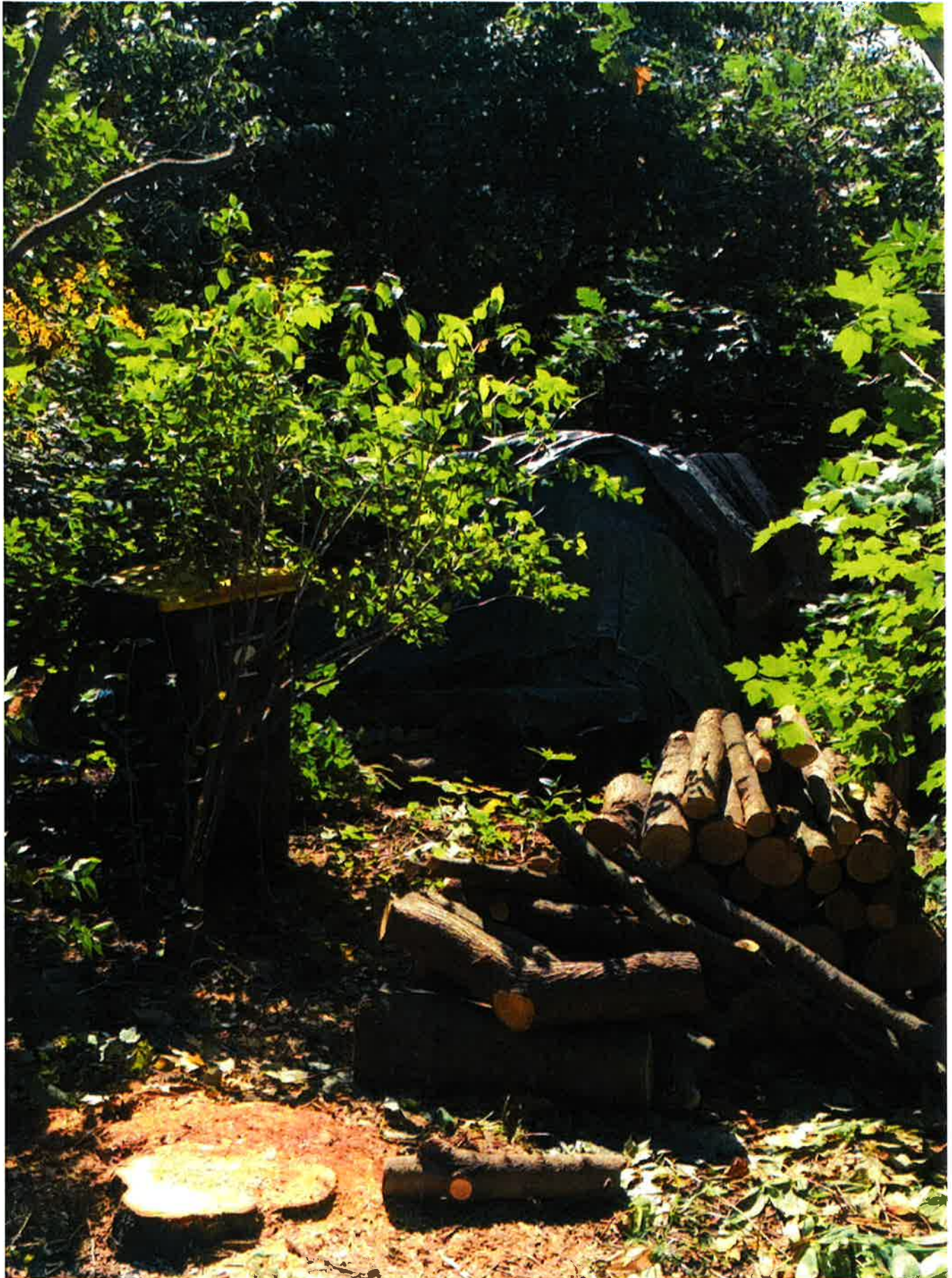
**1001 Belgrade Avenue • North Mankato, MN 56003 • Telephone 507-625-4141  
An Equal Opportunity - Affirmative Action Employer**



**20% Post-Consumer Waste**











# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #9F	Department: Administration	Council Meeting Date: 9/16/19
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**TITLE OF ISSUE:** Consider Resolution on the Proposal to Establish Tax Increment Financing District IDD No. 1-26 and Calling for Consultation with Other Affected Jurisdictions and Public Hearing.

**BACKGROUND AND SUPPLEMENTAL INFORMATION:** Please review the memo provided by Ed Tschida.

*If additional space is required, attach a separate sheet*

**REQUESTED COUNCIL ACTION:** Adopt Resolution on the Proposal to Establish Tax Increment Financing District IDD No. 1-26 and Calling for Consultation with Other Affected Jurisdictions and Public Hearing.

<p>Motion By: _____</p> <p>Second By: _____</p> <p>Vote Record:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 10%; text-align: center;">Aye</th> <th style="width: 10%; text-align: center;">Nay</th> <th style="width: 50%;"></th> </tr> </thead> <tbody> <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>Steiner</td> </tr> <tr> <td>_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td>_____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </tbody> </table>		Aye	Nay		_____	_____	_____	Oachs	_____	_____	_____	Whitlock	_____	_____	_____	Steiner	_____	_____	_____	Norland	_____	_____	_____	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 checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>Other (specify) <u>Memo</u></p> <p>_____</p> <p>_____</p> <p>_____</p>	Resolution	Ordinance	Contract	Minutes	Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**RESOLUTION #69-19 - 2019**

**RESOLUTION ON THE PROPOSAL TO ESTABLISH  
TAX INCREMENT FINANCING DISTRICT IDD NO. 1-26  
AND CALLING FOR CONSULTATION WITH  
OTHER AFFECTED JURISDICTIONS AND PUBLIC HEARING**

**WHEREAS**, a proposal to establish a tax increment financing district under the provisions of Minnesota Statutes, Chapter 469 (the "Act") has been received by the City Council of the City of North Mankato (the "Council"); and

**WHEREAS**, the Act requires that prior to establishment of a tax increment financing district, the Council shall provide a reasonable opportunity to members of the Nicollet County Board of Commissioners and the School Board of Independent School District No. 77 to meet with the Council and that the Council shall fully inform the member of the county board and school board of the fiscal and economic implications of the proposed project and tax increment financing district; and

**WHEREAS**, the Act further requires that prior to the establishment of a tax increment financing district and adoption of a tax increment financing plan a public hearing shall be held thereon:

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

Section 1. Public Hearing. This Council shall meet on Monday, October 28, 2019, after 12:00 p.m., to hold a public hearing on the proposed establishment of Tax Increment Financing District IDD No. 1-26 and adoption of a tax increment financing plan relating thereto, all pursuant to and in accordance with the Act.

Section 2. Notice of Hearing; Filing of Plan. The City Clerk is hereby authorized to cause a notice of the hearing, substantially in the form attached hereto, to be published as required by the Act and to place a copy of the proposed Tax Increment Financing Plan on file in the City Clerk's office at City Hall and to make such documents available for inspection by the public.

Adopted by the City Council this 16<sup>th</sup> day of September 2019, with the following vote:

Yes \_\_\_\_\_;  
No \_\_\_\_\_;  
Absent \_\_\_\_\_.

Approved and signed this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

ATTEST:

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

\_\_\_\_\_  
Mark D. Dehen, Mayor

**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 28, 2019, at a meeting of the Council beginning at approximately 12:00 p.m. at the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, relating to the proposal of the North Mankato Port Authority Commission to establish Tax Increment Financing District IDD No. 1-26, within Industrial Development District No. 1, and adopt a tax increment financing plan relating thereto, all pursuant to Minnesota Statutes, Chapter 469.

A map showing the boundaries of Industrial Development District No. 1 and Tax Increment Financing District IDD No. 1-26 is attached. A copy of the documentation proposed to be considered at the hearing will be on file and available for public inspection at the office of the City Administrator at the Municipal Building.

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

Dated: This 11<sup>th</sup> day of October 2019.

BY ORDER OF THE NORTH MANKATO CITY COUNCIL

*/s/April Van Genderen*  
April Van Genderen  
City Clerk  
City of North Mankato

[INSERT MAP]

INDUSTRIAL DEVELOPMENT DISTRICT NO. 1  
AND  
TAX INCREMENT FINANCING DISTRICT IDD NO. 1-26  
NORTH MANKATO MINNESOTA  
OCTOBER 21, 2019



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #9G	Department: Finance	Council Meeting Date: 9/16/19
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**TITLE OF ISSUE:** Consider Setting a Public Hearing for October 7, 2019, at 7:00 p.m. to Consider Adopting an Ordinance Imposing a One Half of One Percent Local Sales Tax.

**BACKGROUND AND SUPPLEMENTAL INFORMATION:** The State Legislature during the 2019 Legislative First Special Session adopted Minnesota Laws, 2019 First Special Session, Chapter 6, Article 6, Section 23 to authorize the City of North Mankato up to a one percent (1.0%) food and beverage tax. The City needs to authorize the use of the tax and provide certification to the Secretary of the State of Minnesota in order to enact the tax.

*If additional space is required, attach a separate sheet*

**REQUESTED COUNCIL ACTION:** 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 Local Sales Tax.

<p>Motion By: _____</p> <p>Second By: _____</p> <p>Vote Record:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"></td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td style="width: 50%;"></td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Oachs</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Whitlock</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Steiner</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Norland</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>Dehen</td> </tr> </table>		Aye	Nay		_____	_____	_____	Oachs	_____	_____	_____	Whitlock	_____	_____	_____	Steiner	_____	_____	_____	Norland	_____	_____	_____	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 checked="" type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>Other (specify) _____</p> <p>_____</p> <p>_____</p> <p>_____</p>	Resolution	Ordinance	Contract	Minutes	Map	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**NOTICE OF PUBLIC HEARING**

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

**NOTICE IS HEREBY GIVEN** that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, 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, AS DEFINED BY RESOLUTION OF THE CITY OF NORTH MANKATO, 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, delivery restaurants, drive in restaurants, drive-thru restaurants, cafes, tea rooms, delis, 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, 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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Mayor

Attest:

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

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #11A	Department: Finance	Council Meeting Date: 9/16/19
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**TITLE OF ISSUE:** Consider Resolution Approving Proposed 2019 Tax Levy.

**BACKGROUND AND SUPPLEMENTAL INFORMATION:** Attached is the Resolution Approving the Proposed 2020 Tax Levy in the amount of \$6,794,559. The proposed tax rate of 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. The Council may adjust the levy down before the final adoption on December 16, 2019, but cannot increase the levy above the amount adopted this evening.

*If additional space is required, attach a separate sheet*

**REQUESTED COUNCIL ACTION:** Adopt Resolution Approving a Proposed Tax Levy.

<div style="margin-bottom: 10px;"> <b>Motion By:</b> _____  <b>Second By:</b> _____         </div> <div> <b>Vote Record:</b> <table style="display: inline-table; vertical-align: top;"> <tr> <td style="width: 100px;"></td> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td>Oachs</td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td>Whitlock</td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td>Steiner</td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td>Norland</td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td>Dehen</td> </tr> </table> </div>		Aye	Nay		_____			Oachs	_____			Whitlock	_____			Steiner	_____			Norland	_____			Dehen	<div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 10px;"> <b>SUPPORTING DOCUMENTS ATTACHED</b> </div> <table style="width: 100%; text-align: center;"> <tr> <td 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><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table> <div> <b>Other (specify)</b> _____              _____              _____              _____           </div>	Resolution	Ordinance	Contract	Minutes	Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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## RESOLUTION APPROVING A PROPOSED TAX LEVY

WHEREAS, Minnesota Statute 275.065 requires that on or before September 30, each taxing authority shall certify to the County Auditor, that proposed property tax levy for taxes payable in the following year; and

WHEREAS, an estimate of the required property taxes for collection in the City of North Mankato for the tax year payable 2020 has been made;

WHEREAS, the City Council will hold subsequent meetings at which the budget and levy will be discussed and at which public comment will be permitted. The meetings will be held in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota as follows:

December 2, 2019	7 p.m.	Public Hearing
December 16, 2019	7 p.m.	Public Hearing (if necessary)
December 16, 2019	7 p.m.	Adopt 2020 Budget and Tax Levy

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, that the following sums of money be levied for the current year, collectible in 2020, upon taxable property in the City of North Mankato, for the following purposes:

- General Fund ---- \$ 5,119,393
- Port Authority --- \$ 75,000
- Debt Service ----- \$ 1,143,970
- Abatement ----- \$ 456,196
- TOTAL LEVY ----- \$ 6,794,559

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the Nicollet County Auditor on or before September 30, 2019. This levy shall be subject to modification by the City Council.

Adopted by the City Council this 16<sup>th</sup> day of September, 2019.

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Mayor

ATTEST:

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City Clerk

# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item #11B	Department: City Engineer	Council Meeting Date: 9/16/19																																																										
<b>TITLE OF ISSUE: Consider Resolution Accepting Bid Project No. 19-02A Carol Court Force Main Improvements.</b>																																																												
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION: City Engineer Sarff will provide a review of the bid and recommendation. Please review the attached memo.</b>																																																												
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**BOLTON  
& MENK**

Real People. Real Solutions.

1960 Premier Drive  
Mankato, MN 56001-5900

Ph: (507) 625-4171  
Fax: (507) 625-4177  
Bolton-Menk.com

September 11, 2019

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

RE: Carol Court Forcemain Improvements  
City Project No. 19-02 A  
BMI Project No. M18.113820

Dear Mr. Harrenstein,

Bids were received and opened at City Hall on Tuesday, September 10<sup>th</sup> at 11:00am for the project referenced above. One (1) bid in the amount of \$205,116.57 was received from GM Contracting, Inc., from Lake Crystal, Minnesota. The low bid is approximately 2.8% over the Engineers Estimate of \$199,603.00.

This project consists primarily of the installation of sanitary sewer forcemain pipe by directional drilling. This is a very specialized construction method and consequently, there are a limited number of contractors that have the equipment and expertise to do this work, especially in the Mankato area. It is anticipated that this is the reason that only one bid was received for this project. Based on our discussions with City staff, the funds available for the project are adequate to cover the slightly higher bid amount.

Based on past performance on similar projects in previous years, it is our opinion that GM Contracting, Inc. is qualified to perform the work required under this contract, and we hereby recommend that they be awarded the bid in the amount of \$205,116.57.

Sincerely,

Bolton & Menk, Inc.

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

Cc: Nathan Host, Public Works Director  
Duane Rader, Water Superintendent and Parks Superintendent  
Kevin McCann, Finance Director

RESOLUTION ACCEPTING BID  
PROJECT NO. 19-02A  
CAROL COURT FORCE MAIN IMPROVEMENTS

WHEREAS, pursuant to an advertisement for bids for Project No. 19-02A, Carol Court Force Main Improvements, bids were received, opened, and tabulated according to the law for sanitary improvements; and

WHEREAS the following bids were received complying with the advertisement:

<u>Bidder</u>	<u>Bid Amount</u>
GM Contracting, Inc.	\$205,116.57

AND WHEREAS, it appears that GM Contracting, Inc. of Lake Crystal, Minnesota is the lowest responsible bidder.

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

- 1) The Mayor and Administrator are hereby authorized and directed to enter into a construction contract with GM Contracting, Inc. of Lake Crystal, Minnesota in the name of the City of North Mankato, Minnesota for the Project No. 19-02A, Carol Court Force Main Improvement, according to the plans and specifications therefor approved by the city council and on file in the office of the city clerk.
- 2) The city clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the City Council this 16<sup>th</sup> day of September 2019.

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Mayor

ATTEST:

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City Clerk