

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 21, 2020. City Administrator Harrenstein on March 31, 2020, under MN Statute Section 13D.021, declared the use of electronic meetings due to the COVID-19 pandemic. Mayor Dehen called the meeting to order at 7:08 p.m., asking that everyone join in the Pledge of Allegiance. The following were present remotely through Zoom for roll call: Council Members Whitlock, Oachs and Steiner, City Attorney Kennedy, Community Development Director Fischer, and Public Works Director Host, present in the Council Chambers for roll call: Council Member Norland, Mayor Dehen, City Administrator Harrenstein, Finance Director McCann, and City Clerk Van Genderen. Citizen participation was available through teleconference.

**Approval of Agenda**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the agenda with Item 9F moved for separate consideration. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

**Approval Council Minutes from the September 8, 2020, Council Meeting.**

**Council Member Steiner moved, seconded by Council Member Whitlock, to approve the minutes of the Council meeting of September 8, 2020. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

**Approval Council Work Session Minutes from September 14, 2020, Council Work Session Meeting.**

**Council Member Norland moved, seconded by Council Member Steiner, to approve the minutes of the Council Work Session Meeting of September 14, 2020. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

**Proclamation:**

WHEREAS, September 17, 2020, marks the two-hundred-thirty-third 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 21st day of September 2020.

**Consent Agenda**

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

- A. Bills and Appropriations.
- B. Res. No. 73-20 Approving Donations/Contributions/Grants.
- C. Res. No. 74-20 Declaring Surplus Vehicles and Equipment.
- D. Approved Audio Permit for St. Paul's Church at 304 Monroe Avenue on September 25, 2020, from 4:30 p.m. to 7:30 p.m.
- E. Set Public Hearing for October 5, 2020, at 7:00 p.m. to Consider an Amendment to City Code Chapter 155 Allowing Administrative Lot Splits.

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

**Res. No. 75-20 Providing for the Expenditure and Use of Coronavirus Aid Relief and Economic Security (CARES) Act Funding.**

City Administrator Harrenstein reported that in June, Governor Walz announced a plan for the distribution of the CARES Act funds to cities and counties with populations above 200. The City of North Mankato has received the CARES Act allocation of \$1,059,209 in funding. Eligible expenses will be incurred between March 1<sup>st</sup> and November 15<sup>th</sup> and meet guidelines related to mitigating and preventing COVID-19 for staff, equipment, and technology. Proposed expenditures are outlined in Exhibit A attached to the resolution. He noted a few of the items, including technology and software upgrades of up to \$65,000, City staff costs of \$793,846, proposed library office expansion \$25,000 to allow social distancing in the library office and administrative fees of \$52,960. There were additional estimated expenses that were not explicitly discussed. Council Member Norland requested clarification on the allocation of \$18,315 for the disposal of mattresses. Public Works Director Host reported the City incurred extra costs during the spring clean up to dispose of the mattresses because the location that usually takes the mattresses was closed. The City had to pay for the mattress disposal. **Council Member Steiner moved, seconded by Council Member Norland, to Adopt Res. No. 75-20 Providing for the Expenditure and Use of Coronavirus Aid Relief and Economic Security (CARES) Act Funding. 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. 76-20 Approving a Proposed Tax Levy.**

City Administrator Harrenstein reported tonight the City would be setting the maximum levy. The Council can decrease the levy when they adopt the budget in December, but they may not increase the levy. Finance Director McCann reviewed four options, including a levy based on new growth for an additional \$99,000, a levy with a 1% rate reduction for \$155,000, a levy with a .5% rate reduction for an additional \$226,000, or a flat tax rate with an additional \$298,000. Council Member Oachs reported she was in favor of only capturing the new growth. Mayor Dehen stated he was interested in setting the maximum levy using the flat tax rate with the option to reduce taxes in December when the final tax rate is adopted. He stated it might be wise for the City to possibly plan a project for 2021 and

capture the low-interest rates. Council Member Norland said she liked the reasoning for setting the maximum levy at a flat rate as it may be useful to take advantage of the low-interest rates. Council Member Steiner also stated he was in favor of setting the maximum levy at the flat rate. **Council Member Norland moved, seconded by Council Member Steiner, to Adopt Res. No. 76-20 Approving a Proposed Tax Levy. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

**Res. No. 77-20 Declaring Cost to be Assessed, and Ordering Preparation of Proposed Assessment Project No. 19-07 DEF Dakota Meadows Safe Routes to School/Howard Drive Improvement Project.**

City Engineer Sarff appeared before Council and reported he would speak on the two resolutions declaring costs to be assessed and setting a public hearing for Project No. 19-07 DEF project assessment. He noted that due to the required timeline, the project is nearing completion before the assessment is completed. Still, Finance Director McCann has spoken with the only property owner that will be assessed, and they have not noted any concerns. The sole property is owned by ISD 77. The hearing will be held on October 19, 2020, to allow the State-mandated notification. **Council Member Norland moved, seconded by Council Member Whitlock, to Adopt Res. No. 77-20 Declaring Cost to be Assessed, and Ordering Preparation of Proposed Assessment Project No. 19-07 DEF Dakota Meadows Safe Routes to School/Howard Drive Improvement Project. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

**Res. No. 78-20 For Hearing on Proposed Assessment Project No. 19-07 DEF Dakota Meadows Safe Routes to School/Howard Drive Improvement Project. Council Member Whitlock moved, seconded by Council Member Steiner to Adopt Res. No. 78-20 For Hearing on Proposed Assessment Project No. 19-07 DEF Dakota Meadows Safe Routes to School/Howard Drive Improvement Project. Vote on the motion: Norland, Oachs, Whitlock, Steiner, and Dehen aye; no nays. Motion carried.**

**Open Forum**

None.

**City Administrator and Staff Comments**

City Administrator Harrenstein reported the Shop Small Campaign will now include the entire Mankato/North Mankato area. Area businesses are excited about the proposed changes.

City Administrator Harrenstein requested a proclamation declaring November as Small Businesses Month be made by the City of North Mankato.

City Administrator Harrenstein commented that the North Ridge area may see additional traffic due to the increased use of North Mankato parks for youth sporting events.

City Administrator Harrenstein thanked the anonymous donor who donated \$15,000 to the police department for equipment.

Finance Director McCann reported the City Council would be reviewing the Utility Funds at the Monday Council Work Session.

Public Works Director Host stated Countryside Drive is progressing and reminded residents of the Fall Drop-off on October 8-11.

City Clerk Van Genderen thanked residents for their willingness to volunteer to be election judges.

**Mayor and Council Comments**

Council Member Oachs thanked the anonymous donor for their generous donation.

Council Member Oachs requested the use of Nixle to announce areas where the leaves would be picked up during fall leaf pickup

Mayor Dehen asked staff to remind residents how to prepare their leaves for pickup.

Council Member Norland encouraged residents to mow their leaves in as natural fertilizer.

Council Member Norland encouraged residents to vote and know their options for voting.

Mayor Dehen thanked the staff and Council for their time at the strategic planning session.

Mayor Dehen thanked the anonymous donor.

Mayor Dehen reported the City received a certificate of recognition from Recharge-America and its Recharge MN partners including Fresh Energy and the Olseth Family Foundation. The certificate recognized the City of North Mankato for leadership in helping clear the way for clean transportation in the state.

At 7:42 p.m. on a motion by Council Member Norland, seconded by Council Member Oachs, 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 in the Council Chambers on September 28, 2020. Mayor Dehen called the meeting to order at 12:00 p.m. The following were present remotely through Zoom for roll call: Council Members Oachs, Whitlock, Steiner, Norland, and Mayor Dehen, City Administrator Harrenstein, Community Development Director Fischer, Public Works Director Host, City Planner Lassonde, Finance Director McCann, and City Clerk Van Genderen. Citizen monitoring was available through a conference call.

### **Ravine Management Plan and Lake Street Bluff Drainage and Erosion**

City Engineer Sarff reviewed a report dated September 23, 2020. The report addresses drainage and erosion issues in several locations along the bluff located just west of Lake Street. The bluff has approximately 210-220 feet difference in elevation, and several streets and cul-de-sacs are located adjacent to the upper edge of the bluff. Most of the bluff is heavily wooded and vegetated. Ravines have formed to move the water. Ravines along the Lake Street bluff and in other areas of North Mankato result from erosion and are a natural phenomenon. Specific locations that have reported include 806 Garfield Avenue, Garfield Avenue, 919 Lake Street, and 927 Lake Street.

City Engineer Sarff reviewed 806 Garfield Avenue and Garfield Avenue, reporting a drainage area of 6.4 acres, with 4.7% bluff, roofs, and back yards on Sherwood Drive contributing 1.7 acres. Specifically, at 806 Garfield, there are 3.5 acres of a ravine that ends directly above 806 Garfield Avenue. The property is at the base of the bluff, and the ravine concentrates the flow to one area. This area has experienced excess overland stormwater flows and sediment discharge over the years. Garfield Avenue has 2.9 acres flowing directly onto the dead-end segment of Garfield Avenue. The City installed a storm sewer inlet just west of the retaining wall on the west side of the 806 Garfield Avenue driveway. A 6" pipe constructed from the inlet to an 8" pipe in Garfield Avenue connects to the City storm sewer system in Lake Street. City crews have also installed riprap around and upstream from the inlet to help control erosion and to direct more of the runoff into the inlet. The area has problems when rainfall exceeds approximately 1.5" of rain. To accommodate a 5-year peak storm runoff, the City would need to install a 12" pipe at 806 Garfield Avenue, and all of Garfield Avenue would require a 15" which would allow for management of rainfalls of up to 3.6 inches. The higher the rainfall management, the larger the pipes would need to be to manage the rainfall. The recommendation was to increase the pipe size to manage a 5-year peak storm runoff. Adding additional inlets at the west end of Garfield Avenue would collect water flowing directly from the bluff onto Garfield Avenue. It was not considered feasible to construct a collection system along the bluff line: no outlet for the system, easements would be required, and it is estimated to have a limited impact on peak runoff rates.

City Engineer Sarff reviewed the property at 919 Lake Street. The total drainage area is 5.5 acres with 3.8 acres bluff and the remaining 1.7% acres roofs and backyards from properties on the top of the bluff. In 2003 or 2004, City installed a storm sewer system on the north side of the property from Lake Street to the base of the bluff. The storm sewer system consists of a 12" diameter pipe with two inlets at the convergence of several ravines at the base of the bluff. Two inlets connect to the storm sewer system in Lake Street. Additional riprap has been installed around and upstream from the inlet to help control erosion and direct more of the runoff into the inlet, and the area has been seeded. The site has an excess flow and sediment discharge when rainfall exceeds approximately 3 inches. Similar to 806 Garfield, the 5-year peak storm runoff is 3.6 inches with a 15" pipe. Currently, the pipe manages 3," which is slightly less than the 5-year recurrence interval. Due to the steep topography and limited space available for creating additional collection areas for the stormwater runoff, the capacity of the system would be limited by the inlet capacity.

City Engineer Sarff reviewed the property at 927 Lake Street, a total drainage area of 2.8 acres with 2.4 acres from the bluff and the remaining .4% from roofs and back yards. There is no existing storm sewer in the location. Runoff from the bluff is more distributed across the length of the property and less concentrated in a ravine system. Based on available information, the property only experiences excess overland stormwater flows during excessive rainfall events. No improvements were recommended.

Mayor Dehen noted that the area had seen five consistent years of saturation, exacerbating the problem. City Engineer Sarff reported the recent trend in rainfall has increased, and rainfall events have adjusted upward. City Administrator Harrenstein said the City has communicated with the League of Minnesota Cities concerning liability. LMC is satisfied with the City's practices in recording and working to resolve issues as they arise.

Public Works Director Host reviewed the updated Ravine Management Report. He explained that in 2018 the City of North Mankato began a ravine inspection program with a GPS collector and an inspection checklist. Each ravine is inspected on eight criteria to assess the conditions of the ravine. Each fall, the City will collect information on the ravines. There are twenty-one identified ravines or hillsides that aid in the management of stormwater from Upper North Mankato. Ten of those ravines have partially installed or fully installed storm sewer piping. Each ravine segment is identified within each ravine. Public Works Director Host noted that the report identifies bottom conditions, vegetation, sliding/sloughing, and a recommendation for each ravine. The report concluded with recommendations and observations. First, the ravines with storm sewer piping through the bottom channel have minimal erosion and heavy vegetation. Second, the ravines that allow water to flow overland through the bottom channel have moderate to severe bottom channel and side sloughing. Finally, the ravines with stormwater piping to the bottom, but not continued into the bottom channel, have moderate erosion along the bottom channel and moderate to heavy vegetation along the side slopes.

The inspection documentation shows that the North Ridge ravine and Prairie/Reserve ravines have the most bottom and side slope erosion. A total of sixteen ravines were recommended for Storm Pipe Extension, with a total estimated cost of \$12,947,000.000. City Administrator Harrenstein commented that the projects could be broken down into smaller segments. He noted the plan would be to seek Council approval of the report and incorporate it into the Capital Improvement Plan. Council Member Whitlock requested clarification if the City could pass some of the ravine cost to a developer. City Administrator Harrenstein stated these would be called no impact fees and would increase the cost for developers. The idea would need to be discussed and deliberated by the Council. City Administrator Harrenstein commented that the City might want to consider a bonding bill at the capitol to help fund the ravine repairs. City Engineer Sarff reported in recent years; developers are responsible for creating holding ponds to help manage runoff.

### **Proposed 2021 Utility Budget**

Finance Director McCann reviewed the Proposed 2021 Utility Budget. He noted that utility rates in North Mankato in 2020 averaged \$61.36, which is the second-lowest utility rate for comparable cities. He presented a brief overview of each fund. The Water Utility Fund is used to account for the operations of the City of North Mankato's Water Utility. The Water Utility Fund's 2021 operating budget is \$1,918,705. This is a \$231,000 decrease from 2020. The reductions are due to a decrease in capital outlay and the retirement of debt. The Wastewater Utility Fund is used to account for the operations of the North Mankato's Wastewater Utility. The Sewer Utility Fund's 2021 operating budget is \$2,565,802. This is a \$79,296 increase from 2020. The growth is attributed to additional capital outlay, personnel costs, and services charges.

Mayor Dehen requested clarification on if there has been a reduction in I&I on Cliff Court. Public Works Director Host reported the repairs and improvement to the system had managed all recent rainfalls. Finance Director McCann reviewed the Recycling Fund, which is related to the operations of the recycling collection and the Riverbend Recycling Center. The 2021 Recycling Fund Budget is \$526,401, a \$3,633 decrease from the 2020 budget. The decrease relates to allocating the spring and fall city-wide clean-up costs between the refuse and recycling funds. The Storm Water Utility Fund is used to account for the operations of the City of North Mankato's stormwater utilities. The Storm Water Utility Fund's 2021 operating budget is \$447,066. This is a \$688,595 decrease from 2020. The decrease is due to the completion of projects and shifts in operating costs to the City of Mankato to process flood stations controlling stormwater flows. Finance Director McCann reported the Solid Waste Fund is related to the City's refuse and general garbage collection. The 2021 Budget is \$826,012. This is an increase of \$12,512 from 2020. The increase relates to allocating the yard waste and brush disposal costs between the refuse and recycling funds.

Finance Director McCann reviewed the Water Fund, which has proposed revenue of \$2,089,100 and total expenditures of \$1,918,705. The total cash reserve is at 56% in preparation of filter repairs in out years. The Wastewater Fund projects a total revenue of \$2,566,100 due to increased revenue collection and continued interest from special assessments. The expected total expenditures in the Wastewater Fund is \$2,565,802. The fund expects an increase in expenditures of \$79,296 due to increased treatment costs, personnel costs, and the updating of Marvin Boulevard pump and controls. The cash balance is 41%, which exceeds the reserve policy requirements. Finance Director McCann reviewed the Recycling Fund, which has total expenditures of \$542,900 and an increase of \$41,400 due to a rate increase in 2021. The monthly recycling container fee is \$7.00, and the staff is proposing a \$1.00 rate increase. The rate increase will help pay for the debt service on Riverbend Recycling Center because the County has paid off its portion of the debt. Expenditures are proposed at \$526,401, a decrease of \$3,633 due to decreased debt service.

Finance Director McCann reviewed the Stormwater Fund, which has a proposed total revenue of \$517,000 and expenditures of \$447,066. The decrease in expenditures is due to the completion of the 2019 Ravine improvement project. The ending cash balance is at 14%, with the out-years increasing the cash balance. City Administrator Harrenstein noted the General Fund Interfund Loan repayment for the ravine project. The ravine project was paid out of the General Fund, and the Stormwater Fund is paying the fund back. The staff moved the Pump Station to the General Fund because the fees to the City of Mankato continue to increase. Due to the North Ridge ravine project, the staff proposes a rate increase to rebuild the fund. Currently, the City does not have \$29,000 to make the upgrades on Garfield. Finance Director McCann reported staff suggests a rate increase of \$.50, which increases residential rates from \$3.75 to \$4.25 and an increase from \$0.60 to \$0.68 for commercial as their surcharge is based on square footage and the rate increase would be the same percentage. Mayor Dehen requested a comparison to Mankato's rates. Finance Director McCann reported residential rates in Mankato are \$4.76 and commercial or \$1.29 per square foot. Finance Director McCann reviewed the Solid Waste Fund, which has a total revenue of \$824,138 and expenditures of \$826,012. The increased expenditures are due to rising landfill and annual clean-up costs. The projected cash balance is 3%, but due to the nature of the fund as a contract-driven fund, there are not concerns with the decreased cash balance.

### **Proposed Food Truck Ordinance**

City Administrator Harrenstein reported the proposed ordinance would determine where food trucks can be within the City. He noted food trucks are beneficial to the City, especially for special events, but the ordinance aims to protect brick-and-mortar restaurants. The proposed ordinance would

limit food trucks to outside 750ft of bars and restaurants in North Mankato. Owners of brick-and-mortar restaurants with small, medium, and large food licenses may own and operate food trucks within 750 feet of small, medium, and large license holders. In contrast, owners of brick-and-mortar restaurants with only a limited license may not own and operate their food trucks within 750 feet of small, medium, and large license holders. City Administrator Harrenstein reported the ordinance requires a license and fee established by the Council and additional licensing through the State of Minnesota or Brown/Nicollet County Environmental Health Department. The ordinance does allow vendors to serve during special events through the special event's license. During special events or City sanctioned events, vendors cannot operate within 750 ft of the event. The ordinance outlines the time food trucks can use. Included in the packet was a list of food licenses issued by the County. Jesse Harmon from Brown/Nicollet County Environmental Health Department reviewed the limited, small, medium, and large permits. Each license has specific requirements. A limited license is for those that are serving pre-packaged food, which requires no preparation. A small license requires at least one grill, microwave, and has additional requirements. A medium license serves 100 people a day, and a large license serves over 100 people a day. Council Member Oachs requested clarification on why the gas stations that serve food are not included on the list provided by Brown/Nicollet County Environmental Health Department. Mr. Harmon reported those establishments are licensed through the Minnesota Department of Agriculture. Mayor Dehen requested clarification on why Spring Lake Park does not have a small license. Mr. Harmon reported it is based on the capabilities of the kitchen. Mr. Harmon asked what the County should do if a business with a limited license requested a mobile food truck license. Mayor Dehen stated if the business obtains a small license, they would be able to operate.

### **Prescribed Grazing Application Fee**

Community Development Director Fischer reported the City recently passed an ordinance allowing for prescribed grazing. Staff spoke with the City Forester, who would be administering the program, and discussed monitoring. The City Forester determined a minimum of three visits would need to be made to the property. Community Development Director Fischer stated staff was proposing a \$100.00 fee. The City of Eagan requires a \$50.00 fee, and Fairbault a \$30.00 fee. He stated to cover the costs for administration staff is recommending a \$100.00 fee. Council Members Norland, Oachs, Steiner, and Whitlock agreed with the proposed fee. Mayor Dehen requested a lower fee because he did not believe there would be much management, and using the goats would be beneficial to the maintenance of the bluffs.

Council Member Norland moved, seconded by Council Member Whitlock, to close the meeting at 2:00 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: 09/24/20, 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: 72.86.

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  
09/24/2020

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

#### Public Notice

September 24, 2020

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato will hold a public hearing on Monday, October 5, 2020, commencing at 7:00 p.m. in the Council Chambers of the North Mankato Municipal Building, North Mankato, MN to consider adopting an Ordinance allowing a process for Administrative Lot Splits.

Due to the COVID-19 outbreak, the hearing location will be closed to the public. However, the City has modified the hearing process to ensure that the public is able to monitor the hearing and submit public comment.

The public hearing will be broadcast live on Charter Channel 180, or Consolidated Communications Channel 8.

Public comment may be submitted to the city council via the following methods:

1) Written comments/questions may be submitted in writing prior to the public hearing by any of the following methods:

a) By email. Submit your comments/questions to [aprilv@northmankato.com](mailto:aprilv@northmankato.com) no later than 5:00 p.m. on Monday, October 5th, 2020.

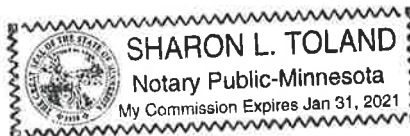
b) By mail. Submit your comments/questions by mailing to 1001 Belgrade Avenue, North Mankato, MN 56003. Questions/Comments must be received no later than 5:00 p.m. on Monday, October 5, 2020.

c) By physical delivery. Deliver your comments/question by delivering them to the Drop Box at City Hall at 1001 Belgrade Avenue, North Mankato, MN, no later than 3:00 pm on Monday, October 5, 2020.

2) Live comment during the public hearing via telephone. Residents desiring to make public comments by telephone during the public hearing must request to be placed on the public hearing agenda. You may do so by calling City Hall (507) 625-4141, emailing [aprilv@northmankato.com](mailto:aprilv@northmankato.com), or calling 507-214-0517 and enter participant code 965994. Each resident will be given 3 minutes to make his/her comment.

Dated this 21st day of  
September, 2020.

April Van Genderen  
City Clerk  
City of North Mankato



ORDINANCE NO. 133, FOURTH SERIES  
AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA  
AMENDING CHAPTER 155: SUBDIVISION REGULATIONS  
THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA ORDAINS:

Section 1: North Mankato City Code, Chapter 155 Subdivision Regulations is hereby amended by adding Section 155.51 as follows:

Administrative Lot Splits.

The Community Development Director may administratively approve the relocation of platted lot lines provided:

- a. All the requirements of Chapters 155 and 156 are satisfied and no substandard lots are created
- b. The applicant submits an application for an Administrative Lot Split
- c. The applicant submits a Certificate of Survey of the replatted properties to be recorded at the Nicollet County Recorder's Office by the applicant
- d. Should any lot adjustment require the vacation of any platted utility easement(s), it will be the responsibility of the applicant to petition for the vacation of any utility easement(s)
- e. Should any existing above or below ground utility need to be relocated as a result of a lot line adjustment, the applicant is responsible for any associated costs
- f. Any relocation of a lot line(s) requires new property monuments to be installed by a licensed surveyor
- g. Any relocation of lot lines shall not affect more than three (3) lots

Adopted by the City Council this 5<sup>th</sup> day of October 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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

Published in the Mankato Free Press on \_\_\_\_\_



City of North Mankato, MN

## Claims List - Regular

By Vendor Name

Date Range: 10-5-20

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
00029	AG SPRAY EQUIPMENT	10/05/2020	Regular	0	6.93	93394
02434	AUSTIN'S AUTO REPAIR CENTER, INC.	10/05/2020	Regular	0	43.20	93395
00232	CEMSTONE CONCRETE MATERIALS, LLC	10/05/2020	Regular	0	2,772.40	93396
02757	CINTAS	10/05/2020	Regular	0	181.63	93397
03425	COMMISSIONER OF TRANSPORTATION	09/28/2020	Regular	0	3,686.24	93391
02904	CURT HALVORSON BENEFIT FUND	09/22/2020	Regular	0	262.56	93381
00344	DIAMOND VOGEL PAINT CENTER	10/05/2020	Regular	0	1,068.20	93398
00364	DRUMMER'S GARDEN CENTER & FLORAL	10/05/2020	Regular	0	84.32	93399
02393	ECKERT PLUMBING & HEATING, INC.	10/05/2020	Regular	0	65.00	93400
00397	ESS BROTHERS & SONS, INC.	10/05/2020	Regular	0	695.80	93401
00401	EXPRESS SERVICES, INC.	10/05/2020	Regular	0	729.26	93402
00409	FERGUSON ENTERPRISES, INC	10/05/2020	Regular	0	746.11	93403
00508	GREEN TECH RECYCLING, LLC	10/05/2020	Regular	0	753.50	93404
00577	HOLTMEIER CONSTRUCTION	10/05/2020	Regular	0	194,991.49	93405
03430	JOHNSON, WAYNE	10/05/2020	Regular	0	3,570.00	93406
00639	KIBBLE EQUIPMENT LLC	10/05/2020	Regular	0	119.52	93407
00812	MANKATO BEARING COMPANY	10/05/2020	Regular	0	9.96	93408
00963	MINNESOTA BUREAU OF CRIMINAL APPREHEN	10/05/2020	Regular	0	270.00	93409
00985	MOSS & BARNETT	10/05/2020	Regular	0	6,137.00	93410
03423	NABIL SHOP LLC	09/22/2020	Regular	0	6,500.00	93384
01037	NICOLLET COUNTY	10/05/2020	Regular	0	20,118.00	93411
02704	NIELSEN CONCRETE	10/05/2020	Regular	0	60,342.18	93412
01071	NUSS TRUCK & EQUIPMENT, INC.	10/05/2020	Regular	0	5,585.74	93413
01076	OLD DOMINION BRUSH	10/05/2020	Regular	0	2,151.08	93414
01179	RED FEATHER PAPER CO.	10/05/2020	Regular	0	1,138.14	93415
01385	SANCO EQUIPMENT, LLC	10/05/2020	Regular	0	56.43	93416
03424	SIEBERG, LOWELL	10/05/2020	Regular	0	92.83	93417
03428	TIMMERMAN, MARILYN	10/05/2020	Regular	0	100.00	93418
03427	TRUCK CENTER COMPANIES	10/05/2020	Regular	0	98.67	93419
01433	TYLER TECHNOLOGIES	10/05/2020	Regular	0	10,567.75	93420
03245	VERSATILE VEHICLES, INC	10/05/2020	Regular	0	73.21	93421
03311	W. LORENTZ AND SONS CONSTRUCTION, INC.	10/05/2020	Regular	0	190,239.62	93422
00486	W.W. GOETSCH ASSOCIATES, INC.	10/05/2020	Regular	0	1,075.00	93423
01523	WENZEL AUTO ELECTRIC CO	10/05/2020	Regular	0	82.70	93424
02033	AMAZON.COM	09/22/2020	Bank Draft	0	50.39	DFT0004652
00101	AT&T MOBILITY	09/17/2020	Bank Draft	0	48.68	DFT0004633
00137	BENCO ELECTRIC COOPERATIVE	09/24/2020	Bank Draft	0	1,000.00	DFT0004669
00241	CHARTER COMMUNICATIONS	09/17/2020	Bank Draft	0	263.38	DFT0004634
02058	CONSOLIDATED COMMUNICATIONS	09/28/2020	Bank Draft	0	65.47	DFT0004681
02058	CONSOLIDATED COMMUNICATIONS	09/28/2020	Bank Draft	0	46.59	DFT0004682
02058	CONSOLIDATED COMMUNICATIONS	09/28/2020	Bank Draft	0	1,517.97	DFT0004683
02058	CONSOLIDATED COMMUNICATIONS	09/28/2020	Bank Draft	0	42.94	DFT0004684
02058	CONSOLIDATED COMMUNICATIONS	09/28/2020	Bank Draft	0	40.59	DFT0004685
02058	CONSOLIDATED COMMUNICATIONS	09/28/2020	Bank Draft	0	163.45	DFT0004686
02058	CONSOLIDATED COMMUNICATIONS	09/28/2020	Bank Draft	0	209.70	DFT0004687
00304	CREATIVE AD SOLUTIONS, INC.	09/24/2020	Bank Draft	0	26.17	DFT0004671
03248	FREDRIKSON & BYRON, P.A.	09/22/2020	Bank Draft	0	1,949.00	DFT0004654
03248	FREDRIKSON & BYRON, P.A.	09/24/2020	Bank Draft	0	275.00	DFT0004668
00447	FREE PRESS	09/18/2020	Bank Draft	0	734.58	DFT0004638
00447	FREE PRESS	09/28/2020	Bank Draft	0	72.86	DFT0004680
00496	GOVERNMENT FINANCE OFFICERS ASSOCIATION	09/18/2020	Bank Draft	0	85.00	DFT0004651
00294	J.P. COOKE COMPANY	09/16/2020	Bank Draft	0	96.00	DFT0004627
00733	LAKES GAS CO #10	09/17/2020	Bank Draft	0	206.66	DFT0004636
00733	LAKES GAS CO #10	09/28/2020	Bank Draft	0	107.00	DFT0004679
00775	LJP WASTE & RECYCLE, LLC	09/17/2020	Bank Draft	0	226.50	DFT0004630
00910	MINNESOTA VALLEY TESTING LAB, INC.	09/10/2020	Bank Draft	0	196.00	DFT0004620
00910	MINNESOTA VALLEY TESTING LAB, INC.	09/14/2020	Bank Draft	0	119.00	DFT0004624

00910	MINNESOTA VALLEY TESTING LAB, INC.	09/16/2020	Bank Draft	0	72.00	DFT0004628
00910	MINNESOTA VALLEY TESTING LAB, INC.	09/21/2020	Bank Draft	0	59.50	DFT0004666
00910	MINNESOTA VALLEY TESTING LAB, INC.	09/24/2020	Bank Draft	0	119.00	DFT0004672
00910	MINNESOTA VALLEY TESTING LAB, INC.	09/25/2020	Bank Draft	0	119.00	DFT0004676
01117	PLUNKETT'S PEST CONTROL, INC.	09/17/2020	Bank Draft	0	122.87	DFT0004632
01322	SPRINT	09/28/2020	Bank Draft	0	36.17	DFT0004678
01335	STAPLES ADVANTAGE	09/09/2020	Bank Draft	0	94.98	DFT0004619
01335	STAPLES ADVANTAGE	09/11/2020	Bank Draft	0	276.00	DFT0004623
01335	STAPLES ADVANTAGE	09/16/2020	Bank Draft	0	53.36	DFT0004626
01335	STAPLES ADVANTAGE	09/23/2020	Bank Draft	0	301.10	DFT0004667
01335	STAPLES ADVANTAGE	09/25/2020	Bank Draft	0	107.85	DFT0004674
01335	STAPLES ADVANTAGE	09/25/2020	Bank Draft	0	154.97	DFT0004675
01470	VERIZON WIRELESS	09/17/2020	Bank Draft	0	32.43	DFT0004629
01525	WEST CENTRAL SANITATION, INC.	09/17/2020	Bank Draft	0	7,254.22	DFT0004631
00551	A.H. HERMEL COMPANY	10/07/2020	EFT	0	1,704.03	3237
00016	ADAMS, NICOLE	10/07/2020	EFT	0	38.06	3238
00036	ALEX AIR APPARATUS, INC.	10/07/2020	EFT	0	40.86	3239
00063	AMERICAN PEST CONTROL	10/07/2020	EFT	0	200.00	3240
00103	AUTO BODY SPECIALTIES	10/07/2020	EFT	0	18.00	3241
00105	AUTO VALUE MANKATO	10/07/2020	EFT	0	282.58	3242
00172	BOHRER, TOM	10/07/2020	EFT	0	275.30	3243
00174	BOLTON & MENK, INC.	10/07/2020	EFT	0	135,967.90	3244
00216	C & S SUPPLY CO, INC.	10/07/2020	EFT	0	122.14	3245
02706	CORE & MAIN LP	10/07/2020	EFT	0	182.14	3246
00310	CRYSTEEL TRUCK EQUIPMENT, INC	10/07/2020	EFT	0	1,645.26	3247
03226	ESRI	10/07/2020	EFT	0	1,197.93	3248
00404	FASTENAL COMPANY	10/07/2020	EFT	0	5.28	3249
00463	G & L AUTO SUPPLY, LLC	10/07/2020	EFT	0	577.74	3250
01098	GILLETTE GROUP/PEPSI-COLA	10/07/2020	EFT	0	657.45	3251
00482	GMS INDUSTRIAL SUPPLIES, INC.	10/07/2020	EFT	0	2,010.52	3252
02560	GOLD MEDAL	10/07/2020	EFT	0	279.80	3253
02295	GRAYBAR	10/07/2020	EFT	0	1,727.58	3254
00538	HAWKINS, INC.	10/07/2020	EFT	0	5,611.72	3255
00691	KENNEDY & KENNEDY LAW OFFICE	10/07/2020	EFT	0	442.80	3256
03429	KRUGER, AUDREY	10/07/2020	EFT	0	797.00	3257
00743	LARKSTUR ENGINEERING & SUPPLY, INC.	10/07/2020	EFT	0	20.63	3258
00776	LLOYD LUMBER CO.	10/07/2020	EFT	0	303.20	3259
02575	LOCHER BROS, INC.	10/07/2020	EFT	0	837.80	3260
00797	MAC TOOLS DISTRIBUTOR	10/07/2020	EFT	0	114.99	3261
00796	MACQUEEN EQUIPMENT, INC.	10/07/2020	EFT	0	1,342.33	3262
00819	MANKATO FORD, INC.	10/07/2020	EFT	0	805.56	3263
00825	MANKATO MOTOR COMPANY	10/07/2020	EFT	0	363.59	3264
00874	MENARDS-MANKATO	10/07/2020	EFT	0	558.32	3265
03022	MINNESOTA PAVING & MATERIALS	10/07/2020	EFT	0	539.10	3266
00975	MORGAN, SHAWN	10/07/2020	EFT	0	178.17	3267
01052	NORTH CENTRAL INTERNATIONAL	10/07/2020	EFT	0	58.33	3268
01078	OLYMPIC FIRE PROTECTION CORP.	10/07/2020	EFT	0	185.00	3269
01090	PARAGON PRINTING, MAILING & SPECIALTIES	10/07/2020	EFT	0	9,716.79	3270
01099	PET EXPO DISTRIBUTORS	10/07/2020	EFT	0	120.00	3271
01402	POMPS TIRE	10/07/2020	EFT	0	929.35	3272
01211	RIVER BEND BUSINESS PRODUCTS	10/07/2020	EFT	0	2,102.10	3273
01263	SCHWICKERT'S TECTA AMERICA LLC	10/07/2020	EFT	0	524.93	3274
01281	SIGN PRO	10/07/2020	EFT	0	38.00	3275
01478	VIKING FIRE & SAFETY LLC	10/07/2020	EFT	0	785.31	3276
01552	WW BLACKTOPPING, INC	10/07/2020	EFT	0	219,104.84	3277
00234	CENTER POINT ENERGY	09/17/2020	Bank Draft	0	32.32	DFT0004642
00234	CENTER POINT ENERGY	09/22/2020	Bank Draft	0	2,902.49	DFT0004646
00234	CENTER POINT ENERGY	09/30/2020	Bank Draft	0	1,240.40	DFT0004688
02003	MINNESOTA DEPT OF REVENUE	09/18/2020	Bank Draft	0	25.00	DFT0004645
02003	MINNESOTA DEPT OF REVENUE	09/23/2020	Bank Draft	0	6,042.14	DFT0004661
01477	VIKING ELECTRIC SUPPLY, INC.	09/17/2020	Bank Draft	0	110.24	DFT0004643
01477	VIKING ELECTRIC SUPPLY, INC.	09/22/2020	Bank Draft	0	294.39	DFT0004647
01477	VIKING ELECTRIC SUPPLY, INC.	09/22/2020	Bank Draft	0	47.73	DFT0004649
01557	XCEL ENERGY	09/17/2020	Bank Draft	0	313.13	DFT0004640
01557	XCEL ENERGY	09/17/2020	Bank Draft	0	72.88	DFT0004641
01557	XCEL ENERGY	09/30/2020	Bank Draft	0	8,453.75	DFT0004689
					942,707.75	123

## Authorization Signatures

### All Council

The above manual and regular claims lists for 10-5-20 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

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SANDRA OACHS- COUNCIL MEMBER

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JAMES WHITLOCK- COUNCIL MEMBER



RESOLUTION APPOINTING ELECTION JUDGES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, that the following individuals are hereby appointed to serve as election judges for the the General Election on November 3, 2020:

Adrianna Lobitz  
Anna Egeland  
Arlyce Anderson  
Brian Cesafsky  
Carol Meyers-  
Dobler  
Devin Hammer  
Jaymes Sorensen

Jeff Campbell  
Jennifer Cooklock  
Jennifer Su  
Jessica Kirschner  
Joyce Welling-  
Prahm  
Katharina  
Klanderud

Kenny Dewitte  
Kim Davis  
Nancy Strate  
Patricia Dale  
Stacy Rut  
William Fasnacht

The City Clerk is authorized to make substitution to the above slate of judges as necessary to maintain the required minimum and fill vacancies if needed. Adopted by the City Council this 5<sup>th</sup> day of October 2020.

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Mayor

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City Clerk

# MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mike Fischer, Community Development Director  
DATE: September 24, 2020  
SUBJECT: September Traffic & Safety Committee Meeting

On September 24, 2020, the Traffic & Safety Committee met to discuss items of business. Members present: Council Liaison Jim Whitlock, Police Chief Ross Gullickson, Public Works Director Nate Host and Community Development Director Mike Fischer.

Below is a summary of the meeting:

**1. Request for the use of golf carts on City streets**

Staff presented a request from Bill Young for the use of golf carts on City street including the current City Code regulations and summary of a past effort to amend the Code to allow golf carts. Mr. Young was in attendance and spoke to the Committee about the benefits of the use of golf carts as an alternative means of transportation. Mr. Young acknowledged research he conducted regarding this issue and that other Minnesota cities have allowed them subject to various regulations. The Committee then held considerable discussion regarding the pro's and con's of allowing the use of golf carts on City streets with public safety in mind. The Committee held continued discussion of interaction of golf carts with other vehicles and pedestrians, storage of them when not in use, motor vehicle laws which are applicable, presence of hills in the City and other forms of transportation similar to golf carts.

RECOMMENDATION

The Traffic & Safety Committee recommends denial of the request due to:

1. Public safety concerns
2. Enforcement
3. Demonstrated need for the use of golf carts as a form of transportation

**2. Review of Lor Ray Drive Conditions**

Staff indicated that two residents expressed concerns for safe pedestrian crossings at Lor Ray Drive and Carlson Drive and Lor Ray Drive and Green Acres Drive. The Committee discussed future planned intersection improvements at Lor Ray and Carlson and existing conditions at Lor Ray and Green Acres. Discussions were held regarding potential changes to be made including the use of pedestrian flashing crossings at both these intersections.

RECOMMENDATION

The Traffic & Safety Committee recommends the investigation into the potential to access Safe Routes to School funding to install pedestrian flashing crossings at these intersections.

TO: Traffic & Safety Committee  
FROM: Mike Fischer, Community Development Director  
DATE: September 11, 2020  
SUBJECT: September Traffic & Safety Committee meeting

The next meeting of the Traffic & Safety Committee has been scheduled for Thursday, September 24, 2020 at 9:00 a.m. at the North Mankato Municipal Building.

#### AGENDA

1. Request for the use of golf carts on City streets

**1. Request for the use of golf carts on City streets**

Attached is a request from Bill Young to amend the City Code to allow the use of golf carts on designated streets as a means of alternative transportation. It should be mentioned that several years ago, a similar request was made by a resident and denied by the Traffic & Safety Committee and City Council. Also attached is City Code Chapter 73:Recreational Vehicles. According to section 73.08, the use of motorized golf carts on streets, alleys, sidewalks or other public property is prohibited. While golf carts are currently prohibited, section 73.09 allows the use of specialty vehicles on streets and public property.

Based on the request from Mr. Young, the Traffic & Safety Committee is asked to consider an amendment to the City Code allowing the use of golf carts on public streets.

## Michael Fischer

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**From:** Bill Young <Bill.Young@lindsaywindows.com>  
**Sent:** Wednesday, September 9, 2020 7:56 AM  
**To:** 'Michael Fischer'  
**Cc:** neetz@hickorytech.net  
**Subject:** Proposal to Change City Ordinance 73.08 Motorized Golf Carts

Dear Mike Fischer,

I, William Young, would like to propose a change in the City Ordinance 73.08 Motorized Golf Carts, to allow the use of motorized golf carts on designated roadways in North Mankato. City ordinance 73.08 states that no person shall operate a motorized golf cart on streets, alleys, sidewalks, or other public property.

As a resident of North Mankato, MN since August 2, 1988, my wife and I would like to see this ordinance pass. This is an environmentally way to travel around North Mankato. Fellow residents would be able to drive to the gas station, patronage the local restaurants, visit family members, and the lifelong friends they have made in our community. Contractors would be able to visit construction sites in developing neighborhoods. As the city walk branches over to North Mankato this would be an economical way for residents to view these amazing sculptures. There are residents within our community who are unable to walk for long distances and allowing them to utilize a golf cart to get around would encourage their independence. This would help residents to get out and enjoy themselves. They're simple to operate and maintain; they're less costly than a vehicle.

The state of Minnesota allows golf cart use on public roadways and highways, with a special permit and insurance; there would be a special fee for the special permit. The driver would also need to be licensed. There would have to be some restrictions, which would have to be included is that the driver of the golf cart would be subjected to the same traffic laws and duties as operators of other motor vehicles. The golf cart would only be operated on designated roadways where the speed limit is posted for 30 mph, if necessary, you would be able to cross over non-designated roads or highways, as long as, you remain on the designated road. A slow-moving emblem would need to be attached to the golf cart. The golf cart could only be operated between sunrise and sunset. They would also not be able to be operated in bad weather, except for emergencies and if the visibility is poor and you cannot see people or other vehicles from 500 feet away. The golf cart would not be able to be modified to go more than designed speed; which is generally 15 - 25 mph.

Golf carts have been used for many years in gated communities, resorts, and campuses. As they grow in popularity there are several cities that allow them on their roadways in Minnesota, some include: Rochester, Lake City, Anoka, Minneota, Prior Lake, and Golden Valley.

When used properly they are very safe and we as residents of North Mankato should be able to utilize golf carts as means of transportation within our community.

Hopeful Golf Cart Driver,

William Young  
717 Nicollet Avenue  
North Mankato, MN 56003

## CHAPTER 73: RECREATIONAL VEHICLES

### Section

73.01 Purpose and intent

73.02 Definition

73.03 Operation requirements

73.04 Street crossings

73.05 Hours of operation

73.06 Minimum equipment requirements

73.07 Designation of public areas for use

73.08 Motorized golf carts

73.09 Specialized vehicles: utility-terrain vehicles and mini-trucks

### § 73.01 PURPOSE AND INTENT.

(A) (1) The purpose of this chapter is to provide reasonable regulations for the use of recreational motor vehicles on public and private property in the city.

(2) This chapter is not intended to allow what the Minnesota Statutes prohibit nor to prohibit what the Minnesota Statutes expressly allow.

(B) It is intended to ensure the public safety and prevent a public nuisance.

### § 73.02 DEFINITION.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**RECREATIONAL MOTOR VEHICLE.** Any self-propelled vehicle and any vehicle propelled or drawn by a self-propelled vehicle used for recreational purposes including, but not limited to trail bike, off-highway motorcycle, as defined by M.S. § 84.787, Subd. 7, as it may be amended from time to time, or other all-terrain vehicle as defined by M.S. § 84.92, Subd. 8, it may be amended from time to time, motorized go-carts, hovercraft or motor vehicle licensed for highway operation which is being used for off-road recreational purposes.

### § 73.03 OPERATION REQUIREMENTS.

It is unlawful for any person to operate a recreational motor vehicle:

(A) On private property of another without specific written permission of the owner of the property; (Written permission may be given by a posted notice of any kind or description, so long as it specifies the kind of vehicles allowed, that the owner, occupant or lessee prefers, such as by saying " Recreational Vehicles Allowed, "" Trail Bikes Allowed, "" All-Terrain Vehicles Allowed " or words substantially similar.)

(B) On publicly-owned land, including school, park property, playgrounds, recreation areas and golf courses, except where permitted by this chapter;

(C) In a manner so as to create a loud, unnecessary or unusual noise which disturbs, annoys or interferes with the peace and quiet of other persons;

(D) On a public sidewalk or walkway provided or used for pedestrian travel;

(E) At a place while under the influence of intoxicating liquor or narcotics or habit-forming drugs;

(F) At a rate of speed greater than reasonable or proper under all the surrounding circumstances;

(G) At any place in a careless, reckless or negligent manner so as to endanger or be likely to endanger any person or property or to cause injury or damage thereto;

(H) On any public street, highway or right-of-way unless licensed pursuant to Minnesota law;

(I) To intentionally drive, chase, run over or kill any animal, wild or domestic;

(J) By halting any recreational motor vehicle carelessly or heedlessly in disregard of the rights or the safety of others or in a manner so as to endanger or be likely to endanger any person or property or in excess of 25 miles per hour on publicly-owned lands; and/or

(K) Within 150 yards of any public recreational area or gathering of people. This provision does not apply to the occasional use of recreational motor vehicles on private property for the purpose of loading or unloading it from a trailer or for mechanically checking it.

Penalty, see § 10.99

#### § 73.04 STREET CROSSINGS.

No person under 14 years of age operating the vehicles regulated herein shall make a direct crossing of any street, highway or public right-of-way.

Penalty, see § 10.99

#### § 73.05 HOURS OF OPERATION.

Hours for use are 8:00 a.m. to 10:00 p.m.

Penalty, see § 10.99

#### § 73.06 MINIMUM EQUIPMENT REQUIREMENTS.

(A) Standard mufflers shall be properly attached and in constant operation to reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass, straight pipe or similar device on a recreational motor vehicle motor. The exhaust system shall not emit or produce a sharp popping or crackling sound.

(B) Brakes shall be adequate to control the movement of and to stop and hold under any conditions of operation.

(C) At least one clear lamp shall be attached to the front with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so that glaring rays are not projected into the eyes of an oncoming vehicle operator. It shall also be equipped with at least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during the hours of darkness under normal atmospheric conditions. This equipment

shall be required and shall be in operating condition when the vehicle is operated between the hours of one-half hour after sunset and one-half hour before sunrise, or at times of reduced visibility.

Penalty, see § 10.99

#### § 73.07 DESIGNATION OF PUBLIC AREAS FOR USE.

(A) The Council may designate areas for use of recreational motor vehicles by approval of a majority of the members of the City Council. The areas designated may be changed from time to time by the City Council. Any area designated shall be published in the official newspaper of the city in a conspicuous place after the approval. If an area is changed, the change shall be published in like manner in the official newspaper of the city. An up-to-date map of any designated park areas open for recreational motor vehicle use shall be kept on file in the office of the City Clerk, who shall provide on request a copy of the map together with the applicable rules, regulations and this chapter to each person requesting the information from the city.

(B) Unless designated by the City Council as an area for recreational motor vehicles, the use on city park property shall be unlawful. Further, the use of city parks designated by the City Council shall be in accordance with all of the applicable provisions of this chapter.

Penalty, see § 10.99

#### § 73.08 MOTORIZED GOLF CARTS.

No person shall operate a motorized golf cart on streets, alleys, sidewalks or other public property.

#### § 73.09 SPECIALIZED VEHICLES: UTILITY-TERRAIN VEHICLES AND MINI-TRUCKS.

(A) *Purpose and intent.* The purpose of this section is to provide reasonable regulations for the use of specialized vehicles on public property within the city. This section is not intended to allow what the Minnesota Statutes prohibit or to prohibit what the Minnesota Statutes expressly allow. It is intended to ensure the public safety and prevent a public nuisance.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DRIVER.** The person driving and having physical control over the utility-terrain vehicle or mini-truck.

**MINI-TRUCK.** As defined in M.S. § 169.011, Subd. 40(a), as may be amended from time to time, a motor vehicle that has 4 wheels, is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less, has a total dry weight of 900 to 2,200 pounds, contains an enclosed cabin and a seat for the vehicle operator, commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety

standards required of motor vehicles in the 49 C.F.R. §§ 571.101 to 571.404, and successor requirements.

**UTILITY-TERRAIN VEHICLE.** A motorized flotation-tired vehicle with at least 3 but no more than 6 low pressure tires that has an engine displacement of less than 960 cubic centimeters and total dry weight of less than 1800 pounds and side-by-side seating.

(C) *Operation.* Utility-terrain vehicles may only be used for business or commercial purposes.

(D) *Conditions of operation.*

(1) A driver shall be at least 18 years of age.

(2) Utility terrain vehicles shall display the slow-moving vehicle emblem provided for in M.S. § 169.045, as it may be amended from time to time, when operated on designated roadways.

(3) Utility-terrain vehicles and mini-trucks shall be equipped with a rearview mirror to provide the driver with adequate vision from behind as required by M.S. § 169.70, as it may be amended from time to time.

(4) Every person operating a utility-terrain vehicle or a mini-truck on designated roadways has all the rights and duties applicable to the driver or any other vehicle under provisions of M.S. Chapter 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to utility-terrain vehicles or mini-trucks and except as otherwise specifically provided in M.S. § 169.045, Subd. 7, as it may be amended from time to time.

(5) The number of occupants on the utility-terrain vehicle or mini-truck shall not exceed the design occupant load.

(6) No operation of a utility-terrain vehicle and mini-truck shall be allowed on private property without the consent of the owner, or on any city sidewalk, trail or park.

(7) A mini-truck may be operated on roadways within the city if it is equipped with all of the following:

(a) At least 2 headlamps;

(b) At least 2 tail lamps;

(c) Front and rear turn signal lamps;

(d) An exterior mirror mounted on the driver's side of the vehicle and either (a) an exterior mirror mounted on the passenger's side of the vehicle or (b) an interior rear-view mirror;

(e) A windshield;

(f) A seat belt for the driver and front passenger; and

(g) A parking brake.

(E) *Violation; penalty.* Any person who operates a utility-terrain vehicle or a mini-truck within the city in violation of this section shall be guilty of a misdemeanor.

(Ord. 48, 4th Series, passed 1-22-2013)

RESOLUTION NO. 81-20

RESOLUTION AUTHORIZING APPLICATION FOR MNDOT  
LANDSCAPE PARTNERSHIP APPLICATION

IT IS RESOLVED that the City of North Mankato will act as sponsoring unit for the Pleasant View Drive/Highway 14 Landscape Buffer Project; and

IT IS RESOLVED that the City Administrator John Harrenstein and Community Development Director Michael Fischer are hereby authorized to apply to the Minnesota Department of Transportation for funding for this project on behalf of the City of North Mankato.

Adopted by the City Council this 5<sup>th</sup> day of October 2020

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

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

**CITY OF NORTH MANKATO**  
**REQUEST FOR COUNCIL ACTION**



Agenda Item # 11A	Dept: Community Dev.	Council Meeting Date: 10/5/20
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**TITLE OF ISSUE: Consider Ordinance No. 133, Fourth Series Amending Chapter 155: Subdivision Regulations-Administrative Lot Splits.**

**BACKGROUND AND SUPPLEMENTAL INFORMATION: Please review the staff report submitted to the Planning Commission.**

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

**REQUESTED COUNCIL ACTION: Adopt Ordinance No. 133, Fourth Series Amending Chapter 155: Subdivision Regulations-Administrative Lot Splits.**

**For Clerk's Use:**

Motion By: \_\_\_\_\_  
Second By: \_\_\_\_\_

Vote Record:

Aye	Nay	
_____	_____	Norland
_____	_____	Oachs
_____	_____	Whitlock
_____	_____	Steiner
_____	_____	Dehen

**SUPPORTING DOCUMENTS ATTACHED**

Resolution	Ordinance	Contract	Minutes	Map
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify) Report _____				
_____				
_____				
_____				

<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: _____

ORDINANCE NO. 133, FOURTH SERIES  
AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA  
AMENDING CHAPTER 155: SUBDIVISION REGULATIONS  
THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA ORDAINS:

Section 1: North Mankato City Code, Chapter 155 Subdivision Regulations is hereby amended by adding Section 155.51 as follows:

Administrative Lot Splits.

The Community Development Director may administratively approve the relocation of platted lot lines provided:

- a. All the requirements of Chapters 155 and 156 are satisfied and no substandard lots are created
- b. The applicant submits an application for an Administrative Lot Split
- c. The applicant submits a Certificate of Survey of the replatted properties to be recorded at the Nicollet County Recorder's Office by the applicant
- d. Should any lot adjustment require the vacation of any platted utility easement(s), it will be the responsibility of the applicant to petition for the vacation of any utility easement(s)
- e. Should any existing above or below ground utility need to be relocated as a result of a lot line adjustment, the applicant is responsible for any associated costs
- f. Any relocation of a lot line(s) requires new property monuments to be installed by a licensed surveyor
- g. Any relocation of lot lines shall not affect more than three (3) lots

Adopted by the City Council this 5<sup>th</sup> day of October 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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

Published in the Mankato Free Press on \_\_\_\_\_

## ADMINISTRATIVE LOT SPLITS

## THE CITY OF NORTH MANKATO

SUBJECT: Administrative Lot Splits  
APPLICANT: City of North Mankato  
LOCATION: City Wide  
EXISTING ZONING: -  
DATE OF HEARING: September 10, 2020  
DATE OF REPORT: September 2, 2020  
REPORTED BY: Mike Fischer, Community Development Director

### APPLICATION SUBMITTED

Request to consider a process for Administrative Lot Splits

### COMMENT

Attached as Exhibit A is proposed City Code language regarding a process for staff to approve administrative lot splits. In summary, this process would be used in cases where minor lot line adjustments are made. For example, when someone buys two residential lots and combines them into one lot. Currently, if this was to occur, the property owner would need to hire a surveyor, replat the existing subdivision, have it reviewed by the Planning Commission and City Council and then record the plat with the County. This process is timely and expensive based on the surveyor cost needed prepared the documents for recording. Under the administrative lot split process, an applicant would need to hire a surveyor to create a Certificate of Survey that would be reviewed by staff and then recorded at the County. An example of a Certificate of Survey is shown on Exhibit B. Additionally, the applicant would need to have a surveyor install new property monuments (property pins) as part of the process.

Since City Code requires all new lots to have utility easements platted around the perimeter of all lots, any lot line adjustment would likely require the vacation of a utility easement. It would be the responsibility of the applicant to petition the City to vacate any easement and assume any costs associated with the utility vacation process. Furthermore, any cost to relocate any existing above-ground or below-ground utility would be the responsibility of the applicant.

In researching this issue, staff spoke with the cities of Mankato, New Ulm and St. Peter who all have a process to approve simple lot splits.

Should there be support for the administrative lot split process, Section 155,51 would be added into the City Code Subdivision Regulations.

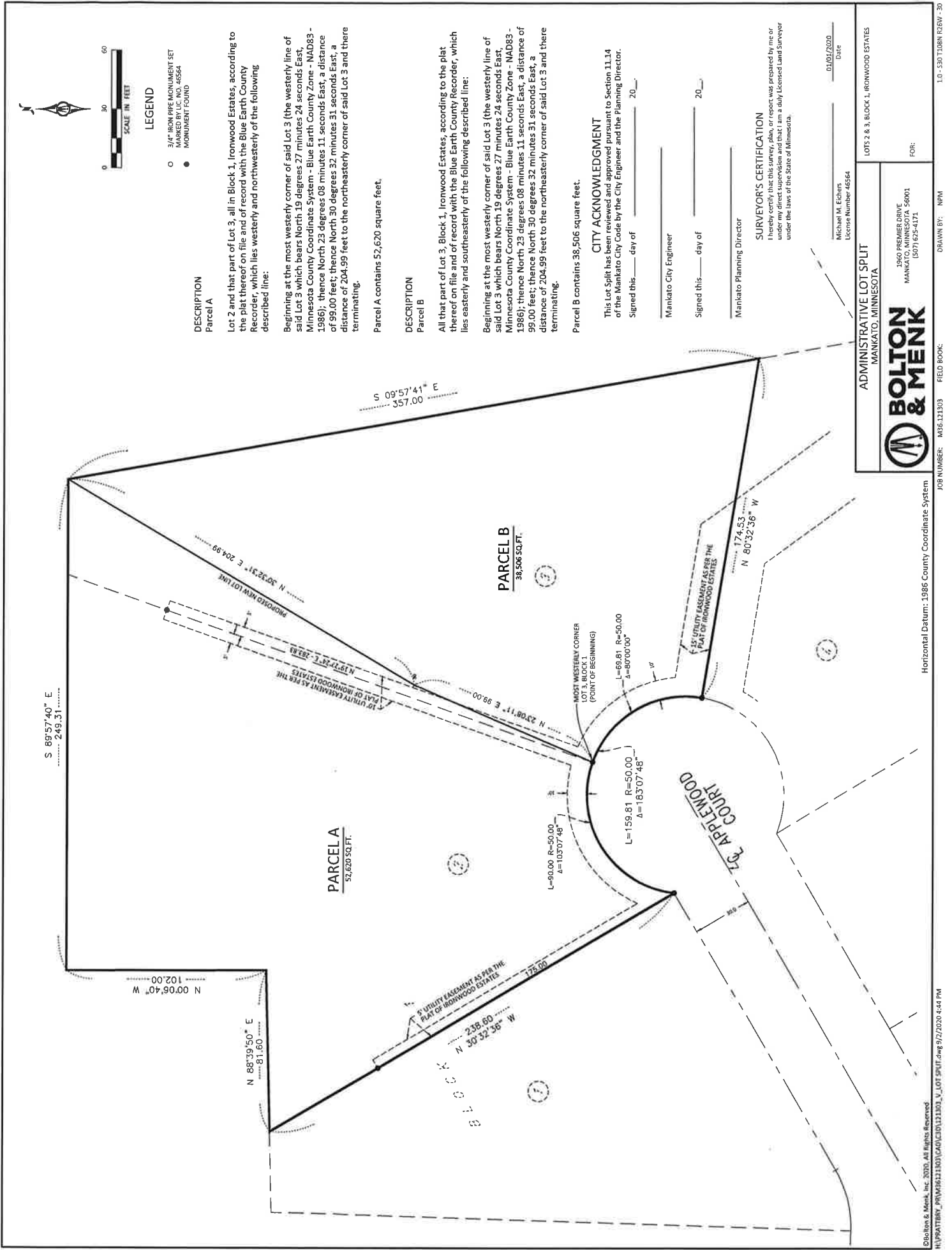
**RECOMMENDATION**

Staff recommends approval of the administrative lot split process

## 155.51 Administrative Lot Splits

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- ~~f.g.~~ Any relocation of lot lines shall not affect more than three (3) lots