

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 July 21, 2014. 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 the meeting: Mayor Dehen, Council Members, Freyberg, Spears and Steiner, City Administrator Harrenstein, Attorney Kennedy, City Clerk Gehrke, Planner Fischer and Public Works Director Swanson. Absent: Council Member Norland and Finance Director Thorne.

Approval of Agenda

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

Approval of Minutes

Council Member Freyberg moved, seconded by Council Member Spears, to approve the minutes of the Council meeting of July 7, 2014. Vote on the motion: Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.

Consent Agenda

Council Member Freyberg moved, seconded by Council Member Steiner, to approve the Consent Agenda which includes:

- A. Bills and Appropriations.
- B. Res. No. 46-14 Approving Donations/Contributions/Grants.
- C. Res. No. 47-14 Waiving Waiting Period for Exemption from Lawful Gambling License for Holy Rosary Church, 546 Grant Avenue, to Conduct Raffles on November 28, 2014.
- D. Audio and Large Group Permit for Miracle League Gorilla Run, Caswell Park, Saturday, May 2, 2015, from 8 a.m. to 8 p.m.
- E. Parade Permit for Miracle League Gorilla Run, Caswell/Benson, Saturday, May 2, 2015 from 8 a.m. to 8 p.m.
- F. Audio Permit for Chris Good Birthday Party, 512 Sherman Street, Saturday, September 13, 2014 from 6-10 p.m.
- G. Audio and Large Group Permit for Making Strides Against Breast Cancer Walk/Run, Spring Lake Park, Saturday, October 11, 2014 from 6 a.m. to 1 p.m.
- H. Parade Permit for Making Strides Against Breast Cancer Walk/Run, Spring Lake Park, Saturday, October 11, 2014 from 9-11:30 a.m.
- I. Parade Permit for Crossview Cov. Church 125th Anniversary 5K Walk/Run, Sunday, August 17, 2014 from 9-10 a.m.

Council Member Spears asked that it be entered into the minutes that he has not received the Caswell Park Tournament report that he requested. Administrator Harrenstein stated he was not aware of the deadline for preparing the report but would send the report out to the Council. Council Member Spears also asked about the difference in the tax abatement payment to Theuninck from 2013 to 2014. Administrator Harrenstein reported that he would review this item and email the Mayor and Council.

Vote on the motion: Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.

Public Comments

The Mayor opened the meeting to the public for the first time asking that those residents wishing to speak of the Old Belgrade Hill Ravine Project go first. Matthias Leyrer, 632 Belgrade Avenue, stated he thinks the paving of the trail is a good idea and spoke of daylight streaming, in other

words, leaving some of the pipe open to have water running in the ravine. Matt Vihstadt, 1025 Belgrade Avenue, spoke of his concern regarding the steepness of the hill for a bike path. Nancy Marquardt, 1024 Belgrade Avenue, spoke of her concern about things that happen in the ravine and the bus traffic on Lee Boulevard hill. Neil Benson, 2221 Clare Drive, stated he is not in favor of a paved trail, that three spruce trees are not going to survive the project, there has been unauthorized motorized traffic in the ravine, and spoke of his concern regarding the steepness of the hill, cost, maintenance, and privacy issues for neighbors. Jon Anderson, 837 Nicollet Avenue, stated he was a member of the Bicycle Commission, and read a statement regarding the trail system in the Greater Mankato Area and summarized by stating the Old Belgrade Hill ravine is key to linking all the trails. Corrie Vihstadt, 1025 Belgrade Avenue, asked for the public to be notified of the Bicycle Commission meetings. The Mayor reported the meetings are held the third Wednesday of the month and this meeting will be added to the City calendar. She also asked if was possible to move the bike traffic toward the semaphore intersection. Roger Eberhart, 2003 Roe Crest Drive, spoke of his 37-year history in this area and stated he has witnessed hill slides, and believes the environmental impact of a paved trail will drive creatures from the ravine. He stated he did not believe the project was well thought out.

Barb Church, 102 E. Wheeler Avenue, appeared before the Council and spoke of attending the Planning Commission meeting on Thursday, July 10, 2014, where a summary of the future land use open house meetings was presented. She stated her disappointment this meeting did not open the meeting for public comment. The Mayor reported there would be additional times for public comment and the public is also welcome to comment via email.

Phil Henry, 1300 Noretta Drive, appeared before the Council and asked where the City would be getting the money for the LorRay Drive overlay. This will be discussed under Business Items.

Tom Hagen, 927 Lake Street, appeared before the Council and stated the City Council should have a Code of Conduct to study and follow and citizens should be heard and treated with respect.

Discuss Old Belgrade Hill Ravine Maintenance Road

City Engineer Sarff reported the Council adopted a resolution ordering Project No. 13-02AC, Roe Crest-Noretta-Belgrade Ravine Improvement without the trail until further direction. He stated the North Mankato topography does not allow for ideally situated bike trails to link with other trails in the Greater Mankato area. Staff level discussions were held about the necessity of an access maintenance road at a minimum in the ravine. He stated this is the only ravine where trunk sanitary sewer and storm water is located making it necessary for a maintenance road for access to the ravine. Engineer Sarff reported an easement has not been secured for one portion of the access road which is on private property. The property owner did grant an easement for the utility portion of the project, but did not grant an easement for the maintenance road portion of the project. Engineer Sarff reported options have been studied regarding the structure of the trail which will have an aggregate base and some type of surfacing such as crushed limestone, recycled bituminous or bituminous paving. Phil Henry, 1300 Noretta Drive and owner of a section of the maintenance road property where an easement is needed, appeared before the Council and stated he did not want to delay the project and would grant an easement for the access road, but not an easement for a bicycle trail. Attorney Kennedy will draft the proper easement for signature and recording. Council Member Spears stated an access maintenance road is the base need and discussion was held regarding the material to be used for the access maintenance road. Engineer Sarff stated crushed rock or recycled bituminous would be suitable for the maintenance road. Council Member Spears asked about grass paved material from the top of the ravine to Clare Drive. Engineer Sarff reported grass paved is more expensive but could be an option for this part of the access maintenance road. Council Member Spears stated he has grave

concerns using the maintenance road as a bike trail, but is okay with using it as a pedestrian trail. Council Member Steiner stated he was in favor of using the recycled bituminous for the maintenance road. The Mayor stated management of motorized vehicles would be used by spacing posts to the entrance of the ravine. Public Works Director Swanson stated a spot has been identified at the head of the ravine which will be hidden from the street. Scott Thiem, 1003 Shady Oak Drive, appeared before the Council and stated he was a member of the Bike Commission and reported this is a ravine that should be shared. He reported that a trail has been talked about in this ravine for 15 or more years and stated trails invoke a healthy lifestyle and this trail would link with the other trails in the Greater Mankato area. **Council Member Spears moved, seconded by Council Member Steiner, to authorize an access maintenance road with drivable grass from the top of the ravine to Clare Drive and recycled bituminous for the balance of the access maintenance road. Vote on the motion: Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.**

Bid Request for LorRay Drive Mill and Overlay

Public Works Director Swanson reported staff would like to advertise for bids for mill and overlay of LorRay drive from Lee Boulevard to Commerce Drive due to surface conditions which are rapidly degrading past the point of conventional maintenance. He reported the estimated cost of the mill and overlay for this portion of LorRay Drive is \$120,000 with work being completed by August 29, 2014. Administrator Harrenstein reported this item is not a part of the 2014 Budget; however, this project can be funded without compromising the 5-year budget. He will email the Council an overview of the proposed funding of the project after the bidding process. **Council Member Spears moved, seconded by Council Member Steiner, to authorize advertising for bids for the mill and overlay of LorRay Drive from Lee Boulevard to Commerce Drive. Vote on the motion: Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.**

Authorize City Administrator to Negotiate and Execute CCTV Operating Agreement

The City Administrator presented background information regarding the CCTV Operating Agreement. He reported the services currently operate from the CCTV station at 204 E. Vine Street, Mankato through an intergovernmental agreement between the Cities of Mankato and North Mankato. The Cities staff goals have been to increase the operating/service outcomes and create a sustainable financial/service level. He reported the current operational revenue is \$185,000 with the PEG fee (the \$1.00 charged to every cable subscriber) as the primary revenue source. He reported the CCTV budget reflects an operational/capital deficit since 2009 due to declining PEG fees and increasing technology needs. Prior to 2009, CCTV was funded through a combination of franchise and PEG fees but due to economic conditions, both Cities made the decision to temporarily discontinue allocation of franchise fees to CCTV. The Administrator presented a draft agreement and operating understanding whereby Bethany Lutheran College assumes operations sometime in August or September of 2014 with CCTV services relocated to the Bethany Campus. The CCTV property would be vacated and disposed of through an RFP process with all proceeds allocated to the CCTV fund balance. He reported a final document will be negotiated among the City of North Mankato, City of Mankato and Bethany Lutheran College. **Council Member Spears moved, seconded by Council Member Steiner, to authorize the City Administrator to negotiate and execute the CCTV Operating Agreement. Vote on the motion: Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.**

Authorize City Attorney to Develop Joint Powers Agreement with City of Mankato to Administer CCTV Contract

Discussion was held regarding the decision-making authority for administering the CCTV Contract with Bethany Lutheran College. The City Attorney reported issues of content to be aired and

make up of Board Members would be covered in the Joint Powers Agreement. **Council Member Freyberg moved, seconded by Council Member Steiner, to authorize the City Attorney to develop a Joint Powers Agreement with the City of Mankato to Administer the CCTV Contract with the current Intergovernmental Committee Members to be the Board Members for CCTV. Vote on the motion: Freyberg, Spears, Steiner and Dehen; aye; no nays. Motion carried.**

Set Public Hearing to Consider Ordinance Amending City Code, Chapter 51, Refuse Collection, Specifically Section 51.03 Containers

Administrator Harrenstein presented the proposed rates for solid waste and recycling and the communication plan for implementing the new services. He stated that in 2014 the Council moved forward in a joint bidding process with the City of Mankato for solid waste and recycling pickup. The process rewarded the City in three areas consistent with our values: reduced prices for collection, increased recycling service to citizens and environmentally friendly collection techniques, i.e. use of natural gas collection trucks. Without this change he stated a series of variables would have led to significant rate increases to citizens. He presented the proposed monthly solid waste rates for 2015 as follows: 95-gallon cart \$18.30; 65-gallon cart \$14.75 and 35-gallon cart \$13.50. The recycling cart rate is \$6.00 per month for both the 65-gallon cart and the 95-gallon cart. The Administrator reported the standard solid waste cart issued to residents unless otherwise selected will be a 65-gallon cart with a recommended monthly cost of \$14.75 and the standard recycling cart issued to residents unless otherwise selected will be a 95-gallon cart. The Administrator laid out the communication plan for transitioning solid waste and recycling service to West Central Sanitation. He presented the letter which will be sent to each existing utility customer explaining the change in service provider, the range of garbage cart sizes and price options and the two recycling cart size options. He stated that he is recommending a joint communication effort with the City of Mankato to include production of a 3-minute video for websites, Facebook, twitter, cable television and emails to City subscribers; exhibit for Children's Museum, service club visits, 30-second advertisement for Cinemark trailers; Facebook ad; open houses; posting of "Fast Facts" at high traffic locations, news releases with photo opportunities. The cost for participating in the communication plan will range between \$2,000 and \$4,000. Carts will be placed in high-traffic areas for residents to view. Some discussion was held about the senior discount and it was determined the 35-gallon garbage cart at the cost of \$13.50 would be available for seniors and any other resident who wishes to use this size cart. Administrator Harrenstein reviewed the cart credit program reporting approximately 700 carts are out in the neighborhoods that people have purchased at retail stores or Hansen Sanitation. It is staff's recommendation they can keep the cart or return it to the Riverbend Recycling Center in January for \$30.00 credit to their utility bill. The other option is for \$.50 credit per month for 10 years for those residents using their own carts. The Administrator reviewed the letter to be sent to residents along with a form for selecting their carts if they do not want the standard issue of a 65-gallon garbage cart and a 95-gallon recycling cart. He reported selections must be made by August 15, 2014 so that carts can be ordered in the correct quantities. He noted that if snowbirds are out of town in December when carts will be delivered, they need to notify the City. After considerable discussion it was determined that it would be mandated that all residents would be issued carts and residents could return their existing carts in January for a \$30.00 credit to their utility bill. The Administrator reported the cart buy back would be funded with the bond premium the City received. **Council Member Steiner moved, seconded by Council Member Freyberg, to approve the letter to the residents. Vote on the motion: Freyberg, Steiner and Dehen, aye; Spears nay. Motion carried. Council Member Freyberg moved, seconded by Council Member Steiner, to set a public hearing for 7 p.m. on Monday, August 4, 2014, to consider an Ordinance Amending City Code, Chapter 51, Refuse**

Collection. Vote on the motion: Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.

Res. No. 48-12 Amending Operating Agreement for Materials Recovery Facility

Administrator Harrenstein presented Res. No. 48-12 Amending the Operating Agreement for the Materials Recovery Facility. He reported this is the third five-year period ending December 31, 2019 of the Operating Agreement between the City and Nicollet County. The County contribution will increase by nine (9%) percent to the amount of \$96,861 for a period of five (5) years, payable in twelve (12) equal installments of \$8,071.75. **Council Member Steiner moved, seconded by Council Member Spears, to adopt Resolution No. 48-12 Amending Operating Agreement for Materials Recovery Facility. Vote on the Resolution: Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.**

Set Public Hearing to Consider Ordinance Amending City Code, Chapter 151, Residential Rental Property Licensing Code

The City Attorney reported he has prepared some amendments to the residential rental licensing code which would restrict where recently released sex offenders could be located. He reported the City of Mankato held a public hearing but has not acted yet. The Attorney reported the changes to the City Code outlines the distances between certain facilities must be located from places such as schools. Administrator Harrenstein urged the Council set the public hearing and that this also be a topic of discussion at the North Mankato-Nicollet County Liaison meeting. Council Member Spears stated that he wants to see the proposed ordinance in the future before setting any public hearings. Administrator Harrenstein reported the public hearing could be held but an ordinance does not have to be acted upon immediately. **Council Member Spears moved, seconded by Council Member Freyberg, to set a public hearing for 7 p.m. on Monday, August 4, 2014 to consider an ordinance amending City Code, Chapter 151, Residential Rental Property Licensing Code. Vote on the motion: Freyberg, Spears, Steiner and Dehen, aye; no nays. Motion carried.**

Mayor and Council Comments

Mayor

Mayor Dehen read thank-you letters from Art Splash for the City's 10-year support of this event, Our Community has Heart event, and the Mankato Mosaic Theatre Company for Shakespeare in the Park(ing) Lot event.

The Mayor thanked fellow team members Administrator Harrenstein, Fire Chief Pohlman and Building Inspector Knudson for helping bring home the Horseshoe Tournament trophy again this year.

Public Comments

Phil Henry, 1300 Noretta Drive

Phil Henry, 1300 Noretta Drive, appeared before the Council and asked about an item on the claims list.

Barb Church, 103 E. Wheeler Avenue

Barb Church, 103 E. Wheeler Avenue, appeared before the Council and asked for clarification of the 65-gallon cart size. She also asked about clarification about eliminating the senior discount for garbage.

Jim Whitlock, President of Business on Belgrade

Jim Whitlock, President of Business on Belgrade, appeared before the Council and reported that Blues on Belgrade will be held on Saturday, July 26, 2014. He stated the events held on Belgrade Avenue are bringing new people into North Mankato. He reported that Blues on Belgrade will feature six bands starting at noon and going until 11 p.m. Mr. Whitlock reported that Friday night, July 25, 2014 is Boogie on Belgrade with bands at several establishments and drawings will be held for \$20.00 gift certificates.

Mr. Whitlock reported on his opportunity to work with Don Westphal and Stone Path Productions announcing the Fun Days parade. The Mayor and Council complimented Jim Whitlock and Bethany Lutheran College for the work they did on the videotaping of the Fun Days Parade.

There being no further business, on a motion by Council Member Spears, seconded by Council Member Steiner, the meeting was adjourned at 8:53 p.m. to a closed session.

Mayor

City Clerk

CLAIM REPORT
 BILLS PAID AFTER THE COUNCIL MEETING OF JULY 21, 2014
 END OF MONTH

78258	Void	Void	(\$7,670.56)
78316	Void	Void	(\$30,014.90)
78326	Delta Dental	employee payroll deductions	\$890.85
78327	Effah, Benjamin	stipend-Gen Gov	\$384.00
78328	Enventis	telephone bill-All Depts.	\$470.07
78329	Hy-Vee, Inc.	items for concessions-Caswell	\$380.94
78330	Void	Void	\$0.00
78331	Paragon Printing, Mailing & Specialties	postage garbage/recycling letter-Recycling/Solid Waste	\$2,006.52
78332	Sprint	PCS connection card data plan-Police & Street	\$74.40
78333	Telrite Corporation	long distance phone bill-Gen Gov	\$258.12
78334	John Deere Financial	equipment parts-Gen Gov, Street & Park	\$1,425.49
78335	ICMA Retirement Trust - 457	employee payroll deductions	\$3,773.85
78336	ICMA Retirement Trust - Roth IRA	employee payroll deductions	\$685.00
78337	Law Enforcement Labor Service	employee payroll deductions	\$405.00
78338	MMFL State Tournament	10% concession stand sales tournament 7/19-20	\$280.11
78339	NCPERS Minnesota-Unit 662400	employee payroll deductions	\$176.00
78340	Theuninck Wilson Properties	property tax abatement-Comm Dev	\$8,536.75
78341	United Way	employee payroll deductions	\$225.62
78342	MAYBA/Royals	10% concession stand sales tournament 7/26-27	\$110.34
78343	Xcel Energy	electric bill-All Depts.	\$27,452.03
	Total		<u>\$9,849.63</u>

CLAIMS CONTINUED

General	\$1,087.23
TIF 17 National Dentex	(\$7,670.56)
Water	\$4,003.86
Sewer	\$3,049.45
Recycling	\$2,059.89
Storm Water	\$5,899.20
Solid Waste	\$1,003.26
Public Access	<u>\$417.30</u>
Total	<u><u>\$9,849.63</u></u>

PORT AUTHORITY INVOICES
BILLS PAID AFTER THE COUNCIL MEETING OF JULY 21, 2014
END OF MONTH

Void Howard Drive LLC	Void	<u>(\$7,670.56)</u>
Total		<u><u>(\$7,670.56)</u></u>

CLAIM REPORT
FOR REGULAR COUNCIL MEETING OF AUGUST 4, 2014

A+ Security, Inc.	monitoring of alarm system-Police & Fire Depts.	\$149.70
ABC Wire Sales Co.	baling wire-Recycling	\$670.00
Alden Pool & Municipal Supply Co.	umbrellas & buoys-Swim Facility	\$1,718.02
Ameripride Services	mats-Library	\$60.76
Audio Editions	supplies & audio books-Library	\$335.03
Baker & Taylor	books-Library & Bookmobile	\$31.98
Barnes & Noble	prizes for summer reading-Library	\$26.15
Batteries + Bulbs	supplies-Library	\$67.90
Benco Electric Cooperative	electric bill-All Depts.	\$32,202.73
Benco Electric Cooperative	light pole repair-Park Dept.	\$937.14
Bolton & Menk, Inc.	engineering fees-All Depts.	\$37,834.35
CCP Industries	supplies-Shop	\$136.52
C & S Supply Co., Inc.	equip parts, supplies & mowers-All Depts.	\$1,553.68
Cemstone	concrete & bricks-Park & Sales Tax	\$6,086.50
City of Mankato	wastewater fee for August-Sewer Depts.	\$50,000.00
Clarke Mosquito Control Products, Inc.	chemicals-Park Dept.	\$2,013.12
Computer Technology Solutions	battery for computer for fuel pumps-Shop	\$150.00
Crop Production Services	chemicals-Park Dept.	\$322.08
Dairy Queen West	items for concessions-Caswell	\$50.00
Dalco	supplies-All Depts.	\$461.29
DeMars Construction	labor to frame soccer field concession bldg-Sales Tax	\$10,000.00
Drummer's Garden Center & Floral	plants & fertilizer-Gen Gov & Park	\$106.02
Fastenal Company	equipment parts-Water Dept.	\$32.50
Foth Infrastructure & Environment	professional service-Solid Waste	\$4,095.00
Galls, LLC	strobe lights-Cap Fac	\$406.91
Grainger	equipment parts-Recycling	\$179.16
Great American Business Products	supplies-Park	\$666.36
Green Tech Recycling	electronic recycling-Recycling	\$1,711.40
Greater Mankato Growth	Leadership Class registration fee-Street Dept.	\$1,375.00
Hansen Sanitation	refuse pickup-Solid Waste	\$49,249.68
Hawkins, Inc.	chemicals-Water Dept.	\$2,903.92
Ingram Library Services	books-Library & Bookmobile	\$1,332.32
JT Services	light poles & lamps-Caswell, Park & Sales Tax	\$3,016.00
Kennedy & Graven, Chartered	legal services-Port Authority	\$186.56
Kleist, Rudy	travel expenses-Water Dept.	\$450.05

CLAIMS CONTINUED

Lamm, Nelson & Cich	Conservation Easement for wetland bank-2011 Const	\$1,252.92
Lawson Products, Inc.	supplies-Shop	\$660.11
League of Minnesota Cities	LMC directories-Gen Gov, Police & Library	\$210.87
MSCIC	training-Police Dept.	\$50.00
Mankato Clinic	drug testing-Park Dept.	\$143.72
Mankato Tent & Awning Co.	professional service-Street Dept.	\$70.00
Meigs, Henry G., LLC	seal coating oil-Street Dept.	\$21,709.26
Menards-Mankato	supplies-Park & Recycling	\$154.52
MN Public Facilities Authority	principal & interest on bonds-Sewer Dept.	\$64,353.20
Minnesota Valley Testing Lab	water & sample testing-Water & Sewer Depts.	\$268.00
MN Dept Employment & Economic Dev	Thin Film grant repayment-Port Auth State Rev Loan	\$2,414.02
Mobile Glass Service	replace window-Shop	\$412.00
Motion Industries	supplies-Street Dept.	\$41.25
MRCI	wages for MRCI employees-Recycling	\$11,803.00
Minnesota State University-Mankato	Mount Simon monitoring expenses-Water Dept.	\$878.00
New Ulm Quartzite Quarries	seal coating rock-Street Dept.	\$9,500.00
OverDrive, Inc.	downloadable audio/ebooks-Library	\$2,052.01
Pet Expo	aquatic service-Library	\$40.00
Petty Cash, Clara Thorne	petty cash items-All Depts.	\$373.21
Pohlman, Tim	fees for regional meeting-Fire Dept.	\$42.00
Ramy Turf Products	grass seed-Street Dept.	\$97.50
Red Feather Paper Co.	supplies-Street & Shop	\$275.72
River Bend Business Products	copier maintenance-Gen Gov	\$135.00
Ruffridge Johnson Equipment Co., Inc.	equipment parts-Street Dept.	\$1,129.20
Seppmann, Jadd & Sons	portable restroom rental-Unallocated	\$756.00
Sherwin-Williams	paint-Sales Tax & Water	\$203.36
Sign Pro	supplies-Water Dept.	\$7.00
Skarpohl Pressure Washer Sales, Inc.	supplies-Street Dept.	\$159.97
Snell Powersports & Equipment	equipment parts-Park Dept.	\$99.00
Southern Minnesota Construction	asphalt & emulsion oil-Street & Water Depts.	\$3,733.15
Spring Touch	equipment parts-Park Dept.	\$65.00
SPS Companies, Inc.	plumbing supplies-Street & Swim Facility	\$85.16
Staples Advantage	supplies-All Depts.	\$259.20
Terminal Supply Co.	equipment parts-Shop	\$38.39
Texas Refinery Corp.	grease-Street Dept.	\$2,788.80
Tidy Clean	professional service-Gen Gov	\$350.00
US Foods	items for concessions-Caswell	\$419.54
United Rentals	equipment rental-Unallocated	\$400.89
Vetter Stone Co.	stone for soccer field concession building-Sales Tax	\$978.00
Viking Electric Supply	equip parts & supplies-Street Lights, Swim Fac & Park	\$271.61

CLAIMS CONTINUED

WSB & Associates, Inc.	comprehensive plan-Comm Dev	\$283.50
Waco Scaffolding & Supply Co.	supplies & building materials-Street & Park Depts.	\$233.00
Wayne's Auto Body	paint equipment for unit #305-Cap Fac	\$184.10
Zarnoth Brush Works, Inc.	sweeper brooms-Street Dept.	<u>\$876.00</u>
Total		<u><u>\$340,775.01</u></u>

CLAIMS CONTINUED

General	\$86,115.67
Local Option Sales Tax	\$12,741.28
Port Authority	\$186.56
Capital Facilities & Equipment Replacement-General	\$591.01
Port Authority State Revolving Loan Fund	\$2,414.02
2011 Construction	\$16,984.92
2014 Construction	\$8,889.00
Water	\$29,965.69
Sewer	\$115,044.10
Recycling	\$14,498.08
Solid Waste	<u>\$53,344.68</u>
Total	<u><u>\$340,775.01</u></u>

PORT AUTHORITY INVOICES
FOR REGULAR COUNCIL MEETING OF AUGUST 4, 2014

Kennedy & Graven, Chartered	legal services-Port Authority	\$186.56
MN Dept Employment & Economic Dev	Thin Film grant repayment-Port Auth State Rev Loan	<u>\$2,414.02</u>
Total		<u><u>\$2,600.58</u></u>



CITY OF NORTH MANKATO
APPLICATION FOR PARADE PERMIT

This application, accompanied by a map of the parade route and the required application fee, shall be submitted to the Chief of Police at least fourteen (14) days in advance of the parade date.

Applicant Information

Name: Melissa Orshun (MKBA)
 Address: 530 N. Riverfront Dr. Ste 230
 City: Mankato State: Mn Zip: 56001
 Telephone: 507 625-7138
 Sponsoring Organization: MN River Builders Association
 Address: Same
 City: _____ State: _____ Zip: _____
 Telephone: _____
 Occasion for Parade: MABA SK Fundraiser "Beers to Builders"
 Date of Parade: 9/27/14 Estimated Length of Parade: 3.1 miles
 Estimated Starting Time: 10:30 AM Estimated Finish Time: 11:30
 General Composition of Parade: Runners/Walkers
Family event may be strollers

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

M Orshun
Applicant

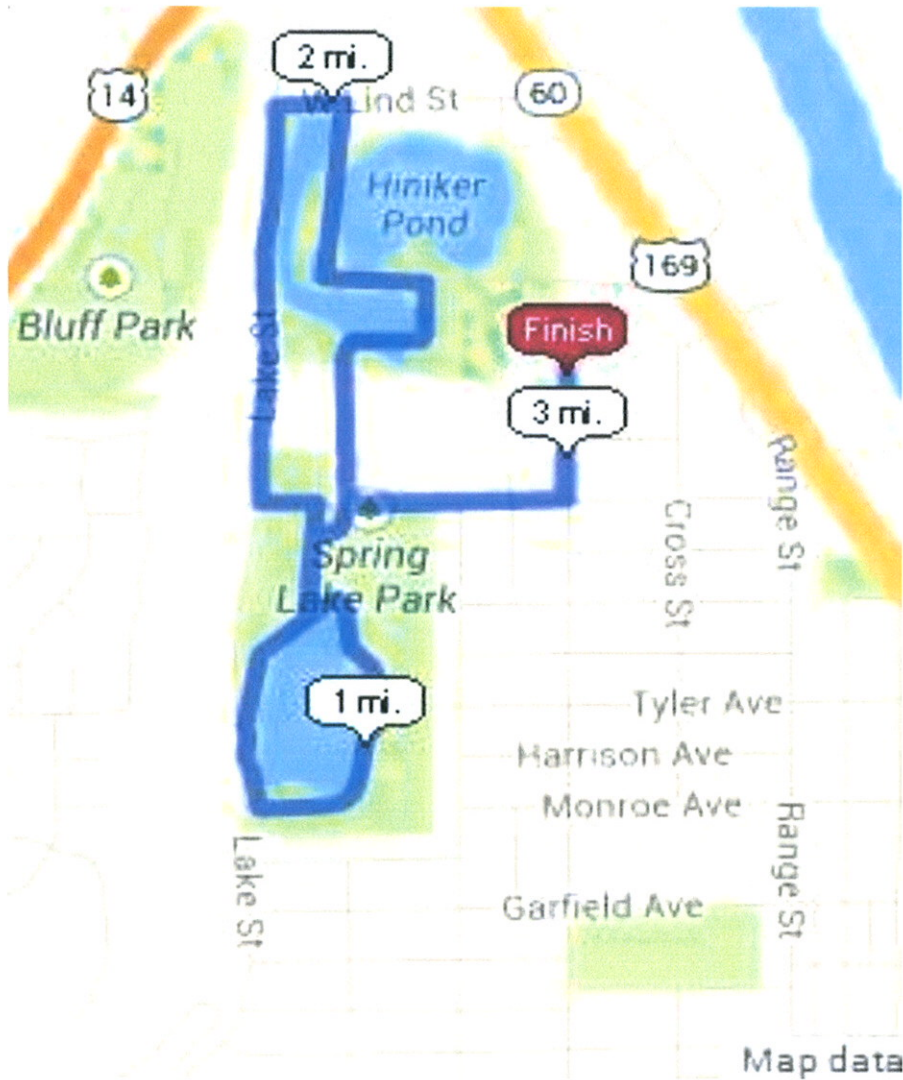
4-8-14
Date

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

[Signature] #701
Chief of Police

07-25-2014
Date

No Road closures. (Cone off lanes)
COMMENTS/ADDITIONAL STIPULATIONS:



MRBA SK 9.27.14 @ 10:30 AM

Start + Stop @ Brewery

MRBA Contact melissa Orshun 557-380-3903

**APPLICATION FOR LICENSE
CITY OF NORTH MANKATO
Men's Fastpitch Tournament - Caswell Park, August 8-10, 2014**

TYPE OF LICENSE: Temporary 3.2 Liquor

Application Fee: \$30.00

BUSINESS NAME: NORTH MANKATO CIVIC & COMMERCE ASSOCIATION

BUSINESS ADDRESS: P.O. BOX 2164, NORTH MANKATO, MN 56002-2164

MINNESOTA TAX I.D. # _____ FEDERAL TAX I.D. # _____

Applicant's Name: **North Mankato Civic and Commerce Association**

Applicant's Social Security #:

Citizenship Status: **Yes**

Applicant's Present Address: P.O. Box 2164, North Mankato, MN 56002-2164

Length of time at this address:

Applicant's Occupation:

Applicant's Place of Employment:

Length of time so engaged:

Applicant's addresses and occupations for the three (3) years prior to the date of application (if different from above):


Has applicant ever been convicted of a felony, gross misdemeanor, or misdemeanor, including violation of a municipal ordinance but excluding traffic violations, and if so, the date and place of conviction and the nature of the offense: **NO**

List four (4) character references if applicant has not resided in the City for two (2) years prior to the date of application:


References continued ---

I, the applicant, understand that it is unlawful to intentionally make a false statement or omission upon this application form. Further, I understand that any false statement in such application, or any willful omission to state any information called for on such application form, shall, upon discovery of such falsehood, work an automatic refusal of license, or if already issued, shall render any license or permit issued pursuant thereto, void, and of no effect to protect me from prosecution for violation of Chapter 6, or any part hereto, of the City Code for the City of North Mankato.


 Signature of Applicant
4/18/1974
 Date of Birth
7-22-74
 Date of Signing

Subscribed and sworn to before me this
25th day of July, 2014.

 City Clerk

OFFICE USE If needed:

POLICE approved not approved ___ Date: 07-29-14 ^{#701} 

COUNCIL ACTION approved ___ not approved ___ Date:

 Application Fee paid on: _____

License Issued on: _____

**APPLICATION FOR LICENSE
CITY OF NORTH MANKATO
Men's Fastpitch National Softball Federation Tournament - Caswell Park
August 22-24, 2014**

TYPE OF LICENSE: Temporary 3.2 Liquor

Application Fee: \$30.00

BUSINESS NAME: NORTH MANKATO CIVIC & COMMERCE ASSOCIATION

BUSINESS ADDRESS: P.O. BOX 2164, NORTH MANKATO, MN 56002-2164

MINNESOTA TAX I.D. # _____ FEDERAL TAX I.D. # _____

Applicant's Name: **North Mankato Civic and Commerce Association**

Applicant's Social Security #:

Citizenship Status: **Yes**

Applicant's Present Address: P.O. Box 2164, North Mankato, MN 56002-2164

Length of time at this address:

Applicant's Occupation:

Applicant's Place of Employment:

Length of time so engaged:

Applicant's addresses and occupations for the three (3) years prior to the date of application (if different from above):

Has applicant ever been convicted of a felony, gross misdemeanor, or misdemeanor, including violation of a municipal ordinance but excluding traffic violations, and if so, the date and place of conviction and the nature of the offense: **NO**

List four (4) character references if applicant has not resided in the City for two (2) years prior to the date of application:

References continued ---

I, the applicant, understand that it is unlawful to intentionally make a false statement or omission upon this application form. Further, I understand that any false statement in such application, or any willful omission to state any information called for on such application form, shall, upon discovery of such falsehood, work an automatic refusal of license, or if already issued, shall render any license or permit issued pursuant thereto, void, and of no effect to protect me from prosecution for violation of Chapter 6, or any part hereto, of the City Code for the City of North Mankato.

Anna Claver
Signature of Applicant

4/18/1974
Date of Birth

7-22-14
Date of Signing

Subscribed and sworn to before me this
25th day of July, 2014.

Nancy Dehste
City Clerk

OFFICE USE If needed:

POLICE approved not approved Date: 07-29-14 #701 *ca*

COUNCIL ACTION approved not approved Date:

Application Fee paid on: _____

License Issued on: _____

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Michael Fischer, City Planner
DATE: July 31, 2014
SUBJECT: July Traffic & Safety Committee Meeting

On July 31, 2014, the Traffic & Safety Committee met to consider one item of business. Traffic & Safety Committee Members present: Council Liaison Kim Spears, Community Member Bill Borchardt, Police Chief Chris Boyer, Public Works Director Brad Swanson (via phone) and City Planner Mike Fischer.

The following is a summary of the meeting;

1. Consider street striping on Sherman Street from South Avenue to Belgrade Avenue. Public Works Director Swanson gave an overview of the request to accommodate a dedicated bike lane on a portion of Sherman Street. He stated based on existing traffic volumes, two lanes of one-way traffic is not needed and the timing to restripe Sherman Street coincides with the sealcoating schedule. Police Chief Boyer stated this is one area where an on-street bike could work. It was noted that the North Mankato Bicycle Commission has recommended approval of restriping to include a bike lane.

RECOMMENDATION

The Traffic & Safety Committee recommends approval of restriping of Sherman Street from South Avenue to Belgrade Avenue to accommodate an on-street bike lane.

TO: Traffic & Safety Committee

FROM: Mike Fischer, City Planner

DATE: July 21, 2014

SUBJECT: July Traffic & Safety Committee Meeting

The next Traffic & Safety Committee meeting has been scheduled for Thursday July 31, 2014 at 9:00 a.m. in the Municipal Building Conference Room. The agenda follows:

AGENDA

1. Consider street striping on Sherman Street from South Avenue to Belgrade Avenue.

1. Consider Street Striping on Sherman Street from South Avenue to Belgrade Avenue

Steve Clark from the Transit for Livable Communities Walking and Bicycling Program recently visited the cities of North Mankato and Mankato and provided various recommendations to better accommodate bicycling and walking. One of the North Mankato recommendations was to restripe a portion of Sherman Street from South Avenue to Belgrade Avenue to accommodate an on-street bike lane. The North Mankato Bicycle Commission has reviewed this change and is recommending its implementation.

Attached are the following exhibits for your review and consideration:

Exhibit A – Map of existing striping

Exhibit B – Map showing approximate location of bike lane

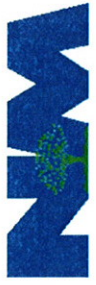
Exhibit C – Cross section showing two striping options

Exhibit D – Photograph showing a typical on-street bike lane and diagrams

As the Street Department will be seal coating this section of Sherman Street in July, the new striping could be designed to accommodate an on-street biking lane.

Recommendation

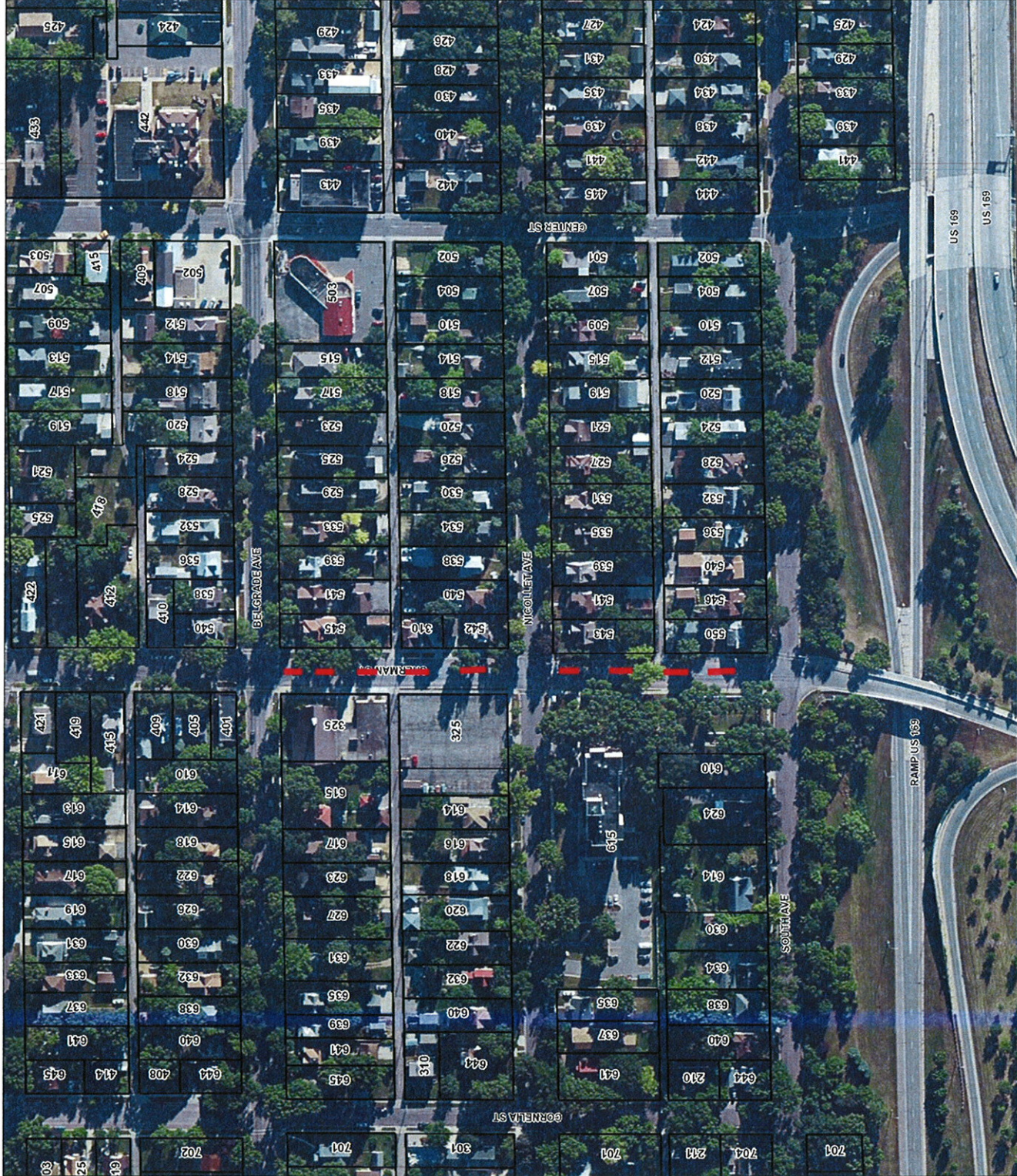
Staff recommends approval of the striping of a portion of Sherman Street as shown as Option A on Exhibit C



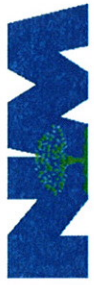
- Legend**
- City Limits
 - Parcels (6-1-2014)
 - Lakes & Ponds
 - Minnesota River



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



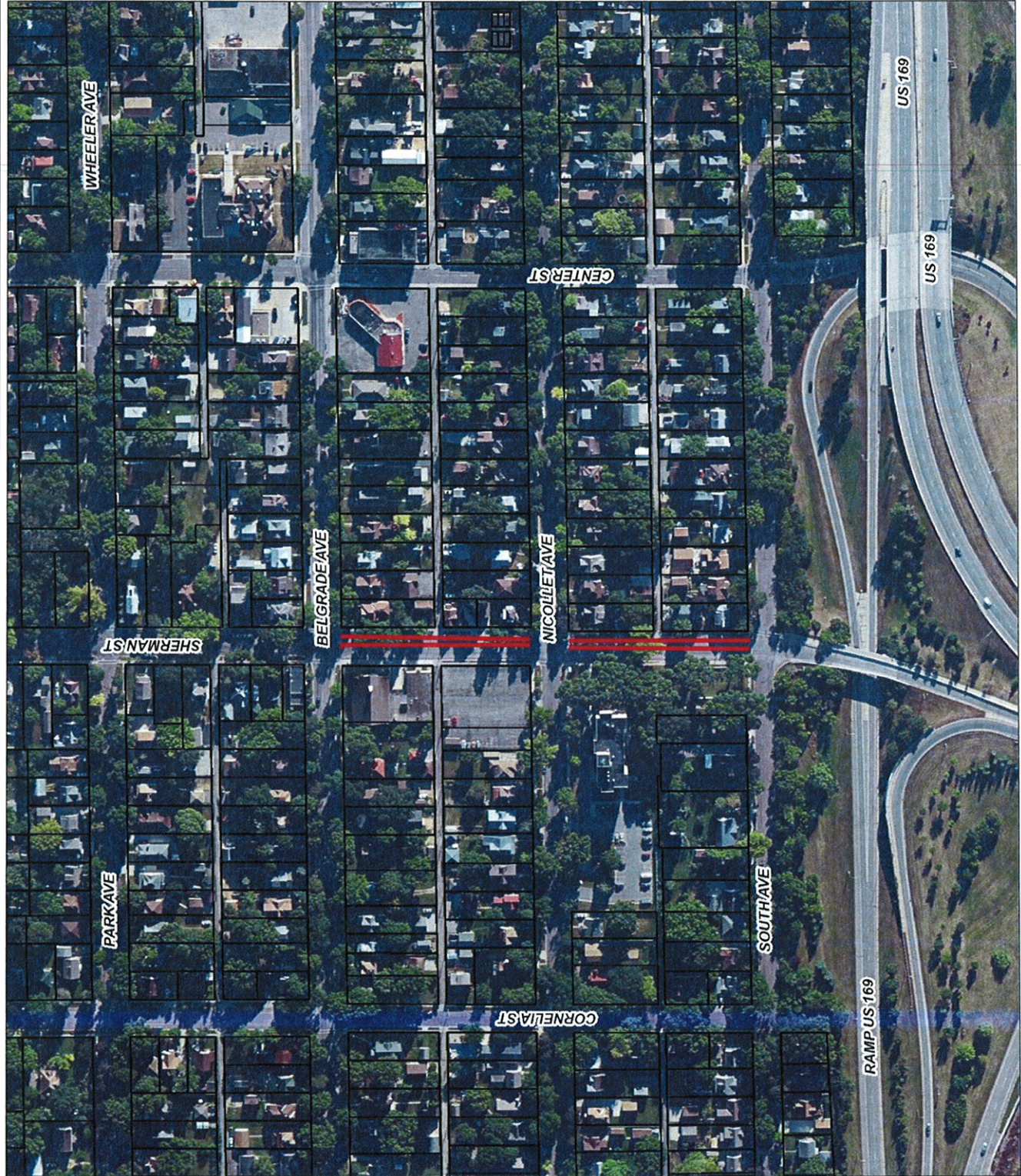
0 202 Feet



- Legend**
- City Limits
 - Parcels (6-1-2014)
 - Lakes & Ponds
 - Minnesota River



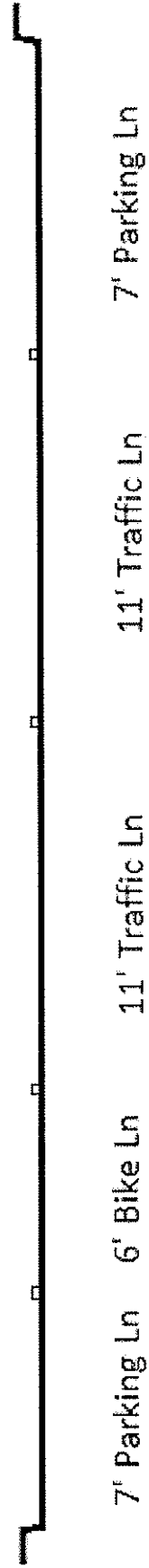
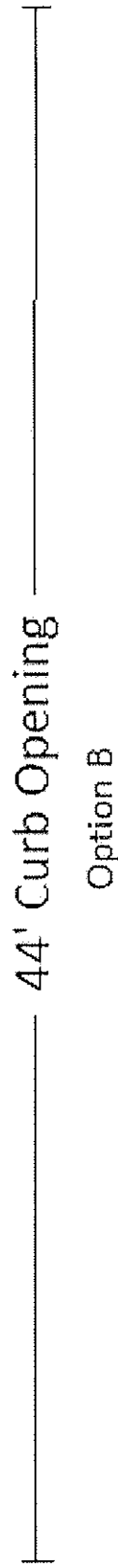
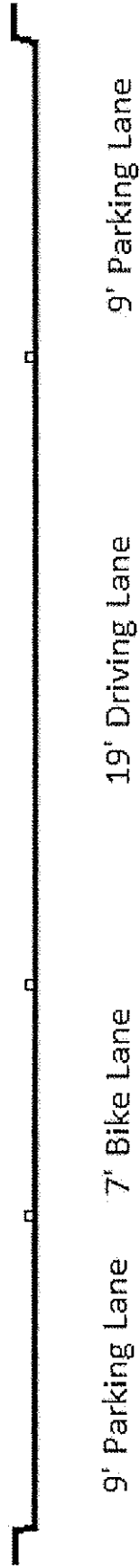
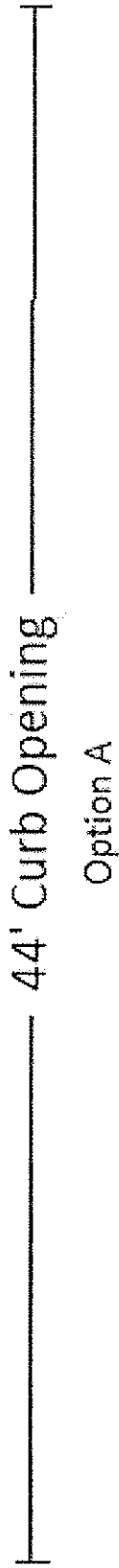
Disclaimer:
 This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference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



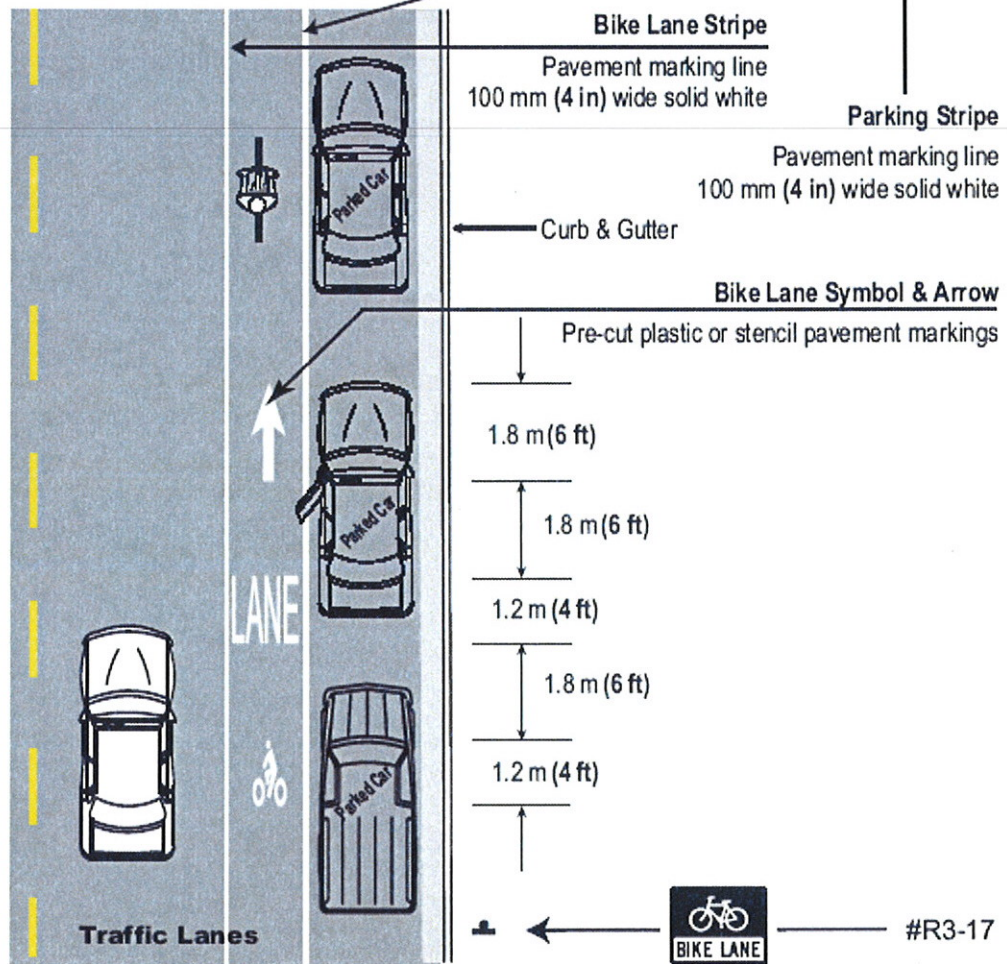
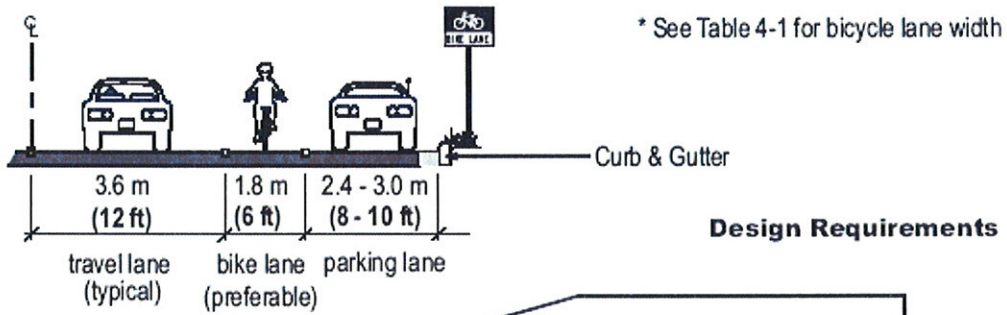
0 241 Feet

Sherman Drive

Belgrade to South Avenue





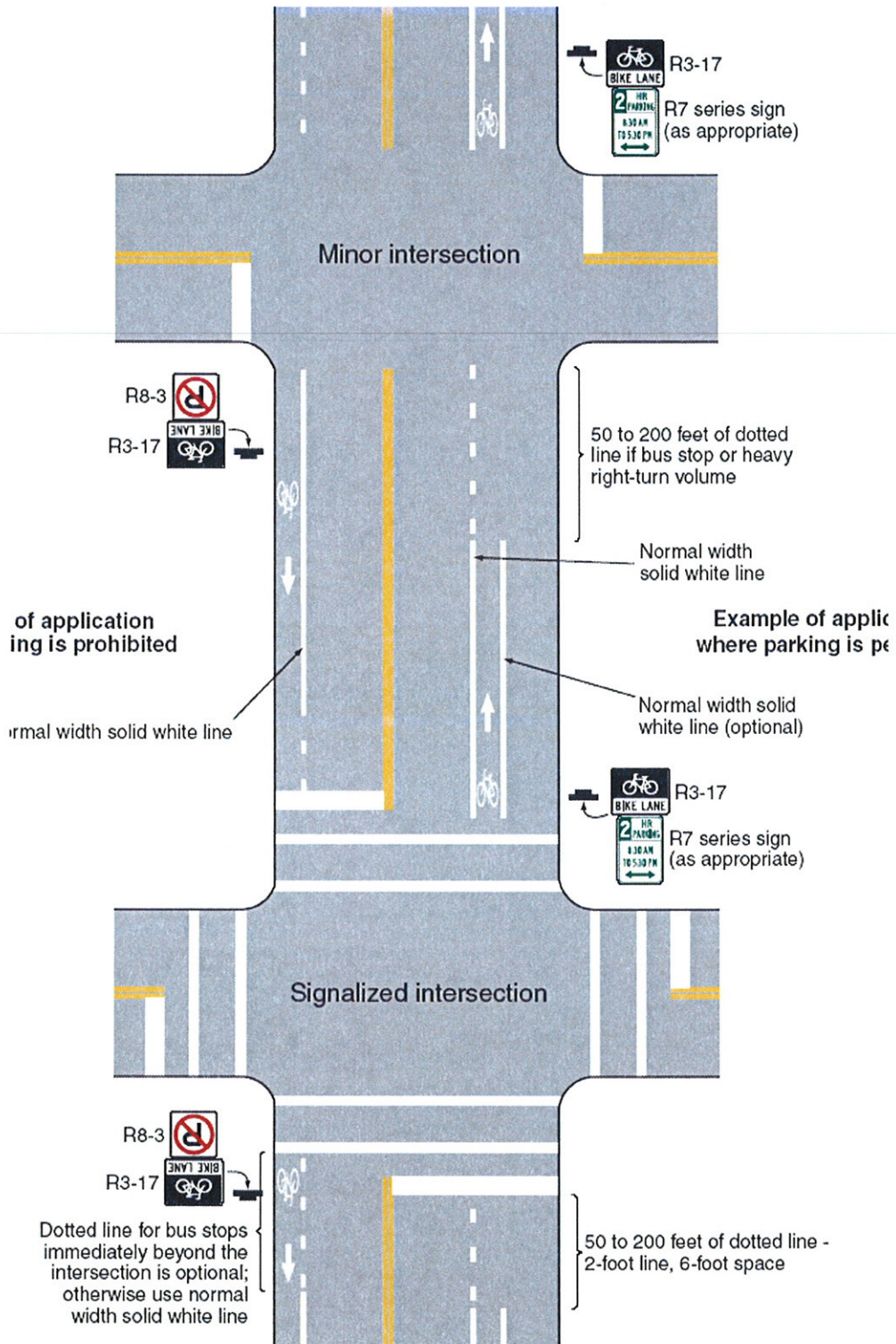


** Not to Scale **

Install #R3-17 signs and pavement symbols at periodic intervals along the bicycle lane

Note: Check current MN MUTCD for any changes to signs and striping configurations.

Figure 9C-6. Example of Pavement Markings for Bicycle Lanes on a Two-Way Street



AFFIDAVIT OF PUBLICATION

State of Minnesota, ss.
County of Blue Earth

James P. Santori, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as *The Free Press and The Land*, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331.02, 331.06, and other applicable laws, as amended.

(B) The printed _____ Notice _____

_____ which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive weeks; it was first published on Thursday, the 24 day of July, 2014, and was thereafter printed and published on every Thursday to and including Thursday, the 24 day of July, 2014; 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:

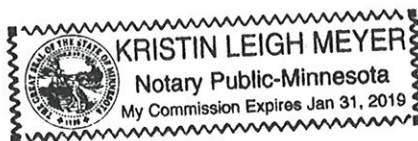
abcdefghijklmnopqrstuvwxyz

By: [Signature]
Publisher

Subscribed and sworn to before me on this 24 day of July, 2014.

[Signature]
Notary Public

July 24, 2014
NOTICE OF
PUBLIC HEARING TO
AMEND CITY CODE, CHAPTER
51, REFUSE COLLECTION,
SECTION 51.03, CONTAINERS
NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, August 4, 2014 at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider amending the City Code for Chapter 51, Refuse Collection, Section 51.03, Containers.
Such persons as desire to be heard with reference to this issue should appear at this meeting. Public comments may be sent to the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, MN 56003. All comments must be received by August 4, 2014.
Dated this 24th day of July 2014.
Nancy Gehrke, CMC
City Clerk
City of North Mankato, Minnesota



ORDINANCE NO. 59, FOURTH SERIES

AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA,
AMENDING NORTH MANKATO CITY CODE, TITLE V, PUBLIC WORKS,
CHAPTER 51, REFUSE COLLECTION,
SECTION 51.03 CONTAINERS

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

Section 1. Sections of North Mankato City Code, Title V, Public Works, Chapter 51, Refuse Collection, is hereby amended as follows:

§ 51.03 CONTAINERS

Residential refuse shall be stored in carts distributed by the City. Commercial, industrial and institutional refuse, shall be stored in rust-resistant, water-tight, non-absorbent and washable closed containers, approved for the purpose by the City. All residential carts must be stored indoors or where the carts cannot be viewed from the front yard or side yard.

After adoption, signing and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted this 4th day of August 2014.

Mark Dehen, Mayor

ATTEST:

Nancy Gehrke, City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item 11B	Department: City Administrator	Council Meeting Date: 8/04/14
-----------------	--------------------------------	-------------------------------

TITLE OF ISSUE: Resolution Setting Rates and Charges for Solid Waste and Recycling

BACKGROUND AND SUPPLEMENTAL INFORMATION: Attached is a copy of the memo presented at the July 21, 2014 meeting outlining the proposed solid waste and recycling rates for 2015. Also attached is a resolution setting the new garbage and recycling rates effective January 1, 2015.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Adopt Resolution

Motion By: _____
 Second By: _____

Vote Record:

	Aye	Nay	
_____	_____	_____	Freyberg
_____	_____	_____	Spears
_____	_____	_____	Steiner
_____	_____	_____	Norland
_____	_____	_____	Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution	Ordinance	Contract	Minutes	Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify) <u>Memo</u>				

<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: _____



City of North Mankato, Minnesota

To: Mayor Dehen & City Council Members
 From: John D. Harrenstein, City Administrator
 Date: June 27, 2014
 Re: Proposed rates for solid waste & recycling and communications plan

Background

The City of North Mankato maintains a long commitment to responsible collection of solid waste and recyclables. Most notably, this includes construction and operation of the Riverbend Recycling Facility. In 2014, the City Council moved forward in a joint bidding process with the City of Mankato for solid waste and recycling pickup. This process rewarded the city in three areas consistent with our values: reduced prices for collection, increased recycling service to citizens, and environmentally friendly collection techniques (use of natural gas collection trucks).

Each of the rewards listed above buttressed the city's solid waste and recycling operation from a series of variables which would have led to significant increases in rate increases to citizens. Those negative variables are listed below:

\$58,000	Expiration of Nicollet County's obligations to fund debt on Riverbend
\$20,000	Increased costs for landfilling solid waste material
\$35,000	Reduced recycling revenue due to commodity market declines
\$50,000	Reduced property tax support for Riverbend Operations
<u>\$50,000</u>	<u>Annual debt service payment for trash and recycling carts</u>
\$213,000	TOTAL

As you are aware, these potential cost increases were mitigated from the \$1,000,000 savings over five years (\$200,000 per year) by awarding our solid waste and recycling contract to West Central Sanitation.

Proposed Solid Waste Rates for 2015

As an added service to our citizens, three sizes of solid waste carts will be offered. Below are the proposed rates for the three types of carts.

Trash	95 gallon	65 gallon	35 gallon	
Trash Cart Size (gallons)	90	64	35	
Rate per month	\$18.30	\$14.75	\$13.50	
Est. customers	400	3,350	650	4,400
Yearly revenue	87,840	592,950	105,300	786,090

The standard solid waste cart issued to residents unless otherwise selected will be a 64 gallon cart with a recommended monthly cost of \$14.75 per month or \$3.55 less than existing rates.

Proposed Recycling Rates for 2015

As an added service to our citizens, two sizes of recycling carts will be offered. Below are the proposed rates for the two carts. Both carts are priced the same to promote recycling which also decreases landfilling costs. Minnesota statutes prevent a lower price for smaller recycling carts.

Recycling	New Cart	New Cart	
Recycling Cart Size	95	65	
Rate Per Month	\$6.00	\$6.00	
Est. Customers	3,850	475	4,325
Yearly Revenue	277,200	34,200	311,400

The standard issue for residents unless otherwise selected will be the 95 gallon recycling cart with a recommended monthly cost of \$6.00 per month or \$3.55 more than existing rates.

Total Cost for Service

Cost of Service Options			
Size	Trash	Recycling	Total
35 Gallon	\$13.50	\$6.00	\$19.50
65 Gallon	\$14.75	\$6.00	\$20.75
95 Gallon	\$18.30	\$6.00	\$24.30
<i>Existing</i>	\$18.30	\$2.45	\$20.75
<i>Existing Senior</i>	\$12.25	\$2.45	\$14.70

As the chart above describes, citizens have three options to choose from for cart size combinations. Two of these options are equal or less than existing rates. One option is greater than existing rates. These rates are designed to promote recycling and provide citizens with options on the size of carts they wish to use. Please note – if a significant number of citizens choose to downsize from the standard issue cart for both solid waste and recycling, these rates may need to be revisited as part of the 2015 budget process.

Communication Plan

Success in transitioning solid waste and recycling service to West Central sanitation will require a dedicated effort on the behalf of the City and West Central. Listed below are the planned communications the city of North Mankato will have with its citizens between now and January 1st:

The City will send a letter to each existing utility customer explaining the change in service provider, the range of garbage cart size and price options, and the two recycling cart size options (see attachment).

As part of our commitment to make the change in service easy for our residents and in the theme of joint efforts with Mankato, we will also be participating in the following aspects of their communications plan:

- 3 minute video for websites, Facebook, Twitter, cable television, emails to City Subscribers
- Exhibit for Children's' Museum
- Service club visits
- 30 second advertisement for Cinemark trailers
- Facebook ad
- Open house
- Post "Fast facts" at high traffic locations
- News releases, with photo opportunities

Costs for participating in the plan will range between \$2,000 and \$4,000.

Key Questions & Conclusion

1. Solid Waste Collection Rates – Staff recommends the City Council adopt rates for solid waste collection at the \$13.50, \$14.45, and \$18.30 for the 35, 65, and 95 gallon containers respectively.
2. Recycling Collection Rate – Staff recommends the City Council adopt a rate of \$6.00 per month for recycling for the 65 and 95 gallon container.
3. Senior rate consideration – Does the city council wish to maintain a discount for seniors? Staff recommends increasing the rate for solid waste to \$13.50 for seniors unless a specific request is made to continue to the lower rate.
4. Cart Credit Program - Does the city council support the \$30.00 utility bill credit for residents who return an existing cart to the recycling center or do you prefer a discounted price for existing cart owners? Total discount would be \$0.50 per month. Staff recommends the utility bill credit.

RESOLUTION NO.

RESOLUTION SETTING RATES AND CHARGES
SOLID WASTE AND RECYCLING

WHEREAS, Section 51.07 of the City Code imposes a service fee for collection of residential solid waste;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, pursuant to Section 51.07 of the City Code that the following rates and charges be set effective for all billings on and after January 1, 2015:

<u>Garbage Cart</u>	<u>95-Gallon</u>	<u>65-Gallon</u>	<u>35-Gallon</u>
Rate per Month	\$18.30	\$14.75	\$13.50
<u>Recycling Cart</u>	<u>95-Gallon</u>	<u>65-Gallon</u>	
Rate per Month	\$6.00	\$6.00	

Extra Tags for Garbage Bags may be purchased from West Central Sanitation for a charge of \$3.50 per tag.

Adopted by the City Council this 4th day of August 2014.

Mayor

ATTEST:

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item 11C	Department: City Attorney	Council Meeting Date: 8/04/14
-----------------	---------------------------	-------------------------------

TITLE OF ISSUE: Consider Adopting Ord. No. 60, Fourth Series, Amending City Code Chapter 151, Residential Rental Property Licensing Code.

BACKGROUND AND SUPPLEMENTAL INFORMATION: A public hearing was held to consider amending City Code, Chapter 151, Residential Rental Property Licensing Code. See attached ordinance.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Adopt Ordinance

Motion By: _____
 Second By: _____

Vote Record:

	Aye	Nay	
_____	_____	_____	Freyberg
_____	_____	_____	Spears
_____	_____	_____	Steiner
_____	_____	_____	Norland
_____	_____	_____	Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution	Ordinance	Contract	Minutes	Map
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify) <u>Public Hearing Notice</u>				

<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: _____

AFFIDAVIT OF PUBLICATION

State of Minnesota, ss.
County of Blue Earth

James P. Santori, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as *The Free Press and The Land*, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331.02, 331.06, and other applicable laws, as amended.

(B) The printed _____ Notice _____

_____ which is attached was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive weeks; it was first published on Thursday, the 24 day of July, 2014, and was thereafter printed and published on every Thursday to and including Thursday, the 24 day of July, 2014; 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:

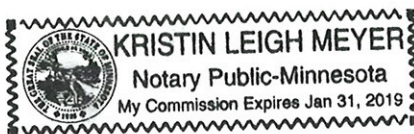
abcdefghijklmnopqrstuvwxyz

By: James P. Santori
Publisher

Subscribed and sworn to before me on this 24 day of July, 2014.

Kristin Meyer
Notary Public

July 24, 2014
NOTICE OF
PUBLIC HEARING TO
AMEND CITY CODE, CHAPTER
151, RESIDENTIAL RENTAL
PROPERTY LICENSING CODE
NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will hold a public hearing on Monday, August 4, 2014 at 7 p.m. in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, to consider amending the City Code for Chapter 151, Residential Rental Property Licensing Code.
Such persons as desire to be heard with reference to this issue should appear at this meeting. Public comments may be sent to the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, MN 56003. All comments must be received by August 4, 2014.
Dated this 24th day of July 2014.
Nancy Gehrke, CMC
City Clerk
City of North Mankato, Minnesota



ORDINANCE NO. 60, FOURTH SERIES

AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA,
AMENDING NORTH MANKATO CITY CODE, TITLE XV, LAND USAGE, CHAPTER 151,
RESIDENTIAL RENTAL PROPERTY LICENSING CODE

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

Section 1. Sections of North Mankato City Code, Title XV, Land Usage, Chapter 151,
Residential Rental Property Licensing Code, is hereby amended as follows:

§ 151.05 DEFINITIONS.

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

APPLICANT. Any person making an application for a license under this chapter.

APPLICATION. A form with blanks or spaces thereon, to be filled in and completed by the applicant as his or her request for a license, furnished by the city and uniformly required as a prerequisite to the consideration of the issuance of a license for the rental of residential property.

DWELLING UNIT. Any building, structure or enclosure, including any mobile home, wholly or partly used or intended to be used for living, sleeping, cooking or eating purposes by human occupants, rented or offered for rent by any person to any other persons for use for residential purposes by such other person or persons. "Dwelling Unit" does not include rest homes, convalescent homes, nursing homes, hotels, motels, dormitories or facilities licensed by the State of Minnesota as institutional occupancies.

DORMITORY. Buildings or spaces in buildings where group sleeping accommodations are provided; or a series of closely associated rooms without individual cooking facilities and with common toilet and bathroom facilities.

FAMILY. An individual or 2 or more persons related by blood, marriage, or adoption, including foster children and bona fide domestic servants.

LICENSE. A document issued by the city to an applicant permitting him or her to rent residential property.

LICENSEE. An applicant who, pursuant to his or her application, holds a valid, current, unexpired and unrevoked license from the city allowing him or her to rent residential property.

LICENSE FEE. The money paid to the City pursuant to an application and prior to issuance of a license to rent residential property.

LONG TERM HOTEL DWELLING UNIT. Any dwelling unit in any hotel, as defined by Minnesota Statute § Section 157.01, which dwelling unit is held out or available to the public for sleeping or residential purposes for periods of one week or more.

OCCUPANT. Any person residing in a dwelling or dwelling unit.

OFFENDER TRANSITIONAL HOUSING. A dwelling unit or residential facility, or lodging facility, intended, or used principally to provide short-term housing to offenders or sex offenders as defined by Minnesota Statute and Rule, on supervised release or conditional release, who are receiving housing assistance or supervision from the Minnesota Department of Corrections, or designee, and/or who are required to live in the dwelling as a condition of their release. "Offender transitional housing" does not include housing declared by state law to be a permitted single-family residential use. The term "short-term" shall mean a period of time not exceeding one year or otherwise established by Minnesota Statutes and Rules. A dwelling owned by the offender or a member of the offender's immediate family shall not be considered offender transitional housing provided no other offenders are residing in the dwelling.

OPERATOR, MANAGER, or CARETAKER. Any person who has charge, care or control of a structure, or part thereof, in which rental dwelling units are let.

OWNER. Any person, firm, corporation or agent, who alone, jointly or severally with others, shall be in actual possession of, or have charge, care or control of any dwelling or dwelling unit.

RENTAL PROPERTY. Living units rented on a month to month basis or greater. Such property may include single-family homes, duplexes, triplexes or multi-family units. Exempt from such definition shall be motels, hotels, boarding houses, bed and breakfast facilities and any facility exempt from city regulation due to state or federal rules and regulations.

ROOMING HOUSE DWELLING UNIT. Any dwelling unit in any building or structure, which building or structure is used or held out to be a place where sleeping accommodations are furnished to the public as regular roomers for periods of one week or more.

§ 151.15 OFFENDER TRANSITIONAL HOUSING

1. PURPOSE.

In order to provide for the public safety; provide protection and security for crime victims; maintain neighborhood stability; and facilitate supervision for offenders, the City of North Mankato finds necessary to regulate the locations within the City where offender transitional housing can be established subject to the limitations of this Code.

2. SEPARATION AND CONCENTRATION IN ZONING DISTRICTS.

Separation in Zoning Districts. Offender Transitional Housing may be established in a zoning districts only on a parcel that is at least as far as the distances indicated in the

table below from another existing, or approved but not yet constructed, Offender Transitional Housing use in any zoning district:

<u><i>Zoning Designation Separation Required</i></u>	<u><i>Separation Required</i></u>
<u><i>R-1 and PUD's with underlying R-1 zoning</i></u>	<u><i>No less than 1,000 feet</i></u>
<u><i>R-2 and PUD's with underlying R-2 zoning</i></u>	<u><i>No less than 800 feet</i></u>
<u><i>All other Residential Districts</i></u>	<u><i>No less than 600 feet</i></u>
<u><i>All other Zoning Districts</i></u>	<u><i>No less than 500 feet</i></u>

A. Concentration in Residential Zones. In residentially zoned areas (R-1 through R-3 and PUDs with underlying residential zoning), a proposed Offender Transitional Housing use may not cause the number of Offender Transitional Housing uses within a radius of 1.5 times the required separation distance of the proposed Offender Transitional Housing use to exceed 0.5% of the total number of dwellings for developed neighborhoods within that radius, or 0.5% of the planned dwellings or permissible dwellings within that radius for partly undeveloped or undeveloped neighborhoods.

3. OFFENDER TRANSITIONAL HOUSING IN NON-RESIDENTIAL ZONES.

In non-residential zones, a proposed Offender Transitional Housing use that is within 500 feet of a residential zone may not cause the sum of the population capacity of Offender Transitional Housing to exceed 10% of the sum of dwelling units and lodging units in parcels within a radius of 500 feet of a proposed Offender Transitional Housing use, except that where the sum of dwelling and lodging units within 500 feet is fewer than 100, the population capacity of offender transitional housing units shall not exceed 10 persons.

4. OFFENDER TRANSITIONAL HOUSING FOR SEX OFFENDERS.

Any Offender Transitional Housing providing or intending to provide housing to a designated sex offender as defined by state law or administrative rule must meet the separation requirements provided in this section. Except where otherwise specified, the separation distances shall be measured from the property lines of both the offender housing and the facility from which it shall be separated.

- A. Separation by a distance of not less than 1,000 feet is required from the following facilities.
- B. Outdoor youth facilities in existence or planned.
- C. Public active recreation parks under ten acres in size in existence or planned.
- D. The playground area of any existing or planned public active recreation park over ten acres in size that is equipped with one or more playgrounds.

- E. A licensed child day care facility except for a family day care facility.
- F. Existing public or private nursery schools, elementary schools and secondary schools.
- G. A state licensed residential facility.

The residents of the Offender Transition Housing shall be limited to only those Offenders that were convicted of an offense while residents of Nicollet County and the residents shall only reside in the premises for a period not to exceed 12-months.

5. OFFENDER TRANSITIONAL HOUSING LICENSE.

An Offender Transitional Housing Use must obtain a license prior to any occupancy of such use. The license shall be subject to the occupancy restrictions of the underlying zoning district. In non-residential districts a license shall only be issued if the underlying zoning district permits residential uses.

Previously licensed rental properties may only be used for Offender Transitional Housing if the property conforms to the occupancy restrictions of the underlying zoning district. For the purposes of this Section, properties proposed for Offender Transitional Housing shall be considered a new rental license and a license shall only be granted if the property conforms to the Residential Rental Property Licensing Code.

The license shall be subject to revocation if conditions of approval are violated or if it is determined to be a detrimental use per City Code Section 151.11. If an Offender Transitional Housing Use is discontinued for a period of twelve consecutive months, lapses, or if a license is revoked, there shall be no presumed right to reinstatement and any use at the location shall be considered in the same manner as a new use or as classified by Section 151.13 of the Residential Rental Property Licensing Code, whichever is most restrictive.

6. EXISTING OFFENDER TRANSITIONAL HOUSING.

- A. Offender Transitional Housing Use existing on the date of the enactment of this ordinance shall comply with the ordinance within 12-months of adoption of this Section. If the property currently used for Offender Transitional Housing does not conform to the provisions of this Section, it shall cease operation within 12-months of the adoption of Misdemeanor prosecution. Nothing in this section shall prohibit the City from seeking prosecution of a misdemeanor for any alleged violation of this ordinance.
- B. Violations. Per administrative penalties any licensee found to have violated this chapter or whose employee shall have violated this chapter, shall be charged an administrative fine of \$75.00 for a first violation of this chapter; \$200.00 for a second offense on the same licensed premises within a twenty-four (24) month period; and \$250.00 for a third or subsequent offense at the same location within a twenty-four (24) month period. In addition, after the third offense, the license shall be suspended for not less than seven (7) consecutive days.

After adoption, signing and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted this 4th day of August, 2014.

Mark Dehen, Mayor

ATTEST:

Nancy Gehrke, City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item 11D	Department: City Administrator	Council Meeting Date: 8/04/14
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TITLE OF ISSUE: Consider Adopting Resolution on the Proposal to Establish Tax Increment Financing District IDD No. 1-23 and Setting Public Hearing

BACKGROUND AND SUPPLEMENTAL INFORMATION: Attached is a resolution on the proposal to establish Tax Increment Financing District IDD No. 1-23 and Calling for Consultation with other affected Jurisdictions and setting a public hearing for 7 p.m. on Monday, September 15, 2014.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Adopt Resolution, Set Public Hearing for 7 p.m. on Monday, September 15, 2014.

Motion By: _____
 Second By: _____

Vote Record:

	Aye	Nay	
_____	_____	_____	Freyberg
_____	_____	_____	Spears
_____	_____	_____	Steiner
_____	_____	_____	Norland
_____	_____	_____	Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution	Ordinance	Contract	Minutes	Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (specify) _____		Public Hearing Notice Schedule		

<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: _____

SCHEDULE OF EVENTS TO ADOPT
TAX INCREMENT DISTRICT DOCUMENTS
CITY OF NORTH MANKATO, MINNESOTA
D & K POWDER COATING PROJECT
TAX INCREMENT FINANCING DISTRICT IDD NO. 1-23

DEADLINE DATE	✓	DESCRIPTION	MEETING TYPE	MEETING TIME
Monday, August 04, 2014	<input type="checkbox"/>	Port Authority Resolution requesting public hearing on Tax Increment Plan	Regular	6:30 P.M.
Monday, August 04, 2014	<input type="checkbox"/>	City Council adopts Resolution calling for public hearing	Regular	7:00 P.M.
Friday, August 15, 2014	<input type="checkbox"/>	Notification of County and School District (30 days before public hearing) TIF Plan must be mailed by this date to school and county		
Friday, September 05, 2014	<input type="checkbox"/>	Publish Port Authority Notice of Hearing		
Friday, September 05, 2014	<input type="checkbox"/>	Publish City Council Notice of Hearing - Notice must include map of proposed district		
Monday, September 15, 2014	<input type="checkbox"/>	Port Authority recommends approval of TIF Plan	Regular	6:30 P.M.
Monday, September 15, 2014	<input type="checkbox"/>	Date of Public Hearing	Regular	7:00 P.M.
Monday, September 15, 2014	<input type="checkbox"/>	City Council adopts Resolution approving TIF Plan	Regular	7:00 P.M.
Tuesday, September 16, 2014	<input type="checkbox"/>	Request TIF District Certification from County Auditor		
Thursday, October 01, 2015	<input type="checkbox"/>	File Documents With City, County and State		

**RESOLUTION ON THE PROPOSAL TO ESTABLISH
TAX INCREMENT FINANCING DISTRICT IDD NO. 1-23
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, September 15, 2014, after 7:00 p.m., to hold a public hearing on the proposed establishment of Tax Increment Financing District IDD No. 1-23 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 4th day of August 2014, with the following vote:

Yes _____;
No _____;
Absent _____.

Approved and signed this _____ day of _____ 2014.

ATTEST:

Nancy Gehrke, City Clerk

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, September 15, 2014, 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, relating to the proposal of the North Mankato Port Authority Commission to establish Tax Increment Financing District IDD No. 1-23, 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. 1-23 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.

Any person with residence in the City of North Mankato, or the owner of taxable property in the City, may file a written complaint with the City if the City fails to comply with M.S. § 116 J.993 to 116J.995 (the Business Subsidy Act). No action may be filed against the City for the failure to comply unless a written complaint is filed.

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

Dated: This 4th day of August 2014.

BY ORDER OF THE NORTH MANKATO CITY COUNCIL

/s/Nancy Gehrke
Nancy Gehrke, CMC
City Clerk
City of North Mankato

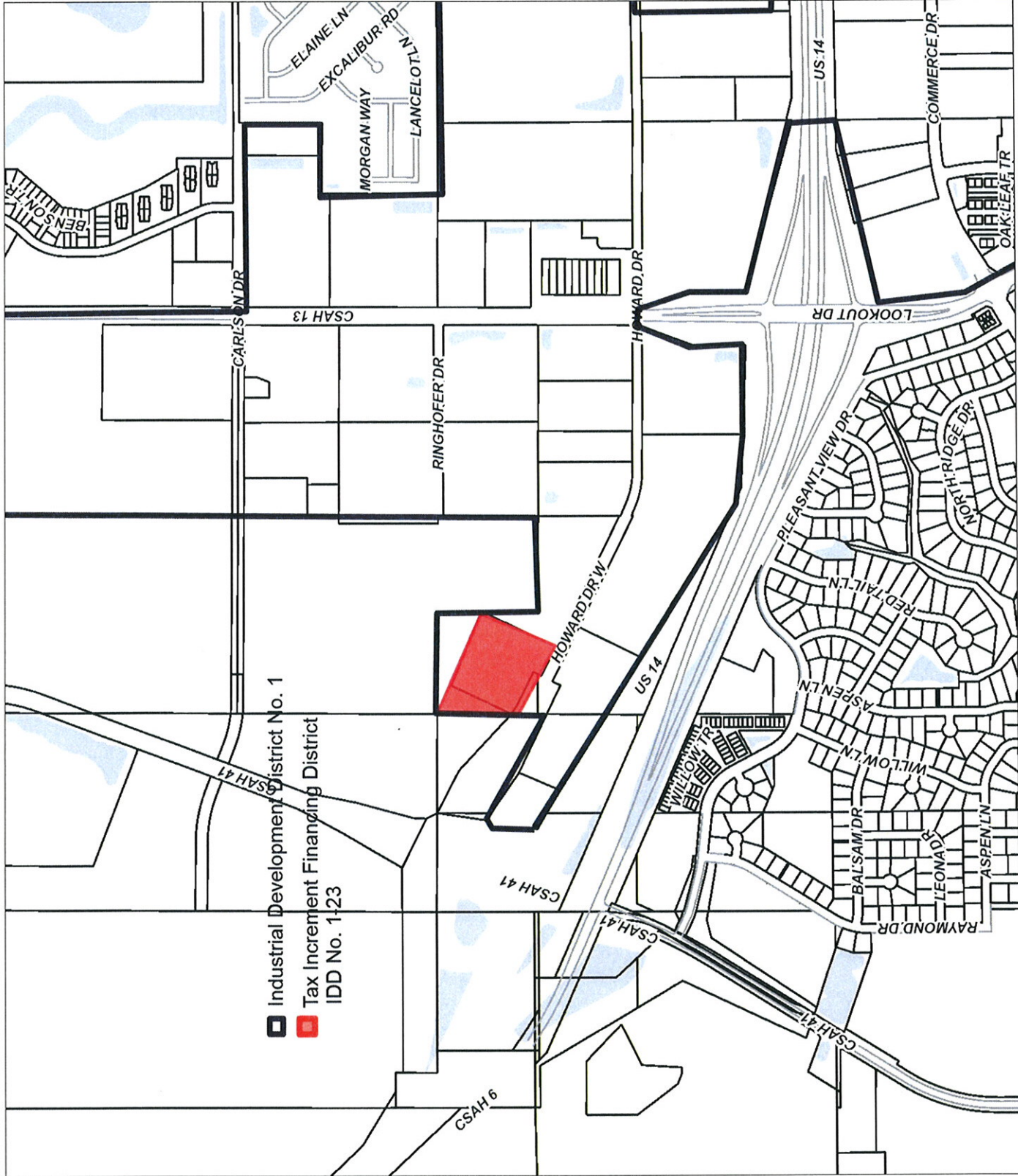



Legend

-  Road Edge
-  Parcels (6-1-2014)
-  Lakes & Ponds
-  Minnesota River



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



 Industrial Development District No. 1
 Tax Increment Financing District
 IDD No. 123

