



AGENDA

**Mankato City Council
Regular Meeting
September 23, 2024 - 6 p.m.
IGC - Mankato Room**

1. **Call Meeting to Order**

Roll Call

Pledge of Allegiance

2. **Approval of Agenda**

3. **Approval of Minutes**

Regular Meeting of September 9, 2024

4. **Public Open Forum (15 Minutes)**

Citizens may address the Council on matters not on the agenda, and are encouraged to register with the City Clerk prior to the start of the meeting. Those wishing to speak are limited to three minutes and must state their name and address for the record.

5. **Consent Calendar**

NOTE: All items listed under the Consent Calendar will be enacted by one motion. There will be no separate discussion of these items. If a Council Member wishes to discuss any of these items, they may ask that the item be removed from the Consent Calendar. Removed item(s) will be discussed and acted upon by separate motion.

- A. Motion approving Proclamation designating September 26-28, as Class of 1974 Days, recognizing the Mankato East and Mankato West Class of 1974 50th Class Reunion.
- B. Motion approving Opioid Remediation Grant to the Travis James Gustavson Foundation for poster boards that provide awareness, education, and serve as a resource for Opioid use and addiction.
- C. Resolution appointing Election Judges for the 2024 General Election.

- D. Resolution authorizing the City Manager to enter into an agreement for continuation of insurance coverage through the League of Minnesota Cities Insurance Trust (LMCIT) and authorizing that the City does not waive statutory limits on Municipal Tort Liability.
- E. Resolution authorizing submission for 2024 Edward Byrne Memorial Justice Assistance Grant (JAG), and motion approving the Joint Agreement between the City of Mankato and Blue Earth County to share JAG Program Award.
- F. Motion approving a License to Encroach for 129 South 6th Street.
- G. Update on Capital Improvement Project 11072; Augusta Drive and Highway 22 Roundabout and motion approving change order number 6.
- H. Resolution calling for hearing on Capital Improvement 11084; Victory Drive and Hazeltine Road intersection and lighting improvements.
- I. Resolution rescinding resolutions R-89-1113-3284 and R-2021-1026-218 and Resolution directing parking control on North Second Street on the east side of North Second Street.
- J. Resolution directing parking control establishing angled parking on the south side of East Spring Street from the alley to North Second Street.
- K. Resolution authorizing the City Manager to enter into grant agreement 254943 with the Minnesota Pollution Control Agency (MPCA) for the purpose of developing a Local Climate Action Plan.

6. **City Manager's Report**

7. **Reports of City Council Members**

8. **Miscellaneous Business**

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Work Session, October 7, 2024, 6 p.m., Minnesota River Room

Regular Council Meeting, October 15, 2024, 6 p.m., Mankato Room (with EDA to follow)

Regular Council Meeting, October 28, 2024, 6 p.m., Mankato Room (with Work Session to follow)

9. **Adjournment**



MINUTES

Mankato City Council
Regular Meeting
September 9, 2024 - 6 p.m.
IGC - Mankato Room

1. **Call Meeting to Order**

Roll Call

Pledge of Allegiance

2. **Approval of Agenda**

Ms. Hatanpa moved and Mr. Mettler seconded a motion to approve the agenda as written. The motion carried unanimously.

3. **Approval of Minutes**

Mr. Dieken moved and Ms. Hatanpa seconded a motion to approve the minutes of the Regular Meeting of August 26, 2024 as written. The motion carried unanimously.

4. **Public Open Forum (15 Minutes)**

Arleace Green, 101 Mariette Street NW, #700, Atlanta GA, Small Business Administration Public Affairs Specialist, reported on programs available for the Mankato community to assist with the recovery from the flooding event (Website: disaster.customerservice@sba.gov).

5. **Consent Calendar**

NOTE: All items listed under the Consent Calendar will be enacted by one motion. There will be no separate discussion of these items. If a Council Member wishes to discuss any of these items, they may ask that the item be removed from the Consent Calendar. Removed item(s) will be discussed and acted upon by separate motion.

Mr. Laven moved and Ms. Hatanpa seconded a motion to approve the Consent Calendar as written. With all members voting in favor, the motion carried.

- A. Motion approving Proclamation designating September 5-8, 2024, as Mankato Pride Celebration Days in the City of Mankato.
- B. Motion approving Proclamation designating September 17-23, 2024, as Constitution Week in the City of Mankato.
- C. Motion approving Proclamation designating November 1, 2024, as Extra Mile Day in the City of Mankato.
- D. Resolution approving an amendment to the Planned Unit Development to allow for a use to operate an outdoor physical therapy area within the medical campus (1431 Premier Drive); by request of Orthopedic and Fracture Clinic.
- E. Resolution approving the Final Plat for Hotel Mankato Redevelopment (101 East Main Street, 121 and 123 East Main Street, and 118 South 2nd Street).
- F. Resolution approving a Certificate of Design Compliance for the construction of a new, approximately 5,200 square foot structure in the Highway Gateway Overlay District (1896 Adams Street); by request of Civil Site Group.
- G. Resolution approving a Certificate of Design Compliance for the construction of a new, approximately 10,700 square foot structure in the Highway Gateway Overlay District (Lot 3, Block 2, Victory Commercial Park).
- H. Resolution approving the Mankato Regional Airport Disadvantaged Business Enterprise (DBE) Program Participation Plan for federal funding through fiscal year 2025.
- I. Set October 15, 2024, as the date of public hearing for an ordinance rezoning property to R-T, Residential Transition; and for amendments to the Institutional Overlay District and the approved campus plan (1918 South Riverfront Drive); by request of Jacob Hummer.

6. **Public Hearings**

- A. Mr. Konz reported that the property owner is requesting a variance from Section 10.13, Subd. 6, of the Mankato City Code, to reduce the rear yard setback from 25 feet to 15.2 feet in the R-1, One-Family Dwelling District to construct a 26' x 29.5' garage addition. He stated that the property contains a single-family dwelling with an attached garage.

He noted that along with the surveyed site plan, the applicant submitted their response to the five questions set forth in the League of Minnesota Cities Land Use Variance.

Mr. Konz explained that according to Minnesota Statute §462.357 Subd. 6(2) variances shall only be permitted when: (1) The variance is in harmony with the general intent and purpose of the Ordinance; (2) The variance is consistent with the comprehensive plan; and (3) The applicant establishes that there are practical difficulties, which is measured by meeting ALL of the following: a. The property owner proposes to use the property in a reasonable manner not permitted by the official controls; b. There are circumstances unique to the property not created by the landowner; and c. The variance will not change the essential character of the area.

Mr. Konz added that case law exists in which the courts find that if the record upon which the decision is made does not contain evidence supporting that practical difficulties exist, or doesn't demonstrate alignment with the comprehensive plan or the intent of the Ordinance, then the variance should not be approved. He summarized the practical difficulties and analysis relating to reasonableness, uniqueness, essential character, harmony with the intent of zoned areas set forth in the ordinance, and with consistencies with uses set forth in the Comprehensive Plan.

Mr. Konz indicated that staff held an administrative hearing regarding the variance request on August 28, 2024. In attendance at the meeting were property owners, Shawn Griffiths and Denise Schweim, contractor, David Miller, City of Mankato Planning and Zoning Administrator, Molly Westman, City of Mankato Planner, Sydney Deprenger, and Director of Community Development, Mark Konz. He mentioned that staff explained the criteria for evaluating the variance for conformance with Minnesota Statute §462.357 Subd. 6. No additional comments related to the proposal were submitted, but the applicant did reaffirm the reasons for the request.

Brief discussion on criteria involved and making sure that appropriate distances exist between properties.

Ms. Hatanpa wondered about the possibility of a detached garage. Mr. Konz responded to some of the concerns, which included two garage doors as well as limited access.

Mayor Massad opened the public hearing. There being no one wishing to speak, Mayor Massad closed the public hearing.

Mr. Laven moved and Mr. Dieken seconded a motion to approve the Resolution denying a request for a variance from Section 10.13, Subd.6.C. of the Mankato City Code to reduce the rear yard setback from 25 feet to 15.2 feet in order to construct a 26' X 29.5' attached garage addition (129 Uriah Court). The motion carried unanimously.

- B. Mr. Konz stated that the applicant, HDR, on behalf of Mayo Clinic Health Systems is requesting an amendment to the Institutional Overlay and approved campus plan. He reviewed the process for establishing an Institutional Overlay District, the major elements included in the original Master Plan as well as provided a history of the amendments to date.

Mr. Konz noted that the areas in blue on the campus map will be rezoned to IO-Institutional Overlay, and under the institutional Overlay District, the properties depicted in the Campus Plan would be zoned to Office Residential. He stated that the only uses allowed are restricted to those depicted on the Campus Master Plan and the permitted uses must conform to the conditions in the resolution establishing performance standards. He added that the properties obtained by Mayo Clinic include the corner of Dickinson Street and Main Street where lots are being rezoned to the OR Office Residential and Institutional Overlay District. He mentioned other areas to the north of Main Street, where residential properties are being rezoned to fit with the Institutional Overlay District.

Mr. Konz explained that properties not included in the rezoning, but depicted in the Campus Plan Boundaries, may be added to the district by the Council at the request of the property owner, provided the property area conforms to the conditions of approval. He stated that properties outside the Campus Plan may not be added to the district, unless the Council approves revising the plan.

Mr. Konz summarized the modifications to the existing, approved Institutional Overlay for the Mayo Clinic Mankato Campus which included conversion of a parking lot, internal green space options, a radiology addition and bulk oxygen relocation, monument and wayfinding signage, future specialty clinic vertical expansion as well as the proposed relocation of Verizon's antennas.

Mr. McLaughlin inquired about a couple of the lots and if they would remain as is and wondered if there would be an option to move any of the houses. Mr. Konz stated that the lots will remain as it and there are no plans to relocate any of the houses.

Brief discussion on the neighborhood engagement that took place.

Mayor Massad opened the public hearing. There being no one wishing to speak, Mayor Massad Closed the public hearing.

Mr. Dieken moved and Ms. Hatanpa seconded a motion to approve the Ordinance rezoning properties to OR, Office Residential and adding properties to the Institutional Overlay District, and the Resolution approving an amended campus plan (1025 Marsh Street) Mayo Clinic Health System.

The motion carried unanimously.

- C. Ms. Kramlinger reported that on June 8, 2020, the Council adopted the City of Mankato 2020–2024 Consolidated Plan for utilization of Community Development Block Grant (CDBG) funding. She stated that the plan details how the expected funding will be used in conformance with CDBG guidelines. She noted that the fourth year of the plan ended on June 30, 2024. She reviewed the regulations that govern the program.

Ms. Kramlinger summarized the activities completed during the 2023 program year which operated from July 1, 2023, and ended June 30, 2024. She added that CDBG and CDBG-CV funds from prior program years were spent assisting 82 low to moderate income households with subsistence payments which helped to prevent eviction and homelessness.

Ms. Kramlinger touched on some of the activities underway, but not yet completed, which included: Park improvements to Lions Park; Owner-occupied housing rehabilitation is underway on six single family dwellings; and rehabilitation began in 2024 and is underway at Walnut Towers, which will preserve 86 units of existing affordable housing. She also noted that construction of Lewis Lofts began in 2024, which will create 64 units of affordable senior housing. She reviewed the funds obligated and spent during the program year and commented that the city has a total of eight years to expend funds from each program year.

Mayor Massad opened the public hearing. There being no one wishing to speak, Mayor Massad closed the public hearing.

Ms. Melby-Kelley moved and Mr. Mettler seconded a motion to approve the motion authorizing submittal of the Consolidated Annual Performance Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program. The motion carried unanimously.

7. **Licenses**

- A. Ms. Whitmore stated that the property at 123 North Fourth Street is owned by River Bluff Suites, LLC and is currently licensed for 28 units (Rental License #934), which is set to expire on December 31, 2025. She provided a history of the actions to date arising out of continued code violations and unsafe health and public safety conditions that included the 504B action brought by the city and certain tenants which was filed with the Blue Earth County Court. She noted that on January 17, 2024, the Court entered an Order Accepting the Settlement Agreement and appointed Lighthouse Management as the Administrator of a number of properties, including 123 North Fourth Street.

Ms. Whitmore indicated that on August 7, 2024, the Administrator filed a report with the Court which concluded that the property is not economically viable in its current state, as it continues to have significant security issues, is unsafe for tenants, and continues to need repairs to comply with the City Code. She commented that the Court also ordered the defendants to work with the property Administrator and the city to transition tenants to alternative housing on or before October 15, 2024. She added that with this, the Court ordered the defendants to secure the property, not lease any of the units to new tenants until all city ordered repairs were completed with an approved inspection, and to obtain an updated and current rental license.

Ms. Whitmore referred to the following sections of the Mankato City Code:

- Section 5.42, Subd. 10, Inspection, indicates no rental license shall be issued by the city unless the property complies with the provisions of the City Code and the Mankato Housing Maintenance Code which pertains to such dwelling unit.
- Section 5.42, Subd. 15, Conduct on Licensed Premise includes the responsibilities of the license holder and language regarding revocation and/or suspension of rental licenses.
- Section 5.03, Subd. 8, states that "the City Council may either suspend, not to exceed 90 days, or revoke any license issued pursuant to this chapter, for good cause, including, but not limited to, a finding that the licensee has failed to comply with any applicable statute, regulation or ordinance relating to the operation of the licensee. No suspension or revocation shall take effect until the licensee has been afforded the opportunity for a hearing provided by the City Council."

Ms. Whitmore stated that a letter was sent to the property owner via regular and certified mail on August 28, 2024, notifying them of the Council's intent to consider the revocation of the rental license on September 9. She concluded that due to the property owners, and the Administrator's failure to comply with the City Code to correct deficiencies in the numerous violations, as well as the Administrator's determination of ongoing health and safety violations at the property and the Court's order requiring the vacation of tenants from the property and that it be secured, it is recommended that effective October 15, 2024, that the Rental License #934 for the property at 123 North Fourth Street be revoked.

Ms. Hatanpa inquired about the timeline for the clean-up of the property. Ms. Whitmore replied that deadlines would be established and noted how the order allows the process to continue forward with the necessary actions.

Mr. Laven moved and Mr. Mettler seconded a motion to approve the motion to revoke the Rental License at 123 North 4th Street - License #934 as of October 15, 2024. The motion carried unanimously.

8. **City Manager's Report**

- A. Ms. Whitmore provided an overview of the abatement process.

Mr. Konz reviewed the code violations and issues to date at 1908 4th Avenue. He stated that staff had received numerous complaints over the years and had observed, from public rights-of-way and neighboring yards, significant code violations at the property. He noted that the property has had structures built on it which violate applicable setbacks, are located within the city right-of-way, encroach onto neighboring properties and occurred without obtaining appropriate building permits or encroachment licenses.

Mr. Konz indicated that in addition to the structure, fencing exists in the rear yard of the property for which a permit was pulled; however, no final inspection was approved because the fence is not compliant. He mentioned that the rear yard of the property has had additional fill added which appears to exceed 25 cubic yards for which no conditional use permit was pulled as required by City Code for substantial land alteration which significantly changes the documented contour. He added that there is also an accessory structure located in the rear yard of the property which does not meet the required setbacks and is located on a utility easement.

Mr. Konz explained that staff met with the property owner and entered into a Plan of Correction action dated February 10, 2023, regarding the violations at the property which the property owner still has not addressed. He commented that staff has continued to address the noncompliance issues with the property owner over the past 18 months.

Mr. Konz stated that staff obtained an administrative warrant on June 18, 2024, with docket number 07-CVF-24-2281, allowing the city to enter the property for purposes of inspection in order to enforce building code and state nuisance laws, including conducting a survey; taking measurements and photographs of the exterior of buildings, yard and curtilage; taking measurements and photographs of any and all fencing; conducting soil tests; and performing other such duties as are necessary document violations and may hold said evidence in custody according to law. He indicated that during that site visit, staff confirmed and documented the code violations on the property and also observed and documented additional nuisance violations in plain sight, including junk, appliances, piles of construction material, fuel tanks covered by tarps and junk vehicles sitting in the yard.

Brief discussion on the abatement process and the clean-up of the property.

Ms. Hatanpa moved and Mr. McLaughlin seconded a motion to approve the Resolution ordering the abatement of hazardous conditions, code violations, and public nuisances at 1908 4th Avenue. The motion carried unanimously.

- B. Mr. Skophammer reported that the Council discussed the 2025 Budget and was presented with information regarding the General fund, Debt Service fund, Transit fund, and Economic Development fund tax levies. He noted that during the August 26 initial preliminary budget overview, members of the Council asked staff to provide additional levy increases for Council consideration. He indicated that in addition to the initial payable 2025 levy discussion regarding 3%, staff also formulated three additional options for the Council that included increases of 3.5%, 4%, 4.5%.

Mr. Skophammer summarized the proposed levy increases and proposed tax rates for 2025. He mentioned that the Preliminary Levy for FY 2025 must be certified by September 30, 2024, to both Blue Earth and Nicollet counties, and commented that the Public Hearing for the proposed Final Budget is scheduled for Monday, December 2, 2024.

Brief discussion on the proposed levy increases with the consensus being a starting point of 4%. He noted that the proposed total levy increase at 4% would be \$964,127, with a proposed tax rate of 39.61%, and a total levy amount of \$25,067,296.

Ms. Hatanpa moved and Mr. Dieken seconded a motion to approve the Resolution adopting the Preliminary Property Tax Levy payable in 2025 at 4%. The motion carried unanimously.

- C. Ms. Arntz provided an update regarding the opening and use of Tourtellotte Pool for the 2024 season.

9. **Reports of City Council Members**

Mr. Mettler noted that he attended the Highland Park National Night Out on August 27 and how it was well attended and included representation by Minnesota State University, Mankato staff and students.

10. **Miscellaneous Business**

View all city committee meetings by clicking on our [City Calendar](#)

Council Community Investment Plan Bus Tour, September 12, 2024, 5 p.m., departs from the Intergovernmental Center

Community Investment Plan Open House, September 19, 2024, 6 p.m. - 8 p.m., Mankato Room

Regular Council Meeting, September 23, 2024, 6 p.m., Mankato Room (with Work Session to follow)

11. **Adjournment**

There being no further business before the Council, Ms. Hatanpa moved and Mr. Laven seconded a motion to adjourn. With all members voting in favor, the meeting adjourned at 7:38 p.m.

Minutes Approved.

Mayor Massad

ATTEST:

Renae Kopischke
City Clerk



AGENDA RECOMMENDATION

City Council Regular Meeting

5. A.

Meeting Date: 09/23/2024

Agenda Item:

Motion approving Proclamation designating September 26-28, as Class of 1974 Days, recognizing the Mankato East and Mankato West Class of 1974 50th Class Reunion.

Recommendation/Action(s):

Motion approving proclamation.

Summary:

See attached. Proclamation is effective upon approval of the City Council and signature of the Mayor.

Attachments

Proclamation

PROCLAMATION

WHEREAS, this year is the 50th Anniversary of the Mankato Area School District creating two Senior High Schools from one Mankato High School to Mankato East and Mankato West High Schools; and

WHEREAS, the Senior Class of 1974 had to endure the split of the class members to their respective schools based on the new boundaries; and

WHEREAS, the willingness and strength of the members of the classes of 1974 to continue to maintain friendships and a spirit of collaboration to "continue to do things together" as one class; and

WHEREAS, on September 26-28, 2024, the classes of 1974 will gather again as one to celebrate the 50th year since their graduation.

NOW, THEREFORE, I, Najwa Massad, Mayor of Mankato, do hereby proclaim September 26-28, 2024, as

CLASS OF 1974 DAYS IN THE CITY OF MANKATO

IN WITNESS WHEREOF, I have hereunto signed my name and caused the seal of the City of Mankato to be affixed this 23rd day of September 2024.



Najwa Massad
Najwa Massad, Mayor



AGENDA RECOMMENDATION

City Council Regular Meeting

5. B.

Meeting Date: 09/23/2024

Agenda Item:

Motion approving Opioid Remediation Grant to the Travis James Gustavson Foundation for poster boards that provide awareness, education, and serve as a resource for Opioid use and addiction.

Recommendation/Action(s):

Motion approving grant.

Summary:

The city received an Opioid Remediation Grant application from the Travis James Gustavson Foundation requesting \$23,200 in support of poster boards that provide awareness, education, and serve as a resource for Opioid use and addiction. The focus is to help spread the awareness of illicit substances in the community, in addition to starting conversations in hopes of curbing the stigma, and helping people understand that substance-use disorder is a disease. Some resources will also be included.

The cost of the two poster boards is \$23,200 and includes the cost of them being placed over a 12-month period. One of the poster boards will be located on Madison Avenue with a total cost of \$13,200 (\$1,100/mos., plus \$200 for production). The other poster board will be located on Victory Drive at a total cost of \$9,600 (\$800/mos., plus \$200 for production). Once the poster boards are drafted, copies will be sent to the panel for approval. Per the grant guidelines, the request falls under G. relating to preventing misuse of opioids, which supports efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies.

A grant review panel consisting of three staff members reviewed the application and recommended approval of the grant allocation.



AGENDA RECOMMENDATION

City Council Regular Meeting

5. C.

Meeting Date: 09/23/2024

Agenda Item:

Resolution appointing Election Judges for the 2024 General Election.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

Minnesota State Statute, Section 204B.21, requires that the governing body of each municipality appoint election judges to serve in the precincts within the municipality at least 25 days before the election at which the election judges will serve.

A list of persons eligible to be election judges has been compiled by Blue Earth County Elections staff and is attached (Exhibit A).

Attachments

Resolution

Exhibit A

**RESOLUTION APPOINTING ELECTION JUDGES FOR
THE GENERAL ELECTION**

WHEREAS, Minnesota Statutes Section 204B.21 requires that the governing body of each municipality appoint election judges to serve in the precincts within the municipality at least 25 days before the election at which the election judges will serve; and

WHEREAS, a list of persons eligible to be election judges has been compiled by Blue Earth County Elections staff as well as a list of persons available for emergency appointment if necessary.

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Mankato that the following qualified voters, as set forth on Exhibit "A", attached hereto and incorporated herein by reference, be appointed as eligible election judges for the 2024 State General Election to be held on Tuesday, November 5, 2024.

This Resolution shall become effective upon its passage and without further publication.

Dated this 23rd day of September 2024.

Najwa Massad
Mayor

Attest: _____
Renae Kopischke, MMC
City Clerk

Exhibit A

November 5, 2024 State General Election

All Mankato Precincts - Polling Places to be Assigned. Election Judges to be appointed, after certification and qualification is verified, from the below list and through emergency appointment, as needed, for Polling Place staffing.

Last Name	First	Last Name	First	Last Name	First
ALLEN	SCOTT	DATE	MARY	HUGHES	JANIS
AMBROSE	KERRI	DAVIS	ANGELA	HULKE	JENNIFER
ANDERSON	PEGGY	DAVIS	TERRY	HULTENGREN	ANITA
ANDERSON	WALTER	DAVIS	SHARON	HUNTER	SUSAN
ANDERSON	JESSE	DEMARAY	KANDI	HURD	RANDALL
ANDERSON	ELYSE	DESTEIAN	SUSAN	JACOBY	LISA
ANDROSKY	KATHERINE	DEVENPORT	BROOK	JAMES	LISA
APPEL	STEPHANIE	DIMARTINO	PATRICIA	JAMESON	LAURA
ARNDT	STEVE	DITTRICH	JACQUELINE	JAQUA	JOANN
AUSTIN	APRIL	DRUSCHEL	MARGO	JENATSCHECK	MARY
AUSTIN	SUSAN	DUEHRING	BRIAN	JEWISON	GAIL
AUSTINSON	CRAIG	DUFFY	DANIEL EDWARD	JOHANNES	NICHOLAS
BADE	PAUL	DUNCANSON	AMBER	JOHANNSEN	JOHN
BAILEY	BECKY	DURBAHN	BARBARA	JOHANSON	MEGAN
BAJULA-HAGEN	MEGHAN	DURBAHN	WILLIAM	JOHNSON	VICKI
BAKER	CYNTHIA	DURENBERGER	KATHRYN	JOHNSON	ELIZABETH
BARBEAU	GLADYS	EGGEN	SHERRY	JOHNSON	MAISIE
BARGEN	JOSIAH	EICHHORST	KRISTA	JOHNSON	TRISHAUNA
BARNES	MATTHEW	EILDERS	MARCELLA	JORDAN	HUNTER
BAUMANN	KATE	ELLISON	KARA	JURGENS	JEANENE
BAUMANN	LEANN	FACTOR	ANGELA	KARAU	JUDITH
BEDNARCHUK	HEIDI	FEUERHELM	DAVID	KEEPERS	KATIE
BEER	LINDA	FJELDBERG	PHILIP	KEIM	PAULA
BENSON	JAGER	FORBES	THERESA	KEMP	SCOTT
BEQUETTE	RONALD	FORD	JEFFREY	KIECKER	LEROY
BERGLIN	JANINYA	FOSSEN	ARNOLD	KILANDER	LINDA
BERGMARK	SUSAN	FREDERICK	VERLIN	KIMATHI	ANTHONY
BEZANSON	CHAR	FRIESEN	CYNTHIA	KJELLESVIG	MOLLY
BIEHN	DARRYL	GARBERS	BRENDA	KLAMMER	AMY
BIERMA	JENNIFER	GATCHELL	AUDREY	KNISH	BRANDON
BINTZ	BRENDA	GATES	JILL	KOSOVICH	MARTHA
BIRR	DONNA	GERRISH	DONALD	KOST	SANDRA
BLUHM	JOSEPH	GIESE	KRISTEEN	KOTTEN	ERIN
BOLTE	MARISSA	GLACKLER-RIQUELME	MICK	KRAMLINGER	PATTI
BORES	KEVIN	GLADE	KARISA	KRAUTKREMER	PHILIP
BORES	PATRICIA	GLASS	BARBARA	KREMER	VICTORIA
BOYER-KERN	ERIKA	GOFF	JANET	KRENGEL	KIM
BRADLEY	KEVIN	GOSCHY	DEBORAH	KRUMMEL	JANE
BRANDT	DIANNE	GOULD	TANYA	KUNKEL	JODI
BRAULICK	CARRIE	GRIFFITH	FLOYD	LAMBERT	JIMMY
BRAUNHAUSEN	MIRIAM	HAEDER	KELLEY	LANDSTEINER	JESSICA
BRISTOL	CATHERINE	HAGBERG	LEAH	LANE	AARON
BROWN	LORI	HALER	TRISHA	LANGSTON	JASON
BRUSS	STANLEY	HALLECK	TERRI	LARKIN-SPIES	JULIE
BRYNAERT	KATHLEEN	HALVORSON	JACQUELINE	LASSAHN	DALTON
BUHR	DAVID	HAMOND	JASON	LAVEN	MICHELLE
BURNS	HEIDI	HANSON	STEVEN	LEFLER	JOHN
BURNS	MATTHEW	HARMON	CHERYL	LEHMAN	BRANDON
BUTLER	GLORIA	HARTMAN	JOAN	LENNARTSON	LUKAS
BUTZER	JOSEPH	HATKIN	JENNIFER	LILLO	THEA
BYROZO	RAYMOND	HAUGEN	ELYSE	LUNDBERG	KENNETH
CAMPANA	KRISTIE	HELGET	RACHEL	LUNDQUIST	ANDREW
CAMPBELL	DAWN	HENTON	GAYLE	LUNDQUIST	SHAUNA
CARLSON	LARRY	HEWITT	SARAH	LUSSKY	STEVEN
CARLSON	SKYLER	HEYER	PAULA	LUTTMANN	DEREK
CARLSON	VICKI	HEYER	BILL	LYNCH	DANE
CARR	VIRGINIA	HEYER	CLARA JEAN	MADISON	CLAUDIA
CARROLL	CHRISTINE	HIGGINBOTHAM	ABIGAIL	MAERTENS	PEGGY
CHRISTENSEN	SUSAN PATTY	HILL	CHANCE	MAERTENS	TIMOTHY
CLIFTON	RICHARD	HINIKER	RYAN	MALLORY	MARIAN
CLINK	KELLIAN	HOFFMAN	KATHLEEN	MANDERFELD	ELIZABETH
COFFIELD	AMANDA	HOGAN	CHRISTINA	MANN	RENEE
COLBY	CATHY	HORTON	JOHNNA	MARG	GREGG
CONN	LAURA	HOUSTON	DENISE	MARTIN	TERRI
COOK	KAREN	HOWIE	GENEVIEVE	MATSON	KRISTIN
CUMMINGS	CARYLE	HUETTL	MARY	MATTHES	BEKA

November 5, 2024 State General Election

All Mankato Precincts - Polling Places to be Assigned. Election Judges to be appointed, after certification and qualification is verified, from the below list and through emergency appointment, as needed, for Polling Place staffing.

Last Name	First	Last Name	First	Last Name	First
MATZ	CHRISTOPHER	SCHOSTAG	DAVE	WORLEY	RACHEL
MATZKE	MARGARET	SCHROEDER	DONALD	WYCZAWSKI	JOSH
MCBETH	ANNETTE	SCHWARZE	CATHLIN	YOKIEL	ANITA
MCDONALD	LINDA	SCOTT	SARAH	ZARAGOZA	ELEANOR
MCGOWAN	TIMOTHY	SEPPMANN	KAREN	ZEHNDER	JOHN
MEIERDING	JORUN	SHEERAN	SUSAN	ZEMAN	THERESA
MELCHER	CODY	SHERMOCK	RICHARD	ZIMMERMAN	LAUREN
MENDENHALL	MICHAEL	SHERMOCK	SALLY		
MENSING	ELIZABETH	SHIRK	CYNTHIA		
MERSSETH	LYNETTE	SHURE	LORI		
MEYER	MARK	SIEBERG	EMILY		
MEYER-GAD	MARTY	SIEMER	DENNIS		
MICHALSKI	DEBRA	SINGLETON	ASHLEY		
MILLER	SHELLY	SMITH	JULIE		
MILLER	KELLY	SMITH	MELINDA		
MILLER	ROBERT	SMITH	PATTY		
MINAR	LINDA	SORENSEN	ELYSE		
MOORE	SUSAN	SORENSEN	NOEL		
MOOSAVI	SADREDIN	SPARKS	ELIZABETH		
MORRIS	GERALD	SPELLACY	MICHAEL		
MUELLER	RACHEL	SPIES	BRENT		
MURRAY	MARY	SPITZNER	DOROTHY		
NAAKTGEBOREN	RUSSELL	ST PETER	HEIDI		
NEITGE	CATHERINE	STANLEY	HOLLIE		
NELSON	ANGELA	STECK	SUSAN		
NESS	BECKY	STEDMAN	DANIELLE		
NICOL	LAWRENCE	STEINER	REGINA		
NIEMI	SUZANNE	STEINMETZ	ERIC		
NORMANDIN	MARY	STENZEL	LAURIE		
OJANPA	KATIE	STEVENS	LAURA		
OLMANSON	LEIF	STRENGE	CAROL		
OLSON	DUANE	STRETCH	VALETTA		
OLSON	MARLIS	SULLENS	DEBRA		
OPELT	MARTHA	THEISSEN	RICHARD		
PACKER	ANGELA	THOMPSON	DENISE		
PAWLITSCHKEK	BENJAMIN	TORGERSON	DAVID		
PAYNE	BARBARA	TORRES-JUANTOS	MIRELLA		
PENCE	CANDICE	TRAXLER	BARBARA		
PETERSEN	PATRICIA	TURBES	RANDY		
PETERSON	DEBRA	ULMAN	MARK		
PIEPHO	SHIRLEY	VAN ASPEREN	RACHEL		
PIERCE	MARY	VANDERPOL	BRIAN		
PIPAL	LORI	VETSCH	LEROY		
PONGRATZ	MARTIN	WARD	KEVIN		
POWERS	JAMES	WASS	GUY		
RAH	JEANNE	WEBER	CYNTHIA		
REED	TERRIE	WEBER	SARAH		
RICHARD	MARY	WEGMAN	KIMBERLY		
RIDLER	MELISSA	WEINBERGER	SUSAN		
RIDLER	STEVEN	WENCL	ANNA		
RISTING	TRINETTE	WESTENDORF	LORI		
RODGERS	PAUL	WICKLUND	JOHN		
ROHLFING	GARETT	WIESE	MARK		
ROLLINGS	JILL	WILKINS	GREGORY		
ROM	WAYNE	WILLEMSEN	JORDAN		
ROOZEN	KAREN	WILLODSON	BRADLEY		
ROSE	VICKI	WINGO	ROBIN		
ROTCHADL	DOUGLAS	WINTERFELDT	DAVID		
ROTHMEIER	PHILIP	WOHLERS	JOLIE		
SALGADO JR	SERGIO	WOLD	PHILLIP		
SANDS	JAYDEN	WOLF	NAOMI		
SARGENT	DANIEL	WOLF	DEAN		
SCHAFER	ERICKSON	WOLLE	STEVEN		
SCHEIDEL	TERRI	WOLLE	KELLY		
SCHMIDT	JODI	WOLLMUTH	LORI		
SCHOLZ	KARI	WOLTERS	GWENN		



AGENDA RECOMMENDATION

City Council Regular Meeting

5. D.

Meeting Date: 09/23/2024

Agenda Item:

Resolution authorizing the City Manager to enter into an agreement for continuation of insurance coverage through the League of Minnesota Cities Insurance Trust (LMCIT) and authorizing that the City does not waive statutory limits on Municipal Tort Liability.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

As part of the liability insurance renewal, including automobile, property, fire & casualty, general liability, open meeting law, police professional liability, employee bonds and workers' compensation coverage for the 2024-2025 policy year, the city must elect its position on the municipal tort liability. Consequently, similar to previous years, staff does recommend that the City of Mankato does not waive the statutory limits on municipal tort liability.

Attachments

Resolution

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT FOR CONTINUATION OF INSURANCE COVERAGE THROUGH
THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST (LMCIT) AND
AUTHORIZING THAT THE CITY DOES NOT WAIVE STATUTORY LIMITS ON
MUNICIPAL TORT LIABILITY**

WHEREAS, the League of Minnesota Cities Insurance Trust (LMCIT) was formed to provide cost effective risk management coverage for Minnesota Cities; and

WHEREAS, the City of Mankato, Minnesota is required to provide adequate risk management in areas of automobile, property and casualty / fire, general liability, police professional liability, open meeting law, employee bonds, and workers compensation coverage; and

WHEREAS, the City of Mankato selects the option of “does not waive” the monetary limits on municipal tort liability as established by M.S. 466.04; and

WHEREAS, this resolution is a part of the annual insurance application process as required by the LMCIT; and

WHEREAS, the insurance policy year begins on November 1st and ends on October 31st annually.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANKATO, that the City Manager of the City of Mankato is authorized to execute the insurance renewal application process and that the City of Mankato elects to “not waive” the monetary limits on municipal tort liability as established by M.S. 466.04.

This resolution shall become effective immediately.

Adopted this 23rd day of September 2024.

Najwa Massad
Mayor

Attest:

Renae Kopischke, MMC
City Clerk



AGENDA RECOMMENDATION

City Council Regular Meeting

5. E.

Meeting Date: 09/23/2024

Agenda Item:

Resolution authorizing submission for 2024 Edward Byrne Memorial Justice Assistance Grant (JAG), and motion approving the Joint Agreement between the City of Mankato and Blue Earth County to share JAG Program Award.

Recommendation/Action(s):

Adoption of the attached resolution, and approval of motion.

Summary:

The City of Mankato will be applying for the 2024 Edward Byrne Memorial Justice Assistance Grant (JAG) and is eligible to receive \$12,278.00, if awarded. The deadline to submit the grant application is October 10, 2024.

The grant requires that the city share the award with Blue Earth County. An agreement has been reached with the county that the city will be the fiscal agency for the grant. The joint agreement outlines that the city will receive \$7,366.80 (60%) of the funds and the county will receive \$4,911.20 (40%). The city portion is more for providing fiscal and reporting oversight for the grant.

Both the Mankato Department of Public Safety and the Blue Earth County Sheriff's Office will use the funds for a JAG approved project aimed at improving operations and/or efficiency.

Attachments

Resolution

Joint Agreement

**RESOLUTION AUTHORIZING THE SUBMISSION FOR EDWARD BYRNE
MEMORIAL JUSTICE ASSISTANCE (JAG) GRANT**

WHEREAS, the City of Mankato has received funding under the Edward Byrne Memorial Justice Assistance Grant Program (JAG) and believes it is eligible to receive grant funding under the FY 2024 program; and

WHEREAS, members of the Mankato Department of Public Safety and the Blue Earth County Sheriff's Office have worked together to develop a joint application for funding under this program to be used to improve or enhance law enforcement or technology improvement programs for law enforcement; and

WHEREAS, if approved the City of Mankato will receive \$7,366.80 to be used on a JAG approved project aimed at improving operations.

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Mankato that the City Manager be and hereby is authorized to execute and submit an application for funding under the Edward Byrne Memorial Justice Assistance Grant Program.

This Resolution shall become effective upon its passage and without further publication.

Dated this 23rd day of September 2024.

Najwa Massad
Mayor

Attest: _____
Rena Kopischke, City Clerk

**JOINT AGREEMENT
BETWEEN THE CITY OF MANKATO, MN AND COUNTY OF BLUE EARTH, MN
TO SHARE A JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD**

This Agreement is made and entered into this 23rd day of September 2024, by and between The COUNTY of BLUE EARTH, acting by and through its governing body, the Board of Commissioners, hereinafter referred to as COUNTY, and the CITY of MANKATO, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of BLUE EARTH County, State of Minnesota, witnesseth:

WHEREAS, this Agreement is made under the authority of Minnesota State Statutes Section 471.59: and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

CITY agrees to pay COUNTY a total of \$4,911.20 of JAG funds.

Section 2.

COUNTY agrees to use \$4,911.20 for a JAG approved project through October 1, 2026.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by Minnesota Statutes Section 471.59.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by Minnesota Statutes Section 471.59.

Section 5.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 6.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 7.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

CITY OF MANKATO, MN,

COUNTY OF BLUE EARTH, MN

City Manager

County Administrator

ATTEST:

APPROVED AS TO FORM:

City Attorney

County Attorney



AGENDA RECOMMENDATION

Consent Calendar 5. F.

City Council Regular Meeting

Meeting Date: 09/23/2024

Agenda Item:

Motion approving a License to Encroach for 129 South 6th Street.

Recommendation/Action(s):

Motion approving license to encroach.

Summary:

The property at 129 South 6th Street is seeking a license to encroach on a staircase that would encroach approximately four feet onto the city right-of-way on the southwest edge of the lot. A portion of the concrete steps would remain, and the rest would be removed and replaced with wooden steps in the same location as the current steps that are removed.



General Location



Street view

The application was reviewed at the August 13, 2024, Site Plan and Traffic Advisory Committee meeting where approval was recommended with no additional conditions proposed.

Attachments

Application



Application for license for building, structure, or physical encroachment in right-of-way

The undersigned applicant hereby makes application, pursuant to the provisions of Section 6.16 of the Mankato City Code, for a license required by the provisions of Section 6.16.

Applicant information

Name: Veronica Ocampo Mendez

Address: _____

Phone: 507-304-2837 Email: menandrea.OC@gmail.com

Real property upon which encroachment is proposed to be located:

Street address: 129 S. Sixth St. Mankato MN 56001

Tax description: _____

Description of right-of-way area upon which encroachment is proposed to be located: Stairs on the right side of house used to get to the front door.

Interest of applicant in the real property: Owner looking to get stairs done

Other record fee owners of property: None

Other parties not listed having any interest in property and nature of such interest: None

The size and character of the building, structure, or encroachment to be licensed: sidewalk / stairs

Applicant hereby agrees to indemnify the city of Mankato from all claims and demands which may arise as a result of the installation, placement, building, erection, maintenance, occupation, or use of building, structure, or encroachment upon right-of-way. Applicant understands and agrees that if the license for which this application is made is granted, the license issued shall be revocable, and that the applicant shall not acquire any vested rights thereunder.

Veronica O.
Applicant signature

3/27/24
Date

Requirements: ☒ Certificate of insurance

☐ Scaled site plan drawing

☐ Application fee: \$195

Submit registration form and attachments to 311 customer service staff at the Intergovernmental Center, 10 Civic Center Plaza, Mankato, MN, 56001, or email to 311@mankatomn.gov.



AGENDA RECOMMENDATION

Consent Calendar 5. G.

City Council Regular Meeting

Meeting Date: 09/23/2024

Agenda Item:

Update on Capital Improvement Project 11072; Augusta Drive and Highway 22 Roundabout and motion approving change order number 6.

Recommendation/Action(s):

Motion approving change order number 6.

Summary:

Construction of the Augusta Drive and Highway 22 roundabout and eastbound Highway 14 bridge repair project began on July 29. All underground utility construction and road base work is complete and concrete curb and gutter and concrete pavement work began on September 9 and will continue through September 20. Work on the Highway 14 bridge beam continues, the new beam is installed, and bridge deck work is ongoing. The estimated bridge repair completion is between September 23 and October 7. Intermediate completion of the roundabout is October 2 with final completion on October 31. Northbound Highway 22 will open on Victory Drive on September 20.

Change order number 6 is related to two sanitary sewer manholes (one on the east side and one on the west side) on Augusta Drive in the project area that require repair due to concrete corrosion. These two manholes are downstream of the airport forcemain connection to the gravity sewer main and deferring this work until after the completion of the project is not feasible due to the required traffic control and the opportunity to complete it near the end of the project to benefit the public from having to endure another detour while the work is completed. Cost: \$48,363.84.

Attachments

Change Order 6

Contract: 230116

Prime Contractor: BCM Construction, Inc., 0000295732

CO Type: COLevel2

State Proj. No.: 0714-40

Fed. Proj. No.: 0724050

District: 7 Mankato

Reason: 1402.5 Extra Work

Location: T.H. 22 AT AUGUSTA DRIVE IN THE CITY OF LIME.

Change Order No.: 0006

Awarded Contract Amount: \$2,597,473.00

Resident Engineer: Brett Paasch

Admin Office: 7A-Mankato

County: C007 BLUE EARTH

Net Change Order Amount: \$48,363.84

Spec Book Year: 20

Funding Source: ON NHS

Route: T.H. 22

Description: CO#6 Sanitary Sewer Structure Lining

Explanation:	
Issue	The plan called for both sanitary sewer structures MS02 and MS03 to be left in place. During construction, the City of Mankato requested these 2 sanitary sewer structures be lined.
Resolution	The Engineer is directing the contractor to line 2 sanitary sewer structures.
Entitlement	The Engineer has determined that the contract needs to be revised in accordance with 1402.5 Extra Work.
Impact	No impact to Contract time.
Cost	Cost approved by City of Mankato and CCU.
Payment	Payment will be made at negotiated pricing.

Increases/Decreases

Item Description	Item ID	Project Line	Contract Line	Project	Category	Item Source	Quantity Inc/Dec	Unit	Unit Price	Dollar Amount
										Total:
										\$0.00

New Items

Item Description	Item ID	Item Reason	Project Line	Cont. Line	Project	Category	Quantity	Unit	Unit Price	Dollar Amount
CO#6 Sanitary Sewer Structure Lining - CHANGE ORDER DOLLAR	1402621/00010	Invoice	1830	650	136721	0003 - SP 137-157-01 - 100% City Funds - Change Order	46,060.800	DOL	\$1.00	\$46,060.80
CO#6 Prime Markup - CHANGE ORDER DOLLAR	1402621/00010	Neg	1840	655	136721	0003 - SP 137-157-01 - 100% City Funds - Change Order	2,303.040	DOL	\$1.00	\$2,303.04
										Total:
										\$48,363.84

Time Adjustments

Time ID	Time Description	Time Type	Original	Current	Adjustment	New
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Project/Category Summary

Project Description	Project	Category	Category Description	Dollar Amount
GRADING, ROUNDABOUT, CONCRETE & BITUMINOUS SURFACING, ADA IMPROVMENTS, AND LIGHTING. Payroll WD: For all HIGHWAY type work performed on the project.	136721	0003 - SP 137-157-01	100% City Funds - Change Order	\$48,363.84
			Net Change Order Amount:	\$48,363.84

	Signature & Date
Project Engineer/Project Supervisor	
Contractor	
Commissioner of Transportation Pursuant to Delegation	
Commissioner of Administration Pursuant to Delegation	
Consultant Contract Administrator (recommendation for Approval only)	
Local Agency (if funded wholly or in part by Local Agency)	

ATTACHMENTS: By signing this agreement, the Contractor acknowledges receipt of the specified attachments (if applicable)



AGENDA RECOMMENDATION

Consent Calendar 5. H.

City Council Regular Meeting

Meeting Date: 09/23/2024

Agenda Item:

Resolution calling for hearing on Capital Improvement 11084; Victory Drive and Hazeltine Road intersection and lighting improvements.

Recommendation/Action(s):

Adoption of resolution setting October 15, 2024, as the date of hearing for Capital Improvement Project 11084; Victory Drive and Hazeltine Road intersection and lighting improvements.

Summary:

The Engineering Department is ready to proceed with Capital Improvement Project 11084; Victory Drive and Hazeltine Road intersection and lighting improvements, as scheduled in the 2025 Community Investment Plan. Below is a tentative schedule of events related to this project.

Staff is recommending the Council pass the resolution setting October 15, 2024, as the date of the project feasibility hearing for this project. The estimated costs and funding sources for the project are as follows:

ITEM	COST
Signal Improvements	\$500,344.54
Lighting Improvements	\$264,235.46
Total Construction Subtotal	\$764,580.00
Contingencies	\$76,500.00
Consultant Engineering	\$68,850.00
City of Mankato Engineering	\$30,600.00
TOTAL PROJECT COST	\$937,530.00

PROJECT FUNDING			
ITEM	FUNDING SOURCE	AMOUNT	PERCENT
Signal Improvements	City of Mankato	\$153,380.95	16.36%
	Blue Earth County	\$153,380.95	16.36%
	Assessments	\$306,761.90	32.72%
Lighting Improvements	City of Mankato	\$62,392.54	6.65%
	Blue Earth County	\$162,003.10	17.28%
	Assessments	\$99,610.56	10.62%
	TOTAL FUNDS	\$937,530.00	100.00%

Setting the date of hearing is the first step in the process of performing an improvement with special assessments. Projects that have special assessments are initiated either through property owner petition, or as in the case of this project by council. As a part of setting the date of hearing, the council orders a feasibility report.

The feasibility report provides the background of the project, the proposed improvements, the cost of the improvements and the method and amount of proposed special assessments. This report is received by the council during the public hearing on the feasibility of the project. This is the basis of information to provide the council with information to consider the project. The hearing allows all interested persons to provide testimony to the council on the project for council deliberations prior to ordering the project. Should the council find the project feasible, a resolution is passed ordering the project designed and bids solicited for the work. Additionally, a date for the preliminary assessment hearing is set during the feasibility hearing. Notice is provided to assessed property owners of the feasibility hearing as well as an informational meeting that is hosted by Engineering personnel.

The preliminary assessment hearing provides those property owners being assessed with the opportunity to express concerns to the council about the actual special assessment. After the public hearing, the council will consider the proposed assessments, and should the council decide, a resolution adopting the assessment roll will be adopted. Property owners are noticed about this meeting with a letter and a notice is published in the newspaper.

The law sets out discrete timelines and procedures for challenging a city's special assessment. For the most part, objections must be raised at or before the assessment hearing. Only those who object at this stage may proceed to appeal an assessment to the district court. Further, these provisions for appeals to the district court are the exclusive method of appeal from a special assessment levied under the local improvement code.

No one can formally object to, or appeal, the amount of an assessment unless the property owner signs a written objection and files it with the city clerk prior to the assessment hearing or presents it to the presiding officer at the hearing. Property owners subject to proposed special assessments and are informed of this requirement in the mailed notice.

The next step in the process is opening bids based on plans prepared by Engineering personnel and advertised for bid for the project that was ordered during the feasibility hearing. Once bids are opened, they are presented to the council for consideration. Should bids be favorable, the bid will be awarded to the lowest responsible contractor.

After the project is completed, the final assessments are adopted. On most reconstruction projects, this is done in the year following construction, while resurfacing and alley projects are assessed the same year of construction. Final assessments are typically adopted without a hearing as the assessment rate that is adopted in the preliminary assessment does not change. Only property owner added items will change the final assessment.

Assessments are payable over 5, 10, or 15-years, depending on the amount of the assessment. Deferrals are available for property owners who are over 65 years of age, retired by disability, or call to active duty in which paying the assessment would represent a hardship. Interest does accrue on deferred assessments.

Attachments

Resolution

**RESOLUTION ORDERING PREPARATION OF REPORT,
AND CALLING FOR HEARING ON IMPROVEMENT
NUMBER 11084 WITH PETITION**

WHEREAS, it is proposed to improve the intersection of Hazeltine Drive and Victory Drive by installing traffic signals and continuous lighting, and to assess the benefitted property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

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

1. That the proposed improvement, called Improvement Number 11084 be referred to the city engineer for study and that that person is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for the affected parcels.

2. A public hearing shall be held on such proposed improvement on the 23rd day of September, 2024, in the Council Chambers of the Intergovernmental Center in Mankato, Minnesota at 6:00 p.m. and the city engineer shall give mailed and published notice of such hearing and improvement as required by law.

This resolution shall become effective upon its adoption.

Passed this 23rd day of September, 2024

Najwa Massad
Mayor

ATTEST: _____
Renae Kopischke
City Clerk



AGENDA RECOMMENDATION

Consent Calendar 5. I.

City Council Regular Meeting

Meeting Date: 09/23/2024

Agenda Item:

Resolution rescinding resolutions R-89-1113-3284 and R-2021-1026-218 and Resolution directing parking control on North Second Street on the east side of North Second Street.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

A petition was submitted by Immanuel Lutheran Church to modify the parking on the east side of North Second removing all the parking restrictions established by resolutions R-89-1113-3284 and R-2021-1026-218 and installing no parking on the east side of North Second Street from the intersection of North Second Street and East Spring Street to a point 95-feet south of the intersection of North Second Street and East Spring Street.

The reasoning for their request is to provide additional parking on North Second Street due to ISD 77 no longer using the east side of North Second Street for a bus transfer point that was established in 2021 and retaining the area north of their driveway into the parking lot for their school bus drop-off and pick-up location and drop-off and pick-up operations during other church services and activities.



No parking from here to corner request area

The request was reviewed by the Site Plan and Traffic Advisory Review Committee on September 10 and approval was recommended with the condition that the action does not take place until the Riverfront Drive project is substantially complete and open to traffic.

Staff recommends Council approve the resolution rescinding resolutions R-89-1113-3284 and R-2021-1026-218 and resolution directing parking control on North Second Street on the east side of North Second Street with the condition that the action not take place until the Riverfront Drive project is substantially complete and open to traffic.

Attachments

Resolution

R-89-1113-3284

R-2021-1026-218

RESOLUTION DIRECTING TRAFFIC OR PARKING CONTROL

WHEREAS, on November 13, 1989 the Council directed no parking on school days from 7:00 a.m. to 5:00 p.m. on the east side of North 2nd Street from Spring Street south 210-feet from the North 2nd and East Spring streets intersection in resolution R-89-1113-3284 and R-2021-1026-218; and

WHEREAS, on October 25, 2021, the Council further directed no parking on school days from 7:00 a.m. to 5:00 p.m. on the east side of North 2nd Street from 210-feet south of the North 2nd and East Spring streets intersection to the intersection of North 2nd and Washington streets; and

WHEREAS, staff received a petition from Immanuel Lutheran Church requesting that the parking conditions established by resolutions R-89-1113-3284 and R-2021-1026-218 be removed and no parking be established between the intersection of North 2nd and East Spring streets and their driveway entrance

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

1. That resolutions R-89-1113-3284 and R-2021-1026-218 are hereby rescinded.
2. That pursuant to Section 6.02, Subdivision 1 of the Mankato City Code, the City Council does hereby approve the City Manager is here directed to designate to install no parking along the east side of North 2nd Street from the intersection of North 2nd and East Spring streets to a point 95-feet south of the intersection of North 2nd and East Spring streets.
2. That conditions 1 and 2 above take place after the Riverfront Drive project is substantially complete and open to through traffic.

This resolution shall become effective upon its adoption.

Passed this 23rd day of September, 2024.

Najwa Massad
Mayor

ATTEST: _____
Renae Kopischke
City Clerk

RESOLUTION APPROVING AND
DIRECTING TRAFFIC OR PARKING CONTROL

BE IT RESOLVED, by the City Council of the City of Mankato, that, pursuant to Section 6.02, Subdivision I, of the Mankato City Code, the City Council does hereby approve and the City Manager is here directed to designate

No Parking School Days 7 a.m. - 5 p.m. on the East Side of North Second Street from Spring Street South 210'.

This resolution shall become effective upon passage and without publication.

Passed this 13th day of November, 1989.

Vern Carstensen
Vern Carstensen
Mayor

ATTEST:

Sandra Paulson
Sandra Paulson
Secretary to the City Council

NO PARKING SCHOOL DAYS 7AM-5PM ON THE EAST SIDE of N 2ND ST. FROM SPRING ST. South 210'



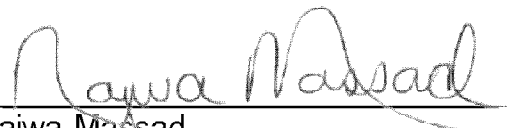
RESOLUTION DIRECTING PARKING CONTROL

BE IT RESOLVED, by the City Council of the City of Mankato, that, pursuant to Section 6.02, Subdivision 1, of the Mankato City Code, the City Council does hereby approve and the City Manager is here directed to designate:

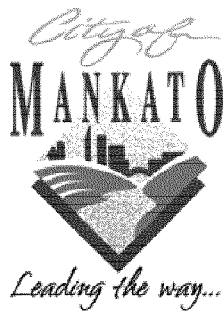
Install No Parking – 7AM-5PM School Days along the east side of Second Street from 210' south of Spring Street to Washington Street.

This resolution shall become effective upon its adoption.

Passed this 25th day of October, 2021


Najwa Massad
Mayor

ATTEST: 
Renae Kopischke
City Clerk



AGENDA RECOMMENDATION

Consent Calendar 5. G.

City Council Regular Meeting

Meeting Date: 10/25/2021

Agenda Item:

Resolution directing Parking Control on Second Street.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

Yaeger Bus Service submitted a request to city staff to add additional No Parking signage 7AM-5PM School Days on Second Street in front of Immanuel Lutheran School between Washington Street and Spring Street. This was requested in order to provide room for their service to perform bus transfer activities.

Staff engaged the surrounding properties by sending a letter requesting feedback. Feedback was received from the property of 402 North 2nd Street. After discussion with the property owner, he stated that he did not believe the signage change would affect the property. There was no other response to the request for feedback.

The following change is proposed:

1. Install No Parking – 7AM-5PM School Days along the east side of Second Street from 210' south of Spring Street to Washington Street.

Attachments

Resolution



AGENDA RECOMMENDATION

Consent Calendar 5. J.

City Council Regular Meeting

Meeting Date: 09/23/2024

Agenda Item:

Resolution directing parking control establishing angled parking on the south side of East Spring Street from the alley to North Second Street.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

A petition was submitted by Immanuel Lutheran Church to modify the parking on the south side of Spring Street between North Second Street and the alley east of North Second Street. Immanuel Lutheran Church is the property owner for this section of the block. The request is to install angle parking instead of parallel parking. Reviewing the area, it appears that the roadway was constructed to accommodate angle parking in this area. The road width has been expanded along the church building to a nominal width of 42 feet. The required width is 42 feet for 45-degree angle parking, two lanes of travel and parallel parking. The change in parking would increase the number of parking stalls available. The parking request is for open parking. This would help address the need for parking in the neighborhood, which experiences a high parking demand.



The request was reviewed by the Site Plan and Traffic Advisory Review Committee on September 10 and approval was recommended.

Staff recommends Council approve the resolution directing parking control establishing angled parking on the south side of East Spring Street from the alley to North Second Street.

Attachments

Resolution

RESOLUTION DRIECTING TRAFFIC OR PARKING CONTROL

BE IT RESOLVED, by the City Council of the City of Mankato, that, pursuant to Section 6.02, Subdivision I, of the City Code, The City Council does hereby approve and the City Manager is here directed to designate angle parking on the following streets:

- South side of East Spring Street from the alley to North 2nd Street

This resolution shall become effective upon its adoption.

Passed this 23rd day of September, 2024.

Najwa Massad
Mayor

ATTEST: _____
Rena Kopischke
City Clerk



AGENDA RECOMMENDATION

Consent Calendar 5. K.

City Council Regular Meeting

Meeting Date: 09/23/2024

Agenda Item:

Resolution authorizing the City Manager to enter into grant agreement 254943 with the Minnesota Pollution Control Agency (MPCA) for the purpose of developing a Local Climate Action Plan.

Recommendation/Action(s):

Adoption of the attached resolution.

Summary:

On April 8, the Council authorized the City Manager to apply for a Minnesota Pollution Control Agency (MPCA) Local Climate Action (LCA) grant and on July 23, staff was notified that the city had been awarded \$49,790.00 in LCA grant dollars to complete a Local Climate Action Plan. Since that time, staff has been working with the MPCA contract specialist and our assigned MPCA project manager in assembling the grant agreement.

The grant agreement lays out the framework of responsibilities of the grantor (MPCA) and the grantee (City of Mankato) and Attachment A contains the project summary, workplan detail, and project budget. Tasks under the workplan detail include:

- Data collection and review
- Community outreach and engagement
- Transportation assessment
- Ecosystem assessment
- Community resiliency and vulnerability evaluation
- Infrastructure energy and efficiency assessment
- Community health assessment
- Community economic assessment
- Final report and project deliverables

The goal of the City of Mankato Local Climate Action Plan project is intended to create an evidence-based roadmap for delivering our fair share of emissions cuts and strengthening our resilience to climate change. The climate action plan will allow our community to take effective action to mitigate climate change and adapt to its effects in the short-term, medium-term, and long-term future.

The deliverables of the project are to create a plan like a roadmap that will set a course towards climate resilience and carbon neutrality by 2050. We hope to decrease emissions from our buildings, transportation, and waste streams, which will have the added benefits of improved indoor and outdoor air quality, limiting our contribution to additional climate change, as well as saving money on utility and fuel bills. The city would also like to strengthen community resilience by preserving natural resources, strengthening community connections, and preparing our infrastructure to withstand climatic changes and extreme weather events.

Staff recommends approval of the resolution authorizing the City Manager to enter into grant agreement 254943 with the Minnesota Pollution Control Agency (MPCA) for the purpose of developing a Local Climate Action Plan.

Attachments

Resolution

Grant Agreement

Attachment A

**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO GRANT
AGREEMENT 254943 WITH THE MINNESOTA POLLUTION AGENCY (MPCA) FOR
THE PURPOSE OF DEVELOPING A LOCAL CLIMATE ACTION PLAN**

WHEREAS, on April 8, 2024, the City Council authorized the City Manager to apply for a MPCA Local Climate Action (LCA) grant of behalf of the City of Mankato; and

WHEREAS, On July 23, 2024, staff was notified that the City of Mankato was awarded \$49,790.00 in LCA grant dollars to develop a local climate action plan; and

WHEREAS, staff has been working with the MPCA in assembling the grant agreement attached to this resolution.

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

1. That the City Manager is authorized to execute grant agreement 254943 and any necessary changes to this grant agreement in accordance with Section 2.08 of the Mankato City Code on behalf of the City of Mankato.

This resolution shall become effective upon its adoption.

Passed this 23rd day of September, 2024.

Najwa Massad
Mayor

ATTEST: _____
Renaë Kopischke
City Clerk

This grant agreement is between the state of Minnesota, acting through its Commissioner of the **Minnesota Pollution Control Agency**, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194 ("MPCA" or "State"), and the **City of Mankato**, 10 Civic Center Plaza, PO Box 3368, Mankato, MN 56002 ("Grantee").

Recitals

1. Under Minn. Stat. § 116.03, subd. 2, the State is empowered to enter into this grant agreement.
2. The State is in need of the **City of Mankato Climate Action Plan** project.
3. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant agreement to the satisfaction of the State. Pursuant to [Minn. Stat. § 16B.98](#), subd. 1, the Grantee agrees to minimize administrative costs as a condition of this grant.

Grant Agreement

1. Term of Grant Agreement

- 1.1 **Effective date:** September 4, 2024, Per [Minn. Stat. §16B.98](#), Subd. 5, the Grantee must not begin work until this grant contract is fully executed and the State's Authorized Representative has notified the Grantee that work may commence.
- 1.2 **Expiration date:** June 30, 2025, or until all obligations have been satisfactorily fulfilled, whichever occurs first.
- 1.3 **Survival of terms.** The following clauses survive the expiration or cancellation of this grant agreement: Indemnification; State Audits; Government Data Practices and Intellectual Property; Publicity and Endorsement; Governing Law, Jurisdiction, and Venue; and Data Disclosure.

2. Grantee's duties

The Grantee, who is not a state employee, will perform the duties specified in **Attachment A**, which is attached and incorporated into this grant agreement and comply with required grants management policies and procedures set forth through [Minn.Stat. §16B.97](#), Subd. 4 (a) (1).

3. Time

The Grantee must comply with all the time requirements described in this grant agreement. In the performance of this grant agreement, time is of the essence.

4. Consideration and payment

- 4.1 **Consideration.** The State will pay for all services performed by the Grantee under this grant agreement as follows:

- (a) **Compensation.** The Grantee will be paid according to the breakdown of costs contained in **Attachment A**, which is attached and incorporated into this grant agreement. Grantee certifies they will provide no less than 50% (fifty percent) of the grant award amount as cash match or in-kind services.
- (b) **Grantee Commitment to Financing.** Grantee shall ensure that sufficient funding is available to the project to assure its satisfactory completion. Grantee shall not reduce the monetary amount it has committed to the project through its own or other funds without written consent of the MPCA. Grantee shall bear the sole responsibility for cost overruns in completing this project.
- (c) **Travel expenses.** Reimbursement for travel and subsistence expenses actually and necessarily incurred by the Grantee as a result of this grant agreement will be reimbursed as outlined in **Attachment A**; provided that the Grantee will be reimbursed for travel and subsistence expenses in the same manner and in no greater amount than provided in the current "Commissioner's Plan" promulgated by the Commissioner of Minnesota Management and Budget (MMB). The Grantee will not be reimbursed for travel and subsistence expenses incurred outside Minnesota unless it has received the State's prior written approval for out of state travel. Minnesota will be considered the home state for determining whether travel is out of state.
- (d) **Total obligation.** The total obligation of the State for all compensation and reimbursements to the Grantee under this grant agreement will not exceed **\$49,790.00 (Forth Nine Thousand Seven Hundred Ninety Dollars and Zero Cents).**

4.2 Payment

- (a) **Invoices.** The State will promptly pay the Grantee after the Grantee presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Invoices must be submitted timely and according to the following schedule: at least quarterly.

The MPCA shall withhold a minimum of 10% (ten percent) until the MPCA is satisfied that the project has been completed according to the terms of this grant agreement, including expenditure or performance of all required match, and will be paid within 30 days of approval of the final report.

Invoices must be emailed to mpca.ap@state.mn.us, and contain the following information:

- Name of Grantee
- Grantee project manager
- Grant amount
- Grant amount available to date
- Invoice number
- Invoice date
- MPCA project manager
- SWIFT Contract No.
- Purchase Order No.
- Invoicing period (actual working period)
- Time and material breakdown of invoice
- Amount billed to date for work, including itemization of actual hourly rates
- Receipts for supplies, shipping, lab fees, and any other itemized costs
- Itemized per diem expenses; receipts may be requested to be submitted with invoice
- Matching fund summary
- Other items as requested

If there is a problem with submitting an invoice electronically, please contact the Accounts Payable Unit at 651-757-2491.

The Grantee shall submit an invoice for the final payment within 15 (fifteen) days of the original or amended end date of this grant agreement. The State reserves the right to review submitted invoices after 15 (fifteen) days and make a determination as to payment.

- (b) **Unexpended funds.** The Grantee must promptly return to the State any unexpended funds that have not been accounted for annually in a financial report to the State due at grant closeout.

4.3 Contracting and bidding requirements

Per [Minn. Stat. §471.345](#), grantees that are municipalities as defined in Subd. 1 must follow the law.

(a) For projects that include construction work and have a total project cost of \$25,000 or more, prevailing wage rules apply per [Minn. Stat. §§177.41](#) through [177.44](#). These rules require that the wages of laborers and workers should be comparable to wages paid for similar work in the community as a whole.

(b) The grantee must not contract with vendors who are suspended or debarred in MN:

<https://mn.gov/admin/osp/government/suspended-debarred/>

5. Conditions of payment

All services provided by the Grantee under this grant agreement must be performed to the State's satisfaction, as determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

6. Authorized Representative

The State's Authorized Representative is **Liz Wiese**, 7678 College Road, Suite 105, Baxter, MN 56425, 218-828-2492, liz.wiese@state.mn.us, or successor, and has the authority to monitor the Grantee's performance and to accept the services provided under this agreement.

The Grantee's Authorized Representative/Project Manager is **Rick Baird**, 10 Civic Center Plaza, PO Box 3368, Mankato, MN 56002, 507-387-8543, rbaird@mankatomn.gov, or successor. If the Grantee's Authorized Representative changes at any time during this grant agreement, the Grantee must immediately notify the State.

7. Assignment, Amendments, Change Orders, Waiver, and Grant Agreement complete

7.1 **Assignment.** The Grantee shall neither assign nor transfer any rights or obligations under this grant agreement without the prior written consent of the State, approved by the same parties who executed and approved this grant agreement, or their successors in office.

7.2 **Amendments.** Any amendments to this grant agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original grant agreement, or their successors in office.

7.3 **Change Orders.** If the State's Project Manager or the Grantee's Authorized Representative identifies a change needed in the workplan and/or budget, either party may initiate a Change Order using the Change Order Form provided by the MPCA. Change Orders may not delay or jeopardize the success of the Project, alter the overall scope of the Project, increase or decrease the overall amount of the Contract/Agreement, or cause an extension of the term of this Agreement. Major changes require an Amendment rather than a Change Order.

The Change Order Form must be approved and signed by the State's Project Manager and the Grantee's Authorized Representative **in advance of doing the work**. Documented changes will then become an integral and enforceable part of the Agreement. The MPCA has the sole discretion on the determination of whether a requested change is a Change Order or an Amendment. The state reserves the right to refuse any Change Order requests.

7.4 **Waiver.** If the State fails to enforce any provision of this grant agreement, that failure does not waive the provision or the State's right to enforce it.

7.5 **Grant Agreement complete.** This grant agreement contains all negotiations and agreements between the State and the Grantee. No other understanding regarding this grant agreement, whether written or oral, may be used to bind either party.

8. Indemnification

Each party shall be responsible for their own acts and behaviors and the results thereof.

9. State audits

Under [Minn. Stat. § 16B.98](#), subd.8, the Grantee's books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this grant agreement or transaction are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this grant agreement, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

10. Government data practices and intellectual property

10.1 Government data practices. The Grantee and State must comply with the Minnesota Government Data Practices Act, [Minn. Stat. Ch. 13](#), as it applies to all data provided by the State under this grant agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this grant agreement. The civil remedies of [Minn. Stat. § 13.08](#) apply to the release of the data referred to in this clause by either the Grantee or the State. If the Grantee receives a request to release the data referred to in this Clause, the Grantee must immediately notify the State. The State will give the Grantee instructions concerning the release of the data to the requesting party before the data is released. The Grantee's response to the request shall comply with applicable law.

10.2 Intellectual property rights

(a) Intellectual property rights. The State owns all rights, title and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the Works and Documents created and paid for under this grant agreement. Works means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Grantee, its employees, agents, and subcontractors, either individually or jointly with others in the performance of this grant agreement. Works includes "Documents." Documents are the originals of any databases, computer programs, reports, notes studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Grantee, its employees, agents, or subcontractors, in the performance of this grant agreement. The Documents shall be the exclusive property of the State and all such Documents must be immediately returned to the State by the Grantee, at the Grantee's expense, upon the written request of the State, or upon completion, termination, or cancellation of this grant agreement. To the extent possible, those Works eligible for copyright protection under the United States' Copyright Act will be deemed to be "works made for hire." The Grantee assigns all right, title, and interest it may have in the Works and the Documents to the State. The Grantee must, at the request of the State, execute all papers and perform all other acts necessary to transfer or record the State's ownership interest in the Works and Documents.

(b) Obligations

- (1) Notification.** Whenever any invention, improvement, or discovery (whether or not patentable) is made or conceived for the first time or actually or constructively reduced to practice by the Grantee, including its employees and subcontractors, in the performance of this grant agreement, the Grantee shall immediately give the State's Authorized Representative written notice thereof, and must promptly furnish the Authorized Representative with complete information and/or disclosure therein.
- (2) Representation.** The Grantee must perform all acts and take all steps necessary to ensure that all intellectual property rights in the Works and Documents are the sole property of the State, and that neither Grantee nor its employees, agents, or subcontractors retain any interest in and to the Works and Documents. The Grantee represents and warrants that the Works and Documents do not and will not infringe upon any intellectual property rights of other persons or entities. Notwithstanding Clause

Liability, the Grantee shall indemnify, defend, to the extent permitted by the Attorney General, and hold harmless the State, at the Grantee's expense, from any action or claim brought against the State to the extent that it is based on a claim that all or part of the Works or Documents infringe upon the intellectual property rights of others. The Grantee will be responsible for payment of any and all such claims, demands, obligations, liabilities, costs, and damages, including, but not limited to, attorney fees. If such a claim or action arises or in Grantee's or the State's opinion is likely to arise, the Grantee must, at the State's discretion, either procure for the State the right or license to use the intellectual property rights at issue or replace or modify the allegedly infringing Works or Documents as necessary and appropriate to obviate the infringement claim. This remedy of the State will be in addition to and not exclusive of other remedies provided by law.

- (3) **License.** The State hereby grants a limited, no-fee, noncommercial license to the Grantee to enable the Grantee's employees engaged in research and scholarly pursuits to make, have made, reproduce, modify, distribute, perform, and otherwise use the Works, including Documents, for research activities or to publish in scholarly or professional journals, provided that any existing or future intellectual property rights in the Works or Documents (including patents, licenses, trade or service marks, trade secrets, or copyrights) are not prejudiced or infringed upon, that the Minnesota Data Practices Act is complied with, and that individual rights to privacy are not violated. The Grantee shall indemnify and hold harmless the State for any claim or action based on the Grantee's use of the Works or Documents under the provisions of Clause 10.2(b)(2). Said license is subject to the State's publicity and acknowledgement requirements set forth in this grant agreement. The Grantee may reproduce and retain a copy of the Documents for research and academic use. The Grantee is responsible for security of the Grantee's copy of the Documents. A copy of any articles, materials or documents produced by the Grantee's employees, in any form, using or derived from the subject matter of this license, shall be promptly delivered without cost to the State.

11. Workers' compensation

The Grantee certifies that it is in compliance with [Minn. Stat. § 176.181](#), subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

12. Publicity and endorsement

12.1 **Publicity.** Any publicity regarding the subject matter of this grant agreement must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this grant agreement.

12.2 **Endorsement.** The Grantee must not claim that the State endorses its products or services.

13. Governing law, jurisdiction, and venue

Minnesota law, without regard to its choice-of-law provisions, governs this grant agreement. Venue for all legal proceedings out of this grant agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

14. Termination

14.1 **Termination by the State.** The State may immediately terminate this grant agreement with or without cause, upon 30-days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment,

determined on a pro rata basis, for services satisfactorily performed.

14.2 **Termination for cause.** The State may immediately terminate this grant agreement if the State finds that there has been a failure to comply with the provisions of this grant agreement, that reasonable progress has not been made or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the state of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

14.3 **Termination for insufficient funding.** The State may immediately terminate this grant agreement if:

(a) It does not obtain funding from the Minnesota Legislature.

(b) Or, if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Grantee. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State must provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.

15. Data disclosure

Under [Minn. Stat. § 270C.65](#), subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

To protect Grantee's personal data, Grantee is strongly encouraged to obtain and use a Minnesota tax identification number.

Signatures

Title

Name

Signature

Date

DRAFT

SWIFT Contract number: 254943
Agency Interest ID: 124742
Activity ID: PRO20240001**Project title:** City of Mankato Climate Action Plan

1. Project summary:

Organization: City of Mankato
Contractor contact
name: Rick Baird
Title: Environmental Sustainability Coordinator
Address: 10 Civic Center Plaza, PO Box 3368
Mankato, MN 56002
Phone: 507-387-8543
Email: rbaird@mankatomn.gov

Minnesota Pollution Control Agency (MPCA) contact(s):

MPCA project manager: Liz Wiese
Title: Project Manager
Address: 7678 College Road, Suite 105
Baxter, MN 56425
Phone: 218-828-2492
Email: liz.wiese@state.mn.us

Project information

Total cost: **Grant:** \$49,790.00 **Match:** \$54,175.00 **Project Total:** \$103,965.00

Brief project summary:

This project is intended to create an evidence-based roadmap for delivering our fair share of emissions cuts and strengthening our resilience to climate change. The climate action plan will allow our community to take effective action to mitigate climate change and adapt to its effects in the short-term, medium-term, and long-term future.

2. Workplan detail

Task 1 of 9: Data Collection & Review

Task 1: Data Collection & Review

Brief description of activities involved: This includes working with the MPCA to get updated GHG emissions data and estimate existing public and private greenhouse gas emissions, community infrastructure systems, available ecosystem studies, health assessments, energy use, and economic information. Previously prepared relevant studies will be reviewed as part of this task. This information will be used for community engagement and will be included in the project.

Task 2 of 9: Community Outreach & Engagement

Brief description of activities involved: Outreach programs will engage diverse community groups on the potential hazards from climate change and provide transparency on our climate action plan. The public will be engaged early and often throughout the planning process to ensure that goals reflect the needs and priorities of residents.

Task 3 of 9: Transportation Assessment

Brief description of activities involved: Transportation is likely to be a significant emitter of greenhouse gases in Mankato. This activity will build on the understanding of the scale of those emissions and how to reasonably address them.

Task 4 of 9: Ecosystem Assessment

Brief description of activities involved: The City has completed a number of streambank stabilization projects, flood risk reduction, wastewater treatment system analysis and upgrades, stormwater runoff water quality, and water quantity studies and projects. We will review, summarize and quantify the impacts and effects of the existing system and projects completed along with the planning for future project implementation. Restoring, rehabilitating, or improving the function of natural ecosystems can be part of the cost-effective opportunities to address carbon neutrality, water quality improvements, and increase overall community resilience.

Task 5 of 9: Community Resiliency & Vulnerability Evaluation

Brief description of activities involved: Review community climate threats through the lens of vulnerability and potential ways to prepare the community to reduce the human and environmental affects of climate change. This evaluation will include a review of the stormwater management system, Federal flood risk reduction project, waste management systems, drinking water system, energy providers, and socio-economic factors.

Task 6 of 9: Infrastructure Energy and Efficiency Assessment

Brief description of activities involved: Evaluate the current mix of energy sources and major consumers, their emissions and efficiencies and opportunities for reduced emissions and alternative sources.

Task 7 of 9: Community Health Assessment

Brief description of activities involved: Evaluate current community health metrics as they relate to lifestyle, activity, and environment assess the potential changes and mitigating factors for a changing climate and environment.

Task 8 of 9: Community Economic Assessment

Brief description of activities involved: Community economic analysis will examine how a community responds to external forces; gauge desire for commitment to act on shared priorities; and view these results through a vision for climate neutrality and community resilience.

Task 9 of 9: Final Report and Project Deliverables

Subtask 9a: Submit Grant Final Report

Brief description of activities involved: Will provide a final grant project report using the MPCA template approximately one month prior to the end of the grant agreement on June 30, 2025, or at completion of the project, whichever occurs first. Will respond promptly to any requests by the MPCA authorized representative for additional information and/or corrections to the report.

Timeframe: May-June 2025

Subtask 9b: Submit Project Deliverables

Brief description of activities involved: Will provide electronic files of all project deliverables to the MPCA authorized representative prior to the end of the grant agreement on June 30, 2025, or at the completion of the project, whichever occurs first.

Timeframe: May-June 2025

Project deliverables:

To create a plan like a roadmap that will set a course towards climate resilience and carbon neutrality by 2050. We hope to decrease emissions from our buildings, transportation, and waste streams which will have the added benefits of improved indoor and outdoor air quality, limiting our contribution to additional climate change, as well as saving money on utility and fuel bills. The city would also like to strengthen community resilience by preserving natural resources, strengthening community connections, and preparing our infrastructure to withstand climatic changes and extreme weather events.

3. Project budget

Tasks	Grant Funds	In-kind Match	Cash Match	Total budget
City Engineering Staff	\$0.00	\$11,880.00	\$0.00	\$11,880.00
City Environmental Sustainability Coordinator and Staff	\$0.00	\$17,500.00	\$0.00	\$17,500.00
Consultant Project Manager	\$4,890.00	\$0.00	\$2,390.00	\$7,280.00
Consultant Planner	\$13,200.00	\$0.00	\$6,600.00	\$19,800.00
Consultant Engineer	\$22,420.00	\$0.00	\$11,180.00	\$33,600.00
Consultant Scientist	\$8,520.00	\$0.00	\$4,260.00	\$12,780.00
Consultant Admin Staff	\$760.00	\$0.00	\$365.00	\$1,125.00
Project Total	\$49,790.00	\$29,380.00	\$24,795.00	\$103,965.00