



Trail to the Past. Road to the Future.

CITY COUNCIL MEETING

LOCATION CHANGE: MANTORVILLE FIRE DEPARTMENT

21 5TH STREET E, MANTORVILLE, MN 55955

MONDAY, SEPTEMBER 26, 2022

6:30 PM

1. Call to Order

2. Pledge of Allegiance

3. Changes to Agenda

4. Consent Agenda

- A. Accounts Payable Claims List for September 26, 2022
- B. Fund Transfers for the Year 2021; Resolution No. 2022-41

5. Proclamations, Presentations and Recognitions

- A. Informational Presentation by Mark Gamm and Bill Thompson, "Improve and Restore South Branch Middle Fork Zumbro Watershed"

6. Public Safety Update

- A. 2023 Contract Between City of Mantorville and Dodge County Sheriff's Office to Provide Law Enforcement Protection

7. Public Concerns

Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium and state their name and address for the Clerk's record. Generally, the City Council will not take official action on items discussed at this time but may, typically, refer the matter to Staff for a future report or direct that the matter be scheduled on an upcoming agenda.

8. Public Hearing

- A. Application for Variance to Allow for the Construction of a 33-Foot Access Drive at 521 Chestnut Street – Applicant Kyle Decker; Resolution No. 2022-40

9. Old Business/New Business

- A. Budget and Levy Hearing Dates; and Adopting the Proposed Levy Collectible in the Year 2023; Resolution No. 2022-42 (*General Fund preliminary budget will be provided at the meeting*)
- B. City Hall Office Hours Discussion, Continued from August 29, 2022

10. Reports

- A. Public Works Report
 - 1) Estimate from DeCook Contracting
- B. City Clerk Report
- C. Consultant Report
 - 1) Planning and Zoning Commission

D. Committee Reports

*Chamber, EDA, Finance/Budget, Fire Department, Infrastructure,
KM Joint Powers, MRA, Park Board, Personnel, Relief, Township*

E. Councilmember Reports

F. Mayor's Report

11. Tabled Items – *These are items that the Council has previously discussed and voted to table, take action on, or continue discussion of at a later date. These items may be brought back by the Council for discussion at any future meeting.*

A. Gambling Premises Permit Application from KM Snowdrifters to Conduct Lawful Gambling at 509 Main Street North; Resolution No. 2022-39

12. Adjourn

<i>Upcoming Meetings and Events in Mantorville:</i>		
<i>September 27, 2022</i>	<i>6:30 pm</i>	<i>Parks & Recreation Committee Meeting</i>
<i>October 4, 2022</i>	<i>6:30 pm</i>	<i>Economic Development Authority Meeting</i>
<i>October 5, 2022</i>	<i>6:30 pm Training 8:30 pm Members Meeting</i>	<i>Mantorville Fire Department General Meeting</i>
<i>October 10, 2022</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>October 24, 2022</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>October 25, 2022</i>	<i>6:30 pm</i>	<i>Parks & Recreation Committee Meeting</i>
<i>October 29, 2022</i>		<i>Fall Festival</i>
<i>Members of the City Council and other Boards may be in attendance at all meetings and community events in Mantorville</i>		

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Payments

Current Period: September 2022

Payments Batch AP 092622

\$27,422.80

Refer 0 -

Invoice

Transaction Date 9/22/2022 Citizens State Bank 10100 Total

Refer 0 CASEYS BUSINESS MASTERCARD Ck# 005754 9/26/2022

Cash Payment E 101-42200-212 Motor Fuels ACCT BY695 \$36.36

Invoice 571FIRE 9/26/2022

Cash Payment E 101-42200-212 Motor Fuels ACCT BY695 \$51.75

Invoice 575FIRE 9/26/2022

Cash Payment E 101-42200-212 Motor Fuels ACCT BY695 \$31.07

Invoice 577FIRE 9/26/2022

Cash Payment E 101-42200-212 Motor Fuels ACCT BY695 \$57.00

Invoice 578FIRE 9/26/2022

Cash Payment E 101-42200-212 Motor Fuels ACCT BY695 \$33.98

Invoice 579FIRE 9/26/2022

Cash Payment E 101-43100-212 Motor Fuels ACCT BY695 \$163.71

Invoice ADAMS 9/26/2022

Cash Payment E 101-43100-212 Motor Fuels ACCT BY695 \$132.17

Invoice ADAMS 9/26/2022

Cash Payment E 602-49450-212 Motor Fuels ACCT BY695 \$112.83

Invoice ADAMS 9/26/2022

Cash Payment E 101-43100-212 Motor Fuels ACCT BY695 \$130.11

Invoice SCHROEDER 9/26/2022

Cash Payment E 101-45200-212 Motor Fuels ACCT BY695 \$39.02

Invoice SCHROEDER 9/26/2022

Cash Payment E 101-42200-212 Motor Fuels ACCT BY695 -\$2.62

Invoice AUG REBATE 9/26/2022

Cash Payment E 101-43100-212 Motor Fuels ACCT BY695 -\$2.62

Invoice AUG REBATE 9/26/2022

Cash Payment E 101-45200-212 Motor Fuels ACCT BY695 -\$2.62

Invoice AUG REBATE 9/26/2022

Cash Payment E 602-49450-212 Motor Fuels ACCT BY695 -\$2.63

Invoice AUG REBATE 9/26/2022

Transaction Date 9/22/2022 Citizens State Bank 10100 Total \$777.51

Refer 0 CEDA -

Cash Payment E 101-46500-437 Other Miscellaneous 3RD QTR 2022 \$5,171.75

Invoice 9/26/2022

Transaction Date 9/22/2022 Citizens State Bank 10100 Total \$5,171.75

Refer 0 DELTA DENTAL -

Cash Payment G 101-21708 Dental Insurance OCT 2022 DENTAL \$199.30

Invoice RIS0004433868 9/26/2022

Transaction Date 9/22/2022 Citizens State Bank 10100 Total \$199.30

Refer 0 DODGE COUNTY INDEPENDENT -

Cash Payment E 101-41110-352 Publishing VARIANCE NOTICE 092622 \$75.44

Invoice 14654 9/26/2022

Transaction Date 9/22/2022 Citizens State Bank 10100 Total \$75.44

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Payments

Current Period: September 2022

Refer	0 HAWKINS, INC	-			
Cash Payment	E 601-49400-216 Chemicals and Chem Pr	ACCT 109211			\$10.00
Invoice	6289635	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$10.00
Refer	0 INTERNAL REVENUE SERVICE	Ck# 005755			
Cash Payment	G 101-21703 FICA Tax Withholding	SOCIAL SECURITY WH, PR 19.01			\$262.30
Invoice	QTR 3 2022	9/26/2022			
Cash Payment	G 101-21709 Medicare	MEDICARE WH, PR 19.01			\$61.34
Invoice	QTR 3 2022	9/26/2022			
Cash Payment	G 101-21701 Federal Withholding	TAX WH, PR 19.01			\$211.53
Invoice	QTR 3 2022	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$535.17
Refer	0 INTERNAL REVENUE SERVICE	Ck# 005758			
Cash Payment	G 101-21703 FICA Tax Withholding	SOCIAL SECURITY WH, PR 20			\$1,043.04
Invoice	QTR 3 2022, 2	9/26/2022			
Cash Payment	G 101-21709 Medicare	MEDICARE WH, PR 20			\$243.94
Invoice	QTR 3 2022, 2	9/26/2022			
Cash Payment	G 101-21701 Federal Withholding	TAX WH, PR 20			\$713.89
Invoice	QTR 3 2022, 2	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$2,000.87
Refer	0 KASSON LASER GRAPHICS	-			
Cash Payment	E 101-41500-437 Other Miscellaneous	SHIRTS SEP 2022			\$864.00
Invoice	9928	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$864.00
Refer	0 KENNEDY & GRAVEN, CHARTERED	-			
Cash Payment	E 101-41600-304 Legal Fees	GENERAL CITY MATTERS			\$1,314.00
Invoice	169611	9/26/2022			
Cash Payment	E 101-41600-304 Legal Fees	LEGAL CLAIM			\$111.00
Invoice	169611	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$1,425.00
Refer	0 MINNESOTA REVENUE	Ck# 005757			
Cash Payment	G 101-21702 State Withholding	STATE WH PR 19.01			\$68.75
Invoice	0-806-343-584	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$68.75
Refer	0 MINNESOTA REVENUE	Ck# 005760			
Cash Payment	G 101-21702 State Withholding	STATE WH PR 20			\$364.86
Invoice	1-172-353-952	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$364.86
Refer	0 MINNESOTA HEALTHCARE CONS	Ck# 005762			
Cash Payment	E 101-41500-120 Benefits	OCT 2022 MEDICAL PREMIUM			\$2,391.36
Invoice	091922	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$2,391.36
Refer	0 NCPERS GROUP LIFE INS.	-			
Cash Payment	G 101-21711 Life Insurance Payable	608900			\$32.00
Invoice	608900102022	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$32.00

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Payments

Current Period: September 2022

Refer	0 OVERHEAD DOOR COMPANY	-			
Cash Payment	E 101-41940-220 Bldg.Repair and Mainten	CUST#5076355170			\$135.00
Invoice	14854-000	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$135.00
Refer	0 MN PERA	Ck# 005756			
Cash Payment	G 101-21704 PERA	SEP 2022			\$319.57
Invoice	PR 19.01	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$319.57
Refer	0 MN PERA	Ck# 005759			
Cash Payment	G 101-21704 PERA	SEP 2022, 2			\$1,273.59
Invoice	PR 20 SEP	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$1,273.59
Refer	0 ON-SITE COMPANIES	-			
Cash Payment	E 603-45183-400 Repairs & Maint Cont (G	005201			\$79.00
Invoice	0001397534	9/26/2022			
Cash Payment	E 603-45183-400 Repairs & Maint Cont (G	005201			\$84.84
Invoice	0001397534	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$163.84
Refer	0 ON SITE COMPUTERS, INC	-			
Cash Payment	E 101-41500-300 Professional Svcs (GENE	080			\$233.00
Invoice	CW81376	9/26/2022			
Cash Payment	E 601-49400-300 Professional Svcs (GENE	080			\$12.00
Invoice	CW81376	9/26/2022			
Cash Payment	E 101-41500-300 Professional Svcs (GENE	080			\$126.50
Invoice	CW81452	9/26/2022			
Cash Payment	E 101-41500-300 Professional Svcs (GENE	080			\$57.50
Invoice	CW81772	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$429.00
Refer	0 SAMS CLUB	Ck# 000029			
Cash Payment	E 101-41410-430 Miscellaneous	ACCT -4765, COFFEE-ELECTION JUDGES			\$28.92
Invoice	P928000L3012Q	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$28.92
Refer	0 WARSAW	-			
Cash Payment	E 101-43160-381 Electric Utilities	116009445			\$4,667.27
Invoice	2209-6994D	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$4,667.27
Refer	0 WHKS & COMPANY	-			
Cash Payment	E 313-47000-303 Engineering Fees	2022 STREET IMPROVEMENTS			\$361.60
Invoice	46504	9/26/2022			
Cash Payment	E 457-41950-303 Engineering Fees	TH 57 IMPROVEMENTS			\$6,128.00
Invoice	46504	9/26/2022			
Transaction Date	9/22/2022	Citizens State Bank	10100	Total	\$6,489.60

MANTORVILLE,MN

Payments

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Current Period: September 2022

Fund Summary

10100 Citizens State Bank

101 GENERAL FUND	\$20,637.16
313 GO SERIES BOND 2022A	\$361.60
457 STATE HIGHWAY 57 PROJECT	\$6,128.00
601 WATER FUND	\$22.00
602 SEWER FUND	\$110.20
603 RV PARK	\$163.84
	\$27,422.80

Pre-Written Checks	\$7,760.60
Checks to be Generated by the Computer	\$19,662.20
Total	
	\$27,422.80

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION 2022-41

**A RESOLUTION APPROVING FUND TRANSFERS
FOR THE YEAR 2021**

WHEREAS, the maintenance of City funds and Debt Service funds provide financial responsibility; and

WHEREAS, the City Council authorized certain fund transfers as part of the 2021 budget process to offset the costs of various projects.

THEREFORE, BE IT RESOLVED, by the Mantorville City Council that the City Clerk-Treasurer shall be permitted to conduct the following fund transfers:

- 1) Transfer from General Fund Reserves (101) to Fire Department Fund (102) \$21,246.00 for 2021 unspent budget dollars for future Fire Department capital needs.
- 2) Transfer from General Fund Reserves (101) to Fire Department Fund (102) \$7,000.00 for reimbursement from the American Rescue Plan Act to cover the costs related to the air compressor, electrical panel, and electric line in the Fire Bay.
- 3) Transfer from General Fund Reserves (101) to Park Fund (225) \$9,392.00 for 2021 unspent budget dollars for future capital needs.
- 4) Transfer from General Fund Reserves (101) to Water Fund (601) \$2,400.00 for reimbursement from the American Rescue Plan Act to cover the costs related to the purchase and installation of LED lights in the Fire Hall.
- 5) Transfer from General Fund Reserves (101) to EDA Fund \$4,741.00 for 2021 unspent budget dollars to be assigned to their 2022 budget for general operating expenses.
- 6) Transfer from General Fund Reserves (101) to General Fund (101-41940-220) \$600.00 for reimbursement from the American Rescue Plan Act to cover costs related to blockwork to close the basement door of City Hall and prevent future flooding.
- 7) Transfer from General Fund Reserves (101) to Park Fund (225) \$2,400.00 for reimbursement from the American Rescue Plan Act to cover the costs related to the work to be completed on the electrical poles in Riverside Park.
- 8) Transfer from the General Fund Reserves (101) to the Water Fund (601) \$19,000.00 for reimbursement from the American Rescue Plan Act to cover the costs related to the 2021 Walnut Street watermain project.

Adopted by the City Council of the City of Mantorville, Minnesota, this 26th day of September 2022.

ATTEST:

Chuck Bradford, Mayor

Shirley R Buecksler, City Clerk-Treasurer

September 19, 2022

To: Mantorville City Council

From: Mark Gamm and Bill Thompson

Subject: Restoration of the Zumbro River and Opportunities for Mantorville.

This is a very exciting time in the history of the Zumbro River. Never before has there been this level of public support and financial resources available for making improvements to the Zumbro River Watershed. Bill and I think the timing is perfect for the City of Mantorville to benefit from this new era and to make improvements that can increase recreation and economic opportunities in the city.

The purpose of this meeting on September 26, 2022 is to introduce you to the activities occurring in the Zumbo River Watershed and how the City can be big part of the river's restoration which can directly benefit the residents and businesses of Mantorville.

Although Bill and I are retired, we both worked in the public sector for many years in the environmental science and service area and now come to you as citizens and partners to assist in making improvements that can benefit the City and our shared water resources.

We realize that the possible removal of the dam is a sensitive subject to the community and residents, but we hope that this meeting will illustrate the importance of the underlying issues and opportunities and is the beginning of more discussions with you, citizens, businesses, watershed landowners, and others interested.

At the meeting, we plan to include a 20-minute slide/video presentation followed by 20 minutes for questions and discussion. A copy of the presentation is attached for your preview.

Sincerely,



Mark Gamm and Bill Thompson

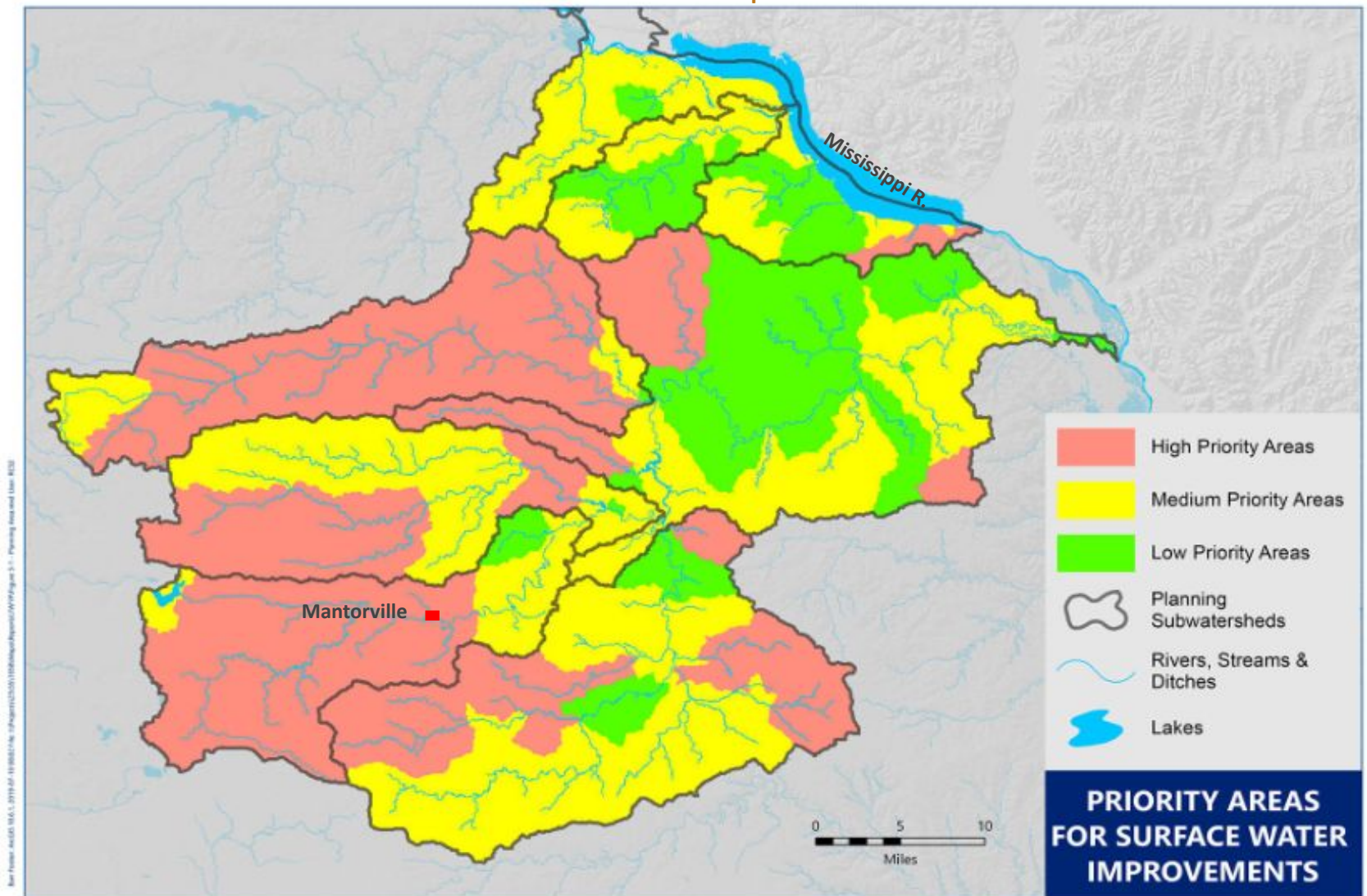
Improve and Restore South Branch Middle Fork Zumbro Watershed



Today's Goals

- Why Now?
- What We Are Doing
 - Upper Watershed Conservation Practices
 - Upper Watershed Erosion Control Practices
- Future Option
- Benefits
- Next Steps
- Questions & Contact Information

Zumbro River Watershed Improvements



Source: Olmsted County Website/Zumbro River Management Plan

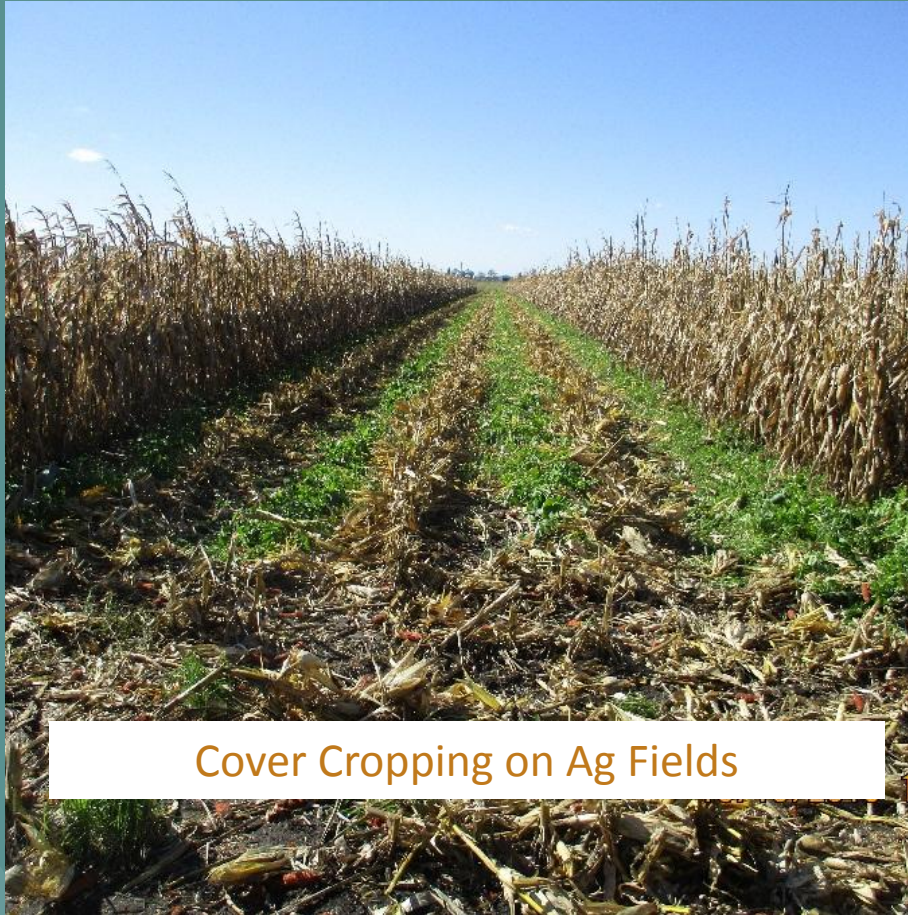
Why Now?

The Time is Right to Study Options for Improvements in Mantorville:

- Funding available
- Part of new watershed-wide emphasis to improve water quality.
- Dam inspection in 2025
- Potential benefits:
 - + Lower maintenance cost
 - + Safer
 - + Similar or improved aesthetics
 - + Increased recreation use (kayaking, canoeing, fishing, tubing)
 - + Increased tourism
 - + Strengthen tie to history
 - + Improved water quality and wildlife habitat

What We Are Doing

Upper Watershed Conservation Practices



Cover Cropping on Ag Fields



Reduce Runoff – Improve Soil
Health and Watershed
Hydrology

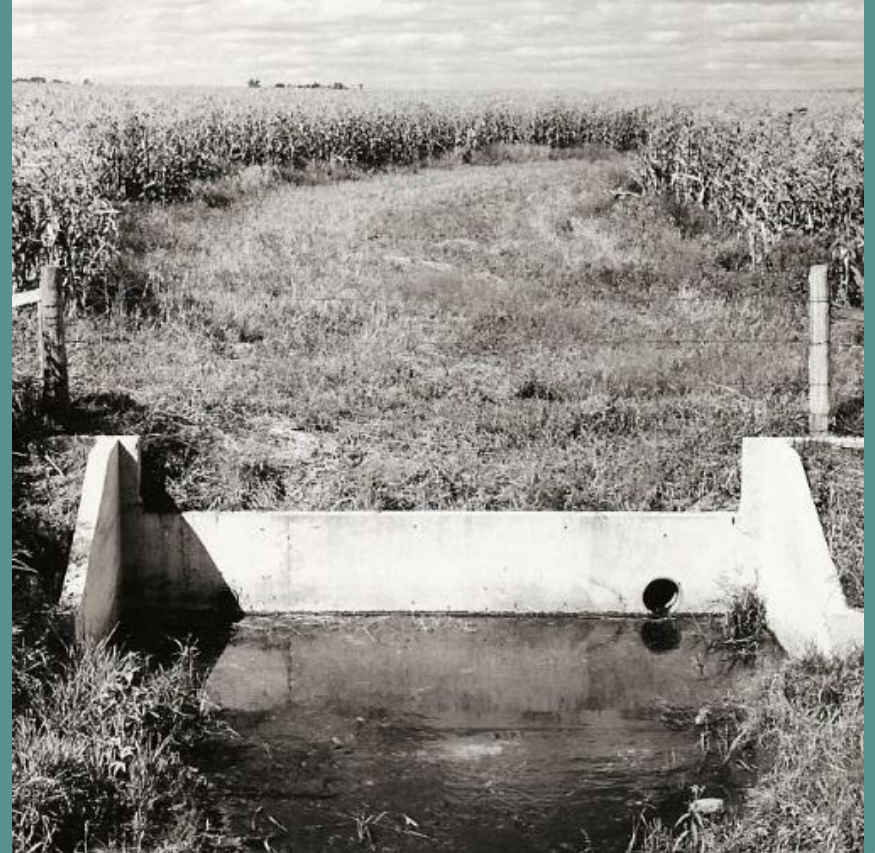
What We Are Doing

Upper Watershed Erosion Control Practices

Tilney's water and sediment structure, 2005



Swales and Terraces



Waterways and Drop Structures

Opportunities in Mantorville



Zumbro in Mantorville, Year 2022

Zumbro Restoration in Mantorville, Future?



Looking upstream at rock riffle/pool restoration, Crow River, City of Hutchinson



Aerial view of rock riffle/pool restoration, Crow River, City of Hutchinson

Pine River Site

Zumbro Restoration in Mantorville, Future?



Before

Example of Rock Riffle/pools
Restoration.

Photos from restoration on Crow
River in the City of Hutchinson.



Photo by: Jon Ausdemore

When the city of Hutchinson, Minnesota, decided to replace its old concrete dam on the West Fork Crow River (inset), it turned to Barr for a design that would simplify dam operations, reduce long-term maintenance and repair costs, allow for fish passage, and improve recreational use and aesthetics. We developed a design to replace the existing concrete dam and gate structure with a natural rock rapids spillway.

June

After

Zumbro Restoration in Mantorville, Future?

Rock rapids replace aging dams to let Minnesota rivers flow



Knutson Dam replaced Rapids on Cass Lake illustrates the aesthetics and benefits of river restoration by using a riffle.

Video courtesy of MN DNR River Ecology Unit

Zumbro Restoration in Mantorville, Future?



Photographs of rock riffle/pool restoration on Zumbro River near Oronoco



Benefits

Restoration comes with a variety of funding sources
(other than city revenues)

The timing for funding now is better than ever!

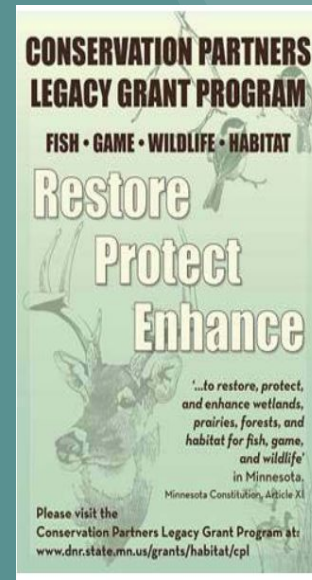
\$ 1.2 million (1)



\$296 million (2)



\$3 million (3)



\$80 million (4)



1: Budget contribution from State on MN

2. Fiscal year 2021 appropriation for clean water, outdoor heritage, and parks/trails and includes pass-through grants to local governments including Conservation Partners and Outdoor Heritage

3. Grants awarded in 2022, Traditional Round 1

4. DNR budget for pass-through grants 2020-2021

Benefits

City has greater opportunity to design the restoration if done prior to any significant damage to dam and retaining walls.

Aging Infrastructure + Frequent Flooding Maintenance or Failure

Blue Mounds State Park 2014



High Island Creek 2014



Lake Shady 2010

Benefits

Safer and less maintenance.

7-17-2007 PHOTO OF DAMAGED WALL



At the time, the dam was considered a low hazard but there was also a discussion about the risk of internal erosion behind the retaining wall that could be a significant safety hazard.

Next DNR Dam Safety Inspection
for Mantorville's dam is
expected in Year 2025

July 19, 2017

Mayor Chuck Bradford
21 5th St East
PO Box 188
Mantorville, MN 5955

RE: Mantorville, NID # MN00390, Dodge County

Dear Mayor Bradford:

Representatives of the Minnesota DNR Dam Safety Unit inspected the above dam on July 13, 2017. Such inspections are conducted on a regular basis as required by state rules. Low Hazard Dams, such as the Mantorville Dam, are inspected about every eight years.

We are forwarding a copy of our inspection findings. The dam was given a "Fair" condition rating. The rating was given due to the poor condition of the stop log structure and the left abutment wall.

If you have any questions, comments, or recommendations about this inspection, please feel free to call me at (651) 259-5722.

Sincerely,

DNR Ecological and Water Resources

Dan Zwilling, PE

Dam Safety Unit

Benefits

Enhance Park, River, and Business Use!



Just a Little
Window Shopping
For The Perfect Find

Benefits

Greater Connection to Site's History



A quote from the *History of Dodge County, MN*: *"In the fall of 1855, pursuant to the demands of a rapidly increasing populations, William Brown and Peter Mantor each built a saw mill, and in the spring Mr. Mantor added to his mill gristing apparatus..."*



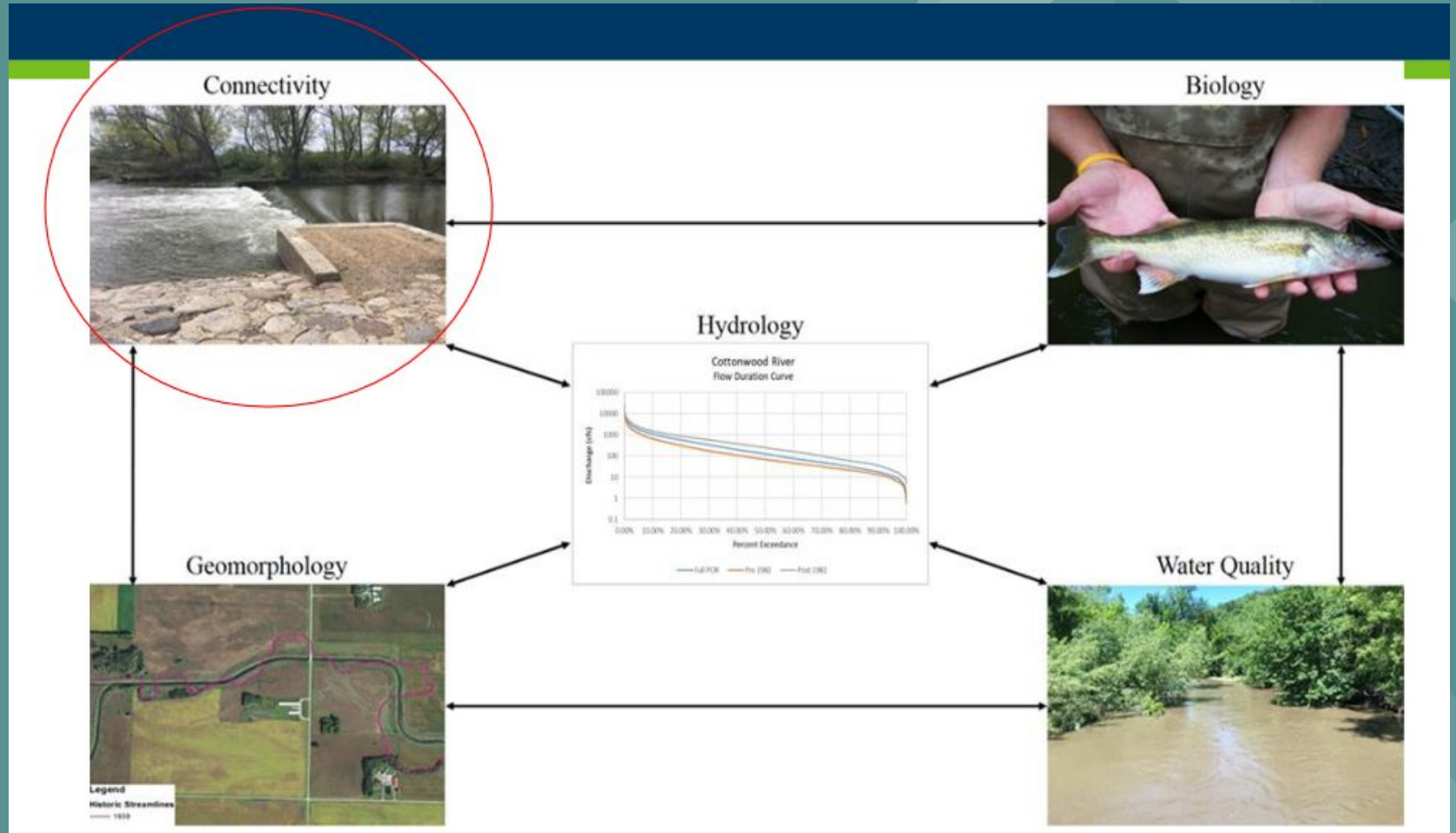
Tree in Broken Dam: Mantorville Co-op Express, August 16, 1951

Benefits

Assess flooding and mitigation steps during planning process.



Benefits



Improve wildlife and water quality

Benefits

Environmental Benefits



Add: Fish Lake Outlet and Suckers
– MP4 from Neil Haugerud's Files
(River Ecologist | EWR River
Ecology Unit), link below:

Add: "P507006MOV" from Neil
Haugerud's Files (River Ecologist |
EWR River Ecology Unit), link
below:

Benefits

Environmental Benefits

From Report: Barrier Effects on Native Fishes of Minnesota

Luther Aadland

March 2015, MNDNR

Abstract

Excerpt:

“Subsequent removal of 11 barriers resulted in upstream recolonization of an average of 66% of the species that had been absent. Removal also resulted in substantially higher catch per unit effort for a number of species..... These findings suggest that barrier dams, while often ineffective for control of common carp, are among the most profound and definitive causes of native biodiversity losses in Minnesota waters”

Next Steps

DNR can survey the Zumbro River characteristics upstream and downstream of the dam then prepare preliminary design options for the City of Mantorville to consider; **at no cost to the city.**



Questions?

Citizen Contacts

Bill Thompson:

Ph: 507-259-8711,

Email: thomps5@kmtel.com

Mark Gamm:

Ph: 507-206-9265

Email: mgamm01@gmail.com



CONTRACT BETWEEN CITY AND COUNTY TO PROVIDE LAW ENFORCEMENT PROTECTION

2023

AGREEMENT MADE AND ENTERED INTO between the County of Dodge, State of Minnesota, a body Corporate and Politic of the State of Minnesota, herein called County, and the City of **Mantorville** Municipal Corporation of the State of Minnesota, herein called City.

RECITALS

- A. The City desires to have law enforcement protection provided within its jurisdictional boundaries under the terms and conditions herein after set forth.
- B. The County is willing to provide such law enforcement service under the terms and conditions set forth herein.
- C. Contracts such as this are authorized and provided for by the provisions of Minnesota Statutes, Section 471.59.

IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN,

the parties agree as follows:

Section 1. PERFORMANCE OF LAW ENFORCEMENT PROTECTION

- A. County shall provide to the City law enforcement protections within the City's corporate limits encompassing such law enforcement duties customarily rendered by the Sheriff of the County of Dodge pursuant to Federal and State Statutes for a total of: **40 hours law enforcement hours per week, (minimum of 40 hours per week, 5.71 hrs/day)** with 7 days coverage per week (365 days) for the duration of this contract. Cost per contract hour is **\$50.00** which includes vehicle and cost of operation. A law enforcement hour

is defined to be an hour when a Dodge County Sheriff's Deputy is scheduled to patrol and provide law enforcement service for the City. Such services shall include, but not be limited to, the enforcement of State Statutes and Municipal Ordinances traffic enforcement, license inspection and Court appearances. Scheduling of such hours per week shall be under the direction of the Sheriff of the County with the City Clerk/Administrator's Office being able to give recommendations.

- B. The peace officer scheduled on duty may provide services for the County outside the City limits in their capacity as deputies for the County. In return, the County will provide the City law enforcement protection above and beyond the law enforcement contract by responding to emergencies and investigation reported offenses during the times a deputy is not assigned to the City. The determination of whether or not an emergency exists shall be at the discretion of the Sheriff or his/her designee.
- C. In the event the Dodge County Sheriff is unable to provide a deputy for a regular shift for the City due to sickness or other emergency, the Sheriff shall notify the City Clerk/Administrator if the City so requests. The Sheriff's Office shall keep records of hours scheduled shifts not patrolled and the City shall receive a credit on its costs and payments set out in Section 2 below. The fact that the County may have to pay overtime to a deputy is not a valid reason not to provide such law enforcement protection. The parties contemplate this situation to be rare and the City is allowing the County relief from Section 1A above only after the Sheriff or his/her designee has exercised a good faith attempt to provide a deputy.
- D. In addition to the **40 (minimum 40)** hours per week that are anticipated under this agreement, it is expected that additional hours will need to be provided on behalf of the City for Court appearances by Deputies for matters arising in the City's extended shifts which may be required as the result of a Deputy being involved in business prior to the end of his shift which requires him to spend time beyond the end of this shift: emergency calls, investigations and special events which are held in the City that would require additional law enforcement protection. The County shall provide these anticipated additional services and hours at no additional charge to the City. The Sheriff shall

determine the number of Deputies required for the above-mentioned hours, subject to the provisions regarding Costs and Payment in Section 2(below).

Section 2. COSTS AND PAYMENTS

- A. The City shall pay the County for the law enforcement services the sum of **\$104,250.00 (minimum of \$104,250.00)** payable in 12 equal monthly installments of **\$8,687.50 (minimum of \$8,687.50)** on the first day of each month commencing **January 1st, 2023** and continuing through and including **December 31st, 2023.**

Section 3. TERM OF CONTRACT

- A. This contract shall commence on **January 1st, 2023** and terminate on **December 31st, 2023**, unless extended by mutual agreement between the parties. If either party wishes to terminate this agreement prior to the termination date, either may do so by serving upon the other written notice of termination 90 days prior thereto. Costs shall be pro-rated.

Section 4. SUPERVISION

The County shall have the exclusive control and supervision of the personnel provided by the County to render law enforcement protection to the City. For purposes of performing such functions, the County shall furnish and supply all necessary labor, supervision, equipment (including a fully equipped squad car), communication facilities and dispatching, and miscellaneous supplies necessary to maintain the level of service to be rendered hereunder.

Section 5. IDEMNIFICATION

- A. Except as herein otherwise specified, the City shall not be liable for compensation or indemnity to any County employee for injury or sickness arising out of his/her employment, and the County hereby agrees to hold harmless the City against any such claim. The City, its officers, and employees shall not be deemed to assume any liability for intentional or negligent acts of said County or of officers or employees or equipment thereof, and said County shall indemnify and hold said City and its officers and employees harmless from and shall defend said City and its officers and employees against any

and all claims resulting from any act or circumstance involving County officers, employees or equipment. A copy of an adequate liability insurance policy shall be provided to the City by the County upon the City's request.

- B. The County, its officers and employees, shall not be deemed to assume any liability for intentional or negligent acts of said City or of officers or employees thereof, and said City shall hold said County and its officers and employees harmless from and claim for damages resulting therefrom. Provided, nevertheless, the County agrees to defend against all claims brought or actions filed against the City or any officers, employees, or volunteers of the City, for injury or death to any third person or persons or damage to the property of the third persons arising out of the performance of the same.
- C. The intent of the indemnification requirements of this section is to impose on the County a duty to defend the City for claims arising within the City's jurisdiction subject to the limits of liability under Chapter 466 Minnesota Statutes. The purpose is to simplify the defense of liability claims by eliminating conflicts among defendants and to permit liability claims against multiple defendants from a single occurrence to be defended by a single attorney. The City would be responsible for the costs of such defense in proportion to its percentage of liability. No Settlement shall be made binding on the City for such costs and claims without first securing its written consent. Under no circumstances, however, shall a party be required to pay on behalf of itself and other parties any amounts in excess of the limits and liability established in Chapter 466 Minnesota Statutes applicable to only one party. The limits of liability for some or all parties may not be added together to determine the maximum of liability for any party.

Section 6. COMMUNICATION

In order to maintain a direct channel of communication between the County and the City, the Sheriff or one of his/her deputies appointed by him/her, shall attend ALL REGULAR council meetings of the Mantorville City council. The Sheriff may also request to appear before the City Council. Furthermore, the Council or City Administrator or Mayor may request from the Sheriff a written report of the activities of the officers on duty and the Sheriff shall provide such reports promptly, subject to the data privacy laws.

Section 7. MOTOR VEHICLES

The County shall supply squad cars for the use of the deputies. The County shall retain 100% ownership of such vehicles and maintain full insurance on the vehicles.

Section 8. COMPLETENESS OF AGREEMENT

The provisions embodied in this agreement contain all covenants, agreements, obligations and stipulations agreed to by the parties and on execution hereof any and all previous and existing agreements and/or contracts entered into between the parties are hereby declared by mutual consent to be null and void. Further, there are no other understandings, representations or agreements, written or oral, not incorporated herein.

Section 9. NONDISCRIMINATION: PENALTY

No discrimination because of race, color, national origin, ancestry, sex or religion shall be made in the employment of persons to perform services by the County under this contract. The County agrees to meet all requirements of Federal and State Statutes pertaining to nondiscrimination employment.

IN WITNESS WHEREOF, the parties have executed this agreement at _____
Minnesota, this ____day of _____, 20__.

ATTEST:

CITY OF MANTORVILLE

CLERK/ADMINISTRATOR

MAYOR

COUNTY OF DODGE

BY: _____
SHERIFF

BY: _____
CHAIRMAN OF BOARD OF
COMMISSIONERS

CLERK OF COUNTY BOARD
Approved as to form

Paul J. Kiltinen
Dodge County Attorney



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: September 26, 2022

Variance for Driveway at 521 Chestnut Street

BACKGROUND INFORMATION:

Property owner Kyle Decker has submitted an application for variance to install a 33-foot driveway at his property located at 521 Chestnut Street, which is wider than allowed by ordinance.

A Public Hearing must be held with citizens allowed to speak in regards to this item. A notice was published in the newspaper, and property owners within 350 feet of 521 Chestnut Street were notified of tonight's Public Hearing. Owner Kyle Decker will be in attendance.

Enclosed are the application materials submitted by the property owner. If Council approves of the variance, the enclosed resolution has been prepared for Council's adoption.

STAFF RECOMMENDATION:

Based on discussion, motion to approve or deny the variance and enclosed resolution. Mr. Decker is also requesting that Council waive the fee of \$250.00 for the variance.



Trail to the Past. Road to the Future.

September 14, 2022

Dear Property Owner:

You are receiving this notice because your property is within the required public notice area for notification of an Application for Variance. Kyle Decker, property owner at 521 Chestnut Street, is requesting approval of a Variance at the property located at Dodge County Parcel ID 254261100 to allow for the construction of a 33-foot access drive.

A public hearing to discuss this Variance will be held by the City Council at their Regular City Council meeting on Monday, September 26, 2022. You are welcome to attend and provide comment in regards to this Variance during the public hearing. If you are unable to attend the public hearing but would like to provide comment, send an email to my attention at shirley@mantorville.com by 3:00 pm on Monday, September 26, 2022. All comments received by this date and time will be provided to the City Council for the public hearing.

If you have any questions, please feel free to contact me at 507.635.5116.

Sincerely,

Shirley R Buecksler
City Clerk-Treasurer

Enclosure

CITY OF MANTORVILLE

21 5th Street E • P.O. Box 188 | Mantorville, MN 55955 | p: 507.635.5170 | f: 507.635.5300email:

cityofmant@kmtel.com | www.mantorville.com

On the National Register of Historical Places Est. 1854

PUBLIC HEARING NOTICE

Notice is hereby given that the Mantorville City Council will hold a Public Hearing on Monday, September 26, 2022 starting at 6:30 pm, or as soon as reasonably practical thereafter, in the City Hall Council Chambers to consider the following zoning request:

An application for a variance from Section 150.086(C)(1) of the Mantorville City Code to allow for the construction of a 33-foot access drive.

The applicant is Kyle Decker. The property is located at 521 Chestnut Street, Mantorville, Minnesota, PID 25.426.1100.

All interested persons should attend. If unable to attend, written comments may be submitted to the City Council prior to the Public Hearing via email to the City Clerk-Treasurer at shirley@mantorville.com or by mailing to/dropping off at Mantorville City Hall, 21 5th Street East, Mantorville, MN 55955. Comments must be received by 3:00 pm on Monday, September 26, 2022. All written comments will be presented to the City Council.

Shirley R Bueckslar
City Clerk-Treasurer

Published: September 15, 2022
Dodge County Independent
Mailed: September 14, 2022

**CITY OF MANTORVILLE
APPLICATION FOR VARIANCE**

Fee \$250

(A) Applicant's Name Kyle Decker Phone _____

(B) Address 521 Chestnut St Email Address: _____

(C) Owner's Name (if different from Applicant) Same Phone _____

(D) Owner's Address _____ Email Address: _____

(E) Address of the Property 521 Chestnut St Mantorville, MN

(F) Tax Parcel ID Number(s) 254261100

(G) Legal Description of Property _____

(H) Description of Request pouring concrete over original Driveway

(I) Reason(s) for Request Changing gravel to concrete

(J) Present Zoning Classification of the Property R-2

(K) Existing Use of the Property Residential

(L) Section of the Zoning Ordinance in which a variance is sought: 150.086 (c)(1)

(M) Explain how you wish to vary from the applicable provisions of the Zoning Ordinance: _____

Pour concrete on existing driveway ³³~~30~~ feet wide

(N) A variance may only be granted by the City Council where the strict enforcement of the Zoning Ordinance will result in "practical difficulties." Under the new law, **practical difficulties means** (1) the property owner proposes to use the property in a reasonable manner permitted by the ordinance, (2) the owner's plight is due to circumstances unique to the property not created by the owner, and (3) the variance will not alter the locality's essential character. The Applicant is responsible for establishing the existence of practical difficulties regarding the particular property and that the request otherwise satisfies the requirements of the Zoning Ordinance. Whether or not "practical difficulties" exist is determined by the City Council considering all of the following factors. Please summarize the facts as to your property and alleged "practical difficulties" with regard to each of the factors, using additional paper and attachments, if necessary.

1. In your opinion, is the variance in harmony with the purposes and intent of the Zoning Ordinance?

☒ Yes ☐ No

Why or why not? Explain:

No change to existing driveway other than pouring concrete up to existing garage

2. In your opinion, is the variance consistent with the comprehensive plan?

☒ Yes ☐ No

Why or why not? Explain:

Looking to increase property value, curb appeal, functionality and drainage.

3. In your opinion, are you proposing to use your property in a reasonable manner not permitted by the Zoning Ordinance?

☐ Yes ☐ No ?

Why or why not? Explain:

ISO.086 (c)(1) is too vague as to whether I am allowed 30 ft or 20 ft access. Asking that the fee for the variance be waived due to varying options on the City Code from the City Engineer and City Attorney. Code does not define what type of driveway.

4. In your opinion, is your dilemma due to circumstances unique to your property which do not apply to other properties in the same zone or vicinity?

☐ Yes ☐ No

Why or why not? Explain:

Yes - narrow street makes it difficult to back in trailer.

No - variances have been issued for similar properties in the area.

5. In your opinion, were the circumstances causing the practical difficulties created by someone or something other than you or the previous owners of the property?

☐ Yes ☒ No

Why or why not? Explain:

Driveway was installed when garage was built in 2013.

6. In your opinion, will the granting of the variance maintain and not alter the essential character of the area or the neighborhood?

☒ Yes ☐ No Why or why not? Explain:

Value of property and surrounding properties will increase, as well as better drainage and functionality.

7. In your opinion, do the alleged practical difficulties involve more than just economic considerations?

☐ Yes ☒ No Why or why not? Explain:

N/A.

The City will not consider as a variance any use that is not permitted for the property in the district where the affected person's land is located.

No application for a variance shall be considered by the Council within a 1-year period following a denial of the request unless, in the opinion of the Council, new evidence or a change in circumstances warrant it.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the Mantorville Zoning Ordinance and other applicable City ordinances. Submittal of the application, required information and fee does not guarantee the issuance of a variance. Additional information may be needed or conditions may exist that would prevent the actual granting of a variance.

I hereby certify with my signature that all data on my application form, and any additional sheets, plans and specifications, are true and correct to the best of my knowledge.



Applicant Signature

9-8-2022

Date

Property Owner Signature (if different from Applicant)

Date

PROCEDURES: The procedure for applying for a Variance from the regulations of the Zoning Ordinance are as follows:

1. The applicant shall file the completed application together with the required exhibits listed below and pay an application fee as established by the City Council.
2. When the City Clerk determines the application to be complete the public hearing date will be set.
3. The City Clerk shall publish a notice of the Public Hearing at least once in the legal newspaper not less than ten (10) days prior to the hearing.
4. The City Clerk shall give written notice to all property owners within 350 feet of the outer boundaries of the property in question; however, failure of any property owner to receive such notification shall not invalidate the proceedings.
5. The City Council shall take action to approve or deny the application within sixty (60) days of receiving a completed application. If the Council cannot take action to approve or deny the application within these sixty (60) days, the Council may extend the timeline for taking action before the end of the initial 60-day period by providing written notice of the extension to the applicant. The notification shall state the reasons for the extension and its anticipated length, which may not exceed sixty (60) days unless approved by the applicant in writing.
6. No application for a Variance shall be considered by the City Council within a one (1) year period following a denial of such request, except that the City Clerk may permit a new application to be filed if new evidence or a change in circumstances warrant it.

REQUIRED EXHIBITS FOR VARIANCES The following exhibits shall be required:

- | | |
|---|--|
| ☒ Yes ☐ No | 1. A completed application form. |
| ☐ Yes ☐ No | 2. An accurate boundary description of the property, in some cases a survey of the property by a licensed Surveyor will be required. |
| ☐ Yes ☒ No | 3. Evidence of ownership or enforceable option on the property |
| ☐ Yes ☐ No | 4. An accurate drawing, at scale, showing property lines, locations of existing buildings and proposed project. |

NOTE: SUBMITTAL OF THE REQUIRED INFORMATION DOES NOT GUARANTEE THE ISSUANCE OF A VARIANCE. ADDITIONAL INFORMATION MAY BE NEEDED OR CONDITIONS MAY EXIST THAT WOULD PREVENT THE ACTUAL GRANTING OF A VARIANCE.

FOR OFFICE USE ONLY

Date Submitted 9/8/22 Date Accepted _____ Fee Paid \$250.00

Public Hearing Date: 9/26/22

(Circle one) Approved Denied by the City Council on _____, _____.

If approved, the following conditions were prescribed:

1. _____
2. _____
3. _____
4. _____

If denied, denial was for the following reason(s): _____

Copy

SCOTT, CATHY, KYLE DECKER
531 CHESTNUT STREET
MANTORVILLE MN

N →

← 122 →

ALLEY

16

25'

40'

Garage

32'

62'

62

HOUSE

10'

36

46

28

150

68

5

6

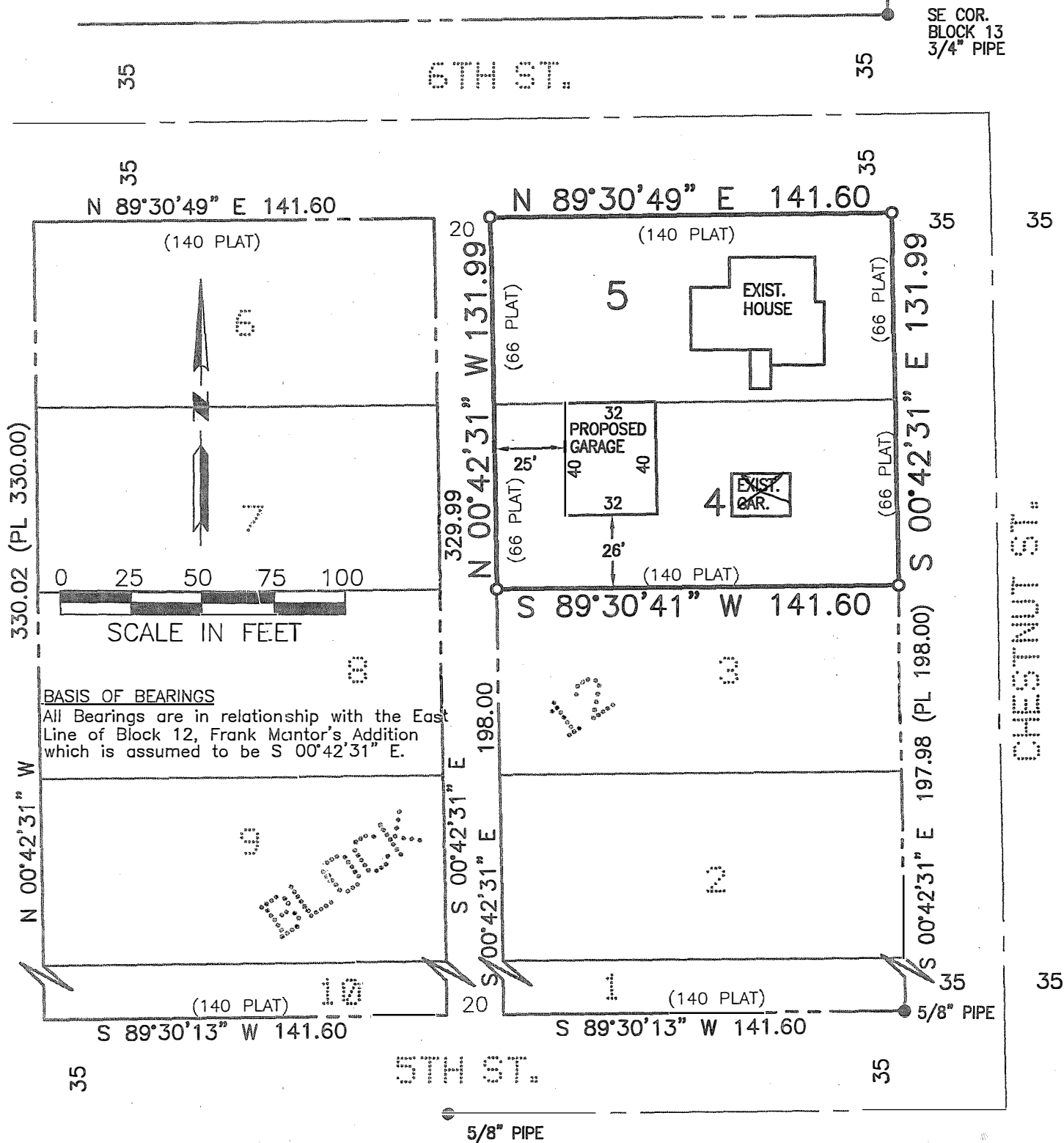
20' 1/2"

33 ft at
Property Line
29 ft

LEFT
SIDE

← CHESTNUT STREET →

CERTIFICATE OF SURVEY
LOTS 4 & 5, BLOCK 12,
FRANK MANTOR'S ADDITION
MANTORVILLE, DODGE COUNTY, MINNESOTA



DESCRIPTION

All of Lots 4 and 5, Block 12, Frank Mantor's Addition to the City of Mantorville, Dodge County, Minnesota.

Said Parcel contains 18,690 square feet, more or less.
Said Parcel is subject to any easements or encumbrances of record.

PROPERTY LOCATION MAP T. 107 N. R. 16 W. N.W. 1/4 N.E. 1/4 S.W. 1/4 S.E. 1/4 No Scale	MASSEY LAND SURVEYING & ENGINEERING P.O. BOX 100, KASSON, MN 55944 PH. NO. 507-634-4505, FAX NO. 507-634-6560 I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. Date <u>11-01-13</u> LIC. NO.: <u>41814</u> Richard J. Massey	THIS SURVEY AND DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF: KYLE DECKER MANTORVILLE, MN MONUMENTS ● FOUND (AS INDICATED) ○ SET (5/8" PIPE UNLESS NOTED OTHERWISE) DATE: <u>10/31/13</u> DWG NO. <u>2094SC01</u> JOB NO. <u>2094</u> DRAWN BY: <u>R.J.M.</u> SHEET 1 OF 1
--	---	--



+

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Home

Search

Search

Full Screen

Previous View

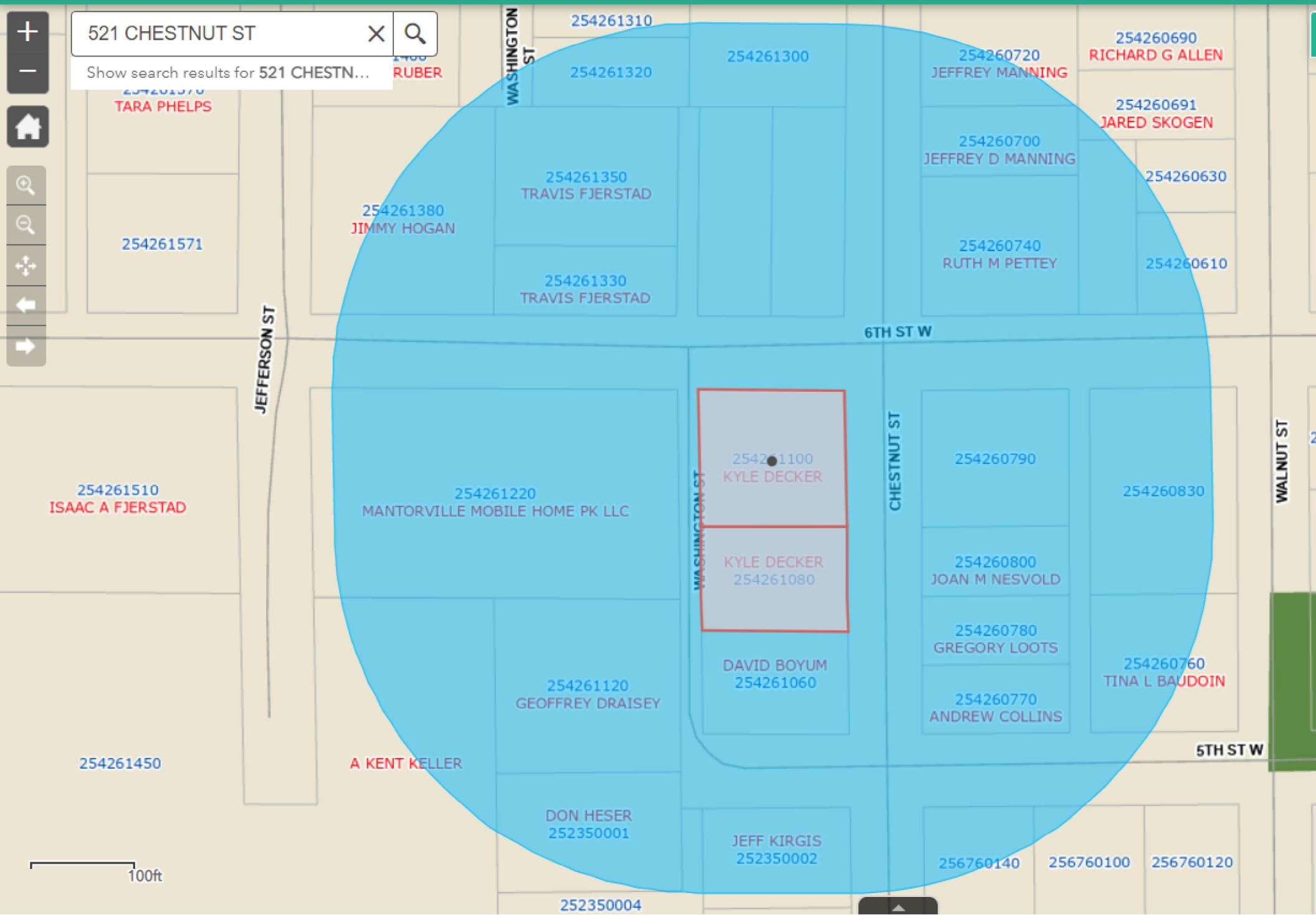
Next View

521 CHESTNUT ST

X

Q

Show search results for 521 CHESTN...



100ft

PROPERTY ADDRESSES WITHIN 350 FEET OF 521 CHESTNUT STREET, VARIANCE FOR DRIVEWAY
(Information from Dodge County GIS Property Records)

Name	Street	City	State	Zip
Jeff & Mary Suhr	620 Washington St	Mantorville	MN	55955
Reynaldo & Cheruyl Hernandez	PO Box 323	Mantorville	MN	55955
Jimmy & Bonnie Hogan	507 6th St W	Mantorville	MN	55955
Travis & Amber Fjerstad	25003 590th St	Mantorville	MN	55955
Larry Bartel and Joshua Bartel	PO Box 203	Mantorville	MN	55955
Jeffrey P Cotten	21119 601st St	Dodge Center	MN	55927
Jeffrey Manning	616 Chestnut St	Mantorville	MN	55955
Sharen L Cunningham	621 Chestnut St	Mantorville	MN	55955
Ruth M Pettey	314 6th St W	Mantorville	MN	55955
Ryan D Paulson	308 6th St W	Mantorville	MN	55955
Jared & Karrie Skogen	615 Walnut St	Mantorville	MN	55955
Judith C Evers	605 Walnut St	Mantorville	MN	55955
Merrilu Stevenson	302 6th St W	Mantorville	MN	55955
First Congregational Church	PO Box 87	Mantorville	MN	55955
Joan M Nesvold	510 Chestnut St	Mantorville	MN	55955
Gregory & Annette Loots	506 Chestnut St	Mantorville	MN	55955
Andrew Collins & Nicole L Stevenson	PO Box 64	Mantorville	MN	55955
Tina L Baudoin	PO Box 183	Mantorville	MN	55955
Mantorville Mobile Home Pk LLC	PO Box 6348	Rochester	MN	55903
A Kent & Carole Keller	PO Box 97	Mantorville	MN	55955
Geoffrey & Kris Draisey	PO Box 283	Mantorville	MN	55955
Don & Jane Hesar	PO Box 92	Mantorville	MN	55955
Ronald V & Deborah A Pederson	PO Box 186	Mantorville	MN	55955
Jeff Kirgis & Elizabeth Dreier	421 Chestnut St	Mantorville	MN	55955
Jennifer L Dobbs	PO Box 424	Mantorville	MN	55955
James Potter Sr & Tina Potter	PO Box 5	Mantorville	MN	55955
David & Kim Boyum	501 Chestnut St	Mantorville	MN	55955
Kyle Decker	521 Chestnut St	Mantorville	MN	55955

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION 2022-40

**A RESOLUTION GRANTING A VARIANCE FOR CERTAIN
REAL PROPERTY LOCATED AT 521 CHESTNUT STREET,
MANTORVILLE, MINNESOTA**

WHEREAS, Kyle Decker (the “Applicant”) is fee owner of certain real property located in Mantorville, Minnesota and legally described as:

Lots 4 and 5, Block 12, Mantors Addition, City of Mantorville, Dodge County, Minnesota (the “Property”); and

WHEREAS, the Applicant has made application to the City for a variance to allow for the construction of a 33-foot access drive, which is greater than what is otherwise allowed for width pursuant to Mantorville City Code, section 150.086(C)(1); and

WHEREAS, the Applicant seeks said variance to allow him to pour concrete over the existing gravel driveway of similar size that was installed when the garage was built in 2013, and believes it will increase property value, curb appeal, functionality and drainage; and

WHEREAS, the Mantorville City Council held a public hearing for the requested variance on September 26, 2022, at which time it heard from those wishing to speak on the variance and reviewed any written testimony or information provided to the City regarding this matter; and

WHEREAS, the City Council hereby finds and determines the following:

- (a) The requested variance is in harmony with the purposes and intent of the City’s zoning regulations and is consistent with the comprehensive plan because such variance will allow for the existing residential structure, which conforms with the aforementioned official controls, to have an adequate and improved vehicular access from the street to the garage;
- (b) The Applicant has proven to satisfy the “practical difficulties” standard, which is set forth in Minnesota Statutes Section 462.357, subdivision 6, paragraph (2), as said Applicant proposes to use the property in a reasonable manner not otherwise permitted by the zoning ordinance; the plight of the Applicant is due to circumstances unique to the property not created by it as the street in front of the property is narrow, thereby making it difficult to navigate and back in a trailer or large vehicle into the Property; and the variance requested will not alter the essential character of the locality.

NOW THEREFORE BE IT RESOLVED, that the above findings are made part of this resolution and the City Council hereby approves and issues the variance for the Property to allow for a access drive which shall not exceed 33 feet, subject to all of the following conditions:

1. The variance shall be rendered null and void if the new driveway is not constructed within one year of the date of this resolution.
2. The Applicant and the Property shall remain in compliance with all applicable federal, state and local laws, rules, and ordinances.
3. All conditions of this approval must be complied with, shall run with the land, and shall not in any way be affected by the subsequent sale, lease or other change from current ownership of the Property.
4. This resolution is subject to the condition that all representations, written and oral, made by the Applicant and its agents and representatives to the City contained in and concerning the Applicant's application for the variance must have been true, complete, and accurate at the time they were made, and that they remain true and accurate for the duration of the variance.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Clerk-Treasurer is hereby authorized and directed, *only upon the satisfaction of the above conditions*, to record a certified copy of this resolution with the Office of the County Recorder, Dodge County, Minnesota.

Adopted by the City Council of the City of Mantorville, Minnesota, this 26th day of September 2022.

ATTEST:

Chuck Bradford, Mayor

Shirley R Buecksler, City Clerk-Treasurer



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: September 26, 2022

2023 Budget and Levy Hearing Dates; and Adopting the Proposed Levy Collectible in the Year 2023

BACKGROUND INFORMATION:

Each year, the City is required to set their meeting dates for Truth in Taxation (TNT). These are the meeting dates set by Council for the public to be able to make comment on the budget and levy prior to Council passing it in December of that same year. These meetings must be held after November 25th and no later than December 28th and must be held at 6:00 pm or after. This meeting may be a part of the Council's regularly scheduled meeting.

If Council chooses to set TNT meetings and possible levy adoption on the same dates as their regularly scheduled meeting in December, the first meeting would be scheduled for December 12 (regular meeting) and recommendation for the second would be December 19, as the Council does not have a second regular meeting scheduled in December. The second meeting date is a requirement, in case the Council needs to continue the first meeting. The enclosed Truth in Taxation letter is due to Dodge County no later than September 30, 2022.

Also included is the resolution for adoption of the preliminary levy. The Finance Committee met previously and will provide their recommendation on the preliminary levy increase. As a reminder, once this is set, the levy may only go down. This number may not be increased. Information is also included showing the City's preliminary Net Tax Capacity, proposed tax rate, and impact on various home values.

STAFF RECOMMENDATION:

Based on discussion:

1. Motion to set Truth in Taxation Meeting dates for December 12 and 19, 2022.
2. Motion to adopt Resolution No. 2021-26 Adopting the Proposed Levy Collectible in the Year 2023.

ATTACHMENTS:

Resolution No. 2022-42
Park Board Budget Proposal
Economic Development Authority Budget Proposal
Dodge County Example - Rate What If for Cities Pay 2023
Truth in Taxation Letter for Cities FY 2023
General Fund Budget – Preliminary – will be provided at meeting

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION NO. 2022-42

**A RESOLUTION ADOPTING THE PROPOSED PROPERTY TAX LEVY
COLLECTIBLE IN THE YEAR 2023**

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mantorville, County of Dodge, State of Minnesota, that the **proposed** tax levy collectible for the City of Mantorville in the year 2023 be set at the following amount:

Preliminary General Fund Tax Levy \$_____

The City Clerk-Treasurer is hereby instructed to delivery a certified copy of this resolution to the Dodge County Courthouse, Dodge County, Minnesota.

Adopted by the City Council of the City of Mantorville, Minnesota, this 26th day of September 2022.

ATTEST:

Chuck Bradford, Mayor

Shirley R Buecksler, City Clerk-Treasurer

2023 PARK BOARD BUDGET PROPOSAL

PROJECT	BUDGET	Notes
Mulch	\$2,800.00	
Tractor lease	\$4,360.63	Year 2/5
Hockey/Basketball	\$5,000.00	
Pole Saw	\$750.00	
Covered Bridge	\$3,000.00	Plus 2k carryover for 5k total
Rock for ball fields	\$3,000.00	
Comm Tree Management	\$6,000.00	
Park Tree Mgmt	\$10,000.00	
Dennison Park	\$5,000.00	
Proposed Budget - 23'	\$39,910.63	

Mantorville EDA City-Funded Portion								
							Preliminary	
Line Item	Source	2019 Actual	2020 Actual	2021 Actual	2022 Budget	2022 YTD	2023 Budget	Comments
City Branding	City	\$0.00	\$0.00	\$0.00	\$500.00	\$0.00	\$10,000.00	Branding initiating new logo, tagline, and overall City image; One Time initiative on the EDA side. New increase for new Welcome signage.
EDA Commissioner Education	City	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	For opportunities for EDA commissioners to learn how to serve community better.
Cross-Community Chamber Membership	City	\$342.00	\$75.00	\$0.00	\$75.00	\$0.00	\$75.00	Removed Participation in Rochester Chamber and list only local Chamber
Consulting Fees for Grant Applications	City	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Grant activity to be associated with bike trails
Cycle and Pedestrian Pathways	City	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	Inner City Trails
Paper and on-line Brochures	City	\$330.15	\$327.00	\$427.00	\$1,000.00	\$0.00	\$1,000.00	For Tourism Printing walking tour brochures and tri folds
City-wide event support	City	\$3,740.00	\$1,500.00	\$2,191.00	\$6,000.00	\$1,000.00	\$4,000.00	Fall Festival \$500; Olde Fashioned Christmas \$500; Stagecoach Days \$500; Art Guild \$500; Larger Than Life \$500; Marigold Days \$1,500
Contract with CEDA for Economic Development	City	\$12,700.00	\$19,500.00	\$20,085.00	\$20,868.00	\$20,700.00	\$21,721.00	
Administrative support	City	\$1,034.79	\$733.36	\$228.00	\$500.00	\$0.00	\$0.00	City Clerk Treasurer
Contingency Misc Items	City	\$1,326.45	\$3,188.85	\$325.00	\$2,000.00	\$695.80	\$2,000.00	800#, Legal, SHRPA subscription, Facebook boost for Stagecoach Days
MISC NOTES		-\$1,473.39					-\$4,741.00	EDA request to carry over unused budget dollars and/or to utilize fund balance dollars to make up the shortage in City requested funds. \$4,741 pending Council approval for 2021 carryover. Amount for 2022 carryover to 2023 to be determined.
City-Funded subtotal		\$18,000.00	\$25,324.21	\$23,256.00	\$30,943.00	\$22,395.80	\$34,055.00	

City of Mantorville	2022		2023		2023		2023
			2%		2%		2%
Levy	551,235		562,260		562,260		562,260
Tax Capacity	983,717		1,177,795		1,177,795		1,177,795
Rate	56.036		47.738		47.738		47.738
Residential Homestead Single Family	250,000		150,000		250,000		375,000
Tax Capacity	2,353		1,270		2,353		3,715
City Tax	1,318.53		606.28		1,123.28		1,773.48
Commercial Property - Business	250,000		150,000		250,000		375,000
Tax Capacity	4,250		2,250		4,250		6,835
City Tax	2,381.53		1,074.11		2,028.88		3,262.92

City of Mantorville	2022		2023		2023		2023
			4%		4%		4%
Levy	551,235		573,284		573,284		573,284
Tax Capacity	983,717		1,177,795		1,177,795		1,177,795
Rate	56.036		48.674		48.674		48.674
Residential Homestead Single Family	250,000		150,000		250,000		375,000
Tax Capacity	2,353		1,270		2,353		3,715
City Tax	1,318.53		618.16		1,145.31		1,808.25
Commercial Property - Business	250,000		150,000		250,000		375,000
Tax Capacity	4,250		2,250		4,250		6,835
City Tax	2,381.53		1,095.17		2,068.66		3,326.89

City of Mantorville	2022		2023		2023		2023
			6%		6%		6%
Levy	551,235		584,309		584,309		584,309
Tax Capacity	983,717		1,177,795		1,177,795		1,177,795
Rate	56.036		49.610		49.610		49.610
Residential Homestead Single Family	250,000		150,000		250,000		375,000
Tax Capacity	2,353		1,270		2,353		3,715
City Tax	1,318.53		630.05		1,167.33		1,843.03
Commercial Property - Business	250,000		150,000		250,000		375,000
Tax Capacity	4,250		2,250		4,250		6,835
City Tax	2,381.53		1,116.23		2,108.44		3,390.87

City of Mantorville	2022		2023		2023		2023
			8%		8%		8%
Levy	551,235		595,334		595,334		595,334
Tax Capacity	983,717		1,177,795		1,177,795		1,177,795
Rate	56.036		50.546		50.546		50.546
Residential Homestead Single Family	250,000		150,000		250,000		375,000
Tax Capacity	2,353		1,270		2,353		3,715
City Tax	1,318.53		641.94		1,189.36		1,877.80
Commercial Property - Business	250,000		150,000		250,000		375,000
Tax Capacity	4,250		2,250		4,250		6,835
City Tax	2,381.53		1,137.30		2,148.22		3,454.85

City of Mantorville	2022		2023		2023		2023
			10%		10%		10%
Levy	551,235		606,359		606,359		606,359
Tax Capacity	983,717		1,177,795		1,177,795		1,177,795
Rate	56.036		51.483		51.483		51.483
Residential Homestead Single Family	250,000		150,000		250,000		375,000
Tax Capacity	2,353		1,270		2,353		3,715
City Tax	1,318.53		653.83		1,211.38		1,912.58
Commercial Property - Business	250,000		150,000		250,000		375,000
Tax Capacity	4,250		2,250		4,250		6,835
City Tax	2,381.53		1,158.36		2,188.01		3,518.83

City of Mantorville	2022		2023		2023		2023
			12%		12%		12%
Levy	551,235		617,383		617,383		617,383
Tax Capacity	983,717		1,177,795		1,177,795		1,177,795
Rate	56.036		52.419		52.419		52.419
Residential Homestead Single Family	250,000		150,000		250,000		375,000
Tax Capacity	2,353		1,270		2,353		3,715
City Tax	1,318.53		665.72		1,233.41		1,947.35
Commercial Property - Business	250,000		150,000		250,000		375,000
Tax Capacity	4,250		2,250		4,250		6,835
City Tax	2,381.53		1,179.42		2,227.79		3,582.81

FINANCE
721 MAIN STREET NORTH, DEPT. 45
MANTORVILLE, MN 55955
PHONE 507-635-6240 – FAX 507-635-6265
www.co.dodge.mn.us



MEMO

TO: Dodge County City Administrators/Clerks

From: Finance Office, Lisa Kramer, Finance Director

RE: 2023 Budget and Levy Hearing Dates

It is once again time to collect information concerning Truth in Taxation. Counties and cities with a population over 500 are required to hold a meeting at which the budget and levy will be discussed and the public allowed to speak. The meetings must be held after November 25 and no later than December 28 and be held at 6:00 p.m. or later and the public must be allowed to speak. This meeting may be part of your regularly scheduled meeting.

Please list the times and location of the meeting where you will adopt the proposed levy and the time and location of any subsequent meeting in which the budget and levy will be discussed and public input will be allowed. This information may be returned along with your proposed property Tax Levy or sent to me at the address below. This information will be printed on the Proposed Tax Notices sent out in November.

City _____

Month and Date of Public Meeting _____

Day of Week _____

Time of Day _____

Room Where the Meeting is Held _____

Contact Person _____

Phone Number _____

Address _____

Date and Time of Additional Mtgs _____

Signature _____

Thank you.

Please return this form before **September 30, 2022** to:
Dodge County, Attn: Lisa Kramer, 721 Main Street North, Dept. 45, Mantorville, MN 55955.
(Fax to 507-635-6265 or email to lisa.a.kramer@co.dodge.mn.us) This can be returned with your levy.



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: September 26, 2022

Discussion Regarding City Hall Office Hours

BACKGROUND INFORMATION:

City Council discussed City Hall office hours at their regular meetings of August 15 and August 29, 2022. On August 8th of this year, office hours changed to 7:00 am to 5:30 pm Monday through Thursday and closed on Friday.

Gretchen Lohrbach and Shirley Buecksler have been logging the number of customers served between August 15th and September 23rd. This information is enclosed for Council review. Any cells in gray on the charts are dates or times when we were out of the office.

Calls and customers were tallied by time of day and include the following totals:

	7:00 am To 8:00 am	8:00 am To 10:00 am	10:00 am To Noon	Noon To 2:00 pm	2:00 pm To 4:30 pm	4:30 pm To 5:30 pm	Total
Gretchen	6	33	38	29	35	5	146
Shirley	9	66	68	48	86	36	313
Total	15	99	106	77	121	41	459

The reason for changing office hours is to serve our customers who are unable to take care of business at City Hall between 8:00 am and 4:30 pm.

Although the office was closed on Fridays during this 6-week period, Shirley has received only a total of 5 calls or voicemails on Fridays. She has email capability on her cell phone and has been forwarding her desk phone to her cell, in case of any urgent business.

We take great pride in providing excellent service to all of our customers and have heard from several who told us that they appreciate City Hall being open later in the evening.

STAFF RECOMMENDATION:

Based on discussion.

Gretchen's Log

Customers Served Between the Hours of:

Date	0700-0800	0800-1000	1000-1200	1200-1400	1400-1630	1630-1730	Daily Total
Monday, August 15, 2022							0
Tuesday, August 16, 2022	0	1	3	2	3	2	11
Wednesday, August 17, 2022	0	1	2	4	4	0	11
Thursday, August 18, 2022	0	3	1	1	1	0	6
Friday, August 19, 2022							0
Monday, August 22, 2022	1	4	0	4	3	0	12
Tuesday, August 23, 2022	0	1	5	3	0	0	9
Wednesday, August 24, 2022	0	1	1	1	1	0	4
Thursday, August 25, 2022	0	0	1	2	3	1	7
Friday, August 26, 2022							0
Monday, August 29, 2022	3	1	2	0	2	1	9
Tuesday, August 30, 2022	1	2	1	1	0	0	5
Wednesday, August 31, 2022	0	4	3	Numerous calls - didn't count	3	0	10
Thursday, September 1, 2022							0
Friday, September 2, 2022							0
Monday, September 5, 2022	Holiday						0
Tuesday, September 6, 2022	0	3	3	3	4	0	13
Wednesday, September 7, 2022	0	0	4	3	2	0	9
Thursday, September 8, 2022	0	2	1	4	7	1	15
Friday, September 9, 2022							0
							0
Monday, September 12, 2022	1	4	10	1	1	0	17
Tuesday, September 13, 2022	0	3	1	0	1	0	5
Wednesday, September 14, 2022	0	3					3
Thursday, September 15, 2022							0
Friday, September 16, 2022							
							0
Monday, September 19, 2022							0
Tuesday, September 20, 2022							0
Wednesday, September 21, 2022							0
Thursday, September 22, 2022							0
Friday, September 23, 2022							
TOTALS:	6	33	38	29	35	5	146

Shirley's Log

Customers Served Between the Hours of:

Date	0700-0800	0800-1000	1000-1200	1200-1400	1400-1630	1630-1730	Daily Total
Monday, August 15, 2022	2	4	2	1	5	1	15
Tuesday, August 16, 2022	1	2	3	3	1	8	18
Wednesday, August 17, 2022	1	3	2	0	1	3	10
Thursday, August 18, 2022	0	4	6	3	2	0	15
Friday, August 19, 2022					1		1
Monday, August 22, 2022	0	0	2	2	10	0	14
Tuesday, August 23, 2022	0	0	1	0	5	1	7
Wednesday, August 24, 2022	0	1	0	1	2	0	4
Thursday, August 25, 2022	0	0	2	2	2	0	6
Friday, August 26, 2022			1				1
Monday, August 29, 2022	0	2	2	1	5	0	10
Tuesday, August 30, 2022	0	2	0	2	3	6	13
Wednesday, August 31, 2022	0	2					2
Thursday, September 1, 2022	1	5	2	9	1		18
Friday, September 2, 2022				1			1
Monday, September 5, 2022	0	0	0	0	0	0	0
Tuesday, September 6, 2022	0	3	4	2	3	1	13
Wednesday, September 7, 2022	0	1	2	1	5	2	11
Thursday, September 8, 2022	0	6	3	1	4	3	17
Friday, September 9, 2022		2					2
Monday, September 12, 2022	0	2	2	0	2	1	7
Tuesday, September 13, 2022	0	3	3	1	2	2	11
Wednesday, September 14, 2022	0	2	6	2	12	2	24
Thursday, September 15, 2022	1	8	9	8	8	2	36
Friday, September 16, 2022	1						1
Monday, September 19, 2022	0	3	7	Out of office till 1600	2	1	13
Tuesday, September 20, 2022	1	4	2	5	1	1	14
Wednesday, September 21, 2022	0	2	1	0	5	0	8
Thursday, September 22, 2022	1	5	6	2	4	2	20
Friday, September 23, 2022				1			1
TOTALS	9	66	68	48	86	36	313

PHONE: 507.315.4435



PO Box 99
1305 Frontage Rd NW
Byron, MN 55920

PROPOSAL SUBMITTED TO:

NAME: City of Mantorville
ATTN: Joe
STREET: _____
CITY, ST: _____
PHONE: 507-273-9192
FAX/E-MAIL: joe@mantorville.com

DATE: 9/12/2022
JOB NAME: mantorville street reconstruct
STREET: _____
CITY, ST: _____
ESTIMATOR: john allen

Qty Rate Subtotal

install 116 feet of curb @ \$ 42.00 per foot.

PAGE 1 TOTAL: \$4,872.00
PAGE 2 TOTAL:
GRAND TOTAL: \$4,872.00

*Unless specified, bid does not include: rock or water excavation, electrical work, utility relocations, excavation observation services, staking or layout, soil/compaction testing, soil corrections, vapor barrier under slab or winter conditions. Permits included only as specified. Not responsible for private underground utilities.

We hereby propose to furnish labor and materials - complete in accordance with the above specifications, for the sums listed above, with payment to be made as follows:

Progress Payments and/or upon completion of work

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Respectfully Submitted John Allen

NOTE: This proposal may be withdrawn by us if not accepted within 30 days

ACCEPTANCE OF PROPOSAL

PRE-LIEN NOTICE - "(a) Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions. (b) Under Minnesota law, you have the right to pay persons who supplied labor or materials for this improvement directly and deduct this amount from our contract price, or withhold the amounts due to them from us until 120 days after completion of the improvement unless we give you a lien waiver signed by persons who supplied any labor or materials for the improvement and who gave you a timely notice."

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: September 26, 2022

Planning Commission and Possible Ordinance Amendment (from City Attorney)

BACKGROUND INFORMATION:

At their April 18, 2022 Work Session, Council discussed the need for a Planning Commission. City Code states that this Committee should have seven members within the city, plus a Councilmember.

Per City Code, Planning and Zoning Commission, Section 31.35 Establishment, *“A Planning Commission for the City of Mantorville is hereby established. The Planning Commission shall be the city planning agency authorized by M.S. (Minnesota Statutes) § 462.354, Subdivision 1, as it may be amended from time to time.”*

Further, § 31.36 Composition (A) states, *“The Planning Commission shall consist of 7 members from the resident population of the city to be appointed by the Mayor with the approval of the City Council.”*

The City Attorney has advised that, with the current wording in the City’s ordinance, the City Council must form a Planning Commission. Attorney Anderson is seeking feedback from Council as to whether there is interest for an amendment to the current ordinance that would allow the City Council to serve as the Planning Commission. The Commission would only be called upon to meet as needed and would be reduced to 5 members. The Mayor would serve as Chair and Councilmembers as Commissioners. Meetings could be held prior to a regular City Council meeting. The thought is that the Commission could meet at 6:00 pm (when needed), adjourn the Planning Commission meeting, then open and call to order the City Council at 6:30 pm.

Staff is seeking feedback from the City Council to respond to the City Attorney. If the Council is looking for an ordinance amendment, the City Attorney could have a draft ordinance prepared for Council’s review at their October 10, 2022 regular meeting.

STAFF RECOMMENDATION:

Based on discussion, provide direction for the City Clerk to forward to the City Attorney.



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: September 26, 2022

Gambling Permit – KM Snowdrifters, 509 Main Street North

BACKGROUND INFORMATION:

On September 8, 2022, KM Snowdrifters submitted a gambling application to the City for a Premises Permit at 509 Main Street North. Council reviewed the premises permit application at their September 12th meeting but tabled this item pending additional details on the gambling activities. Staff drafted a new City application to be used, which the applicant has submitted, along with their Lease for Lawful Gambling Activity application. All items are enclosed for Council review. The Premises Permit application and enclosed resolution require Council approval before the applicant can submit to the Gambling Control Board. The Lease for Lawful Gambling Activity application does not require approval by the City and is, therefore, not included in the resolution.

Gambling activities to be conducted include:

Days and hours of activity:

Thursdays 6:30 pm – 8:30 pm
Every 3rd Saturday during steak supper
May be other gambling on site also with other events

Type of gambling activity:

Bingo Thursdays 6:30 pm – 8:30 pm
Pull tabs (paper) Thursdays 6:30 pm – 8:30 pm
and 3rd Saturday during steak supper and possibly other events

Effective date for lease:

October 1, 2022

Amy Borgstrom, Gambling Manager, will be at tonight's meeting to answer any questions from Council.

STAFF RECOMMENDATION:

Motion to approve the Premises Permit application for KM Snowdrifters and to adopt Resolution No. 2022-39 Concurring with the Issuance of a Gambling Premises Permit Application for KM Snowdrifters at 509 Main Street North, Mantorville, Minnesota.



Trail to the Past. Road to the Future.

Application for Local Gambling Permit

Application Date: 9/26/2022

Applicant Information

Name: Km Snowdrifters / Amy Borgstrom Title: gambling manager
Address: 20 E. Veterans mem Hwy Kasson MN 55944
City State Zip
Telephone: _____
Email Address: _____

Organization Information

Name: Km Snowdrifters Title: Snowmobile Club
Address: 26 E. Veterans mem Hwy Kasson MN 55944
City State Zip
Telephone: () - -
Email Address: _____

Proposed Location

Address: 509 N Main Mantorville MN 55955
Street City State Zip
If the Organization does not own the facility:
Property Owner Name: Scott Seim
Address: 509 N. Main Mantorville MN 55955
Street City State Zip
Telephone: (507) 635 - 5257
Email Address: NA

(Attach a copy of the rental or leasing arrangement to the application.)

CITY OF MANTORVILLE

21 5th Street E • P.O. Box 188 | Mantorville, MN 55955 | p: 507.635.5116

email: shirley@mantorville.com | www.mantorville.com

On the National Register of Historical Places Est. 1854

Please complete the following:

1. Name and address of any officer/person who will account for receipts, expenses, and profits for the event:

Amy Borgstrom - gambling manager
20 E. Veterans Mem Hwy
Kasson, MN 55944

2. Description of the gambling activities to be conducted:

- a. Days and hours of activity:

Thursdays 6:30pm - 8:30pm,

Every 3rd Saturday during Steak Supper,
maybe other gambling on site also with other events

- b. Type of gambling activity:

Bingo. Thursdays 6:30pm - 8:30pm

Pull tabs (paper) Thursdays 6:30 - 8:30pm

- c. Value of prizes to be awarded: 9th 3rd Saturday. during Steak Supper, and possible other events

Cash prizes

3. Provide any relevant information supporting the organization's exclusion or exemption from state licensing requirements and eligibility for a local gambling permit (Minnesota Statute § 349.166):

I hereby certify that all statements made in this application are true and complete to the best of my knowledge. I understand that any misstatements or omissions may result in a denial of my application. I authorize the City of Mantorville to investigate the information provided and contact the persons or organizations listed in this application.

The undersigned agrees that the gambling event will, if approved, conform to all applicable state and local regulations.

Applicant (please print): Amy Borgstrom

Signature: Amy Borgstrom

Date signed: 9/15/22

MINNESOTA LAWFUL GAMBLING
LG215 Lease for Lawful Gambling Activity

6/15 Page 1 of 2

LEASE INFORMATION		
Organization: K-m Snowdrifters	License/Site Number: 33378	Daytime Phone: Gm (Amy) 251-0243
Address: 26 East Veterans Memorial Hwy	City: Kasson	State: Zip: MN 55944
Name of Leased Premises: Saloon 2	Street Address: 509 N. Main	Daytime Phone: 635-5257
City: Mantorville	State: Zip: MN 55955	Daytime Phone:
Name of Legal Owner: Scott Seim	Business/Street Address: 509 N main	Daytime Phone: 951-8328
City: Mantorville	State: Zip: MN 55955	Daytime Phone:
Name of Lessor (If same as legal owner, write "SAME"): SAME		
City:	State: Zip:	Daytime Phone:
Check applicable item: ☒ New or amended lease. Effective date: <u>10/1/2022</u> . Submit changes at least ten days before the effective date of the change. ☐ New owner. Effective date: _____. Submit new lease within ten days after new lessor assumes ownership.		
CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)		
☒ Pull-Tabs (paper) ☐ Electronic Pull-Tabs ☐ Pull-Tabs (paper) with dispensing device ☐ Electronic Linked Bingo ☒ Bar Bingo ☒ Bingo Electronic games may only be conducted: 1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or 2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100. ☐ Tipboards ☐ Paddlewheel ☐ Paddlewheel with table		
PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)		
BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.		
ALL GAMES, including electronic games: Monthly rent to be paid: <u>0</u> %, not to exceed 10% of gross profits for that month. • Total rent paid from all organizations for only booth operations at the leased premises may not exceed \$1,750 . • The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.		
BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.		
ELECTRONIC GAMES: Monthly rent to be paid: ____ %, not to exceed 15% of the gross profits for that month from electronic pull-tab games and electronic linked bingo games. ALL OTHER GAMES: Monthly rent to be paid: <u>0</u> %, not to exceed 20% of gross profits from all other forms of lawful gambling. • If any booth sales conducted by a licensed organization at the premises, rent may not exceed 10% of gross profits for that month and is subject to booth operation \$1,750 cap.		
BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)		
Bingo rent is limited to one of the following: • Rent to be paid: <u>0</u> %, not to exceed 10% of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo. - OR - • Rate to be paid: \$ _____ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor. ⇒ Rent may not be paid for bar bingo. ⇒ Bar bingo does not include bingo games linked to other permitted premises.		
LEASE TERMINATION CLAUSE (must be completed)		
The lease may be terminated by either party with a written <u>30</u> day notice. Other terms:		

LG215 Lease for Lawful Gambling Activity

6/15 Page 2 of 2

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

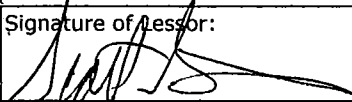
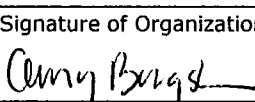
- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

Signature of Lessor: 	Date: 9/15/22	Signature of Organization Official (Lessee): 	Date: 9/15/22
Print Name and Title of Lessor: Scott Seim President		Print Name and Title of Lessee: Amy Borgstrom - Gambling Manager	
Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. Data privacy notice: The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.		Mail or fax lease to: Minnesota Gambling Control Board 1711 W. County Road B, Suite 300 South Roseville, MN 55113 Fax: 651-639-4032	

Annual Fee \$150 (NON-REFUNDABLE)

- Mail the application and required attachments to:**

Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions? Call 651-539-1900 and ask for Licensing.

Scholarly Uses Aka 703

Organization Name: Km Snowdrifters License Number: 33378

Chief Executive Officer (CEO) Loy Borgstrom Daytime Phone: 507 251-~~0243~~ 1199

Gambling Manager: Amy Borgstrom Daytime Phone: 507 251-0243

Current name of site where gambling will be conducted: Saloon 2

List any previous names for this location:

Mantorville VFW

Street address where premises is located: 509 N Main
(Do not use a P.O. box number or mailing address.)

City:	OR	Township:	County:	Zip Code:
Mantorville			Dodge	55955

Does your organization own the building where the gambling will be conducted?

☐ Yes ☒ No If no, attach LG215 Lease for Lawful Gambling Activity.

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site? ☐ Yes ☒ No ☐ Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? ☐ Yes ☒ No ☐ Don't know

Bank Name: Home Federal Bank Bank Account Number: 4000311945
Bank Street Address: 502 S. Mantowill Ave City: Kasson State: **MN** Zip Code: 55944

Address (Do not use a P.O. box number):	City:	State:	Zip Code:
20 East Veterans Mem Hwy	Kasson	MN	55944
		MN	
		MN	

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION**CITY APPROVAL
for a gambling premises
located within city limits**City Name: City of Mantoville

Date Approved by City Council: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of City Personnel: _____

Title: City Clerk-Treasurer Date Signed: 09-08-22**Local unit of government
must sign.****COUNTY APPROVAL
for a gambling premises
located in a township**

County Name: _____

Date Approved by County Board: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of County Personnel: _____

Title: _____ Date Signed: _____

TOWNSHIP NAME: _____

Complete below only if required by the county.

On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date Signed: _____

ACKNOWLEDGMENT AND OATH

- I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.
- The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.
- I have read this application and all information submitted to the Board is true, accurate, and complete.
- All required information has been fully disclosed.
- I am the chief executive officer of the organization.
- I assume full responsibility for the fair and lawful operation of all activities to be conducted.
- I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.
- Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect.
- I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.
- I understand the fee is non-refundable regardless of license approval/denial.

Signature of Chief Executive Officer (designee may not sign) _____

Date 9/7/22

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public

information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;

Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format, i.e. large print, braille, upon request.

An equal opportunity employer

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION 2022-39

**A RESOLUTION CONCURRING WITH THE ISSUANCE
OF A GAMBLING PREMISES PERMIT APPLICATION
FOR KM SNOWDRIFTERS
AT 509 MAIN STREET NORTH, MANTORVILLE, MINNESOTA**

WHEREAS, KM Snowdrifters has submitted an application to the City of Mantorville for approval of a Premises Permit Application to conduct lawful gambling at Mantorville Saloon 2, 509 Main Street North, Mantorville, Minnesota; and

WHEREAS, it has been demonstrated that the organization is collecting gambling monies for lawful purposes; and

WHEREAS, the City has no objection to said activity.

NOW, THEREFORE, BE IT RESOLVED that the Mantorville City Council hereby concurs with the issuance of a Premises Permit Application by the Gambling Control Board to KM Snowdrifters for lawful gambling activities to be conducted at Mantorville Saloon 2, 509 Main Street North, Mantorville, Minnesota, and hereby waives the 30-day waiting period.

Adopted by the City Council of the City of Mantorville, Minnesota, this 26th day of September 2022.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer