



CITY COUNCIL MEETING AGENDA

City of New Prague

Monday, August 21, 2023 at 6:00 PM

City Hall Council Chambers - 118 Central Ave N

OPTIONAL ONLINE CONNECTION. MEETINGS ARE IN PERSON.

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1. CALL TO ORDER

- a. Pledge of Allegiance

2. APPROVAL OF REGULAR AGENDA

3. CONSENT AGENDA

(The following agenda items are considered to be non-controversial and routine in nature. They will be handled with one motion of the City Council. Council members may request that specific items be removed from the Consent Agenda and be acted upon separately.)

- a. Meeting Minutes
 - i. August 7, 2023, City Council Meeting Minutes
- b. Claims for Payment: **\$824,042.44**
- c. Premises Permit Extension Request for 1319 Woodfire Tavern
- d. Resolution #23-08-21-01 - Approving Lawful Gambling Premises Permit Application LG214 for the New Prague Chamber of Commerce at Outlaw Saloon, 103 Main Street West
- e. LG220 MN Lawful Gambling Application for Exempt Permit for Fore Children's Foundation on August 25, 2023, involving a raffle at the New Prague Golf Club, 400 Lexington Avenue South, New Prague
- f. Premises Permit Extension Requests for Giesenbräu Bier Co.
- g. Homecoming Parade Request

4. CITY ENGINEER PROJECTS UPDATE

- a. Projects Update - August 21, 2023

5. 10TH AVENUE SE HSIP PROJECT

- a. Review of Bids

6. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA

(Speakers limited to 5 minutes.)

7. PUBLIC HEARING(S) – 6:00 PM

- a. Corner Bar at 100 Main Street West - Approval of the Issuance of an On-Sale Intoxicating Liquor License, Sunday Liquor License, Off-Sale Intoxicating Liquor License, and Dance Permit

8. ORDINANCE(S) FOR INTRODUCTION

- a.** An Ordinance Amending Title XI of the City Code by Creating A New Chapter 122 As To The Public Use of Tobacco, Hemp and Cannabis Products

9. ORDINANCE(S) FOR ADOPTION

10. RESOLUTIONS

11. GENERAL BUSINESS

- a.** Schedule Budget Meeting

12. MISCELLANEOUS

- a.** Meeting Minutes
 - i. Park
 - ii. EDA
- b.** Discussion of Items not on the Agenda

13. ADJOURNMENT

UPCOMING MEETINGS AND NOTICES:

August 22	6:30 p.m. Golf Board
August 23	6:30 p.m. Planning Commission
August 28	3:30 p.m. Utilities Commission
September 4	Holiday – Labor Day
September 5	6:00 p.m. City Council
September 12	6:00 p.m. Park Board
September 13	7:30 a.m. EDA Board
September 18	6:00 p.m. City Council



CITY COUNCIL MEETING MINUTES

City of New Prague

Monday, August 07, 2023 at 6:00 PM

City Hall Council Chambers - 118 Central Ave N

1. CALL TO ORDER

Vice President Shawn Ryan called the meeting to order at approximately 6:00 p.m.

PRESENT

Councilmember Shawn Ryan
Councilmember Maggie Bass
Councilmember Rik Seiler
Councilmember Bruce Wolf

ABSENT

Mayor Duane Jirik

Staff Present at Meeting: City Administrator Josh Tetzlaff, Police Chief Tim Applen, Public Works Director Matt Rynda, Planning/Community Development Director Ken Ondich, and Fire Chief Steve Rynda.

a. Pledge of Allegiance

2. APPROVAL OF REGULAR AGENDA

Motion made by Councilmember Seiler, Seconded by Councilmember Wolf to approve the Regular Agenda. Voting Yea: Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf
Motion carried (4-0).

3. CONSENT AGENDA

Motion made by Councilmember Ryan, Seconded by Councilmember Bass to approve the Consent Agenda. Voting Yea: Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf
Motion carried (4-0).

a. Meeting Minutes

i. July 17, 2023, City Council Meeting Minutes

b. Claims for Payment: **\$100,250.38**

c. Premises Permit Extension Requests for Giesenbräu Bier Co.

i. ALS Fundraiser on September 9, 2023

ii. Oktoberfest from October 6, 2023, through October 8, 2023

d. Call for Public Hearing on the Issuance of an On-Sale Intoxicating Liquor License, Sunday Liquor License, Off-Sale Intoxicating Liquor License, and Dance Permit for Corner Bar

e. 412 5th Avenue NW Purchase Agreement

4. CITY ENGINEER PROJECTS UPDATE

a. Projects Update - August 7, 2023

City Engineer Chris Knutson provided a memo with updates from various projects taking place around the City. No action was taken.

5. 2024 STREET AND UTILITY IMPROVEMENT PROJECT

- a. Soil Boring Proposal
After brief discussion, motion made by Councilmember Wolf, Seconded by Councilmember Ryan to award the Soil Boring Proposal to Chosen Valley Testing, Inc.
Voting Yea: Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf
Motion carried (4-0).

6. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA

No participants spoke at the meeting.

7. PUBLIC HEARING(S) – 6:00 PM

- a. R&D Enterprises LLC dba Outlaw Saloon at 103 Main Street West – Approval of the Issuance of an On-Sale Intoxicating Liquor License, Sunday Liquor License, Off-Sale Intoxicating Liquor License, and Dance Permit
Vice President Shawn Ryan opened the public hearing. Owner Rob Krautkremer appeared virtually. Hearing no comment, Vice President Ryan closed the public hearing.
Motion made by Councilmember Seiler, Seconded by Councilmember Bass.
Voting Yea: Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf
Motion carried (4-0).

8. ORDINANCE(S) FOR INTRODUCTION

There were no ordinances for introduction at this meeting.

9. ORDINANCE(S) FOR ADOPTION

There were no ordinances for adoption at this meeting.

10. RESOLUTIONS

There were no resolutions for consideration at this meeting.

11. GENERAL BUSINESS

- a. Fire Department Policy Update
Motion made by Councilmember Seiler, Seconded by Councilmember Wolf to update the policy to read, "The New Prague Fire Department Member Response area shall be defined as living within four (4) miles of the New Prague Fire Station.
Voting Yea: Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf
Motion carried (4-0).
- b. Public Use of Cannabis Discussion
Planning/Community Development Director Ken Ondich provided updates. Discussion was had. No action was taken. Staff is going to work on drafting a first reading of the Ordinance.
- c. Sanitary Sewer Feasibility Study RFP
City Administrator Josh Tetzlaff spoke briefly. Motion made by Councilmember Wolf, Seconded by Councilmember Ryan to approve the RFP.
Voting Yea: Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf
Motion carried (4-0).

12. MISCELLANEOUS

- a. Meeting Minutes
 - i. Planning
 - ii. Utilities
- b. Q2 Ambulance Update
Informational only. No action was taken.
- c. Comprehensive Plan Project Update
Planning/Community Development Director Ken Ondich relayed updates. No action was taken.
- d. Emerald Ash Borer Update
City Administrator Josh Tetzlaff provided updates. Some discussion was had. No action was taken.
- e. Discussion of Items not on the Agenda
 - i. City Administrator Josh Tetzlaff advised that his annual review will be held August 21, 2023.
 - ii. Councilmember Bruce Wolf had questions about a purchase agreement and inquired when budget meetings will begin.
 - iii. Councilmember Bass requested to see an Aquatic Facility update.

13. ADJOURNMENT

Motion made by Councilmember Seiler, Seconded by Councilmember Ryan to adjourn the meeting at approximately 7:22 p.m.
Voting Yea: Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf
Motion carried (4-0).

ATTEST:

Duane J. Jirik
Mayor

Joshua M. Tetzlaff
City Administrator

CITY OF NEW PRAGUE
 ACCOUNTS PAYABLE
 8/21/2023

Section 3, Item b.

VENDOR	DESCRIPTION	AMOUNT	TOTAL
FUND 101 - GENERAL FUND			
<u>RURAL FIRE - TO BE REIMBURSED</u>			
ACE HARDWARE	SUPPLIES	\$5.36	
CENTERPOINT ENERGY	NATURAL GAS	\$45.38	
MED COMPASS	PROFESSIONAL SERVICES	\$25.00	
VERIZON WIRELESS	IPADS	\$35.05	
TOTAL:			\$110.79
<u>OTHER - TO BE REIMBURSED</u>			
HERMAN'S LANDSCAPE SUPPLIE	EDGING - LIBRARY SCULPTURE	\$109.75	
TOTAL:			\$109.75
COUNCIL			
VERIZON WIRELESS	TELEPHONE	\$82.24	
TOTAL:			\$82.24
ADMINISTRATION			
AMAZON CAPITAL SERVICES	HEADSET	\$55.00	
US BANK CREDIT CARD	MUNICIPAL ADVISOR MEETING	\$54.84	
VERIZON WIRELESS	TELEPHONE	\$51.96	
VETERAN SHREDDING	SHREDDING SERVICE	\$8.50	
TOTAL:			\$170.30
TECH NETWORK			
COMPUTER TECHNOLOGY SOLUTIONS	AUTHPOINT FOR VPS	\$885.60	
TOTAL:			\$885.60
ATTORNEY			
KENNEDY & GRAVEN CHARTERED	LEGAL SERVICES	\$1,585.78	
TOTAL:			\$1,585.78
ENGINEER			
SEH	ENGINEERING FEES	\$417.50	
TOTAL:			\$417.50
PLANNING			
KEN ONDICH	MILEAGE - LE SUEUR COUNTY	\$24.36	
US BANK CREDIT CARD	GO TO MY PC	\$20.41	
VERIZON WIRELESS	TELEPHONE	\$82.24	
TOTAL:			\$127.01
GOVERNMENT BUILDING			
ACE HARDWARE & PAINT	SUPPLIES	\$8.13	
AMAZON CAPITAL SERVICES	TOILET SEAT	\$23.99	
CENTERPOINT ENERGY	NATURAL GAS	\$92.16	
MEI TOTAL ELEVATOR SOLUTIO	ELEVATOR MAINTENACE	\$66.30	
US BANK CREDIT CARD	PICNIC	\$466.42	
TOTAL:			\$657.00
POLICE			
AMAZON CAPITAL SERVICES	CARD READER	\$13.99	
EMERGENCY AUTOMOTIVE TECHNOLOGIES	ANTENNA	\$28.75	
US BANK CREDIT CARD	BUSINESS CARDS	\$54.75	
VETERAN SHREDDING	SHREDDING SERVICE	\$42.50	
TOTAL:			\$139.99
FIRE			
ACE HARDWARE	SUPPLIES	\$5.36	
CENTERPOINT ENERGY	NATURAL GAS	\$45.38	
MED COMPASS	PROFESSIONAL SERVICES	\$25.00	
VERIZON WIRELESS	IPADS	\$35.05	
TOTAL:			\$110.79

CITY OF NEW PRAGUE
 ACCOUNTS PAYABLE
 8/21/2023

Section 3, Item b.

VENDOR	DESCRIPTION	AMOUNT	TOTAL
BUILDING INSPECTOR			
VERIZON WIRELESS	TELEPHONE	\$82.24	
TOTAL:			<u>\$82.24</u>
STREET			
ACE HARDWARE & PAINT	SUPPLIES	\$111.91	
CENTERPOINT ENERGY	NATURAL GAS	\$65.71	
H & L MESABI	BLADES	\$7,583.00	
RIVER COUNTRY COOP	DIESEL	\$1,693.74	
RIVER COUNTRY CO-OP	DIESEL	\$355.30	
TRUCK CENTER COMPANIES	'14 FL - PARTS	\$522.04	
VERIZON WIRELESS	TELEPHONE	\$241.64	
TOTAL:			<u>\$10,573.34</u>
PARKS			
ACE HARDWARE & PAINT	SUPPLIES	\$881.84	
CENTERPOINT ENERGY	NATURAL GAS	\$35.29	
HERMAN'S LANDSCAPE SUPPLIE	EDGING - DRS	\$109.75	
LONSDALE HARDWARE	WATERING WAND	\$19.99	
NORTHLAND RECREATION, LLC	REPLACE BENCH LEGS / FRAME	\$817.00	
O'REILLY AUTOMOTIVE, INC	ADAPTER	\$12.99	
O'REILLY AUTOMOTIVE, INC	ANTI- FREEZE, CARB CLEANER	\$29.97	
RENT N SAVE PORTABLE SERVI	PORABLE RESTROOMS	\$620.00	
US BANK CREDIT CARD	CDL THEROY - CODY	\$300.00	
US BANK CREDIT CARD	EAB GRANT	\$299.94	
US BANK CREDIT CARD	SEALANT	\$411.64	
VERIZON WIRELESS	IPADS	\$10.02	
VERIZON WIRELESS	TELEPHONE	\$117.44	
TOTAL:			<u>\$3,665.87</u>
LIBRARY			
CENTERPOINT ENERGY	NATURAL GAS	\$32.12	
TOTAL:			<u>\$32.12</u>
UNALLOCATED			
SEH	CITY ROOF DAMAGE	\$2,800.00	
TOTAL:			<u>\$2,800.00</u>
GENERAL FUND TOTAL:			<u>\$21,550.32</u>
FUND 210 - SPECIAL REVENUE - FEDERAL GRANT			
SEH	10TH AVE SE CROSSING	\$1,699.20	
TOTAL:			<u>\$1,699.20</u>
FUND 233 - SPECIAL REVENUE - CRIME PREVENTION			
US BANK CREDIT CARD	PENS/ CAN COOLERS	\$369.32	
TOTAL:			<u>\$369.32</u>
FUND 317 - DEBT SERVICE - CIP 2015			
US BANK	PAYING AGENT FEE	\$500.00	
TOTAL:			<u>\$500.00</u>
FUND 422 - CAPITAL PROJECTS - CIP 2023			
HOLTMEIER CONSTRUCTION, IN	2023 CIP - SUNRISE/SUNSET	\$745,769.36	
SEH	CIP 2023 - SUNRISE / SUNSET	\$44,366.95	
TOTAL:			<u>\$790,136.31</u>
FUND 423 - CAPITAL PROJECTS - CIP 2024			
KENNEDY & GRAVEN CHARTERED	2024 CIP ASSESSMENTS	\$66.45	
TOTAL:			<u>\$66.45</u>

CITY OF NEW PRAGUE
 ACCOUNTS PAYABLE
 8/21/2023

Section 3, Item b.

VENDOR	DESCRIPTION	AMOUNT	TOTAL
FUND 602 - ENTERPRISE - SANITARY SEWER			
ACE HARDWARE & PAINT	SUPPLIES	\$69.91	
AMAZON CAPITAL SERVICES	HEADSET	\$5.50	
AMAZON CAPITAL SERVICES	WATER HEATER REPAIR	\$30.47	
CENTERPOINT ENERGY	NATURAL GAS	\$2,270.88	
COMPUTER TECHNOLOGY SOLUTIONS	AUTHPOINT FOR VPN	\$72.00	
GEMPLER'S	GLOVES	\$112.95	
GOPHER STATE ONE CALL	LINE LOCATES	\$36.78	
GRAINGER	CAULK SAVER	\$68.41	
MN VALLEY TESTING LABS	TESTING	\$681.39	
NEON LINK	ONLINE PAYMENT FEES	\$183.85	
RIVER COUNTRY COOP	FUEL	\$2,473.64	
SALTCO	SALT	\$1,093.59	
US BANK CREDIT CARD	BALLJOINTS, RODS	\$215.73	
US BANK CREDIT CARD	GLOVES	\$36.45	
US BANK CREDIT CARD	WIRE	\$284.48	
US BANK EQUIPMENT FINANCE	COPIER LEASE	\$81.00	
UTILITY CONSULTANTS, INC.	SAMPLES	\$1,407.21	
VERIZON WIRELESS	IPADS	\$17.52	
VERIZON WIRELESS	TELEPHONE	\$185.43	
VETERAN SHREDDING	SHREDDING SERVICE	\$8.50	
ZORO TOOLS, INC.	PRESSURE SENSOR	\$102.59	
ZORO TOOLS, INC.	WATER HEATER REPAIR	\$63.85	
TOTAL:			<u><u>\$9,502.13</u></u>
FUND 606 - ENTERPRISE - STORM UTILITY			
AMAZON CAPITAL SERVICES	HEADSET	\$5.50	
CORE & MAIN	SUMP BASKET	\$77.61	
GOPHER STATE ONE CALL	LINE LOCATES	\$36.80	
NEON LINK	ONLINE PAYMENT FEES	\$22.06	
VERIZON WIRELESS	IPADS	\$17.51	
VERIZON WIRELESS	TELEPHONE	\$5.92	
TOTAL:			<u><u>\$165.40</u></u>
FUND 651 - ENTERPRISE - AMBULANCE			
AMAZON CAPITAL SERVICES	FAUCET PART	\$7.94	
CENTERPOINT ENERGY	NATURAL GAS	\$45.37	
TOTAL:			<u><u>\$53.31</u></u>
TOTAL ACCOUNTS PAYABLE FOR COUNCIL APPROVAL:			<u><u>\$824,042.44</u></u>



New Prague Police Department

City of New Prague In the Counties of Scott & Le Sueur

118 CENTRAL AVENUE NORTH, SUITE 3, NEW PRAGUE, MINNESOTA 56071

• Phone: (952) 758-2791 • Fax: (952) 758-6279

• Website: www.ci.new-prague.mn.us

Tim Applen, Chief of Police

MEMORANDUM

To: Honorable Mayor, Duane Jirik, members of the City Council, Shawn Ryan, Maggie Bass, Bruce Wolf, Rik Seiler and City Administrator, Joshua Tetzlaff

From: Tim Applen, Chief of Police/Emergency Manager

Date: Tuesday, August 15, 2023

Subject: Temporary Patio extension and outdoor music request for Dožinky, by Schultzy’s Restaurant Group LLC, dba – 1319 Woodfire Tavern

Schultzy’s Restaurant Group LLC, dba – 1319 Woodfire Tavern made a request for a premises extension for consumption of alcohol on Friday, September 15, 2023, through Sunday, September 17, 2023, at 1:00 a.m. in a fenced in area on the north side of the building. They also request music to be played outside in this fenced in area for Saturday night. Outdoor music limited from 7 p.m. to 10:00 p.m.

Mona Schultz provided a certificate of insurance as proof of extended liquor liability insurance for the outside property including the rear parking lot prior to event. Consumption of alcohol would be allowed in fenced in area. Serving of alcoholic beverages in non-glass sealed containers would be allowed by employees in the fenced in area. All other serving the alcohol will be contained within the building. Attached is a map which indicates the fence placement.

The following conditions are set forth to control alcohol access for underage consumption:

- Outdoor event will take place on this date during business hours (Friday, September 15, 2023, through Sunday, September 17 at 1:00 AM).
- Serving of alcoholic beverages in non-glass sealed containers would be allowed by employees in the fenced in area. All other serving of alcohol will be contained within the building. Consumption allowed outside.
- Outdoor music may be played until 10:00 PM.
- The fence will be installed prior to event, with contact points to the building (or semi-permanent structure) affixed in a manner that does not allow for easy access through that contact point.
- The “fenced in area” will be accessible through the business entrance and the gate on the north side of the fence to be used for ingress and egress. Both the fence gate and the business entry will be monitored by security personnel to aid in monitoring for unlawful consumption and maintaining control of the consumption area.

Recommended Action: Approval of Schultzy’s Restaurant Group LLC, dba – 1319 Woodfire Tavern request with the above conditions



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JOSHUA TETZLAFF, CITY ADMINISTRATOR
SUBJECT: NEW PRAGUE CHAMBER OF COMMERCE – LG214 PREMISES PERMIT APPLICATION & LG215 LEASE FOR LAWFUL GAMBLING ACTIVITY
DATE: AUGUST 18, 2023

Attached is an application request from New Prague Chamber of Commerce for a Premises Permit and Lease for Lawful Gambling Activity to conduct paper and electronic pull-tabs and tipboards at Outlaw Saloon, 103 Main Street West, New Prague beginning September 1, 2023.

Recommendation

Staff recommends approval of the Premises Permit Application and Lease for Lawful Gambling Activity for New Prague Chamber of Commerce.

MINNESOTA LAWFUL GAMBLING
LG214 Premises Permit Application

Annual Fee \$150 (NON-REFUNDABLE)

REQUIRED ATTACHMENTS TO LG214

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "**State of Minnesota**."

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.

ORGANIZATION INFORMATION

Organization Name: NEW PRAGUE CHAMBER OF COMMERCE License Number: 05545
 Chief Executive Officer (CEO) FRANK WEBER Daytime Phone: 612-271-2782
 Gambling Manager: SARA ZWEBER Daytime Phone: 952-201-5943

GAMBLING PREMISES INFORMATION

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

List any previous names for this location:

Pioneer Saloon

Street address where premises is located: 103 MAIN ST. W
(Do not use a P.O. box number or mailing address.)

City:	OR Township:	County:	Zip Code:
NEW PRAGUE		SCOTT	56071

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

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: FIRST BANK & TRUST Bank Account Number: 11600004567
 Bank Street Address: 1101 1ST ST SE City: NEW PRAGUE State: MN Zip Code: 56071

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number):	City:	State:	Zip Code:
<u>101 MAIN ST. E</u>	<u>NEW PRAGUE</u>	<u>MN</u>	<u>56071</u>
_____	_____	<u>MN</u>	_____
_____	_____	<u>MN</u>	_____

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
City Name: <u>NEW PRAGUE</u>	County Name: _____
Date Approved by City Council: _____	Date Approved by County Board: _____
Resolution Number: _____ (If none, attach meeting minutes.)	Resolution Number: _____ (If none, attach meeting minutes.)
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date Signed: _____	Title: _____ Date Signed: _____
Local unit of government must sign.	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

<ol style="list-style-type: none"> 1. 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. 2. 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. 3. I have read this application and all information submitted to the Board is true, accurate, and complete. 4. All required information has been fully disclosed. 5. I am the chief executive officer of the organization. 	<ol style="list-style-type: none"> 6. I assume full responsibility for the fair and lawful operation of all activities to be conducted. 7. 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. 8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect. 9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license. 10. I understand the fee is non-refundable regardless of license approval/denial.
_____ Signature of Chief Executive Officer (designee may not sign)	8/9/2023 _____ Date

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.
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LG215 Lease for Lawful Gambling Activity

LEASE INFORMATION

Organization:	License/Site Number:	Daytime Phone:
NEW PRAGUE CHAMBER OF COMMERCE	05545	952-758-4360
Address:	City:	State: Zip:
101 MAIN ST. E	NEW PRAGUE	MN 56071
Name of Leased Premises:	Street Address:	
OUTLAW SALOON	103 MAIN ST. W	
City:	State: Zip:	Daytime Phone:
NEW PRAGUE	MN 56071	952-758-5220
Name of Legal Owner:	Business/Street Address:	
R & D Enterprises LLC	103 MAIN ST. W	
City:	State: Zip:	Daytime Phone:
NEW PRAGUE	MN 56071	612-554-8198
Name of Lessor (if same as legal owner, write "SAME"):	Address:	
SAME		
City:	State: Zip:	Daytime Phone:

Check applicable item:

New or amended lease. Effective date: _____. Submit changes at least ten days **before** the effective date of the change.

New owner. Effective date: 9/1/2023 _____. Submit new lease **within** ten days after new lessor assumes ownership.

CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

<input checked="" type="checkbox"/> Pull-Tabs (paper)	<input checked="" type="checkbox"/> Electronic Pull-Tabs
<input checked="" type="checkbox"/> Pull-Tabs (paper) with dispensing device	<input type="checkbox"/> Electronic Linked Bingo
<input type="checkbox"/> Bar Bingo <input type="checkbox"/> Bingo	Electronic games may only be conducted:
<input checked="" type="checkbox"/> Tipboards	1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or
<input type="checkbox"/> Paddlewheel <input type="checkbox"/> Paddlewheel with table	2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100.

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: ____%, 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: 15%, 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: 20%, 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: _____%, 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 30 day notice. Other terms:

LG215 Lease for Lawful Gambling Activity

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:

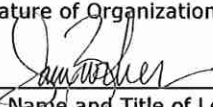
- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case 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:	Signature of Organization Official (Lessee):	Date:
	8/15/2023		8/15/2023
Print Name and Title of Lessor:	Print Name and Title of Lessee:		
ROB KRAUTKREMER, OWNER	SARA ZWEBER, GAMBLING MANAGER		

<p>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.</p>	<p>Mail or fax lease to: Minnesota Gambling Control Board 1711 W. County Road B, Suite 300 South Roseville, MN 55113 Fax: 651-639-4032</p>
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State of Minnesota
Counties of Scott & Le Sueur
City of New Prague }

**CITY OF NEW PRAGUE
RESOLUTION #23-08-21-01
RESOLUTION APPROVING LAWFUL GAMBLING PREMISES PERMIT APPLICATION
FOR NEW PRAGUE CHAMBER OF COMMERCE**

WHEREAS, New Prague Chamber of Commerce, 101 Main Street East, New Prague, Minnesota 56071 has applied to the Gambling Control Board of the State of Minnesota for a PREMISES PERMIT to conduct lawful gambling as described therein at Outlaw Saloon, 103 Main Street West, New Prague, Minnesota 56071.

WHEREAS, the provisions of Minn. Stat. 349.213, subd. 2 require that the City Council of the City of New Prague notify the Gambling Control Board of the State of Minnesota of its approval of said application before a PREMISES PERMIT is APPROVED.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of New Prague, that the City Council APPROVES of the application previously described herein, and directs that the City Administrator notify the Gambling Control Board of the State of Minnesota of its approval by submitting a copy of this resolution of approval thereto.

Adopted by the City Council of the City of New Prague on this 21st day of August, 2023.

Duane J. Jirik, Mayor

ATTEST:

Joshua M. Tetzlaff,
City Administrator



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JOSHUA TETZLAFF, CITY ADMINISTRATOR
SUBJECT: FORE CHILDREN’S FOUNDATION - MINNESOTA LAWFUL GAMBLING
LG220 APPLICATION FOR EXEMPT PERMIT
DATE: AUGUST 18, 2023

Attached is a Minnesota Lawful Gambling LG220 Application for Exempt Permit for Fore Children’s Foundation to conduct a raffle at an event on August 25, 2023, at the New Prague Golf Club, 400 Lexington Avenue South, New Prague.

Recommendation

Staff recommends approval of the Lawful Gambling Permit for Fore Children’s Foundation and recommends requesting a waiver of the waiting period.

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Fore childrens Foundation Previous Gambling Permit Number: X- _____

Minnesota Tax ID Number, if any: 88-0240925 Federal Employer ID Number (FEIN), if any: _____

Mailing Address: 1013 Main Street N

City: Lonsdale State: MN Zip: 55040 County: Rice

Name of Chief Executive Officer (CEO): Jordan Kraus

CEO Daytime Phone: 612 010 4904 CEO Email: Jordan.Kraus_childrensfundraiser@yahoo.com
(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): _____

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

A current calendar year Certificate of Good Standing
Don't have a copy? Obtain this certificate from:
MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103
Secretary of State website, phone numbers:
www.sos.state.mn.us
651-296-2803, or toll free 1-877-551-6767

IRS income tax exemption (501(c)) letter in your organization's name
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)
If your organization falls under a parent organization, attach copies of both of the following:
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): New Prague Golf Club

Physical Address (do not use P.O. box): 400 Lexington Ave South

Check one:

City: New Prague Zip: 55071 County: LeSueur

Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): _____

Check each type of gambling activity that your organization will conduct:

Bingo Paddlewheels Pull-Tabs Tipboards Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

**CITY APPROVAL
for a gambling premises
located within city limits**

The application is acknowledged with no waiting period.

The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).

The application is denied.

Print City Name: _____

Signature of City Personnel: _____

Title: _____ Date: _____

The city or county must sign before submitting application to the Gambling Control Board.

**COUNTY APPROVAL
for a gambling premises
located in a township**

The application is acknowledged with no waiting period.

The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.

The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)
On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

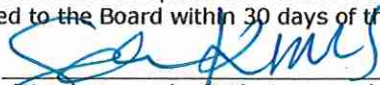
Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature:  Date: Aug. 7th 2023

(Signature must be CEO's signature; designee may not sign)

Print Name: Jordan Kraus

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:
A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- _____ a copy of your proof of nonprofit status; and
- _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

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

Questions?
Call the Licensing Section of the Gambling Control Board at 651-539-1900.

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 the 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.

Office of the Minnesota Secretary of State Certificate of Incorporation

I, Steve Simon, Secretary of State of Minnesota, do certify that: The following business entity has duly complied with the relevant provisions of Minnesota Statutes listed below, and is formed or authorized to do business in Minnesota on and after this date with all the powers, rights and privileges, and subject to the limitations, duties and restrictions, set forth in that chapter.

The business entity is now legally registered under the laws of Minnesota.

Name: Fore Children's Foundation

File Number: 1313363400024

Minnesota Statutes, Chapter: 317A

This certificate has been issued on: 05/11/2022



Steve Simon
Secretary of State
State of Minnesota



New Prague Police Department

City of New Prague In the Counties of Scott & Le Sueur

118 CENTRAL AVENUE NORTH, NEW PRAGUE, MINNESOTA 56071

Phone: (952) 758-2791

Fax: (952) 758-6279

Website: www.ci.new-prague.mn.us

Tim Applen, Chief of Police

MEMORANDUM

To: Honorable Mayor, Duane Jirik; Members of the City Council, Shawn Ryan, Maggie Bass, Bruce Wolf, Rik Seiler and City Administrator, Joshua Tetzlaff

From: Tim Applen, Police Chief / Emergency Manager

Date: Monday, August 14, 2023

Subject: Temporary Patio Extension and Outdoor Music request by Giesenbräu Bier Co LLC

Giesenbräu Bier Co LLC made a request for a premises extension for consumption of alcohol and outdoor music for Friday August 26th from Noon – 8 p.m. This event is a fundraiser for cancer, “Dollars for Deb.” The event will be in a fenced in area on the west side of the building with access from the double doors on the west side of building.

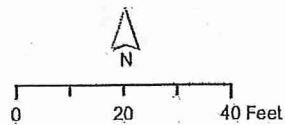
Erin Franklin Hutton provided a certificate of insurance as proof of extended liquor liability insurance for the outside property and provided the permit fees for the event. Consumption of alcoholic beverages in non-glass containers would be allowed inside the fenced in area. Serving of alcohol will be contained within the building. Attached is a map which indicates the fence placement. This event will have the same layout as the previously approved Oktoberfest and ALS fundraiser events.

The following conditions are set forth to control alcohol access for underage consumption:

- Outdoor event will take place during business hours Friday, August 26th, 2023.
- Consumption of alcoholic beverages in non-glass sealed containers would be allowed in the fenced in area. All other serving of alcohol will be contained within the building.
- Outdoor music may be played until 8:00 PM.
- The fence will be installed prior to event, with contact points to the building (or semi-permanent structure) affixed in a manner that does not allow for easy access through that contact point.
- The “fenced in area” will be accessible through the business entrance. The business entry will be monitored by employees to aid in monitoring for unlawful consumption and maintaining control of the consumption area.
- All guests will be identified by photo id, to prevent underage sale of alcohol.

Action recommended: Approval of Temporary Patio Extension and Outdoor Music request on August 26th, 2023, from Noon – 8p.m. by Giesenbräu Bier Co LLC with the above conditions.

Site Map





CERTIFICATE OF LIABILITY INSURANCE

Section 3, Item f.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Miller Hartwig Insurance
P.O. Box 1177
20960 Holyoke Avenue
Lakeville, MN 55044
Josh Havlik

952-469-5502

CONTACT NAME: Josh Havlik
PHONE (A/C, No, Ext): 952-469-5502
FAX (A/C, No): 952-469-1881
E-MAIL ADDRESS: jhavlik@millerhartwig.com

INSURED
Giesenbrau Bier Co LLC
1306 1st St NE
New Prague, MN 56071

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A :	Cincinnati Insurance Co.	10677
INSURER B :	AmTrust Financial Services Inc	42376
INSURER C :		
INSURER D :		
INSURER E :		
INSURER F :		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			ETD0546257	08/01/2021	08/01/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			ETD0546257	08/01/2021	08/01/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$						OCCUR CLAIMS-MADE EACH OCCURRENCE \$ AGGREGATE \$
B	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A	SWC1348702	08/01/2021	08/01/2022	<input checked="" type="checkbox"/> PER STATUTE OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	<input type="checkbox"/> Liquor Liability			ETD0546257	08/01/2021	08/01/2022	Liquor 1M/2M

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

-Brewery and Taproom-
Liquor liability policy continues until cancelled.
Liability coverage, including liquor liability, extends to the patio and parking lot. Liability including liquor also extends to fairs, festivals, and other off premises events.

CERTIFICATE HOLDER

CANCELLATION

City of New Prague MN
118 Central Ave. N
New Prague, MN 56071

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Josh Havlik



New Prague Police Department

City of New Prague In the Counties of Scott & Le Sueur

118 CENTRAL AVENUE NORTH, SUITE 3, NEW PRAGUE, MINNESOTA 56071

• Phone: (952) 758-2791 • Fax: (952) 758-6279

• Website: www.ci.new-prague.mn.us

Tim Applen, Chief of Police

MEMORANDUM

To: Honorable Mayor, Duane Jirik; Members of the City Council, Shawn Ryan, Maggie Bass, Bruce Wolf, Rik Seiler and City Administrator, Joshua Tetzlaff

From: Tim Applen, Chief of Police/Emergency Manager

Date: Friday, August 18, 2023

Subject: Homecoming Parade Request.

New Prague Area Schools (ISD 721) is requesting permission to have a homecoming parade.

The New Prague High School Homecoming parade is scheduled for Friday, September 22, 2023. The parade will begin at 1:00 pm at the High School and proceed south on Columbus Ave to Main St, west on Main St. to 2nd Ave NW. The parade will last approximately 1 hour.

Insurance waivers naming the City of New Prague and MN / DOT District 7 as additionally insured, have been requested and will be received prior to the event.

If the Council authorizes the homecoming parade it will require the following actions of City personnel:

- Submit an application to MN DOT District #7 for permit to close Main St. for the event.
- Utilize additional police personnel for traffic control.
- Utilize other city personnel for traffic control as authorized by department supervisors.

Recommended Action:

Grant authorization for New Prague Area Schools (ISD 721) to have a homecoming parade on Friday, September 22, 2023.



CERTIFICATE OF LIABILITY INSURANCE

Section 3, Item g.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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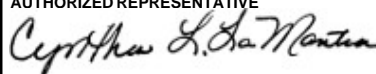
PRODUCER Arthur J. Gallagher Risk Management Services, LLC 2850 Golf Rd Rolling Meadows IL 60008	CONTACT NAME: Katie Navin PHONE (A/C, No, Ext): 630-228-6665 E-MAIL ADDRESS: katie_navin@ajg.com	FAX (A/C, No): 630-285-4062	
	INSURER(S) AFFORDING COVERAGE INSURER A : Underwriters at Lloyd's London		NAIC # 15792
INSURED Minnesota Insurance Scholastic Trust New Prague Area Schools ISD #721 410 Central Ave North New Prague MN 56071	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

COVERAGES **CERTIFICATE NUMBER:** 994762744 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> \$250,000 POOL SIR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			PK1039223	7/1/2023	7/1/2024	EACH OCCURRENCE \$4,000,000 DAMAGED TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$8,000,000 PRODUCTS - COMP/OP AGG \$ \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			PK1039223	7/1/2023	7/1/2024	COMBINED SINGLE LIMIT (Ea accident) \$4,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Comp/Coll Ded \$1,000/\$1,000
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	School Board Legal (Claims Made) Sexual Harassment/Abuse			PK1039223	7/1/2023	7/1/2024	Per Occ/Agg \$4M/\$8M Included

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Non-Tort liability or Out-of-State Liability claims \$4,000,000 Each Occurrence Limit; per Member District
Non-Tort liability or Out-of-State Liability Claims \$8,000,000 Aggregate Limit; per Member District.
If holder is specifically listed as an additional insured refer to: Certificates of Insurance Endorsement #5 added 7/1/2023.
RE: Homecoming Parade on September 22, 2023 from 1:00 - 2:00 pm
City of New Prague and MN DOT is an Additional Insured as respects General Liability policy, pursuant to and subject to the policy's terms, definitions, conditions and exclusions required by written contract.

CERTIFICATE HOLDER City of New Prague and MN DOT	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 



Building a Better World
for All of Us®

MEMORANDUM

TO: Mayor and City Council
Joshua Tetzlaff, City Administrator

FROM: Chris Knutson, PE (Lic. MN)

DATE: August 17, 2023

RE: Project Updates

See below for updates on current SEH Projects for the City of New Prague.

MAIN STREET (TH19) IMPROVEMENTS PROJECT

Closeout and final payment will be likely before the end of the summer.

2022 STREET AND UTILITY IMPROVEMENTS (COLUMBUS AVENUE)

A meeting with the contractor was held on-site this week. A review of the seeding was made to determine the next steps. The seeding subcontractor will apply weed killer throughout the seeded areas and reseed at no cost to the city. The importance of maintenance was brought up and we were told that it would occur. Final paving is scheduled for August 22nd with pavement markings soon after. A pay application should be anticipated for the September 5th meeting with a reduction in retainage, but not for final completion.

2023 STREET AND UTILITY IMPROVEMENTS

The entire project is paved and the contractor is working on topsoil and seeding. Work in Greenway Park is likely within the month but is dependent on the paving subcontractor's availability. Information to call for the Assessment Hearing will be provided in September.

2024 STREET AND UTILITY IMPROVEMENTS PROJECT

CVT has been notified of award and will provide a schedule soon to get borings. A kickoff meeting was held with staff along with a project walkthrough to determine sidewalk locations. Survey continues on the project and we anticipate having a neighborhood meeting in mid-September and presenting the Feasibility Report to council in October.

HSIP 10TH AVENUE SE-1ST STREET SE RRFB

This project bid on Friday last week. Information on this project is included in a separate memo.

10TH AVENUE NE – WATERMAIN REPAIRS

The contractor is planned for starting in September. A preconstruction meeting request has been sent to the Contractor to determine timing.

cdk

x:\ko\newpr\common\council meetings\081723cc project updates.docx

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 11 Civic Center Plaza, Suite 200, Mankato, MN 56001-7710

507.388.1989 | 877.316.7636 | 888.908.8166 fax | sehinc.com

SEH is 100% employee-owned | Affirmative Action–Equal Opportunity Employer



Building a Better World
for All of Us®

MEMORANDUM

TO: Mayor and City Council
Joshua Tetzlaff, City Administrator

CC: Matt Rynda, Public Works Director
Bruce Reimers, Utilities General Manager

FROM: Chris Knutson, PE (Lic. MN)

DATE: August 17, 2023

RE: 10th Avenue SE RRFB
SEH No. NEWPR 169670 14.00

BID OPENING

Below is a summary of the bid opening held on Friday, August 11, 2023, along with a summary tabulation of the three bids received.

REVIEW OF BIDS

Cost estimates for the project were put together last year and updated just prior to the project bidding. A summary of these estimates is shown below:

LOW BID COMPARISON TO COST ESTIMATES			
Project Area	Initial Cost Estimate	Final Engineer's Estimate	Low Bid
Business Park	\$65,000.00	\$75,945.00	\$115,862.00

The final engineer's estimate was higher than the initial cost estimates due to additional storm sewer work (relocation of catch basin) that was not in the initial estimate in 2021. The low bid on the project was still significantly higher than the cost estimate, with most of the difference accounted for in mobilization and storm sewer improvements. We believe the small scale of the project along with the federal bidding requirements culminated in higher costs than expected.

The funding sources allows 90% of the construction costs to be funded through grant and a request for additional funding has been made to MnDOT. We do not recommend awarding the project at the current bid unless MnDOT is able to fund the difference and provide grant for 90% of the bid amount.

If MnDOT is not able to provide additional funding, we would likely recommend one of the following options:

1. Rebid the project for spring 2024 construction
2. Remove pavement improvements and rebid the RRFB installation only. The pavement and sidewalk improvements would be incorporated into the 2024 project, which should have significantly lower costs due to the larger scale of improvements.

We expect to provide a final determination of how to proceed at the September 5th meeting.

x:\ko\newpr\169670\1-gen\16-meet\memo summary of bids 08-17-23.docx

Engineers | Architects | Planners | Scientists

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TABULATION OF BIDS

10th Avenue SE RRFB New Prague, Minnesota SEH No.: NEWPR 169670 Bid Date: 10:00 a.m., Friday, August 11, 2023				Engineer's Estimate \$75,945.00		New Look Contracting, Inc. 14045 Northdale Blvd. Rogers, MN 55374 \$115,862.00		JL Theis, Inc. 860 Quaker Avenue, Suite 102 Jordan, MN 55352 \$134,258.00		Urban Companies 3781 Labore Road St. Paul, MN 55110 \$145,590.00	
Item No.	Item	Unit	Est. Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
2021.501	MOBILIZATION	LUMP SUM	1.0	\$5,000.00	\$5,000.00	\$24,000.00	\$24,000.00	\$13,000.00	\$13,000.00	\$6,000.00	\$6,000.00
2102.518	PAVEMENT MARKING REMOVAL	LIN FT	240.0	4.00	960.00	8.00	1,920.00	5.00	1,200.00	10.00	2,400.00
2104.502	REMOVE SIGN	EACH	2.0	200.00	400.00	60.00	120.00	87.00	174.00	60.00	120.00
2104.503	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LIN FT	30.0	8.00	240.00	15.00	450.00	14.00	420.00	12.00	360.00
2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	200.0	8.00	1,600.00	10.00	2,000.00	14.00	2,800.00	12.00	2,400.00
2104.503	REMOVE CURB & GUTTER	LIN FT	90.0	8.00	720.00	15.00	1,350.00	35.00	3,150.00	25.00	2,250.00
2104.504	REMOVE BITUMINOUS PAVEMENT	SQ YD	90.0	10.00	900.00	10.00	900.00	50.00	4,500.00	30.00	2,700.00
2104.518	REMOVE CONCRETE WALK	SQ FT	440.0	6.00	2,640.00	5.00	2,200.00	6.00	2,640.00	5.00	2,200.00
2211.509	AGGREGATE BASE CLASS 5	TON	30.0	25.00	750.00	32.00	960.00	55.00	1,650.00	200.00	6,000.00
2301.602	DRILL & GROUT REINF BAR (EPOXY COATED)	EACH	60.0	24.00	1,440.00	30.00	1,800.00	15.00	900.00	50.00	3,000.00
2503.503	12" RC PIPE SEWER CLASS V	LIN FT	8.0	150.00	1,200.00	154.00	1,232.00	200.00	1,600.00	250.00	2,000.00
2506.602	CONNECT TO EXISTING MANHOLES	EACH	1.0	775.00	775.00	2,500.00	2,500.00	6,000.00	6,000.00	3,000.00	3,000.00
2506.502	CONSTRUCT DRAINAGE STRUCTURE SPECIAL	EACH	1.0	2,000.00	2,000.00	6,000.00	6,000.00	15,000.00	15,000.00	5,000.00	5,000.00
2506.502	CASTING ASSEMBLY	EACH	2.0	1,300.00	2,600.00	1,200.00	2,400.00	1,200.00	2,400.00	1,000.00	2,000.00
2506.602	RECONSTRUCT DRAINAGE STRUCTURE SPECIAL	EACH	1.0	1,500.00	1,500.00	5,400.00	5,400.00	8,000.00	8,000.00	5,000.00	5,000.00
2521.518	6" CONCRETE WALK	SQ FT	680.0	14.00	9,520.00	18.00	12,240.00	23.00	15,640.00	22.00	14,960.00
2531.503	CONCRETE CURB & GUTTER, DESIGN B618	LIN FT	96.0	80.00	7,680.00	115.00	11,040.00	60.00	5,760.00	125.00	12,000.00
2531.618	TRUNCATED DOMES	SQ FT	48.0	90.00	4,320.00	95.00	4,560.00	63.00	3,024.00	100.00	4,800.00
2563.601	TRAFFIC CONTROL	LUMP SUM	1.0	5,000.00	5,000.00	2,500.00	2,500.00	2,200.00	2,200.00	15,000.00	15,000.00
2565.616	PEDESTRIAN CROSSWALK FLASHER SYSTEM	SYSTEM	1.0	25,000.00	25,000.00	29,000.00	29,000.00	40,000.00	40,000.00	48,000.00	48,000.00
2573.502	STORM DRAIN INLET PROTECTION	EACH	6.0	150.00	900.00	170.00	1,020.00	200.00	1,200.00	400.00	2,400.00
2575.602	SITE RESTORATION	EACH	2.0	400.00	800.00	1,135.00	2,270.00	1,500.00	3,000.00	2,000.00	4,000.00
TOTAL BID PRICE					\$75,945.00		\$115,862.00		\$134,258.00		\$145,590.00



New Prague Police Department

City of New Prague In the Counties of Scott & Le Sueur

118 CENTRAL AVENUE NORTH, NEW PRAGUE, MINNESOTA 56071

Phone: (952) 758-2791

Fax: (952) 758-6279

Website: www.ci.new-prague.mn.us

Tim Applen, Chief of Police

MEMORANDUM

To: Honorable Mayor, Duane Jirik; Members of the City Council, Shawn Ryan, Maggie Bass, Bruce Wolf, Rik Seiler and City Administrator, Joshua Tetzlaff

From: Tim Applen, Police Chief / Emergency Manager

Date: Wednesday August 16, 2023

Subject: On-Sale Liquor License with Sunday Sales Application to The Corner Bar NP, dba – Corner Bar

The New Prague Police Department conducted a background check pursuant to City Ordinance 110.16(B) on the licensee, Ireland Grace Hurley issued to The Corner Bar NP, *dba* Corner Bar.

Minnesota Criminal History: None

Minnesota Driver's License Check: No Record

Business Organization Inquiry, MN Secretary of State: No Record / Inactive

After reviewing Minnesota Administrative Rule 7515.0410 Eligibility Requirements, the background check did not reveal any disqualification.

- A. The applicant(s) are over 21 years of age.
- B. No information to believe Applicant(s) is not of good, moral character and reputation.
- C. Applicant has not been convicted within five years of a license violation relating to alcoholic beverages or any felony.
- D. Parties with business interest did not have interest in a license which was revoked within the last five years.
- E. The premises are (will be) part of corporate assets.
- F. No information to believe discrimination of service would occur.

There were no disqualifiers identified in the investigation of Ireland Grace Hurley issued to The Corner Bar NP, *dba* - Corner Bar.

Recommendation: Approve On-Sale Liquor License and approve Sunday Liquor License application to The Corner Bar NP, *dba* - Corner Bar.



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
445 Minnesota Street, Suite 1600, St. Paul, MN 55101
Telephone 651-201-7507 Fax 651-297-5259 TTY 651-282-6555

Certification of an On Sale Liquor License, 3.2% Liquor license, or Sunday Liquor License

Cities and Counties: You are required by law to complete and sign this form to certify the issuance of the following liquor license types:
1) City issued on sale intoxicating and Sunday liquor licenses
2) City and County issued 3.2% on and off sale malt liquor licenses

Name of City or County Issuing Liquor License NEW PRAGUE License Period From: 9/1/23 To: 3/31/24

Circle One: New License License Transfer (former licensee name) Suspension Revocation Cancel (Give dates)

License type: (check all that apply) [X] On Sale Intoxicating [X] Sunday Liquor [] 3.2% On sale [] 3.2% Off Sale

Fee(s): On Sale License fee: \$1,750 Sunday License fee: \$117 3.2% On Sale fee: \$ 3.2% Off Sale fee: \$

Licensee Name: The Corner Bar NP (corporation, partnership, LLC, or Individual) DOB Social Security #

Business Trade Name The Corner Bar NP Business Address 100 Main St W City New Prague

Zip Code 56007 County Le Sueur Business Phone 952-758-3044 Home Phone 952-495-4225

Home Address 12000 12th Ave S City Burnsville

Licensee's Federal Tax ID # 93-2767699 Licensee's MN Tax ID # 8966105 (To apply call IRS 800-829-4933)

If above named licensee is a corporation, partnership, or LLC, complete the following for each partner/officer:

Ireland Grace Hurley 11-15-2000 17706 Hillwood Ave Lakeville
Partner/Officer Name (First Middle Last) DOB Social Security # Home Address

Partner/Officer Name (First Middle Last) DOB Social Security # Home Address

Partner/Officer Name (First Middle Last) DOB Social Security # Home Address

Intoxicating liquor licensees must attach a certificate of Liquor Liability Insurance to this form. The insurance certificate must contain all of the following:

- 1) Show the exact licensee name (corporation, partnership, LLC, etc) and business address as shown on the license.
2) Cover completely the license period set by the local city or county licensing authority as shown on the license.

[] Yes [X] No During the past year has a summons been issued to the licensee under the Civil Liquor Liability Law?

Workers Compensation Insurance is also required by all licensees: Please complete the following:

Workers Compensation Insurance Company Name: SFM Workers Comp Policy # 152212.202

I Certify that this license(s) has been approved in an official meeting by the governing body of the city or county.

City Clerk or County Auditor Signature (title) Date



APPLICATION FOR OFF SALE INTOXICATING LIQUOR LICENSE
 No license will be approved or released until the \$20 Retailer ID Card fee is received

PLEASE COMPLETE THIS APPLICATION IN ITS ENTIRETY.
INCOMPLETE APPLICATIONS WILL BE RETURNED WITHOUT ACTION.

Licensee's MN Sales and Use Tax ID # 8966105 To apply for a MN sales and use tax ID #, call (651) 296-6181
 Licensee's Federal Tax ID # 93-2767699 Licensees must register with the Federal Tax and Trade Bureau (TTB),
 for information call (513) 684-2979 or 1-800-937-8864

Applicant:

Licensee Name (Business, Partnership, Corporation) <u>The Corner Bar NP</u>		Business Name (DBA) <u>Corner Bar</u>		Social Security #	
Physical Business Address <u>100 Main St W</u>		License Period From <u>9/1/23</u> To <u>3/31/24</u>		DOB (Individual Applicant)	
City <u>New Prague</u>		County <u>Le Sueur</u>	State <u>MN</u>	Zip Code <u>56071</u>	
E-mail Address		Business Phone Number <u>952-758-3044</u>		Applicant's Home Phone # <u>952-495-4225</u>	

If a Corporation, LLC, or Partnership - state name, date of birth, Social Security # address, title, and Percent Owned by each officer.

Partner Officer (First, middle, last)	DOB	SS#	Title	Percent	Home Address
<u>Ireland Grace Hurley</u>	<u>11-15-2000</u>		<u>Owner / President</u>	<u>100%</u>	<u>17700 Hillwood Ave Lakerville, MN 55044</u>

- If a corporation, date of incorporation July 2023, state incorporated in Minnesota If a subsidiary of any other corporation, so state _____
 If incorporated under the laws of another state, is corporation authorized to do business in the state of Minnesota?
 Yes No
- Describe premises to which license applies; such as (first floor, second floor, basement, etc.) or if entire building, so state. first + floor
- Is establishment located near any state university, state hospital, training school, reformatory or prison?
 Yes No. If yes, state approximate distance. _____
- Name and address of building owner Slainte Hospitality 12000 12th Ave S, Burnsville, MN 56337
 Has owner of building any connection, directly or indirectly, with applicant? Yes No

- 5. Is/are applicant(s), a member of the governing body of the municipality in which this license is to be issued?
 Yes No If Yes, in what capacity? _____
- 6. Have applicants any interest whatsoever, directly or indirectly, in any other liquor establishment in the state of Minnesota? Yes No If yes, give name and address of establishment. _____
- 7. Are the premises now occupied or to be occupied by the applicant entirely separate and exclusive from any other business establishment? Yes No
- 8. State whether applicant has or will be granted, an On Sale Liquor License in conjunction with this Off Sale Liquor License and for the same premises. Yes No Will be granted
- 9. State whether applicant has or will be granted a Sunday On Sale Liquor License in conjunction with the regular On Sale Liquor License. Yes No Will be granted
- 10. If this application is for a County Board Off Sale License, state the distance in miles to the nearest municipality.

- 11. If this license is being issued by a County Board, has a public hearing been held as per MN Statute 340A.405 sub2(d)?
- 12. If this license is being issued by a County Board, is it located in an organized township?
If so, attach township approval.

Violations

- 1. Has applicant(s) had a liquor license revoked in the last 5 years; Yes No If so, give dates and details.

- 2. Has applicant, partners, officers, or employees ever had any liquor law violations or felony convictions in Minnesota or elsewhere? Yes No
If yes, give dates, charges and final outcome _____

- 3. During the past license year, has a summons been issued under the Liquor Civil Liability Law (Dram Shop) M.S. 340A.802. Yes No If yes, attach a copy of the summons.

REPORT BY POLICE/SHERIFF'S DEPARTMENT

This is to certify that the applicant and the associates named herein have not been convicted within the past five years for any felonies or municipal ordinances relating to intoxicating liquor except as follows:

Police/Sheriff's Department _____ Title _____ Signature _____

County Attorney's Signature _____

Insurance (ATTACH CERTIFICATE OF INSURANCE TO THIS FORM)

Licensee must obtain one of the following PER Minnesota Statute 340A.409:

Check one:

- A. Liquor Liability Insurance (Dram Shop) - \$50,000 per person, \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support.

Please review Insurance Certificate before submitting:

- Must be Certificate of Insurance (Declarations or Binders not accepted)
- Licensee name on this application and the Insurance Certificate must match EXACTLY.
- Must provide physical address of licensed location (No PO Boxes accepted)
- Dates of coverage must cover the entire license period.

or

- B. A surety bond from a surety company with minimum coverage as specified in A.

or

- C. A certificate from the State Treasurer that the licensee has deposited with the state, trust funds having market value of \$100,000 or \$100,000 in cash or securities.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry. A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

Workers compensation insurance company: Name SFM Workers Comp

Policy # 152212.202 Number of employees: 0

I certify that I have read the above questions and that the answers are true and correct of my own knowledge.

Print name of applicant & title <u>Ireland Hurley Owner</u>	Signature of Applicant <u>I. G. Hurley</u>	Date <u>8.2.23</u>
--	---	-----------------------



CC0515

Mailing Address:
PO Box 64217
St. Paul, MN 55164-0217

Certificate of Compliance

Minnesota Workers' Compensation Law

This form must be completed by the business license applicant.

Email: dli.license@state.mn.us
Website: dli.mn.gov
Phone: (651) 284-5034

Print in ink or type

Minnesota Statutes § 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minn. Stat. chapter 176. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

License or certificate number (if applicable)	Business telephone number <u>952-758-3044</u>	Alternate telephone number <u>952-495-4225</u>
---	--	---

Business name (Provide the legal name of the business entity. If the business is a sole proprietor or partnership, provide the owner's name(s), for example John Doe, or John Doe and Jane Doe.)

The Corner Bar NP

DBA ("doing business as" or "also known as" an assumed name), if applicable

Business address (must be physical street address, no P.O. boxes) <u>100 Main St W</u>	City <u>New Prague</u>	State <u>MN</u>	ZIP code <u>56071</u>
County <u>Le Sueur</u>	Email address <u>slaintehospitality@gmail.com</u>		

You must complete number 1 or 2 below.

Note: You must resubmit this form to the authority issuing your license if any of the information you have provided changes.

1. I have a workers' compensation insurance policy.

Insurance company name (not the insurance agent)

SJM Workers Comp

Policy number: <u>152212.202</u>	Effective date: <u>8-4-2023</u>	Expiration date:
-------------------------------------	------------------------------------	------------------

I am self-insured for workers' compensation. (Attach a copy of the authorization to self-insure from the Minnesota Department of Commerce; see <https://mn.gov/commerce/industries/insurance/licensing/self-insurance>.)

2. I am not required to have workers' compensation insurance because:

- I only use independent contractors and do not have employees. (See [Minn. Stat. § 176.043](#) for trucking and messenger courier industries; [Minn. Stat. § 181.723, subd. 4](#), for building construction; and [Minnesota Rules chapter 5224](#) for other industries.)
- I do not use independent contractors and have no employees. (See [Minn. Stat. § 176.011, subd. 9](#), for the definition of an employee.)
- I use independent contractors and I have employees who are not required to be covered by the workers' compensation law. (Explain below.)
- I only have employees who are not required to be covered by the workers' compensation law. (Explain below.) (See [Minn. Stat. § 176.041](#) for a list of excluded employees.)

Explain why your employees are not required to be covered

I certify the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify I am authorized to sign on behalf of the business.

Print name: Ireland Hurley

Applicant signature (required) <u>I. G. Hurley</u>	Title <u>Owner</u>	Date <u>8-2-23</u>
---	-----------------------	-----------------------

If you have questions about completing this form or to request this form in braille, large print or audio.



Application for Dance Permit (\$100 Fee)

To the City Council of the City of New Prague in the County of Scott and Le Sueur, State of Minnesota:

The Undersigned owner whose address is 17706 Hillwood Ave, Lakeville, MN 55044

Hereby applies for a permit to hold dances upon that certain tract of land described as follows: address 100 Main st w, New Prague, MN 56071 which is of the following size and area; width _____ feet; length _____ feet; area _____;

Applicant further agrees to pay fees or assessments at the time and in the amounts specified as follows:

L. G. Hurley
Ireland Hurley
Owner

No. 23-
Fee \$ 87.50



City New Prague
County Le Sueur

OFF SALE LIQUOR LICENSE

THIS CERTIFIES THAT:

LICENSEE The Corner Bar NP

TRADE NAME Corner Bar

STREET ADDRESS OR LOT AND BLOCK NO 100 Main Street West

Is authorized to sell intoxicating liquor at off sale subject to the laws and regulations of the State of Minnesota and municipal ordinances for the Period beginning 9/1/2023 to 3/31/2024

THIS LICENSE IS APPROVED

Mayor or President
Given under my hand and the Municipal Corporate Seal

City of New Prague Date _____

Alcohol & Gambling Enforcement Director Date
PS9008-03(6/03)

CLERK or Recorder



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JOSHUA M. TETZLAFF, CITY ADMINISTRATOR
KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR
TIM APPLIN, POLICE CHIEF
SUBJECT: INTRODUCTION OF ORDINANCE CREATING NEW CHAPTER 132 TO THE CITY CODE
RELATING TO PUBLIC USE OF CANNABIS AND HEMP PRODUCTS AND THE
SMOKING OF ANY SUBSTANCE ON PUBLIC PROPERTY
DATE: AUGUST 18, 2023

As the Council is aware, at the July 17th, 2023 City Council meeting an interim ordinance (moratorium) was approved until January 1, 2025 (unless repealed earlier) so that the City can further study the effect of the state’s new law regarding cannabis, specifically related to cannabis businesses regarding time/place/manner restrictions.

As noted during discussion at the City Council meeting on August 7, 2023, the law that took effect statewide on August 1, 2023 does not prohibit use (which can include smoking or ingesting cannabis) in “public spaces” but cities can prohibit use in public places, similar to how Section 110.21 of the City Code states where alcohol cannot be consumed. Public places can be defined by each city and can include parks, city property, trails, sidewalks, streets or even places of business where outdoor smoking is otherwise allowed.

At the City Council meeting the general consensus of the City Council directed staff to draft ordinance language for review at tonight’s meeting that would limit only the smoking aspect of public cannabis use which was not limited by the new state law that went into effect on August 1st.

City Staff has met with the City Attorney’s office and discussed a proposed ordinance which is offered for review. Staff’s basis for the ordinance as written is about general wellness of the city and its citizens and as such, the draft ordinance included smoking tobacco in public places, in addition to using (both smoking and ingesting) cannabis in public places. The public places definition does not include certain areas of the golf course (within 200’ of any building or within 50’ of any golf course employee) or any private business locations. Additionally, smoking tobacco is specifically allowed on public streets (including sidewalks and boulevards).

Staff would like the council to review and discuss the proposed ordinance for introduction tonight which would be brought back to the next Council meeting for a second reading and adoption.

Recommendation

Staff would like the Council to conduct a first reading of the proposed ordinance at tonight’s meeting.

Attachments:

1. Proposed Ordinance #339
2. Summary of Legal Cannabis Use as of 8/1/12
3. City Code Chapter 110.21 – Public Use of Alcohol
4. Collection of Other City/County Public Cannabis Use Bans

ORDINANCE NO. 339

CITY OF NEW PRAGUE

AN ORDINANCE AMENDING TITLE XIII OF THE CITY CODE BY CREATING A NEW CHAPTER 132 AS TO THE PUBLIC USE OF CANNABIS AND HEMP PRODUCTS AND THE SMOKING OF ANY SUBSTANCE ON PUBLIC PROPERTY

The City of New Prague Ordains:

SECTION 1. The recitals set forth above in this ordinance are incorporated herein by reference.

SECTION 2. Chapter 132 of Title XIII of the City of New Prague City Code is hereby created by adding the material as follows:

CHAPTER 132: PUBLIC USE OF CANNABIS AND HEMP PRODUCTS AND SMOKING OF ANY SUBSTANCE ON PUBLIC PROPERTY

Section

- 132.01 Definitions
- 132.02 Cannabis and Hemp Use Prohibited In Public Places
- 132.03 All Smoking and Vaporizing Prohibited on Public Property
- 132.04 Penalty

132.01 DEFINITIONS:

For purposes of this chapter, the terms “**Cannabis Flower,**” “**Cannabis Products,**” “**Lower-Potency Hemp Edibles,**” and “**Hemp-Derived Consumer Products**” shall have the definitions given to them in Minnesota Statutes, section 342.01, as it may be amended from time to time.

PUBLIC PLACE: Property owned, leased, or controlled by a governmental unit which includes, but is not limited to public parks (including ballparks, trails, playgrounds), streets (including all public right of way including sidewalks and boulevards), school property, public parking lots, public library, New Prague Utilities Commission facilities, but does not include the following:

1. The New Prague Golf Course’s outdoor space that is more than 200’ from any building held open to the public, including the clubhouse, patio, and on-course refreshment buildings;
2. a private residence including the person’s curtilage or yard;
3. private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp derived consumer products on the property by the owner of the property; or
4. the premises of an establishment or event licensed to permit on-site consumption.

132.02 CANNABIS AND HEMP USE PROHIBITED IN PUBLIC PLACES

(A) No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place.

(B) The active smoking, inhaling, or vaporizing of cannabis flower, cannabis products, or hemp derived consumer products is prohibited when within 50 feet of any city employee within the New Prague Golf Course.

132.03 ALL SMOKING AND VAPORIZING PROHIBITED ON PUBLIC PROPERTY

(A) The smoking or vaporizing of any substance, including cannabis and hemp as identified in Section 132.02 and tobacco as defined in Chapter 117, is expressly prohibited in all public places except the following:

- (1) smoking and vaporizing tobacco is not prohibited on streets (including all public right of way including sidewalks and boulevards) unless otherwise prohibited by ordinance, state, or federal law; and
- (2) smoking or vaporizing of tobacco is not prohibited while within the New Prague Golf Course.

132.04 PENALTY

Violation of this section shall be a petty misdemeanor.

SECTION 3. This ordinance shall take effect upon its passage and publication, in accordance with Section 3.13 of the City Charter.

Introduced to the City Council of the City of New Prague, Minnesota, this 21st day of August, 2023.

The required 10 days posted notice was completed on the City Website and City Hall Bulletin Board on August 22nd, 2023.

Passed by the City Council of the City of New Prague, Minnesota, this 5th day of September, 2023 and to be published on the 14th day of September, 2023.

Duane J. Jirik, Mayor

State of Minnesota)

)ss. (CORPORATE ACKNOWLEDGMENT)

County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2023.

Notary Public

ATTEST: _____

Joshua M. Tetzlaff, City Administrator

State of Minnesota)

)ss. (CORPORATE ACKNOWLEDGMENT)

County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2023.

Notary Public

THIS INSTRUMENT DRAFTED BY:

Kenneth D. Ondich

City of New Prague

118 Central Ave. N.

New Prague, MN 56071

(952) 758-4401

Summary of Legal Cannabis Use as of 8/1/23

A 21 year old can possess (but not on school property, state correctional facilities, federal property):

- 2 ounces of cannabis flower
- 8 grams of concentrate
- 800 mg of edible products
- 2 pounds of flower in your private residence.
- In vehicle trunk or area not normally occupied by driver if opened (similar to open container alcohol law)

A 21 year old can use:

- At private residence, including yard
- At private property, unless the owner prohibits
- Events licensed to permit on-site consumption (to be determined by Office of Cannabis Management).
- No limit on public use unless a municipality passes an ordinance

For comparison purposes, below is the restriction on alcohol use in certain public areas.

§ 110.21 CONSUMPTION AND POSSESSION OF ALCOHOLIC BEVERAGES ON STREETS, PUBLIC PROPERTY, AND PRIVATE PARKING LOTS TO WHICH THE PUBLIC HAS ACCESS.

It is unlawful for any person to consume, or possess in an unsealed container, any alcoholic beverage on any (1) city park playground area, (2) street or highway, (3) sidewalk or (4) private parking lot to which the public has access, except on such premises or location when and where permission has been specifically granted or licensed by the Council. This section shall not apply to the possession of an unsealed container in a motor vehicle when the container is kept in the trunk of such vehicle if it is equipped with a trunk, or kept in some other area of the vehicle not normally occupied by the driver or passengers, if the motor vehicle is not equipped with a trunk.

(A) For the purpose of this section, a utility or glove compartment shall be deemed to be within the area occupied by the driver or passengers.

(B) For the purpose of this section, a **PLAYGROUND AREA** is the area within a city park designated for outdoor play or recreation, especially by children, and containing recreational equipment such as slides and swings.

(Ord. 179, passed 5-3-93; Am. Ord. 221, passed 7-9-07) Penalty, see § 10.99

CHAPTER 110 - ORDINANCE REGULATING THE USE OF CANNABIS AND CANNABIS-DERIVED PRODUCTS IN PUBLIC PLACES

THE CITY OF BATTLE LAKE HEREBY ORDAINS AS FOLLOWS:

§110.01 PURPOSE AND INTENT

- A. This Ordinance is adopted by the City of Battle Lake City Council for the purpose of protecting public health and safety by REGULATING/PROHIBITING the use of Cannabis and cannabis derived products in public places and places of public accommodation within the City of Battle Lake.
- B. By enacting the 2023 Session Law, Chapter 63, H. F. No. 100 [hereinafter referred to “State Legislation”], the Minnesota Legislature passed the adult-use cannabis bill. Under that bill, the adult use, possession and personal growing of cannabis will become legal on August 1, 2023.
- C. State legislation authorizes the adoption of a local ordinance establishing a petty misdemeanor offense for public use of cannabis. See State Legislation Sec. 19, Minn. Stat. 152.0263, Subd. 5, or successor statute.
- D. The City wishes to be proactive in protecting public health and safety by enacting regulations that will mitigate threats presented to the public by the public use of cannabis.
- E. The City of Battle Lake (hereinafter “the City”) recognizes the risks that unintended access and use of cannabis products present to the health, welfare, and safety of youth in the City of Battle Lake.

§110.02 SECTION 2. DEFINITIONS

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The following words, terms, and phrases, when used in this ordinance, shall have the meaning ascribed to them except where the context clearly indicates a different meaning.

- A. **Adult-use cannabis flower.** “Adult-use cannabis flower” means cannabis flower that is approved for sale by the State Office of Cannabis Management or is substantially similar to a product approved by the office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer products.
- B. **Adult-use cannabis products.** “Adult-use cannabis products” means a cannabis product that is approved for sale by the State Office of Cannabis Management or is substantially similar to a product approved by the office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.
- C. **Cannabis flower.** “Cannabis flower” means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.
- D. **Cannabis product.** “Cannabis product” means any of the following:
 - 1. cannabis concentrate;
 - 2. a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or
 - 3. any other product that contains cannabis concentrate.

E. Hemp-derived consumer products.

1. “Hemp-derived consumer products” means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:
2. contains or consists of hemp plant parts; or
3. contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.
4. Hemp-derived consumer products does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

F. Lower-potency hemp edible. A “lower-potency hemp edible” means any product that:

1. is intended to be eaten or consumed as a beverage by humans;
2. contains hemp concentrate or an artificially derived cannabinoid; in combination with food ingredients;
3. is not a drug;
4. consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
5. does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
6. does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
7. does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
8. is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

G. Public place. A “public place”, means a public park or trail, public street or sidewalk, any enclosed, indoor area used by the general public, including, but not limited to, theaters, restaurants, bars, food establishments, places licensed to sell intoxicating liquor, wine, or malt beverages, retail businesses, gyms, common areas in buildings, public shopping areas, auditoriums, arenas, or other places of public accommodation.

H. Place of public accommodation. “Place of public accommodation” means a business, refreshment, entertainment, recreation, or transportation facility of any kind, whose goods, services, facilities privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.”

I. Exceptions to public place or place of public accommodation. “A public place” or “a place of public accommodation” does not include the following:

1. a private residence, including the individual’s curtilage or yard.
2. a private property, not generally accessible by the public, unless the individual is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or
3. on the premises of an establishment or event licensed to permit on-site consumption.

J. Smoking. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar,

K. cigarette, pipe, or any other lighted or heated product containing cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products. Smoking includes carrying or using an activated electronic delivery device for human consumption through inhalation of aerosol or vapor from the product.

§110.03. PROHIBITED ACTS

- A. No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use cannabis flower and adult-use cannabis products. See State Legislation Sec. 9 Minn. Stat. 342.09 Subd. 1(2) or successor statute. See also State Legislation Minn. Stat. 342.09 Subd.1 (7)(iii) or successor statute, and State Legislation Sec. 19 Minn. Stat. 152.0263, Subd. 5, or successor statute.
- B. No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor. See State Legislation Sec. 9 Minn. Stat. 342.09, Subd. 1 (7)(b)(9) or successor statute.

§ 110.99 PENALTY. Any person who violates any provision of this chapter shall be subject to criminal penalties as provided in § 10.99 of this code.

§110.03. SEVERABILITY

If any section or provision of this ordinance is held invalid, such invalidity will not affect other sections or provisions that can be given force and effect without the invalidated section or provision.

This ordinance shall take effect upon passage and publication as provided in by law.
Passed and adopted by the Battle Lake City Council this 8th day of August 2023.

CITY OF BATTLE LAKE

ATTEST:

Rich Bullard, Mayor

Valerie Martin, Clerk/Treasurer

COUNTY OF
BECKER
STATE OF
MINNESOTA

ORDINANCE No.: _____

**ORDINANCE REGULATING THE USE OF CANNABIS
AND CANNABIS DERIVED PRODUCTS IN PUBLIC
PLACES**

THE _____ COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS
AS FOLLOWS:

SECTION 1. PURPOSE AND INTENT

This Ordinance is adopted by the _____ County for the purpose of protecting public health and safety by REGULATING/PROHIBITING the use of Cannabis and cannabis derived products in public places and places of public accommodation within _____ County.

Minnesota Session Law 2023, Chapter 63, effective in relevant part August 1, 2023, establishes that the adult use, possession and personal growing of cannabis is legal subject to the requirements and restrictions of Minnesota Statutes.

Minnesota Session Law 2023, Chapter 63, Art. 4, section 19, codified as Minn. Stat. 342.0263, subd. 5 authorizes the adoption of a local ordinance establishing a petty misdemeanor offense for public use of cannabis.

The County intends to be proactive in protecting public health and safety by enacting an ordinance that will mitigate threats presented to the public and public health by the public use of cannabis.

_____ County (hereinafter “the County”) recognizes the risks that unintended access and use of cannabis products and exposure to cannabis and its effects present to the health, welfare, and safety of members of the public and in particular the youth of the County.

SECTION 2. DEFINITIONS

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The following words, terms, and phrases, when used in this ordinance, shall have the meanings ascribed to them except where the context clearly indicates a different meaning.

- (a) **Adult-use cannabis flower.** “Adult-use cannabis flower” means cannabis flower that is approved for sale by the Minnesota Office of Cannabis Management or is substantially similar to a product approved by the office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer

products.

(b) **Adult-use cannabis products.** “Adult-use cannabis products” means a cannabis product that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.

(c) **Cannabis flower.** “Cannabis flower” means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

(d) **Cannabis product.** “Cannabis product” means any of the following:

- (1) cannabis concentrate;
- (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or
- (3) any other product that contains cannabis concentrate.

(e) **Hemp derived consumer products.**

(1) “Hemp derived consumer products” means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:

- (i) contains or consists of hemp plant parts; or
- (ii) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

(2) Hemp-derived consumer products does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

(f) **Lower-potency hemp edible.** A “lower-potency hemp edible” means any product that:

- (1) is intended to be eaten or consumed as a beverage by humans;
- (2) contains hemp concentrate or an artificially derived cannabinoid; in combination with food ingredients;
- (3) is not a drug;
- (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabidiol, or any combination of those cannabinoids that does not exceed the identified amounts;
- (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
- (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
- (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
- (8) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including

but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

(g) **Public place.** A “public place” means a public park or trail, public street or sidewalk, any enclosed, indoor area used by the general public, including, but not limited to, theaters, restaurants, bars, food establishments, places licensed to sell intoxicating liquor, wine, or malt beverages, retail businesses, gyms, common areas in buildings, public shopping areas, auditoriums, arenas, or other places of public accommodation.

(h) **Place of public accommodation.** “Place of public accommodation” means a business, refreshment, entertainment, recreation, or transportation facility of any kind, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.”

(i) **Exceptions to the definition of public place or place of public accommodation.** “A public place” or “a place of public accommodation” does not include the following:

- (1) a private residence, including the individual’s curtilage or yard.
- (2) a private property, not generally accessible by the public, unless the individual is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or
- (3) on the premises of an establishment or event licensed to permit on-site consumption.

(j) **Smoking.** “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products. Smoking includes carrying or using an activated electronic delivery device for human consumption through inhalation of aerosol or vapor from the product.

SECTION 3. PROHIBITED ACTS

Subd. 1. No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp- derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or event licensed to permit on-site consumption of adult-use cannabis flower and adult use cannabis products. *See Minnesota Session Law 2023, Chpt. 63, Art. 1, Sec. 9 codified as Minn. Stat. 342.09, subd. 1(2) and 342.09, subd.1 (7)(iii) and Art. 4, Sec. 19 codified as Minn. Stat. Sec. 152.0263, subd. 5.*

Subd. 2. No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor. *Minnesota Session Law 2023, Chpt. 63, Art. 1, Sec. 9 codified as Minn. Stat. Sec. 342.09, subd. 1 (7)(b)(9).*

SECTION 4. PENALTY

Subd. 1. Criminal Penalty. A violation of this ordinance shall be a petty misdemeanor punishable by a fine of up to \$300. Nothing in this ordinance shall prohibit the United States,

the State of Minnesota, or the County from investigating or prosecuting any other activity that is a crime under any other federal or state statute or county ordinance.

Subd.2. An alleged violation or violation of this ordinance may be investigated by a peace officer as defined in Minn. Stat. 626.84, Subd. 1. Any alleged violation or violation of this ordinance shall be prosecuted by the Office of the _____ County Attorney.

SECTION 5. SEVERABILITY

If any section or provision of this ordinance is held invalid, such invalidity will not affect any other section or provision that can be given force and effect without the invalidated section or provision.

SECTION 6. EFFECTIVE DATE

This ordinance shall be in full force and effect immediately from and after its passage and publication as required by law.

ADOPTED by the _____ County Board of Commissioners this _____ day of ____, 2023.

_____ County Board Chair

Attest: _____
_____ County _____

ORDINANCE NO. 2023-04

**AN ORDINANCE OF THE CITY OF GRAND MARAIS, MINNESOTA,
REGARDING ALCOHOL AND CANNABIS USE IN PUBLIC SPACES**

THE CITY COUNCIL OF THE CITY OF GRAND MARAIS DOES ORDAIN THAT (deleted material is lined out; new material is underlined; subsections which are not being amended are omitted; sections which are only proposed to be re-numbered are only set forth below as to their number and title):

SECTION 1. Grand Marais City Code, Chapter 130: Miscellaneous Regulations, is hereby amended with the following new section, as follows:

§ 130.08 Use of Certain Cannabis Products in Public

A. Pursuant to Minn. Stat. § 152.0263, subd. 5, no person shall unlawfully use or consume cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place in the PR, DW, H61, and MU Zone Districts of the city, including, but not limited to, any public street, sidewalk, alley, parking lot, park, or open space.

B. *Exceptions.* This section shall not apply to:

1. A private residence, including the person's curtilage or yard;
2. Private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or
3. The premises of an establishment or event licensed to permit on-site consumption.

C. *Penalty.* Any person violating this section shall be guilty of a petty misdemeanor.

D. *Seizure and Impoundment.*

1. All cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products used or consumed in violation of this section shall be seized and impounded as evidence of such violation.
2. Such evidence shall be destroyed upon a plea of guilty or other disposition with regard to such violation.

SECTION 2. Grand Marais City Code, Chapter 113: Intoxicating Liquor, is hereby amended, as follows:

§ 113.60 Drinking On Streets, Alleys And Sidewalks

~~In the C-1 Zone District~~ In the PR, DW, H61, and MU Zone Districts of the city, no person shall, upon the streets, sidewalks or alleys, or in any parking lot adjacent to such public streets, sidewalks or alleys, or in any public park or open space, or being a trespasser upon the private premises of another, drink, consume, or have in his or her possession in an open container, any intoxicating liquor, intoxicating malt liquor, 3.2% malt liquor, wine or alcoholic beverage of any kind whatsoever.

§ 113.64 Violations

Any person violating any provision of this subchapter is guilty of a petty misdemeanor.

SECTION 3. That this ordinance shall take effect upon passage and publication.

Passed by the City Council of the City of Grand Marais this 26th day of July, 2023.

Tracy Benson, Mayor

Attest: _____
Michael Roth, City Administrator

CITY OF LE CENTER
COUNTY OF LE SUEUR
STATE OF MINNESOTA

ORDINANCE NO. 2023-4

AN ORDINANCE PROHIBITING THE USE OF TETRAHYDROCANNABINOL (THC) PRODUCTS IN PUBLIC PLACES

WHEREAS, the City Council for the City of Le Center, Le Sueur County, Minnesota, is empowered under Minnesota Law to provide regulations for the general welfare and benefit of its residents; and

WHEREAS, the Minnesota Legislature recently enacted a law authorizing the recreational use of Tetrahydrocannabinol (THC) products and further, said law allows municipalities the authority to regulate and prohibit the public use of the same; and

WHEREAS, the City Council does hereby and herein ORDAIN as follows:

1. There shall be no public consumption of Cannabinoids, Cannabinoid products, products having a Cannabinoid Profile, products having a Cannabis Concentrate, Intoxicating Cannabinoids, Lower-Potency Hemp Derived Edibles, Synthetic Cannabinoids, or Tetrahydrocannabinol (THC) products, as those products are defined in Chapter 68, M.S.A. Section 342.01, as amended from time to time, in the City of Le Center at the following locations:
 - a. Any city owned or city leased property including the grounds, parking lot, or structures thereon;
 - b. City Hall;
 - c. City’s Public Works Building;
 - d. Fire Hall;
 - e. Police Station;
 - f. Municipal Liquor Store;
 - g. Any Park;
 - h. Any Beach;

- i. Any Playground;
- j. Any Ballfield;
- k. Any Concession Stand;
- l. School grounds;
- m. Fair grounds
- n. Library grounds;
- o. Any sidewalk;
- p. Any parking lot;
- q. Any cemetery;
- r. Any festival or farmers market;
- s. Any street or sidewalk;
- t. Any other place where the public is invited to gather.

2. Penalty: A violation of this ordinance shall be a petty misdemeanor, punishable by a fine of \$290.

Upon motion made, duly seconded, and passed this _____ day of _____, 2023.

Christian Harmeyer, Mayor

ATTEST:

Dan Evans, City Administrator

ORDINANCE NO. ____

CITY OF LAKEVILLE
COUNTY OF DAKOTA, MINNESOTA

AN ORDINANCE AMENDING TITLE 5, CHAPTER 2 OF THE LAKEVILLE CITY CODE CONCERNING THE PUBLIC USE OF HEMP AND CANNABIS PRODUCTS

THE CITY COUNCIL OF THE CITY OF LAKEVILLE, MINNESOTA ORDAINS:

SECTION 1. Title 5, Chapter 4 of the Lakeville City Code is amended to add a new Section 5-2-4 “Public Use of Hemp and Cannabis Products” to read as follows:

Section 5-2-4 Public Use of Hemp and Cannabis Products

5-2-4-1 Definitions

The definitions in Minn. Stat. § 342.01 apply to this section. In this section:

CANNABIS FLOWER: The harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

CANNABIS PRODUCT: Any of the following: (1) cannabis concentrate; (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or (3) any other product that contains cannabis concentrate. Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products.

LOWER-POTENCY HEMP EDIBLE: Any product that (1) is intended to be eaten or consumed as a beverage by humans; (2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients; (3) is not a drug; (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts; (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving; (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol; (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and (8) is a type of product approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by that Office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

HEMP-DERIVED CONSUMER PRODUCT: A product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and (1) contains or

consists of hemp plant parts; or (2) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

PUBLIC PLACE: Property owned, leased, or controlled by a governmental unit and private property that is regularly and frequently open to or made available for use by the public in sufficient numbers to give clear notice of the property's current dedication to public use but does not include the following:

- (1) a private residence including the person’s curtilage or yard;
- (2) private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or
- (3) the premises of an establishment or event licensed to permit on-site consumption.

5-2-4-2 Prohibited Activity

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place.

5-2-4-3 Penalty

Violation of this section shall be a petty misdemeanor.

SECTION 2. Effective Date. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED by the City Council of the City of Lakeville, Minnesota this _____ day of _____, 2023.

CITY OF LAKEVILLE

BY: _____
Luke Hellier, Mayor

ATTEST:

Ann Orlofsky, City Clerk



City Attorney

PURPOSE MEMO

TO: Mayor, City Council, City Administrator, Chief of Police
FROM: Mark M. Walbran
DATE: August 4, 2023
RE: Prohibit Use of Cannabis Products in Public Places

Purpose:

Request the Council adopt Proposed Ordinance 23-14, to prohibit use of cannabis products in public spaces within the **City of Owatonna**.

Background:

The Council approved the first reading of this proposed ordinance during their last meeting on August 2, 2023. Additional “public places” were added to Section 93.033 Definition of Public Places as discussed during the first reading of this proposed ordinance.

Budget Impact:

None.

City Staff Recommendation:

Staff recommends the City Council adopt Proposed Ordinance 23-14 to become effective upon passage and publication.

Proposed Ordinance No. 23-14

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE IX, CHAPTER 93: HEALTH AND SANITATION; NUISANCES, BY ADDING THERETO NEW SECTION 93.030 PROHIBITING THE USE OF CANNABIS IN PUBLIC PLACES

THE CITY COUNCIL OF THE CITY OF OWATONNA, DO ORDAIN:

Section 1. Title IX of the 2015 Ordinance Code of the City of Owatonna, as amended, is hereby amended by adding Chapter 93.030, to read as follows:

CHAPTER 93.030: USE OF CANNABIS IN PUBLIC

§ 93.031 FINDINGS OF CITY COUNCIL.

- A. In 2023, the Minnesota Legislature passed a package of laws, Chapter 63—H.F. No. 100 of the Minnesota 2023 Regular Session, that legalizes adult-use cannabis in Minnesota, (collectively, “2023 Cannabis Laws”); and
- B. Among those laws, the Legislature enacted Minn. Stat. § 152.0263, subd. 5 pursuant to which the city is authorized to adopt an ordinance establishing a petty misdemeanor offense for a person who unlawfully uses cannabis flour, cannabis products, lower-potency edibles, or hemp-derived consumer products in a public place.
- C. According to the Federal Centers for Disease Control and Prevention, (CDC) second-hand marijuana smoke contains tetrahydrocannabinol (THC), the compound responsible for most of marijuana’s psychoactive effects or the “high”. THC can be passed to infants and children through second-hand smoke, and people exposed to second-hand marijuana smoke can experience psychoactive effects, such as feeling high. Children exposed to THC are potentially at risk for negative health effects. Further, research shows that marijuana use during adolescents can impact the developing teenage brain and cause problems with attention, motivation, and memory.

NOW, THEREFORE, pursuant to Minnesota Statutes, Section 152.0263, subd. 5, the City Council of the City of Owatonna do ordain:

§ 93.032 UNLAWFUL USE

It is unlawful to use cannabis flour, cannabis products, lower-potency hemp edibles and hemp-derived consumer products, as defined in Minn. Stat. § 342.01, in public places anywhere in the city.

§ 93.033 DEFINITION OF PUBLIC PLACE

As used in this section “public place” includes, but is not limited to, public parks, county fairgrounds, ballparks, trails, streets, or rights-of-way, alleys, sidewalks, boulevards, school

property, parking lots, beach, pier, golf courses, Owatonna Public Library, the West Hills, Owatonna Public Utilities facilities, United States Post Office, and any other developed or undeveloped city owned property.

§ 93.034 DEFINITION OF NON-PUBLIC PLACES

Non-public places include the following:

- a. Private residence, including the curtilage and yard; and
- b. Private property not generally accessible by the public, unless a person is explicitly prohibited from consuming cannabis flour, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; and
- c. The premises of an establishment or event licensed to permit on-site consumption of cannabis flour, cannabis products, lower-potency hemp edibles or hemp-derived consumer products;

§ 93.035 VIOLATION

A violation of this section is a petty misdemeanor as defined in Ordinance § 10.99(A)(b). This section may be enforced by the City as an administrative offense pursuant to City Ordinance § 10.99(B) subject to the civil penalty provided in the City’s Fee Schedule. An administrative offense is not a crime.

Section 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication.

Passed and adopted this ____ day of _____, 2023, with the following roll call vote:

- AYE:
- NO:
- ABSENT:

Approved and signed this _____ day of _____, 2023.

Thomas A. Kuntz, Mayor

ATTEST:

Kris M. Busse, City Administrator/City Clerk/Treasurer

ORDINANCE NO. _____

CITY OF WACONIA, COUNTY OF CARVER, STATE OF MINNESOTA

AN ORDINANCE CREATING CHAPTER 515 OF THE CITY OF WACONIA CODE OF ORDINANCES PROHIBITING THE USE OF CANNABIS PRODUCTS IN PUBLIC PLACES IN THE CITY OF WACONIA

The City Council of the City of Waconia does ordain:

Section 1. ADOPTION OF ORDINANCE

That a new chapter 515 of the City of Waconia Code of Ordinances is hereby adopted which reads as follows:

CHAPTER 515

USE OF CANNABIS IN PUBLIC PLACES

Section

- 515.01 Findings and Purpose
- 515.02 Definitions
- 515.03 Prohibited Acts
- 515.04 Penalty

515.01 Findings and Purpose

This Chapter regulates the use of cannabis products in public places to protect the health, safety, and general welfare of the residents of the City.

The Minnesota legislature amended Minnesota law in 2023 to legalize the use of certain cannabis products. The new law is a comprehensive legislation which introduced new regulations for cannabis businesses, taxes on the sale of cannabis products, and regulations on the adult use of cannabis products; and

The new law leaves the regulation of the use of cannabis in public places to local governments; and

The new law provides, in the section to be numbered MN Stat. § 152.0263 sub.5, that local governments may enact an ordinance making the unlawful use of cannabis products a petty misdemeanor offense; and

Pursuant to its general police powers, set forth in Minn. Stat. § 421.221, subd. 32, the City may provide for laws which promote public health, safety, and general welfare; and

The City Council finds that it is in the best interest of the City and its residents, and conducive to the promotion of public health, safety, and welfare to regulate the use of cannabis products in public places within the City;

515.02 Definitions

The following terms, as used in this Chapter, shall have the meanings stated in this section:

“Cannabis” means cannabis flower, cannabis products, lower-potency hemp edibles and hemp-derived consumer products, as defined in Minn. Stat. Section 342.01

“Public places” means all areas contained within the City boundaries, except the following:

- A. Private residences, including the curtilage and yard; and
- B. Private property not generally accessible by the public, unless a person is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products on the property by the owner of the property; and
- C. The premises of an establishment or event licensed to permit onsite consumption of cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products.

515.03 Prohibited Acts

The use of cannabis in public places anywhere in the City is unlawful and prohibited.

515.04 Penalty

Violation of this Chapter is a petty misdemeanor. Violations of this Chapter will be subject to the general penalty provisions of Chapter 102.

Section 2. EFFECTIVE DATE

This ordinance shall become effective upon passage and of publication of its adoption as provided by law.

Passed and adopted by the City Council of the City of Waconia this ____ day of _____, 2023.

Nicole Waldron, Mayor

ATTEST: _____
Jacqueline Schulze, City Clerk

M/_____

Gleason _____

S/_____

Grengs _____

Sorensen _____

Waldron _____

Yetzer _____

AUGUST						
SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7 Council	8 Park	9 EDA	10	11	12
13	14	15	16	17	18	19
20	21 Council	22 Golf	23 Planning	24	25	26
27	28 Utility	29	30	31		

SEPTEMBER						
SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4 Holiday	5 Council	6	7	8	9
10	11	12 Park	13 EDA	14	15	16
17	18 Council	19	20	21	22	23
24	25 Utility	26 Golf	27 Planning	28	29	30

**Meeting Minutes
New Prague Park Board
Tuesday, August 8, 2023
6:00 PM**

Due to lack of quorum, the meeting was cancelled.

Respectfully Submitted,



Kyra J. Chapman
Planner



ECONOMIC DEVELOPMENT AUTHORITY MEETING MINUTES

City of New Prague

Wednesday, August 09, 2023 at 7:30 AM

City Hall Council Chambers - 118 Central Ave N

1. CALL TO ORDER

The meeting was called to order at 7:28 a.m. by President Brent Quast with the following members present: Brent Quast, Duane Jirik, Nick Slavik, Bruce Wolf, Troy Pint, Eric Krogman, and Austin Reville.

City Staff Present: City Administrator Josh Tetzlaff and Planning/Community Development Director Ken Ondich

2. CONSENT AGENDA

Motion by Slavik, seconded by Krogman to approve. All voted in favor. Motion carried (7-0).

- a. Approval of July 12, 2023, Regular Meeting Minutes
- b. Approve Claims for Payment (July 2023): **\$1,776.91**
- c. Review Monthly Income Statement and Balance Sheet (July 2023)

3. FUTURE EDA ENDEAVORS

- a. August 2023 Update
Quast inquired about any updates. City Administrator Tetzlaff noted that with the Comprehensive Plan update that additional Industrial Park area may be added to the future land use plan. Quast noted that the Comprehensive Plan Steering Committee also noted this idea and to consider "flex zones" which could be a mix of commercial/industrial. Wolf inquired about if major changes to the land use plan would affect the sewer plan. Planning/Community Development Director Ondich stated that the sewer plan does look at land uses, but isn't so specific to not anticipate changes such as apartment buildings or high water using commercial uses, but that changes have to be monitored over time regardless.

4. BUSINESS RETENTION AND EXPANSION (BR&E) PROGRAM

5. BUSINESS UPDATES

- a. August 2023
Planning/Community Development Director Ondich provided the monthly update.

6. EXECUTIVE DIRECTOR'S REPORT

City Administrator Tetzlaff noted that the City is buying back the property at 412 5th Avenue NW, which is located in the Industrial Park.

7. MISCELLANEOUS

8. ADJOURNMENT

Motion made by Jirik, seconded by Quast to adjourn the meeting at 7:47 a.m. All voted in favor. Motion carried (7-0).

Respectfully Submitted,

Joshua M. Tetzlaff
City Administrator / EDA Executive Director