



CITY OF MENDOTA HEIGHTS

CITY COUNCIL REGULAR MEETING AGENDA

December 17, 2024 at 7:00 PM
Mendota Heights City Hall, 1101 Victoria Curve, Mendota Heights

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Approval of the Agenda

The Council, upon majority vote of its members, may make additions or deletions to the agenda. These items may be submitted after the agenda preparation deadline.

5. Public Comments - for items not on the agenda

Public comments provide an opportunity to address the City Council on items which are not on the meeting agenda. All are welcome to speak. Individuals should address their comments to the City Council as a whole, not individual members. Speakers are requested to come to the podium and must state their name and address. Comments are limited to three (3) minutes. No action will be taken; however, the Mayor and Council may ask clarifying questions as needed or request staff to follow up.

6. Consent Agenda

Items on the consent agenda are approved by one motion of the City Council. If a councilmember requests additional information or wants to make a comment on an item, the item will be removed from the consent agenda and considered separately. Items removed from the consent agenda will be taken up as the next order of business.

- a. Approve Minutes from the December 3, 2024, City Council Meeting
- b. Acknowledge the October 8, 2024, Parks and Recreation Commission Meeting Minutes
- c. Approve 2025 Schedule of City Council Meeting Dates
- d. Approve the Issuance of Massage Establishment Licenses and Massage Therapist Licenses
- e. Approve 2025 Tobacco License Renewals

- f. Resolution 2024-75 Accepting Work and Approving Final Payment for Wentworth Park Tennis Courts Improvements, Project #202106
- g. Resolution 2024-76 Accepting Work and Approving Final Payment for Marie Park Pond Dredging, Project #202305
- h. Approve Purchase Order for Tree Removals
- i. Resolution 2024-79 Reappointing City Advisory Commission Representatives
- j. Approve Job Description, Pay Classification, and Authorize Recruitment of the Recreation Facilities Coordinator position; and Approve Revised Recreation Program Coordinator Job Description
- k. Resolution 2024-82 Adopting the 2025 Pay Classification Plan for Non-Union Employees
- l. Resolution 2024-80 Formally Accepting a Donation from the Coss Family Foundation
- m. Resolution 2024-83 Formally Accepting a Donation for Police Officer Wellness
- n. Approve Resolution 2024-81 Providing for the Fourth Supplemental Indenture of Trust Related to Multifamily Housing Revenue Refunding Bonds (Lexington Heights Apartments Project), Series 2013 and Authorizing the Execution of Documents Related Thereto
- o. Approve Claims List

7. Presentations

8. Public Hearings

9. New and Unfinished Business

- a. Ordinance No. 596 Amending Title 12: Zoning to incorporate cannabis business use types into the Table of Uses [Planning Case 2024-23]

10. Community / City Administrator Announcements

11. City Council Comments

12. Adjourn

Next Meeting

January 7, 2025 at 7:00PM

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CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY
STATE OF MINNESOTA

DRAFT Minutes of the Regular Meeting
Held Tuesday, December 3, 2024

Pursuant to due call and notice thereof, the regular meeting of the City Council, City of Mendota Heights, Minnesota was held at 7:00 p.m. at City Hall, 1101 Victoria Curve, Mendota Heights, Minnesota.

CALL TO ORDER

Mayor Levine called the meeting to order at 7:00 p.m. Councilors Lorberbaum, Paper, Mazzitello, and Miller, were also present.

PLEDGE OF ALLEGIANCE

Council, the audience, and staff recited the Pledge of Allegiance.

AGENDA ADOPTION

Mayor Levine presented the agenda for adoption. Councilor Mazzitello moved adoption of the agenda. Councilor Paper seconded the motion.

Ayes: 5

Nays: 0

PUBLIC COMMENTS

No one from the public wished to be heard.

CONSENT CALENDAR

Mayor Levine presented the consent calendar and explained the procedure for discussion and approval. Councilor Lorberbaum moved approval of the consent calendar as presented, pulling item I.

- a. Approval of November 19, 2024 City Council Minutes
- b. Approval of November 19, 2024 Council Work Session Minutes
- c. Approval of November 12, 2024 Council Work Session Minutes
- d. Community Waste Abatement Agreement with Dakota County
- e. Approve Encroachment Agreement with Xcel Energy in Valley Park
- f. Resolution 2024-71 Adopting and Confirming Assessments for the Emerson Avenue Street Improvements
- g. Approve a Change Order from DreamScapes Landscaping and Design for the Ivy Falls Retaining Wall Repair Project
- h. Award Contract for VFD and SCADA at Main Lift Station

- i. ~~Approve Online Tee Time Reservation Software~~
- j. Approve Fire Department Out of State Travel Request
- k. Approve the Purchase of a Standby Generator for the Par 3 Clubhouse
- l. Approve October 2024 Treasurer's Report
- m. Approval of Claims List

Councilor Mazzitello seconded the motion.

Ayes: 5

Nays: 0

PULLED CONSENT AGENDA ITEMS

I) APPROVE ONLINE TEE TIME RESERVATION SOFTWARE

Parks and Recreation Director/Assistant Public Works Director Meredith Lawrence stated that this action would approve the purchase of online tee time reservation software for the Par 3. She explained that currently, the only way to make a tee time reservation is in person or calling by phone. In 2025 staff proposes to move to an online tee time reservation software which would allow residents and customers to check available tee times and make a reservation online at any time, seven days in advance. She stated that tee times would still be allowed by phone or in person for those who prefer those methods.

Councilor Mazzitello moved to approve ONLINE TEE TIME RESERVATION SOFTWARE.

Councilor Paper seconded the motion.

Ayes: 5

Nays: 0

PRESENTATIONS

A) PARTNERS IN ENERGY – ENERGY ACTION PLAN

Natural Resources Coordinator Krista Spreiter stated in 2023 the Natural Resources Commission recommended that the City apply for the Xcel Energy Partners in Energy Program, which is a free program that assists communities in developing and implementing an Energy Action Plan. She stated that the collaboration is a two-year commitment that began with a six-month planning phase. She reviewed the membership of the energy action team, stating that staff and the NRC recommend approval of the plan as presented.

Paolo Speirn, Partners in Energy Community Facilitator for Xcel Energy, stated that his team has been working with Natural Resources Coordinator Krista Spreiter and her team for the past 18 months to develop the Energy Action Plan. He provided details on the process, plan and implementation plan to the Council.

Mayor Levine acknowledged that there was a worksession with the Council to review this plan and many questions were answered during that time.

Councilor Lorberbaum stated that she looks forward to the implementation. She stated that a resident reached out to her that is installing a ring doorbell. She commented that the resident had the option to install a motion detector powered by solar energy and asked if that would be eligible for a rebate.

Mr. Speirn replied that he is not aware of a rebate of that scale, noting that the rebates exist for installation of onsite panels on a larger scale such as powering the whole home.

Councilor Paper referenced page 26 of the plan which reviewed tactics such as setting up a booth at an event. He asked if Xcel would staff that booth or whether the City would staff that booth.

Mr. Speirn replied that tabling would be done by City staff or members of the energy action team, but Xcel would provide materials and talking points ahead of time.

Councilor Paper referenced page 43 of the plan which speaks of metrics and what has been done. He asked how Xcel knows who puts in a new thermostat.

Mr. Speirn replied that Xcel has rebates for installation of smart thermostats and therefore can track information from the program.

Sofia Troutman, Xcel Energy, replied that is typically people who sign up for AC rewards. She stated that people can install a smart thermostat that Xcel would not be aware of.

Councilor Paper asked if the refrigerator recycling is also then similar, where the data is supplied by the Xcel rebate.

Ms. Troutman confirmed that is correct.

Councilor Paper referenced page 40 of the plan which speaks of cooling and heating degree days, noting that the consumption decreased by one percent. He asked if that could be tied to the winter.

Ms. Troutman replied that there is a strong correlation between the cooling-degree days in the winter and heating-degree days in the winter as much of the energy used is for heating and cooling of homes.

Mayor Levine asked if the solar subscription spreadsheet has been fixed and asked for more information on that program.

Natural Resources Coordinator Krista Spreiter replied that Xcel provides that listing resources as a service. She stated that staff would review those resources to ensure they are accurate and up to date and ensure the information is easy to navigate before releasing it to residents.

Mayor Levine commented that the solar subscription has saved her family about \$50 per month, which has been great, and she would want to ensure that residents can take advantage when subscriptions are available.

Councilor Lorberbaum moved to approve THE XCEL ENERGY PARTNERS IN ENERGY ACTION PLAN FOR MENDOTA HEIGHTS.

Councilor Miller seconded the motion.

Further discussion: Mayor Levine thanked City staff and all members that have been involved in this process.

Ayes: 5

Nays: 0

PUBLIC HEARING

No items scheduled.

NEW AND UNFINISHED BUSINESS

A) 2025 CITY BUDGET AND PROPERTY TAX LEVY

Finance Director Kristen Schabacker explained that the Council is required to hold a public budget meeting and presented such information. She stated that the Council is asked to consider adopting the resolution approving the final 2024 tax levy collectible in 2025 and adopting the proposed budget for 2025.

Mayor Levine acknowledged the amount of time that has been spent on the budget and levy in preparation for tonight through multiple meetings of staff and the Council.

Mayor Levine welcomed comments from the public.

No comments were received.

Councilor Mazzitello moved to approve RESOLUTION NO. 2024-74 APPROVING FINAL 2024 LEVY COLLECTIBLE IN 2025 AND ADOPTING PROPOSED BUDGET FOR 2025 AS AMENDED ON THE DIAS.

Councilor Miller seconded the motion.

Ayes: 5

Nays: 0

B) RESOLUTION 2024-78 APPROVING A LOT SPLIT REQUEST AT 1912 SOUTH LANE

Community Development Manager Sarah Madden provided a brief background on this item. The Council was being asked to consider approval of a lot split request of the property located at 1912 South Lane.

Councilor Paper stated that there is a retaining wall on this property and the homeowners have tried to update it. He asked what would happen with that.

Public Works Director Ryan Ruzek replied that it is unknown as to the status of the wall and whether it would need to be replaced. He noted that those details would come forward with the permit requests for the new homes. He confirmed that it could be a possibility that the area is graded out and the wall is no longer needed as well.

Councilor Miller recognized a concern from a resident as to the next steps after the lot split and asked if the applicant would do his best to retain the high value trees on the property.

Sean Doyle, applicant, replied that there is a large oak tree in the middle of the property that would most likely need to be removed. He commented that there will be some trees that will need to be removed but noted that they have not yet gotten to that step. He stated that they like to keep as many trees as possible. He noted that he lives in the neighborhood as well and therefore has a vested interest as well.

Councilor Miller recognized that Mr. Doyle has grown up in the community and runs a great business.

Mr. Doyle commented that most likely the retaining wall would be removed, creating more of a tiered property.

Councilor Paper asked if the stringline rule would be used for the setback to the street.

Community Development Manager Sarah Madden replied that the ordinance would require staff to look at minimum and maximum setbacks but anticipated that the setback would be similar to the existing home.

Mr. Doyle commented that the existing home is more in line with the home to the north.

Councilor Paper moved to adopt RESOLUTION NO. 2024-78 APPROVING LOT SPLIT REQUEST AT 1912 SOUTH LANE (PLANNING CASE NO. 2024-21).

Councilor Mazzitello seconded the motion.

Ayes: 5

Nays: 0

C) CONSIDERATION OF ORDINANCE NO. 591: SHORT TERM RENTALS AND ORDINANCE NO. 594: FEE SCHEDULE AMENDMENT

Community Development Manager Sarah Madden provided a brief background on this item. The Council was being asked to consider an ordinance amending Title 3: Business and License regulations to add a new Chapter 5A: Short Term Rentals and an ordinance amending the City's Fee Schedule by establishing a short term rental license fee.

Councilor Paper asked if there was going to be a higher fee for the initial license because of the additional staff time and inspection process.

Community Development Manager Sarah Madden commented that was discussed but did not believe there was clear direction as to whether that should be doubled. She stated that the fee as proposed would cover the needed hours for the initial inspection.

Councilor Miller moved to adopt ORDINANCE NO. 591 AMENDING TITLE 3 TO CREATE CHAPTER 5A: SHORT TERM RENTALS, AUTHORIZING PUBLICATION OF SUMMARY ORDINANCE.

Councilor Mazzitello seconded the motion.

Ayes: 5

Nays: 0

Councilor Lorberbaum moved to adopt ORDINANCE NO. 594 AMENDING THE FEE SCHEDULE TO ADD A SHORT TERM RENTAL LICENSING FEE.

Councilor Mazzitello seconded the motion.

Ayes: 5

Nays: 0

COMMUNITY ANNOUNCEMENTS

City Administrator Cheryl Jacobson announced upcoming community events and activities.

COUNCIL COMMENTS

Councilor Miller commented that it is now winter and asked that everyone take time to drive safely and slowly.

Councilor Lorberbaum stated that the Council recently approved take home squad cars, which is a benefit for the Police as they can leave their vehicle setup for their work. She stated that the previous night she attended a meeting of Dakota County for the stretch of Delaware from Marie to Dodd. She stated that many options are being considered and the input of residents is desired. She asked residents to reach out to public works in order to stay updated on the process as construction is anticipated for 2027.

Councilor Paper commented that rinks have begun to be flooded and look great.

Councilor Mazzitello stated that the previous week there was an opportunity to celebrate Thanksgiving and stated that he is thankful for fellow City Council members, City staff, neighbors and the people who make the community great. He thanked Councilor Miller for his years of service to the City, his passion, and unique perspective, noting that the City is better because of his service.

Mayor Levine reminded residents to stay safe and ensure that ice is at least four inches thick before going out onto a body of water.

ADJOURN

Councilor Paper moved to adjourn.

Councilor Mazzitello seconded the motion.

Ayes: 5

Nays: 0

Mayor Levine adjourned the meeting at 8:08 p.m.

Stephanie B. Levine
Mayor

ATTEST:

Nancy Bauer
City Clerk

CITY OF MENDOTA HEIGHTS, DAKOTA COUNTY, MINNESOTA

PARKS AND RECREATION MEETING MINUTES

October 8, 2024

The October meeting of the Mendota Heights Parks and Recreation Commission was held on Tuesday, October 8, 2024, at Mendota Heights City Hall, 1101 Victoria Curve.

1. Call to Order – Chair Jaffrey Blanks called the meeting to order at 6:30 p.m.

2. Roll Call – The following Commissioners were present: Chair Jaffrey Blanks, Commissioners: Stephanie Meyer, Michelle Muller, Jennifer Weichert, Dan Sherer, and Michael Toth; absent: Commissioner Jo Schifsky. Staff present: Parks and Recreation Director Meredith Lawrence, Recreation Program Coordinator Willow Eisfeldt, and Public Works Director Ryan Ruzek.

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Approval of Agenda

Motion Muller/second Meyer, to approve the agenda.

AYES 6: NAYS 0

5.a Approval of Minutes from August 14, 2024, Regular Meeting

Motion Meyer/second Muller to approve the minutes of the August 14, 2024, Parks and Recreation Commission Regular Meeting.

AYES 6: NAYS 0

6. Citizen Comment Period (for items not on the agenda)

Gary Fischbach, 2150 Fox Place, stated that he likes the City services and has been proud to live here. He stated that he likes the park system maintained and to see the kids playing ball at Mendakota. He commented that the recent survey did not provide any options for people to object, as this seems like a massive expansion of government and would be an increase in taxes, which is concerning. He commented that the value of commercial properties is decreasing, as will the taxes from that commercial base while larger legislative decisions from the state and federal level will continue to increase taxes.

Commissioner Muller commented that the Master Plan process is a method to gauge what the residents want and identify needs in the parks system.

Mr. Fischbach commented that homes listed for sale in Mendota Heights sell within a couple of weeks because people want to come here as is.

Parks and Recreation Director Meredith Lawrence noted that there is an item on the agenda tonight related to the budget.

7. Acknowledgement of Reports

Chair Blanks read the titles of the three updates (Par 3, Park Improvement, Recreation, Park System Master Plan, and Parks and Recreation Strategic Plan Updates) and polled the Commissioners for questions.

Parks and Recreation Director Meredith Lawrence introduced and welcomed the newest member of the Commission, Jennifer Weichert.

7.a Par 3 Update

Parks and Recreation Director Meredith Lawrence briefly reviewed the August financial report. She commented that it has been a great season and highlighted some maintenance activities. She noted that typically the course is closed at the end of October or early November, weather dependent. She stated that two items were proposed for the 2025 budget for the golf course, a recreation facilities coordinator position and online tee reservation software.

Commissioner Sherer asked and received confirmation that the golf course staff would need and receive training for the updated system if that is implemented. He noted that he has referred retired friends and neighbors to work at the clubhouse and was unsure if that new system would be difficult for some people to learn.

Ms. Lawrence explained that is why training would be provided and was confident the staff would be able to use the new system, if implemented.

Commissioner Weichert asked the amount of time Ms. Lawrence spends on the Par 3.

Ms. Lawrence replied that currently 18 percent of her salary is coded to the course. She stated that during the season at least 15 hours of her week is spent on golf course activities.

Commissioner Muller noted that the recreation facilities coordinator would also be at the course with the employees as well to provide ongoing training.

Ms. Lawrence explained that currently she is the only employee fully trained in for the golf course for maintenance and financial elements and if there are issues on nights or weekends, that falls to her. Having an additional employee who is up to date on the golf course operations provides a deeper bench within the City.

Commissioner Weichert asked the percentage of revenue increase that would be anticipated with the new software/employee.

Ms. Lawrence stated that she has heard that other golf courses have increased revenue by 10 to 20 percent with the implementation of an online tee system in the first year. She noted that the new employee could also work some shifts at the club house, especially at the beginning and end of the season, which would decrease the staffing costs. She stated that she would also like to roll out more extensive programming at the course, which would increase revenue. She noted that 60 percent of the position cost would be funded through the golf course.

Commissioner Sherer asked why public works would not be trained on the irrigation system at the golf course.

Ms. Lawrence explained that public works only currently provides spraying capabilities at the course and all golf course maintenance is done by seasonal employees, which are under her supervision.

7.b Parks Improvement Update

Parks and Recreation Director Meredith Lawrence reviewed the park improvement projects that have been completed in 2024 as well as progress on the items that remain. She stated that three items have been included in the preliminary budget for 2025 by the City Council in discussion thus far and provided a brief overview noting that there will be a larger budget discussion later on the agenda. She provided a brief overview on the special parks fund and how that can be used within the park system, as well as park dedication. She explained that the park system master plan includes financial information on how park projects and maintenance could be funded with the knowledge that park dedication would not be that source.

Commissioner Muller asked the reasoning of the Council in delaying park projects, with the knowledge that there may not be funding in the future.

Ms. Lawrence explained that there are a lot of budget requests, not just parks and recreation, and therefore the Council must make the hard decisions on which items are approved. She noted that she would provide more information on the budget requests during that agenda item. She encouraged members of the Commission to attend a budget worksession as department heads must explain why their requests are needed and if they could be delayed.

Commissioner Weichert stated that neighborhood demographics are important when considering improvements for the parks. She stated that a fence that was put in for a baseball field in a neighborhood with mainly young children, noting that the fence is never hit by baseball, but it does limit the use of that space by other sports. She commented that the investment in baseball seems to push out other sports. She stated that she would also like to see dedicated pickleball courts. She commented that Mendota Heights has an aging population and also has young children. She stated that she would like to see more investment in the needs of the senior population and young families without singularly focusing on baseball. She believed that some of the tennis courts and basketball courts could be converted to different uses.

Commissioner Muller commented that they are not singularly focused on baseball and work hard to provide equity. She stated that pickleball is often discussed and courts were just added at Wentworth.

Commissioner Weichert commented that the Wentworth courts are on a hockey rink and cannot be used in the winter.

Commissioner Meyer stated that she and Commissioner Sherer joined the Commission at the same time and pickleball has been a topic of conversation for many years. She stated that they have tried to utilize the hockey rinks. She stated that they have received input that people do like the tennis courts as well, so they have preserved some of those courts as well. She stated that the master plan is using the demographics of the community as well in order to better plan and determine the needs of the park system. She commented that the basketball courts are heavily used, specifically by teens.

Commissioner Weichert stated that it would be very easy to dual stripe a tennis court so that it could be used for pickleball and tennis.

Commissioner Muller commented that has been discussed for Valley and asked staff for more information on why they decided to keep that as tennis.

Ms. Lawrence stated that the master plan will include demographics, although perhaps not to the level of neighborhood demographics. She stated that the plan will also compare the City's park system to national levels. She recognized that Mendota Heights does have more baseball facilities than the average city of this size, but that does not mean they will be getting rid of those. She stated that grant funds have been received for tennis court projects and therefore she would need to look into the grant requirements to see if the additional striping could be done. She stated that they did look at refurbishing the Valley courts into pickleball courts, but that did not move forward. She stated that could be discussed but recognized the funding the is the biggest barrier. She stated that one of the barriers to some grant funding is that the City does not have a master plan, so she is hoping that once that plan is completed, the City could pursue additional funding opportunities.

Chair Blanks commented that the Commission is mindful in how they make requests to the Council and providing equity in the parks system. He recognized that there are a lot of baseball fields, but there are also a lot of baseball players in Mendota Heights.

Commissioner Muller stated that four of the Commission members have soccer players at home and recently received a letter from the association explaining why they choose to use the ISD 197 fields over the City fields.

Commissioner Sherer agreed recalling the time the association made the transition from the neighborhood park fields to the school district fields. He welcomed Commissioner Weichert to the Commission and noted that the Commission has discussed the items that she brought forward multiple times, in depth. He stated that there was a lot of development in the 1980s and 1990s which funded the park system, and that development has slowed as the community has become fully built, which leads to discussion of how the park system will be funded in the future.

Chair Blanks commented that the budget is a huge constraint on what can be done as well as space constraints. He explained that they also focus on equity, providing recreational opportunities for residents of all ages.

7.c Recreation Update

Recreation Coordinator Willow Eisfeldt highlighted recent recreational programing and events as well as upcoming opportunities.

Commissioner Muller congratulated staff on the high attendance for Barktober.

Ms. Lawrence also commended Ms. Eisfeldt for the high attendance at Tour de Rec. She stated that three years ago they would be happy to have five kids show up and last week there were 70 kids. She noted that it is also a free recreational opportunity that does not require registration.

Chair Blanks echoed those comments and noted that he has received comments from families showing their appreciation for the free recreational events.

Commissioner Muller also commented that Tour de Rec is nicely done.

Ms. Lawrence encouraged the Commission to come out for Trick or Teeing, as there are typically around 750 kids at that event.

Commissioner Muller commented that the community is starting to catch on to the routine in the monthly events and the annual events.

Commissioner Weichert asked how the programs are promoted and communicated to residents.

Ms. Eisfeldt commented that they use social media, the City website and calendar, the Friday News, News from the Nine, flyers and sandwich boards, and notifications from partners.

Ms. Lawrence stated that staff also works with the Communications Coordinator to provide department information in the Heights Highlights. She stated that they continue to look at ways to provide a diverse reach to residents.

7.d Park System Master Plan Update

Parks and Recreation Director Meredith Lawrence provided background on the need for the master plan for the park system. She provided additional details on the phase two survey which was completed to gain input from residents on whether there was an appetite to pay more for higher quality and additional park amenities. She stated that the next step will be to have a joint worksession on November 12th with the City Council and Park Commission where the consultant will present the findings of the phase two survey. She provided additional information on those that have been included in the public engagement process, including focus groups.

7.e Parks and Recreation Strategic Planning Update

Parks and Recreation Director Meredith Lawrence reviewed the progress on the Parks and Recreation Strategic Plan.

Commissioner Muller asked the number of responses for the phase one survey versus the phase two.

Ms. Lawrence was unsure, estimating about 500 responses for phase one. She stated that there were more responses for the phase two survey and recognized that they brought the funding piece forward earlier than most cities do. She stated that her goal in bringing that funding piece forward was to gauge the appetite of the community, as if there is no appetite for additional funding, that would take the process in a different direction.

8. New Business

8.a Park Bench Donation Recommendation

Parks and Recreation Director Meredith Lawrence presented a request for a park bench donation for Wentworth Park. She stated that staff walked the site with the residents and believe that this would be a great location for a bench, identifying the proposed location 20 feet from the pond. She noted that Wentworth does not have many benches and therefore this would be a great addition. She reviewed the language proposed for the plaque. She stated that staff made it clear that the concrete pad would not be poured until the spring and therefore the bench would also not be installed until the spring.

Motion Meyer/second Weichert to recommend approval of the park bench donation at Wentworth Park by Bill and Joan Gacki.

AYES 6: NAYS 0

9. Old Business

9.a FY2025 Budget Update

Parks and Recreation Director Meredith Lawrence provided background information on the budget process. She stated that the City Council reviewed the seven projects recommended by the Commission and three of those projects were included in the preliminary budget. She stated that staff will meet again with the Council on October 15th to continue to discuss budget priorities, noting that the proposed recreation facilities coordinator position will be discussed in further detail at that meeting. She stated that a worksheet was included in the packet showing the department requests and whether the items were approved or denied. She noted that even the items that were approved in the preliminary budget could be denied in the final budget.

Commissioner Meyer asked if the hesitation for the additional staff person is related to the balance of the job, or whether there was a reason provided. She recognized that recreation staffing is already maxed out and she did not want them to become burnt out and leave.

Ms. Lawrence stated that she did not want to speak for the Council. She stated that Ms. Eisfeldt has been a great addition that she would like to preserve. She recognized that when you hire an employee it is an ongoing expense. She believed that the Council understands that the golf course has changed, noting that when she began in 2017 there were 5,000 rounds during the season, and they are now at 20,000 rounds per season. She stated that they have been transparent with the Council that if staffing is not increased, they will have to cut some things. She did not believe the golf course is yet at its capacity and that rounds can continue to be increased.

Commissioner Meyer asked if it would be possible that the Council could accept the position as a part-time position and whether that would even be acceptable.

Ms. Lawrence stated that the Council has many different options. She stated that her concern with a part-time employee would be that it would be a revolving position with a lot of training required. She stated that this position is easier on the taxes as 60 percent of that would be funded by the golf course rather than taxpayers.

Commissioner Muller asked if there has been a decrease in attendance for any programs over the past two years.

Ms. Eisfeldt stated that for all the programming she has seen an increase with the exception of golf programming. She stated that she does not have the knowledge or expertise in golf and cannot be there to supervise those doing the golf programming and therefore she believes people are going other places for golf programming.

Commissioner Weichert asked if staff has reached out to the high school golf teams, as many students require volunteer hours and could perhaps assist with lessons.

Ms. Eisfeldt stated that she does reach out to the schools and colleges with the seasonal job offerings and asking if those athletes would be interested, but there is typically not a response. She stated that the only issue with volunteers is that they need consistent staffing Monday through Thursday.

Commissioner Weichert suggested reaching out to senior golfers that may be interested.

Chair Blanks commented that there is not staffing to oversee that.

Ms. Lawrence stated that the clubhouse staff is primarily seniors, and they are not currently interested in teaching. She stated that the golf course is a community amenity, and they do use it for different events, but believed that the number of annual rounds could be increased.

Commissioner Weichert asked if mahjong could be another offering for seniors in addition to cribbage.

Ms. Lawrence commented that the goal would be to expand recreational programs for seniors and teens, along with nature-based programming—should the new position be approved.

10. Staff Announcements

Parks and Recreation Director Meredith Lawrence shared the following announcements:

- Student Representative Meg Murphy's term ended in June and there is a vacant Student Representative position open that is currently being advertised
- Staff is beginning to prepare for winter skating and warming houses and the City is beginning to look for staff for warming houses, skating instructors, and flooders
- Volunteers for Trick or Tearing should contact Ms. Eisfeldt
- Thanks to the parks staff and seasonal Par 3 staff that made this season a great one
- Other events can be found on the City's website

11. Student Representative Update

None.

12. Commission Comments and Park Updates

Commissioner Sherer

- Commented that there does seem to be a void in the parks north of 62 for soccer. He suggested perhaps a soccer goal at Wentworth or Ivy Hills for kids to practice.
- Civic Center got a lot of use this summer with three teams using it and commented that the updates were much appreciated
- Provided additional details on the growth of the baseball and softball programs
- The nets on the batting cages at Civic Center could be replaced
- Hagstrom King continues to be heavily used between the playground and basketball court

Commissioner Toth

- Commented on how clean the Mendota Heights parks are compared to parks in other communities
- Recognized the changes to the park model today compared to the 1980s and encouraged residents to participate in the engagement for the parks master plan

Commissioner Muller

- Her sister recently moved near Kensington and provided positive comments on the park and trail system
- Inquired as to where the outhouse at the skate park was

Ms. Lawrence commented that the outhouse was removed last year because of vandalism, and they tried it again this year but there was again vandalism. She stated that there is still an outhouse near the playground.

Chair Blanks

- It was a great run for Music in the Park at Market Square, which had great attendance and was appreciated by the businesses
- Encouraged residents to visit Valley Park

Commissioner Weichert

- Has visited 12 of the parks since she was offered the Commission seat and was amazed at how clean the parks are
- Has not noticed users at the parks she was assigned
- Found it ironic that the people she spoke with at Rogers Lake Park were not Mendota Heights residents
- Skate Park users reported loose nuts and bolts
- She lives near Victoria Highlands Park which is well-kept with a lot of baseball games. Expressed concern with dead and downed trees and with the safety of the pond
- Plays pickleball every morning at Marie Park and rarely sees people playing tennis
- Would like to see pickleball courts that could be used year-round

Commissioner Meyer

- Marie Park continues to be well used as does Mendakota Park
- Thanked staff for all the work they do and the wonderful events that are hosted

13. Adjourn

Motion Weichert/Second Muller to adjourn the meeting at 8:28 PM

AYES 6: NAYS 0

Minutes drafted by:
Amanda Staple
TimeSaver Off Site Secretarial, Inc.

**REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: December 17, 2024

AGENDA ITEM: Approve 2025 Schedule of City Council Meeting Dates

ITEM TYPE: Consent Item

DEPARTMENT: Administration

CONTACT: Cheryl Jacobson, City
Administrator

ACTION REQUEST:

Approve 2025 Schedule of City Council Meeting Dates

BACKGROUND:

City code provides that meetings of the city council shall be held on the first and third Tuesday of each month. If conflicts such as holidays occur on a regular meeting day, the council may reschedule the meeting to a different day. All regular meetings will have a 7:00 pm start time and be conducted at City Hall. All work session meetings will have a start time of 5:00 pm and be conducted at City Hall unless otherwise noted. The 2025 City Council meeting calendar is as follows:

January 7, 2025, at 7:00pm: City Council Meeting
January 21, 2025, at 5:00pm: City Council Work Session
January 21, 2025, at 7:00pm: City Council Meeting

February 4, 2025, at 7:00pm: City Council Meeting
February 18, 2025, at 5:00pm: City Council Work Session
February 18, 2025, at 7:00pm: City Council Meeting

March 4, 2025, at 7:00pm: City Council Meeting
March 18, 2025, at 5:00pm: City Council Work Session
March 18, 2025, at 7:00pm: City Council Meeting

April 1, 2025, at 7:00pm: City Council Meeting
April 15, 2025, at 5:00pm: City Council Work Session
April 15, 2025, at 7:00pm: City Council Meeting

May 6, 2025, at 7:00pm: City Council Meeting
May 20, 2025, at 5:00pm: City Council Work Session
May 20, 2025, at 7:00pm: City Council Meeting

June 3, 2025, at 7:00pm: City Council Meeting
June 17, 2025, at 5:00pm: City Council Work Session
June 17, 2025, at 7:00pm: City Council Meeting

July 1, 2025, at 7:00pm: City Council Meeting
July 15, 2025, at 5:00pm: City Council Work Session
July 15, 2025, at 7:00pm: City Council Meeting

August 6*, 2025, at 7:00pm: City Council Meeting
*moved to a Wednesday to account for "Night to Unite"
August 19, 2025, at 5:00pm: City Council Work Session
August 19, 2025, at 7:00pm: City Council Meeting

September 2, 2025, at 7:00pm: City Council Meeting
September 16, 2025, at 5:00pm: City Council Work Session
September 16, 2025, at 7:00pm: City Council Meeting

October 7, 2025, at 7:00pm: City Council Meeting
October 21, 2025, at 5:00pm: City Council Work Session
October 21, 2025, at 7:00pm: City Council Meeting

November 5*, 2025, at 7:00pm: City Council Meeting
*moved to a Wednesday to account for Election Day
November 18, 2025, at 5:00pm: City Council Work Session
November 18, 2025, at 7:00pm: City Council Meeting

December 2, 2025, at 7:00pm: City Council Meeting
December 16, 2025, at 5:00pm: City Council Work Session
December 16, 2025, at 7:00pm: City Council Meeting

FISCAL AND RESOURCE IMPACT:

None

ATTACHMENTS:

None

CITY COUNCIL PRIORITY:

Inclusive and Responsive Government



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: December 17, 2024

AGENDA ITEM: Approve the Issuance of Massage Establishment Licenses and Massage Therapist Licenses

ITEM TYPE: Consent Item

DEPARTMENT: Administration

CONTACT: Nancy Bauer, City Clerk

ACTION REQUEST:

Approve the issuance of massage establishment licenses and massage therapist licenses.

BACKGROUND:

Pursuant to Mendota Heights City Code, no person shall provide massage services or engage in the business of operating a massage enterprise without first obtaining a license. New applications have been submitted from the following:

Massage Establishment: Blissful Performance Massage, 790 South Plaza Drive, Suite 100

Massage Establishment: Green Holistic Health, 790 South Plaza Drive, Suite 100

Massage Therapist: Alisa Yang of Blissful Performance Massage

Massage Therapist: Breanna Green of Green Holistic Health

In addition, a new therapist application from an existing massage establishment has been submitted:

Massage Therapist: Mariah Hanson of Hush Therapeutic Massage

All of the required documentation has been received and the fees have been paid. Background investigations have been conducted by the Mendota Heights Police Department resulting in no negative findings of the above applicants.

Staff has worked with both applicants and they have indicated that they will be sharing the suite and have separate rooms for both massage therapists.

FISCAL AND RESOURCE IMPACT:

None

ATTACHMENTS:

None

CITY COUNCIL PRIORITY:

Premier Public Services & Infrastructure

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**REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: December 17, 2024

AGENDA ITEM: Approve 2025 Tobacco License Renewals

ITEM TYPE: Consent Item

DEPARTMENT: Administration

CONTACT: Nancy Bauer, City Clerk

ACTION REQUEST:

Approve Tobacco License Renewals for 2025.

BACKGROUND:

Three tobacco license renewal applications have been submitted for 2025:

Walgreens 790 North Plaza Drive
Speedway 4516 (1200 Mendota Heights Road); and
Speedway 4521 (1080 Highway 62)

All three applications are complete. They have paid their fees, passed the background check, and are ready for Council approval.

FISCAL AND RESOURCE IMPACT:

N/A

ATTACHMENTS:

None

CITY COUNCIL PRIORITY:

Premier Public Services

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REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: December 17, 2024

AGENDA ITEM: Resolution 2024-75 Accepting Work and Approving Final Payment for Wentworth Park Tennis Courts Improvements, Project #202106

ITEM TYPE: Consent Item

DEPARTMENT: Engineering

CONTACT: Ryan Ruzek, Public Works Director

ACTION REQUEST:

Approve Resolution No. 2024-75, Accepting the Work and Approving the Final Payment for Project 202106, Wentworth Park Tennis Courts Improvements by simple majority vote.

BACKGROUND:

The City Council awarded the contract to Bituminous Roadways at its August 15, 2023 City Council meeting for their low bid of \$118,800. The contract work for the project has been completed, inspected, and approved and the project is ready for final payment. This will start the one-year guarantee period. All required paperwork needed before the final payment can be issued has been submitted.

FISCAL AND RESOURCE IMPACT:

The final payment for this contract is \$1,391.25, including retainage. The total costs for the project were \$139,125.00. The project costs were funded through the General Fund along with a grant from the United States Tennis Association in the amount of \$25,000. In addition, the City also received \$5,000 from the USTA Northern section.

ATTACHMENTS:

1. Resolution No. 2024-75 Accepting Work and Approving Final Payment - Wentworth Tennis Courts

CITY COUNCIL PRIORITY:

Premier Public Services & Infrastructure

**CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2024-75

**RESOLUTION ACCEPTING WORK AND APPROVING FINAL PAYMENT FOR PROJECT
202106, WENTWORTH PARK TENNIS COURTS IMPROVEMENTS**

WHEREAS, pursuant to a written contract with the City of Mendota Heights on August 16, 2023, with Bituminous Roadways, Inc. of Mendota Heights, MN, has satisfactorily completed the improvements for the Wentworth Park Tennis Courts Improvement Project #202106, in accordance with such contract.

NOW, THEREFORE, BE IT RESOLVED by the Mendota Heights City Council that the work completed under said contract is hereby accepted and approved; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby directed to issue a proper order for the final payment on such contract in the amount of \$1,391.25, taking the contractor's receipt in full.

Adopted by the Mendota Heights City Council this 17 day of December, 2024.

**CITY COUNCIL
CITY OF MENDOTA HEIGHTS**

Stephanie B. Levine, Mayor

ATTEST:

Nancy Bauer, City Clerk

**REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: December 17, 2024

AGENDA ITEM: Resolution 2024-76 Accepting Work and Approving Final Payment for Marie Park Pond Dredging, Project #202305

ITEM TYPE: Consent Item

DEPARTMENT: Engineering

CONTACT: Ryan Ruzek, Public Works Director

ACTION REQUEST:

Approve Resolution No. 2024-76, Accepting the Work and Approving Final Payment for Project 202305, Marie Park Dredging by simple majority vote.

BACKGROUND:

The City Council awarded the contract to Winberg Companies, LLC at their December 6, 2023 City Council meeting for their low bid of \$124,432.50. The contract work for the project has been completed, inspected, and approved and the project is ready for final payment. This will start the two-year guarantee period. All required paperwork needed before the final payment can be issued has been submitted.

FISCAL AND RESOURCE IMPACT:

The final payment for this contract is \$6,895.01, including retainage. The total costs for the project were \$137,900.20. The project costs were funded through the General Fund.

ATTACHMENTS:

1. Resolution No. 2024-76, Accepting Work and Approving Final Payment For Project 202305, Marie Park Pond Dredging

CITY COUNCIL PRIORITY:

Premier Public Services & Infrastructure

**CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2024-76

**RESOLUTION ACCEPTING WORK AND APPROVING FINAL PAYMENT FOR
PROJECT 202305, MARIE PARK POND DREDGING**

WHEREAS, pursuant to a written contract with the City of Mendota Heights on December 6, 2023, with Winberg Companies, LLC, of Shafer, Minnesota, has satisfactorily completed the improvements for the Marie Park Pond Dredging project #202305, in accordance with such contract; and

NOW, THEREFORE, BE IT RESOLVED by the Mendota Heights City Council that the work completed under said contract is hereby accepted and approved; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby directed to issue a proper order for the final payment on such contract in the amount of \$6,895.01, taking the contractor's receipt in full.

Adopted by the Mendota Heights City Council this 17 day of December, 2024.

**CITY COUNCIL
CITY OF MENDOTA HEIGHTS**

Stephanie B. Levine, Mayor

ATTEST:

Nancy Bauer, City Clerk



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: December 17, 2024

AGENDA ITEM: Approve Purchase Order for Tree Removals

ITEM TYPE: Consent Item

DEPARTMENT: Engineering

CONTACT: Lucas Ritchie, Assistant City Engineer
Ryan Ruzek, Public Works Director

ACTION REQUEST:

Approve a purchase order for the removal of various trees approximately one (1) acre in area.

BACKGROUND:

The city owns and maintains a stormwater basin located west of Cherry Hill Road and north of Farmdale Road. The basin, which treats stormwater from Cherry Hill 2nd Addition and Summit of Mendota Heights developments, is landlocked by these two developments and the Xcel Energy facility south of Sibley Memorial Highway. Much of the stormwater basin is overgrown with volunteer trees that have primarily died off within the basin's limits, restricting the basin's overall functionality.

The basin itself has been identified to be dredged and receive storm sewer improvements in the 2025-2029 Capital Improvement Plan as part of a separate project to occur over the 2025-2026 winter season. To access and remove the accumulated sediment to begin the basin's restoration process, tree removals are needed to access the site and basin. These trees will be removed, including stump grinding to provide adequate access and conditions for the future dredging of the basin. Healthy perimeter trees that will not have an impact on the stormwater basin's functionality or restrict future access will be identified to be saved during the removal efforts.

Access to the site is anticipated to stem from the Xcel Energy property at 800 Sibley Memorial Highway. City staff are in discussions with Xcel Energy to obtain a Right of Entry agreement to access the basin from this property in order to minimize residential disturbances. A portion of the access route will utilize a small section of the property at 1308 Aspen Way of which a Right

of Entry agreement has been granted for this work. No tree removals are proposed on either private property.

FISCAL AND RESOURCE IMPACT:

Staff solicited bids from three companies for the tree removal and appurtenant work:

Fitzgerald Excavating and Trucking:	\$44,900
Castle Rock Contracting & Tree Service:	\$46,400
Ivan's Tree Service:	\$200,000

Staff recommends approving the quote from Fitzgerald Excavating and Trucking to remove the trees within the Cherry Hill stormwater basin for a not-to-exceed amount of \$44,900. The tree removals would be funded through the storm water utility fund.

ATTACHMENTS:

1. Fitzgerald Excavating & Trucking Quote
2. Cherry Hill Basin Access and Site Map

CITY COUNCIL PRIORITY:

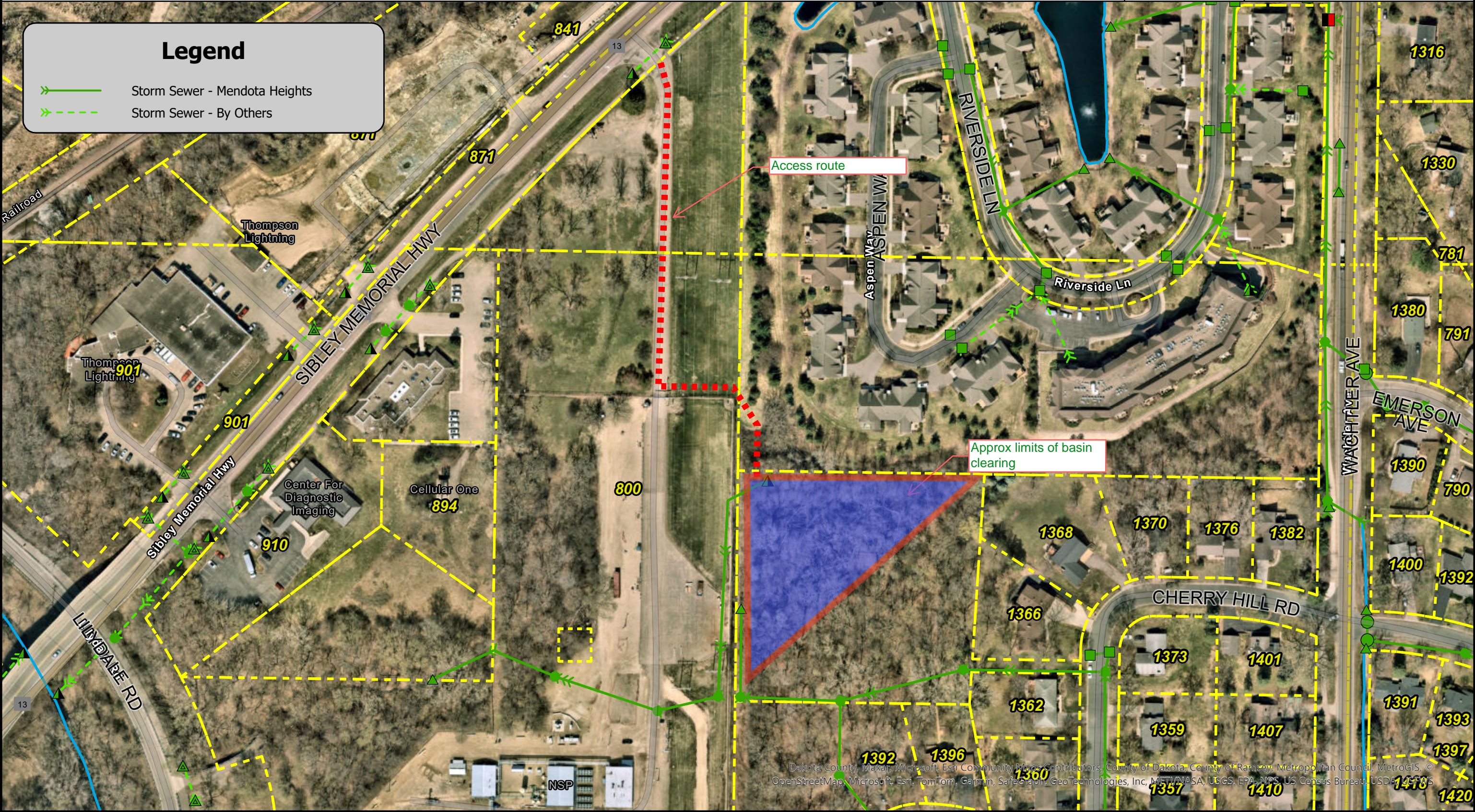
Environmental Sustainability & Stewardship, Premier Public Services & Infrastructure



12/6/2024
Proposal for:
City of Mendota Heights
Tree Clearing Between Hwy 13(Sibley Memorial Hwy and Wachtler Ave)

Clearing 1.08 Acre @ \$10,000/Acre	\$10,800
Grubbing 1.08 Acre @ \$10,000/Acre	\$10,800
Hauling Material off Site Lump Sum	\$20,000
Erosion Control Lump Sum	\$3,300
Total	\$44,900

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REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: December 17, 2024

AGENDA ITEM: Resolution 2024-79 Reappointing City Advisory Commission Representatives

ITEM TYPE: Consent Item

DEPARTMENT: Administration

CONTACT: Cheryl Jacobson, City Administrator

ACTION REQUEST:

Approve Resolution 2024-79 Reappointing City Advisory Commission Representatives

BACKGROUND:

The City's Advisory Commissions include the Planning Commission, Parks and Recreation Commission, Airport Relations Commission and Natural Resources Commission. Members of city advisory commissions are appointed by the city council.

The following advisory commission members have January 31, 2025, expiring terms, are eligible for reappointment, and have expressed their interest in serving again on their respective commissions:

- Michelle Muller, Parks and Recreation
- Dan Sherer, Parks and Recreation
- Liz Sheets, Natural Resources
- Heidi Swank, Natural Resources
- Brian Udell, Planning Commission

The following advisory commission members have January 31, 2025 expiring terms, are eligible for reappointment, and have decided not to serve an additional term on their respective commissions:

- Andrew Katz, Planning Commission
- Stephanie Meyer, Parks and Recreation
- Sean Fahnhorst, Natural Resources

An additional opening on the Planning Commission exists since Planning Commission member Brian Petschel has served three full terms and cannot be reappointed. Due to term resetting, there are no Airport Relations Commission members up for reappointment in 2025.

The City Council and staff will conduct the recruitment process --accepting applications and interviewing candidates through the first part of January for two seats on the Planning Commission, one seat on the Parks and Recreation Commission, and one seat on the Natural Resources Commission, with the city council confirming new appointments at the January 21, 2025 meeting. New appointments will be effective February 1, 2025.

FISCAL AND RESOURCE IMPACT:

N/A

ATTACHMENTS:

1. Resolution 2024-79 Commission Reappointments

CITY COUNCIL PRIORITY:

Premier Public Services & Infrastructure, Inclusive and Responsive Government

**CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2024-79

REAPPOINTING MEMBERS TO CITY ADVISORY COMMISSIONS

WHEREAS, the City Council of the City of Mendota Heights benefits from the active participation of citizens in representing the city on boards and commissions; and

WHEREAS, the Planning Commission serves as an advisory body to the City Council. They advise the City Council on matters pertaining to comprehensive planning, amendments to the zoning code, conditional use permits, wetlands permits, and development plans.; and

WHEREAS, the Natural Resources Commission serves as an advisory body to the City Council. They advise the Council on matters pertaining to natural resources, sustainability, environmental and climate stewardship.; and

WHEREAS, the Parks and Recreation Commission serves as an advisory body to the City Council. They advise the council on matters pertaining to the acquisition, development and improvement of the city's parks and recreational facilities and on the establishment of rules and regulations for the use and management of city parks.; and

WHEREAS, the City Council recognizes the excellent service provided by current advisory commission members Michelle Muller, Parks and Recreation, Dan Sherer, Parks and Recreation, Heidi Swank, Natural Resource, Liz Sheets, Natural Resources and Brian Udell, Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Mendota Heights City Council that it hereby reappoints the following residents to city advisory commissions with terms expiring January 31, 2028:

Michelle Muller	Parks and Recreation
Dan Sherer	Parks and Recreation
Liz Sheets	Natural Resources
Heidi Swank	Natural Resources
Brian Udell	Planning Commission

Adopted by the Mendota Heights City Council this 17th day of December 2024.

**CITY COUNCIL
CITY OF MENDOTA HEIGHT**

ATTEST:

Stephanie B. Levine

Nancy Bauer, City Clerk

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REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: December 17, 2024

AGENDA ITEM: Approve Job Description, Pay Classification, and Authorize Recruitment of the Recreation Facilities Coordinator position; and Approve Revised Recreation Program Coordinator Job Description

ITEM TYPE: Consent Item

DEPARTMENT: Parks and Recreation

CONTACT: Meredith Lawrence, Parks and Recreation/Assistant Public Works Director
Kelly Torkelson, Assistant City Administrator

ACTION REQUEST:

1. Approve Job Description, Pay Classification, and Authorize Recruitment for the new position of Recreation Facilities Coordinator; and
2. Approve Revised Recreation Program Coordinator Job Description

BACKGROUND:

The City Council approved the addition of a Recreation Facilities Coordinator position as part of the FY2025 budget. This position will help meet the growing needs of parks and recreation and provide additional capacity within the Public Works/Engineering Department. This position will report to the Parks and Recreation Director/Assistant Public Works Director.

Essential functions of the Recreation Facilities Coordinator include overseeing the day-to-day operations of the golf course including the clubhouse and maintenance staff; coordinating and supervising all recreation programs and events at the course; implementation of the new golf course tee time software; the development and coordination of new department-wide recreation programs and events; and supervision of warming house operations in the winter.

The addition of this position will allow the current Recreation Program Coordinator to provide additional assistance to the Natural Resource Coordinator to better promote and provide more nature and environment-based programs and events within the community. An updated job description reflects these changes.

To have the Recreation Facilities Coordinator position on board in time for the busy golf course season, staff is seeking authorization to begin recruitment for the new Recreation Facilities Coordinator position. Given the position posting requirements, it is anticipated the candidate will start in late February or early March.

FISCAL AND RESOURCE IMPACT:

The Recreation Facilities Coordinator position is budgeted to begin in February 2025. The position is ranked at pay grade 8 on the City's 2025 Compensation Plan. The position's full pay range is \$72,502 to \$89,123. For recruitment purposes, the advertised starting salary should be posted at \$72,502 to \$80,385, which is steps one through four (midpoint) of the assigned pay grade.

With the changes to the Recreation Program Coordinator job description, staff reviewed the grade of the position and there are no changes--the position will remain ranked at pay grade 8.

ATTACHMENTS:

1. Recreation Facilities Coordinator Job Description
2. Recreation Program Coordinator Job Description

CITY COUNCIL PRIORITY:

Premier Public Services & Infrastructure, Economic Vitality & Community Vibrancy, Inclusive and Responsive Government

General Definition of Work

Coordinates and oversees the operation, maintenance, and recreation programs at the Par 3 Community Golf Course, and related recreation work as apparent or assigned. Work is performed under the limited supervision of the Parks and Recreation Director. Position supervises seasonal recreation and golf staff.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

1. Oversees all aspects of operations for the City's nine-hole, Par 3 Community Golf Course
 - Manages the operation of the golf course clubhouse including clubhouse and maintenance functions; provide staff coverage when necessary
 - Develops policies and procedures for golf course operations
 - Coordinates and supervises the golf course maintenance operations to ensure a safe and playable course
 - Coordinates and runs golf camps, leagues, and tournaments
 - Administers golf course safety program initiatives including reviewing and establishing program policies, safety and emergency procedures and participating in the city's safety committee
 - Oversees the course's Point of Sale (POS) program and coordinates the sale of retail items and concessions product that produce revenue streams
 - Produces marketing materials and coordinates communications initiatives for the golf course
2. Supervise seasonal golf course and recreation staff
 - Select, train, motivate and evaluate personnel; establish and monitor employee performance objectives
 - Provide or coordinate staff training; work with employees to correct deficiencies; recommend and implement disciplinary actions
 - Proactively resolves conflicts and misunderstandings to ensure a respectful and inclusive workplace
 - Advise on maintenance and operations of the golf facilities/buildings and related systems and the interpretation and related enforcement of rules and regulations
 - Supervises warming house operations and staff during the winter, including coordinating the changeover of the facility from pickleball courts to ice
3. Champion initiatives and practices that generate vibrant operations and community experiences at the Mendota Heights Par 3 Community Golf Course the Parks and Recreation team as a whole
 - Plans, coordinates and runs city non-golf events and recreational activities within the community
 - Promote the course and associated golf programming at city events and forums
 - Plan and implement active adult programming activities at the Clubhouse year-round
 - Coordinate various activities and events to be held within the Clubhouse in the off-season
 - Assist with the scheduling of recreation facilities to be used by the public
4. Prepares and maintains daily, monthly and annual reports and records
 - Accountable for revenues and expenditures for the golf course, and work with Parks and Recreation Director to develop the department's annual budget

- Generate sales reports on a regular basis
 - Collaborate with the City's finance department for financial deposits, reporting, and accounts receivable procedures
 - Maintain documentation of system accounting for resources used, facility usage, and revenue production
 - Maintains and orders an appropriate inventory of supplies for the course
5. Acts as first point of contact for questions, concerns, issues, and ideas for the Mendota Heights Par 3 Community Golf Course
 - Maintain an excellent customer service approach with external and internal stakeholders
 - Resolve citizen complaints and inquiries
 6. Prepare and deliver golf course updates to the Council and Commissions
 - Communicate with supervisor and relevant city staff regarding facility and programming coordination, equipment needs, marketing, details and other updates
 7. Other duties as assigned

Knowledge, Skills and Abilities

- 1) Thorough knowledge of golf and recreation programs
- 2) Thorough knowledge of the methods involved in managing, organizing, coordinating and supervising a recreation facility
- 3) Ability to implement systems and programs that enable the golf course to remain financially stable
- 4) Ability to plan, organize, implement and supervise a variety of recreation programs
- 5) Ability to establish and maintain working relationships with program participants, city department staff, associates and the public
- 6) Ability to coordinate ideas effectively in both oral and written formats including effective preparation of reports and maintenance of records
- 7) Skilled in prioritizing, multi-tasking and process management
- 8) Ability to take direction and communicate position needs to supervisor
- 9) Work independently and within team environments to meet team objectives
- 10) Shows initiative and portrays a positive image to the community
- 11) Identifies and incorporates programming offerings and services that promote equity and accessibility within parks and recreation events, facilities, and programs
- 12) Ability to work a flexible schedule that includes nights and weekends to attend events, programs, meetings and address facility concerns

Education and Experience

- A Bachelor's degree from an accredited college in Parks and Recreation Administration, Public Administration, Recreation Management, Business or Sports Management, Golf Course Management or closely related field.
- Two (2) years of increasingly responsible experience in a variety of golf course programming or recreation programs preferably in a municipal setting, including one (1) year supervisory experience.

Special Requirements

- Valid Driver's License—State of Minnesota
- First Aid/AED/CPR Certified—Red Cross or similar agency

Physical Requirements:

This work requires the occasional exertion of up to 35 pounds of force; work regularly requires speaking or hearing and using hands to finger, handle or feel, frequently requires sitting and occasionally requires standing, walking, reaching with hands and arms, lifting and repetitive motions; no special vision is required; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing

Last Revised: 12/2024

and analyzing written or computer data, visual inspection involving small defects and/or small parts, use of measuring devices, operating machines, operating motor vehicles or equipment and observing general surroundings and activities.

Environmental Conditions

This work occasionally requires exposure to fumes or airborne particles and exposure to outdoor weather conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

General Definition of Work

Plans, organizes, and implements a variety of recreation programs and activities, including hiring and supervising seasonal recreation staff, event planning and coordination, preparing and maintaining appropriate records, and related work as apparent or assigned. Work is performed under the limited supervision of the Park and Recreation Director.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- 1) Plan and coordinate city events, recreation programs and activities for all ages.
 - a. Create program proposal and implementation plans
 - b. Communicates and promotes recreation programs and events including the management of parks and recreation social media.
 - c. Manages the programming and event registration process.
 - d. Assists in developing program budgets
 - e. Allocate and organize parks and recreation resources to support event and programming needs
 - f. Develop schedules and evaluate recreation programs year-round.
- 2) Coordinate, implement and assist in the facilitation of Natural Resource programming and events in conjunction with the Natural Resource Coordinator
- 3) Seasonal staff supervision and management.
 - a. Select, motivate, and evaluate personnel; establish and monitor employee performance objectives.
 - b. Provide or coordinate staff training and schedules
 - c. Proactively resolves conflicts and misunderstandings in order to ensure a respectful and inclusive workplace work with employees to correct deficiencies; recommend and implement disciplinary actions.
 - d. May substitute as program instructor for certain recreation programs
- 4) Maintains and orders appropriate inventory of supplies for activities
- 5) Conducts research to identify and recommend program changes that reflect community goals and needs
- 6) Assist the parks and recreation manager with the preparation of the recreation budget
- 7) Assists with the scheduling of recreation facilities for use by the general public
- 8) Prepare and deliver recreation update to Council and commissions.
- 9) Communicate with supervisor and other relevant city staff regarding event or programming coordination, marketing, details and other updates.
- 10) Acts as first point of contact for residents with questions, concerns, issues ideas for programs and events.
- 11) Other duties as assigned.

Knowledge, Skills and Abilities

1. Ability to plan, organize, implement and supervise a variety of recreation programs
2. Ability to establish and maintain effective working relationships with program participants, city department

staff, associates and the general public.

3. Ability to communicate ideas effectively in both oral and written formats including effective preparation of reports and maintenance of records
4. Thorough knowledge of the methods involved in organizing, conducting, promoting and supervising recreation activities;
5. Understanding of safe practices and procedures related to the oversight and planning of recreation programs
6. Skilled in prioritizing, multi-tasking and process management
7. Ability to take direction and communicates position needs to supervisor.
8. Work independently and within team environments to meet team objectives
9. Shows initiative and portrays a positive image to the community
10. Identifies and incorporates programming offerings and services that promote equity and accessibility within parks and recreation events and programs.
11. Ability to work a flexible schedule that includes nights and weekends in order to attend events, programs and meetings

Education and Experience

- A Bachelor's degree from an accredited college in Parks and Recreation Administration, Public Administration, Recreation Management, Business or Sports Management or closely related field.
- Two (2) years of increasingly responsible experience in a variety of recreation related programs preferably in a municipal setting, including one (1) year supervisory experience.

Desired Qualifications

- Certified Parks and Recreation Professional (CPRP) - National Recreation and Parks Association

Special Requirements

- Valid Driver's license - State of Minnesota
- First Aid/AED/CPR Certified - Red Cross or similar agency

Physical Requirements

This work requires the occasional exertion of up to 35 pounds of force; work regularly requires speaking or hearing and using hands to finger, handle or feel, frequently requires sitting and occasionally requires standing, walking, reaching with hands and arms, lifting and repetitive motions; no special vision is required; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, use of measuring devices, operating machines, operating motor vehicles or equipment and observing general surroundings and activities.

Environmental Conditions

This work occasionally requires exposure to outdoor weather conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

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**REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: December 17, 2024

AGENDA ITEM: Resolution 2024-82 Adopting the 2025 Pay Classification Plan for Non-Union Employees

ITEM TYPE: Consent Item

DEPARTMENT: Administration

CONTACT: Kelly Torkelson, Assistant
City Administrator
Kristen Schabacker, Finance
Director

ACTION REQUEST:

Approve Resolution 2024-82 Adopting the 2025 Pay Classification Plan for Non-Union Employees.

BACKGROUND:

Included with this memo is the 2025 Employee Position Classification Compensation Matrix for non-union employees for 2025. The 2024 plan reflects a 3.00% increase.

FISCAL AND RESOURCE IMPACT:

This wage increase is budgeted for in the 2025 budget.

ATTACHMENTS:

1. 2025 Classification Compensation Matrix
2. Resolution 2024-82 Non-Union Compensation

CITY COUNCIL PRIORITY:

Premier Public Services & Infrastructure

CITY OF MENDOTA HEIGHTS
 PROPOSED SALARY MATRIX (2025)
 3.0%

Grade	Position	Step						
		1	2	3	4	5	6	7
1		\$48,219	\$49,907	\$51,653	\$53,461	\$55,332	\$57,269	\$59,273
2	Community Service Officer	\$51,112	\$52,901	\$54,753	\$56,669	\$58,652	\$60,705	\$62,830
3		\$54,179	\$56,075	\$58,038	\$60,069	\$62,171	\$64,348	\$66,600
4		\$57,430	\$59,440	\$61,520	\$63,673	\$65,902	\$68,208	\$70,596
5	Administrative Support Assistant	\$60,875	\$63,006	\$65,211	\$67,494	\$69,856	\$72,301	\$74,831
6	Utility Billing Clerk Accounting Clerk	\$64,528	\$66,786	\$69,124	\$71,543	\$74,047	\$76,639	\$79,321
7	Police Support Specialist Natural Resources Technician Administrative Coordinator/ Deputy City Clerk	\$68,400	\$70,794	\$73,271	\$75,836	\$78,490	\$81,237	\$84,081
8	Recreation Program Coordinator	\$72,504	\$75,041	\$77,668	\$80,386	\$83,199	\$86,111	\$89,125
9		\$76,854	\$79,544	\$82,328	\$85,209	\$88,191	\$91,278	\$94,473
10	Accountant Communications Coordinator Fire Marshal	\$81,465	\$84,316	\$87,267	\$90,322	\$93,483	\$96,755	\$100,141
11	Senior Engineering Technician Natural Resources Coordinator	\$86,353	\$89,375	\$92,503	\$95,741	\$99,092	\$102,560	\$106,150
12	City Clerk	\$91,534	\$94,738	\$98,054	\$101,485	\$105,037	\$108,714	\$112,519
13	Parks & Recreation Manager	\$97,026	\$100,422	\$103,937	\$107,575	\$111,340	\$115,237	\$119,270
14	Public Works Superintendent	\$102,848	\$106,447	\$110,173	\$114,029	\$118,020	\$122,151	\$126,426
15	Community Development Manager Assistant City Engineer	\$109,019	\$112,834	\$116,783	\$120,871	\$125,101	\$129,480	\$134,012
16	Assistant PW/Parks& Rec Director	\$115,560	\$119,604	\$123,790	\$128,123	\$132,607	\$137,249	\$142,052
17	Police Captain Community Development Director	\$122,493	\$126,780	\$131,218	\$135,810	\$140,564	\$145,484	\$150,575
18	Assistant City Administrator Finance Director Public Works Director	\$129,843	\$134,387	\$139,091	\$143,959	\$148,998	\$154,213	\$159,610
19		\$137,633	\$142,451	\$147,436	\$152,597	\$157,937	\$163,465	\$169,187
20	Police Chief	\$145,891	\$153,186	\$160,845	\$168,888	\$177,332	\$186,198	\$195,508
21	City Administrator	\$154,645	\$162,377	\$170,496	\$179,021	\$187,972	\$197,370	\$207,239
22		\$163,924	\$172,120	\$180,726	\$189,762	\$199,250	\$209,213	\$219,673

Step 4 = Midpoint

**CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2024-82

**A RESOLUTION ADOPTING THE 2025 PAY CLASSIFICATION
PLAN FOR NON-UNION EMPLOYEES**

WHEREAS, the City Council has adopted a grade and step pay system for non-union employees; and

WHEREAS, based upon recommendations of the city administrator, the City Council has determined the appropriate placement of each position in a grade and the incumbent employee in a step; and

WHEREAS, it is also necessary to set salaries for part-time employees.

NOW, THEREFORE, BE IT RESOLVED, that the following 2025 compensation items are approved as of January 1, 2025:

1. The 2025 Employee Position Placement/Pay Classification Plan for non-union employees.
2. The following salaries shall be implemented for part-time employees:

Fire Chief	\$23,170*
Assistant Fire Chief	\$13,580

*Annual compensation for administrative and other department responsibilities excluding fire calls.

3. The following stipends are implemented for:

Captains	\$2,182/annually
Training Officer	\$4,796/annually
Assistant Training Officer	\$1,918/annually

4. The following hourly rates of pay for volunteer firefighters for fire calls and training:

0-1 Years	\$12.06
FF I, First Responder, Hazmat Operational	\$16.00
FF II, First Responder, Hazmat Operational	\$18.39
Lieutenant	\$19.18
Captain	\$20.78

Assistant Training Officer	\$20.78
Training Officer	\$23.97
Assistant Fire Chief	\$28.77**
Fire Chief	\$28.77**
Special Operations Team Member Call Out	Same as Mendota Hts Police Officer on SOT

**Hourly compensation for fire calls and training.

Adopted by the City Council of the City of Mendota Heights this 17th day of December 2024.

**CITY COUNCIL
CITY OF MENDOTA HEIGHTS**

Stephanie B. Levine, Mayor

ATTEST:

Nancy Bauer, City Clerk

**REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: December 17, 2024

AGENDA ITEM: Resolution 2024-80 Formally Accepting a Donation from the Coss Family Foundation

ITEM TYPE: Consent Item

DEPARTMENT: Finance

CONTACT: Kristen Schabacker, Finance Director

ACTION REQUEST:

Approve Resolution 2024-80 Accepting a Donation from the Coss Family Foundation

BACKGROUND:

State law requires the City to accept all donations by means of a resolution. The City received a \$20,000 donation from the Coss Family Foundation. This donation is to be used for general support for the fire department. This is the sixth donation that the City has received from the Coss Family Foundation. The City is grateful for the generosity of this donation and a thank you note will be sent to the Coss Family.

FISCAL AND RESOURCE IMPACT:

The fire department will determine the best use for this donation.

ATTACHMENTS:

1. Resolution 2024-80 Accepting Coss Family Donation - resolution

CITY COUNCIL PRIORITY:

Premier Public Services & Infrastructure

**CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2024-80

**A RESOLUTION ACCEPTING A DONATION FROM THE COSS FAMILY
FOUNDATION**

WHEREAS, the City of Mendota Heights desires to follow Minnesota Statute 465.03 “Gifts to Municipalities”; and

WHEREAS, the Minnesota State Statute requires a resolution to accept gifts to municipalities; and

WHEREAS, the City has previously acknowledged gifts with a resolution; and

WHEREAS, the City Council of the City of Mendota Heights have duly considered this matter and wish to acknowledge the civic mindedness and generosity of citizens and officially recognize their donations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mendota Heights is accepting the \$20,000 donation from the Coss Family Foundation.

Adopted by the City Council of the City of Mendota Heights this 17th day of December, 2024.

**CITY COUNCIL
CITY OF MENDOTA HEIGHTS**

Stephanie B. Levine, Mayor

ATTEST:

Nancy Bauer, City Clerk

**REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: December 17, 2024

AGENDA ITEM: Resolution 2024-83 Formally Accepting a Donation for Police Officer Wellness

ITEM TYPE: Resolution

DEPARTMENT: Police

CONTACT: Wayne Wegener, Police Captain

ACTION REQUEST:

Approve Resolution 2024-83 Accepting a donation of \$12,000.00 for Police Officer Wellness.

BACKGROUND:

Minnesota State Statute 465.03 "Gifts to Municipalities" requires all donations be acknowledged by Resolution.

The Mendota Heights Police Department received a \$12,000.00 donation to cover fees for officers at Body20 Fitness in Eagan, MN. A Mendota Heights citizen, who wishes to remain anonymous, arranged for officers to utilize the facility in an effort to promote and maintain officer wellness. This donation will cover several sessions for officers at the facility.

FISCAL AND RESOURCE IMPACT:

There is no budget impact.

ATTACHMENTS:

1. Resolution 2024-83 Accepting a Donation to the Police Department

CITY COUNCIL PRIORITY:

Premier Public Services & Infrastructure

**CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION 2024-83

A RESOLUTION ACCEPTING A DONATION FOR POLICE OFFICER WELLNESS

WHEREAS, the City of Mendota Heights desires to follow Minnesota Statute 465.03 “Gifts to Municipalities”; and

WHEREAS, the Minnesota State Statute requires a resolution to accept gifts to municipalities; and

WHEREAS, the City has previously acknowledged gifts with a resolution; and

WHEREAS, the City Council of the City of Mendota Heights have duly considered this matter and wish to acknowledge the civic mindedness and generosity of citizens and officially recognize their donations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mendota Heights formally accepts a \$12,000 donation from a citizen for the Police Department to Body 20 to be used to promote and maintain officer wellness.

Adopted by the City Council of the City of Mendota Heights this 17th day of December, 2024.

**CITY COUNCIL
CITY OF MENDOTA HEIGHTS**

Stephanie B. Levine, Mayor

ATTEST:

Nancy Bauer, City Clerk

**REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: December 17, 2024

AGENDA ITEM: Approve Resolution 2024-81 Providing for the Fourth Supplemental Indenture of Trust Related to Multifamily Housing Revenue Refunding Bonds (Lexington Heights Apartments Project), Series 2013 and Authorizing the Execution of Documents Related Thereto

ITEM TYPE: Consent Item

DEPARTMENT: Finance

CONTACT: Kristen Schabacker, Finance Director

ACTION REQUEST:

Approve Resolution 2024-81 Providing for the Fourth Supplemental Indenture of Trust Related to Multifamily Housing Revenue Refunding Bonds (Lexington Heights Apartments Project), Series 2013 and Authorizing the Execution of Related Documents

BACKGROUND:

The City has received a request from the owners of Lexington Heights Apartments to approve modifications to their conduit bonds. Attached is a memorandum from the Taft legal team outlining this request.

FISCAL AND RESOURCE IMPACT:

This action does not result in any costs/liabilities to the City. The applicant has paid the \$1,500 fee to amend the conduit debt.

ATTACHMENTS:

1. Mendota Heights_Lexington - Letter to City Council re 4th Supplemental Indenture
2. Mendota Heights_Lexington Heights (2024) - Resolution 2024-81 .docx-170055388-v1
3. Fourth Supplemental Indenture of Trust (Series 2013 - Mendota Heights) - 2024

CITY COUNCIL PRIORITY:

Premier Public Services & Infrastructure



2200 IDS Center, 80 South 8th Street
 Minneapolis, MN 55402-2210
 Tel: 612.977.8400 | Fax: 612.977.8650
 taftlaw.com

Affirmative Action, Equal Opportunity Employer

Daniel E. Andersen
 612.977.8290
 anddan@taftlaw.com

December 11, 2024

VIA E-MAIL

Kristen Schabacker, Finance Director
 City Councilmembers
 City of Mendota Heights
 1101 Victoria Curve
 Mendota Heights, MN 55118-4106

**Re: Authorizing Fourth Supplemental Indenture of Trust Related to
 Series 2013 Bonds for Lexington Heights Apartments**

Dear Councilmembers and Ms. Schabacker:

In 2013, the City of Mendota Heights issued its Multifamily Housing Revenue Refunding Bonds (Lexington Heights Apartments Project), Series 2013 (the “Bonds”), originally sold to Wells Fargo Bank, National Association (the “Bondholder”). The Bonds were issued under an Indenture of Trust dated as of August 1, 2013 (the “Indenture”), by and between the City and Wells Fargo Bank, National Association, as trustee (the “Trustee”). The proceeds of the Bonds were loaned to Riley Family Lexington Heights, LLLP, a Minnesota limited liability limited partnership (the “Borrower”), to refinance, in part, certain obligations of the Borrower related to the Lexington Heights Apartments located in the City.

At the request of the Bondholder and the Borrower, the City has previously agreed on three occasions to amend the Indenture. In 2018, the City agreed to certain changes triggered by the 2017 changes to the federal corporate tax rate and approved the execution of a First Supplemental Indenture of Trust. In 2019, the City agreed to certain additional changes to the terms of the transaction, including an extension to a mandatory tender date and approved a Second Supplemental Indenture of Trust. In 2023, as a result of the phase out of the LIBOR benchmark index rate, the City agreed to replace the LIBOR index with an alternative index and approved a Third Supplemental Indenture of Trust.

The Bondholder and Borrower have now agreed to make additional changes to the Indenture via a Fourth Supplemental Indenture of Trust. In particular, they have agreed to a five-year extension of the current interest rate, which is currently scheduled to expire on December 20,

Ms. Kristen Schabacker
December 11, 2024
Page 2

2024. Accomplishing this extension will require the modification of a defined term in the Indenture.

The Bonds, as originally issued and as previously reissued in connection with the prior supplemental indentures, do not and shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property or funds of the City except the revenues and proceeds from the Borrower pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Bonds or the interest thereon, or to enforce payment thereof against any property of the City. The Bonds recite in substance that the Bonds, including interest thereon, are payable solely from the revenue and proceeds pledged to the payment thereof. The Bonds do not and shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

The Borrower has presented a resolution to the City Council requesting that the City adopt the resolution at its December 17, 2024, council meeting to approve the Four Supplemental Indenture of Trust.

Please feel free to contact me if you have any questions or comments.

Sincerely,

Taft Stettinius & Hollister LLP



Daniel E. Andersen

DEA:ck

Extract of Minutes of Meeting of the
City Council of the City of Mendota Heights, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Mendota Heights, Minnesota was duly held at the City Hall in said City on Tuesday, the 17th day of December, 2024 at 7:00 P.M.

The following Council members were present:

and the following were absent:

Council member _____ then introduced and read the following written resolution and moved its adoption:

A RESOLUTION 2024-81 PROVIDING FOR
THE FOURTH SUPPLEMENTAL INDENTURE OF TRUST RELATED TO
MULTIFAMILY HOUSING REVENUE REFUNDING BONDS
(LEXINGTON HEIGHTS APARTMENTS PROJECT), SERIES 2013
AND AUTHORIZING THE EXECUTION OF DOCUMENTS RELATED THERETO

The motion for the adoption of the foregoing resolution was duly seconded by Council member _____, and upon vote being taken thereon the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

CITY OF MENDOTA HEIGHTS, MINNESOTA

RESOLUTION NO.2024-81

**A RESOLUTION PROVIDING FOR
THE FOURTH SUPPLEMENTAL INDENTURE OF TRUST RELATED TO
MULTIFAMILY HOUSING REVENUE REFUNDING BONDS
(LEXINGTON HEIGHTS APARTMENTS PROJECT), SERIES 2013
AND AUTHORIZING THE EXECUTION OF DOCUMENTS RELATED THERETO**

WHEREAS, pursuant to Resolution 2013-38 adopted on June 4, 2013 (the "Original Resolution"), the City of Mendota Heights, Minnesota (the "City"), previously authorized the issuance of its revenue bonds in an original aggregate principal amount of \$10,570,000 to provide funds that were loaned to Riley Family Lexington Heights, LLLP, f/k/a Lexington Heights Associates Limited Partnership, a Minnesota limited liability limited partnership (the "Borrower"), in order to refinance the acquisition, construction, and equipping of a 225-unit multifamily housing development located at 230 South Lexington in the City, which facilities are owned and operated by the Borrower (the "Project"); and

WHEREAS, the City issued its Multifamily Housing Revenue Refunding Bonds (Lexington Heights Apartments Project), Series 2013, dated August 1, 2013 (the "Bonds"), pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Act"), and sold the Bonds to Wells Fargo Bank, National Association, a national banking association (the "Sole Bondholder"), in accordance with an Indenture of Trust dated as of August 1, 2013 (the "Original Indenture"), between the City and Wells Fargo Bank, National Association, as predecessor-in-interest to Computershare Trust Company, National Association, as trustee (the "Trustee"); and

WHEREAS, pursuant to a Loan Agreement (the "Loan Agreement") dated as of the date of the Original Indenture, between the City and the Borrower, the Borrower agreed to repay the Bonds in specified amounts and at specified times sufficient to pay in full when due the principal of, premium, if any, and interest on the Bonds; and

WHEREAS, by Resolution 2018-69 adopted on September 4, 2018 (the "First Supplemental Resolution"), the City approved, executed, and delivered a First Supplemental Indenture of Trust dated as of September 1, 2018 (the "First Supplemental Indenture"), in order to document certain changes to the methods for calculating interest on the Bonds; and

WHEREAS, by Resolution 2019-88 adopted on November 19, 2019 (the "Second Supplemental Resolution"), the City approved, executed, and delivered a Second Supplemental Indenture of Trust dated as of December 20, 2019 (the "Second Supplemental Indenture"), in order to document certain changes to the methods for calculating interest on the Bonds; and

WHEREAS, by Resolution 2023-17 adopted on March 21, 2023 (the "Third Supplemental Resolution and, with the Original Resolution, the First Supplemental Resolution, and the Second Supplemental Resolution, the "Bond Resolution"), the City approved, executed, and delivered a Third Supplemental Indenture of Trust dated as of April 1, 2023 (the "Third Supplemental Indenture" and, with the Original Indenture, the First Supplemental Indenture, and the Second

Supplemental Indenture, the "Current Indenture"), in order to document certain changes to the methods for calculating interest on the Bonds; and

WHEREAS, the Sole Bondholder, the Borrower, and the Trustee have informed the City that they have agreed to certain changes in the terms of the Current Indenture; and

WHEREAS, a substantially final form of a Fourth Supplemental Indenture of Trust between the City and the Trustee, and consented to by the Borrower and the Sole Bondholder, proposed to be entered into in order to document changes in the terms of the Current Indenture has been submitted to the City Council and is on file in the office of the City Clerk (the "Fourth Supplemental Indenture").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MENDOTA HEIGHTS, MINNESOTA, as follows:

1. The Fourth Supplemental Indenture is made a part of this Resolution as though fully set forth herein and is hereby approved in substantially the form presented to the City Council. The Mayor and the Administrator are authorized and directed to execute, acknowledge, and deliver the Fourth Supplemental Indenture on behalf of the City with such changes, insertions, and omissions therein as bond counsel to the City may hereafter deem appropriate, such execution to be conclusive evidence of approval of such documents in accordance with the terms hereof.

2. The Mayor and the Administrator are authorized and directed to execute and deliver all other documents which may be required under the terms of the Fourth Supplemental Indenture or by bond counsel, and to take such other action as may be required or deemed appropriate for the performance of the duties imposed thereby to carry out the purposes thereof.

3. The Mayor and Administrator and other officers of the City are authorized to furnish to the Sole Bondholder, the Trustee, the Borrower, and bond counsel certified copies of all proceedings and records of the City relating to the Fourth Supplemental Indenture, and such other affidavits and certificates as may be required to show the facts relating to the legality and marketability of the Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates, and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

4. In the event that for any reason the Mayor or the Administrator is unable to carry out the execution of any of the documents or other acts provided herein, any other officer of the City or member of its City Council as, in the opinion of the City's attorney, is authorized to act in that capacity and undertake such execution or acts on behalf of the City, shall without further act or authorization execute and deliver the Fourth Supplemental Indenture and do all things and execute all instruments and documents required to be done or executed by such officers, with full force and effect, which executions or acts shall be valid and binding on the City.

5. Nothing in this resolution or in the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Project other than the revenues derived from the Project or otherwise granted to the City for this purpose. The Bonds shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property or funds of the City except

the revenues and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Bonds or the interest thereon, or to enforce payment thereof against any property of the City. The Bonds recite in substance that the Bonds, including interest thereon, are payable solely from the revenue and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

6. This resolution constitutes a supplement to the Bond Resolution and shall be in full force and effect from and after its passage.

Adopted by the City Council of the City of Mendota Heights, Minnesota, this 17th day of December, 2024.

By: _____
Stephanie B. Levine, Mayor

ATTEST:

By: _____
Nancy Bauer, City Clerk

CERTIFICATE

STATE OF MINNESOTA
COUNTY OF DAKOTA
CITY OF MENDOTA HEIGHTS

I, the undersigned, being the duly acting and qualified City Clerk of the City of Mendota Heights, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes with the original minutes of a meeting of the City Council City held on the date therein indicated, which are on file and of record in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to A RESOLUTION PROVIDING FOR THE FOURTH SUPPLEMENTAL INDENTURE OF TRUST RELATED TO MULTIFAMILY HOUSING REVENUE REFUNDING BONDS (LEXINGTON HEIGHTS APARTMENTS PROJECT), SERIES 2013 AND AUTHORIZING THE EXECUTION OF DOCUMENTS RELATED THERETO.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of December, 2024.

City Clerk
City of Mendota Heights

FOURTH SUPPLEMENTAL INDENTURE OF TRUST

THIS FOURTH SUPPLEMENTAL INDENTURE OF TRUST (the “Fourth Supplement”) dated as of [December __, 2024] (the “Supplement Date”) is entered into by and between the **CITY OF MENDOTA HEIGHTS, MINNESOTA** (the “Issuer”) and **COMPUTERSHARE TRUST COMPANY, NATIONAL ASSOCIATION**, as successor-in-interest to **WELLS FARGO BANK, NATIONAL ASSOCIATION**, a national banking association, as Trustee (the “Trustee”).

WITNESSETH:

WHEREAS, the Issuer and the Trustee have previously entered into an Indenture of Trust, dated as of August 1, 2013 (the “Original Indenture”) relating to \$10,570,000 City of Mendota Heights, Minnesota Multifamily Housing Revenue Refunding Bonds (Lexington Heights Apartments Project), Series 2013 (the “Bonds”), dated August 1, 2013; and

WHEREAS, the Issuer and the Trustee have previously entered into a First Supplemental Indenture of Trust, dated as of September 1, 2018 (the “First Supplemental Indenture”), a Second Supplemental Indenture of Trust, dated as of December 20, 2019 (the “Second Supplemental Indenture”) and a Third Supplemental Indenture of Trust, dated as of April 1, 2023 (the “Third Supplemental Indenture,” with the Original Indenture, the First Supplemental Indenture and the Second Supplemental Indenture, the “Current Indenture,” and as hereby amended, the “Indenture”), each consented to by Wells Fargo Bank, National Association, as the sole holder of the Bonds (the “Bondholder”), and Riley Family Lexington Heights, LLLP, as the borrower of the proceeds of the Bonds (the “Borrower”); and

WHEREAS, the Bondholder and the Borrower have agreed to extend the Direct Purchase Period Purchase Date for the Bonds; and

WHEREAS, pursuant to Section 8.02 of the Current Indenture, the Issuer and the Trustee wish to amend the Current Indenture as provided herein; and

WHEREAS, Section 8.02 of the Current Indenture requires that the Trustee obtain the consent of the Bondholder and of the Borrower to this Fourth Supplement; and

WHEREAS, the Bondholder and the Borrower have consented to this Fourth Supplement as evidenced by their signature hereto;

NOW, THEREFORE, in consideration of the foregoing and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

ARTICLE I

AMENDMENT

Amendment to Section 1.01. Section 1.01 of the Current Indenture is hereby amended by replacing the existing definition of “Direct Purchase Period Purchase Date” in its entirety with the following:

“Direct Purchase Period Purchase Date” means (a) for the initial Direct Purchase Period, December 20, 2029, and (b) during any subsequent Direct Purchase Period, the date designated by the Borrower pursuant to Section 2.04(a) or (b), as applicable.

ARTICLE II

FULL FORCE AND EFFECT

The Current Indenture is hereby amended to the extent provided in this Fourth Supplement and, except as specifically provided herein, the Current Indenture shall remain in full force and effect in accordance with its terms.

ARTICLE III

GOVERNING LAW

THE RIGHTS AND OBLIGATIONS OF THE PARTIES UNDER THIS FOURTH SUPPLEMENT SHALL BE GOVERNED AS PROVIDED IN SECTION 9.08 OF THE CURRENT INDENTURE.

ARTICLE IV

HEADINGS

Section headings in this Fourth Supplement are included herein for convenience of reference only and shall not have any effect for purposes of interpretation or construction of the terms of this Fourth Supplement.

ARTICLE V

COUNTERPARTS

This Fourth Supplement may be signed in any number of counterpart copies, but all such copies shall constitute one and the same instrument.

ARTICLE VI

REPRESENTATIONS AND WARRANTIES

Each party hereto represents and warrants to the other that this Fourth Supplement has been duly authorized and validly executed by it and that the Current Indenture as hereby amended constitutes its valid obligation, enforceable in accordance with its terms, except to the extent that the enforceability thereof may be limited by bankruptcy, insolvency or other laws affecting creditors' rights generally and subject to the application of general principles of equity including but not limited to the right of specific performance.

ARTICLE VII

SEVERABILITY

In case any one or more of the provisions contained herein should be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired hereby.

ARTICLE VIII

DEFINITIONS

All capitalized terms used herein and not defined shall have the meaning assigned to such terms in the Current Indenture.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have caused this Fourth Supplemental Indenture of Trust to be duly executed and delivered as of the date and year first written above.

**CITY OF MENDOTA HEIGHTS,
MINNESOTA**

By: _____
Name: Stephanie B. Levine
Title: Mayor

By: _____
Name: Cheryl Jacobson
Title: City Administrator

[Signature page of Fourth Supplemental Indenture of Trust —
Lexington Heights Apartments Project]

**COMPUTERSHARE TRUST COMPANY,
NATIONAL ASSOCIATION, as Trustee**

By: _____
Name: _____
Title: _____

[Signature page of Fourth Supplemental Indenture of Trust —
Lexington Heights Apartments Project]

Consented to and agreed to by:

**RILEY FAMILY LEXINGTON HEIGHTS,
LLLP**

By: _____

Name: _____

Title: _____

[Consent page of Fourth Supplemental Indenture of Trust —
Lexington Heights Apartments Project]

Consented to and agreed to by:

**WELLS FARGO BANK, NATIONAL
ASSOCIATION**, as Sole Bondholder

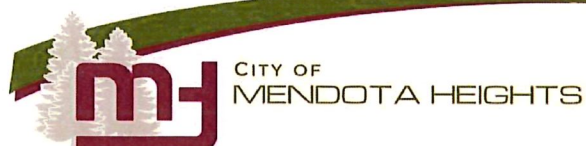
By: _____

Name: _____

Title: _____

[Consent page of Fourth Supplemental Indenture of Trust —
Lexington Heights Apartments Project]

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Request for City Council Action

MEETING DATE: December 17, 2024
TO: Mayor, City Council and City Administrator
FROM: Kristen Schabacker, Finance Director
SUBJECT: Claims List Summary

BACKGROUND

Significant Claims

Boyer Truck Parts – 2025 Plow Trucks - Streets	\$ 306,814.24
Braun Intertec – Hampshire Estates Pavement Work	\$ 11,805.70
Campbell Knutson – November Legal Services/Prosecutions	\$ 9,111.76
Dreamscapes Landscaping and Design – Ivy Falls Retaining Wall	\$ 49,116.67
Inspectron – October Building Inspection Services	\$ 35,566.87
Kimley Horn and Associates – Friendly Hills Street Project Work	\$ 21,821.67
Mansfield Oil Company - Fuel	\$ 9,284.07
Mendota Heights Fire Relief Association – 2024 City Contribution	\$ 239,190.00
Motorola Solutions – Radios – Police	\$ 54,905.04
SPRWS – Water Service/Cell Tower Rent Split/Delq Account Tax Remittance	\$ 34,054.90
Streichers – Operating Supplies – Police	\$ 17,599.30
TKDA – Emerson Ave Street Project Work	\$ 23,580.30
Total Construction – Lift Station Panels	\$ 22,700.00
Manual Checks Total	\$ 283,362.20
System Checks Total	\$ 997,334.24

Total for the list of claims for the December 17, 2024 City Council meeting \$ 1,280,696.44

RECOMMENDATION

Staff recommends that the Mendota Heights City Council approve the list of claims for December 17, 2024.

CITY OF MENDOTA HEIGHTS

Claims List

MANUAL CHECKS

11/22/24 MAN 2

Account	Comments	DEPT Descr	Amount
MENDOTA HEIGHTS, CITY OF			
G 29-1155	CREDIT CARD TRANSFER		\$9,000.00
G 57-1155	CREDIT CARD TRANSFER		\$71,000.00
G 45-1155	CREDIT CARD TRANSFER		\$40,000.00
G 15-1155	CREDIT CARD TRANSFER		\$70,000.00
G 01-1155	CREDIT CARD TRANSFER		\$85,000.00
MENDOTA HEIGHTS, CITY OF			\$275,000.00
			\$275,000.00

CITY OF MENDOTA HEIGHTS

12/12/24 12:22 PM

Page 1

Claims List
MANUAL CHECKS
12/11/24 MAN

Account	Comments	DEPT Descr	Amount
EYE MED			
G 01-2071	DEC 2024 PREMIUM		\$20.22
E 15-4131-060-60	DEC 2024 PREMIUM	Utility Enterprise	\$15.09
E 08-4131-000-00	DEC 2024 PREMIUM	Spec Fds	\$5.13
E 01-4131-105-15	DEC 2024 PREMIUM	Engineering Enterprise	\$15.39
E 01-4131-070-70	DEC 2024 PREMIUM	Parks & Recreation	\$5.13
E 01-4131-050-50	DEC 2024 PREMIUM	Road & Bridges	\$14.88
E 01-4131-020-20	DEC 2024 PREMIUM	Police	\$105.92
E 01-4131-110-10	DEC 2024 PREMIUM	Administration	\$65.07
G 01-2074	DEC 2024 PREMIUM		\$10.27
EYE MED			\$257.10
MISSION SQUARE (ICMA RETIREMENT)			
G 01-2073	12/6/24 PAYROLL		\$150.00
G 01-2072	12/6/24 PAYROLL		\$4,150.00
MISSION SQUARE (ICMA RETIREMENT)			\$4,300.00
STANDARD INSURANCE			
G 01-2071	DEC 2024 PREMIUM - LIFE/DIS		\$1,691.96
E 01-4131-110-10	DEC 2024 PREMIUM - LIFE/DIS	Administration	\$283.23
E 01-4131-020-20	DEC 2024 PREMIUM - LIFE/DIS	Police	\$767.19
E 01-4131-030-30	DEC 2024 PREMIUM - LIFE/DIS	Fire	\$1.40
E 01-4131-050-50	DEC 2024 PREMIUM - LIFE/DIS	Road & Bridges	\$273.10
E 01-4131-070-70	DEC 2024 PREMIUM - LIFE/DIS	Parks & Recreation	\$269.94
E 01-4131-105-15	DEC 2024 PREMIUM - LIFE/DIS	Engineering Enterprise	\$186.15
E 08-4131-000-00	DEC 2024 PREMIUM - LIFE/DIS	Spec Fds	\$138.41
G 01-2074	DEC 2024 PREMIUM - LIFE/DIS		\$1.10
E 15-4131-060-60	DEC 2024 PREMIUM - LIFE/DIS	Utility Enterprise	\$192.62
STANDARD INSURANCE			\$3,805.10
			\$8,362.20

CITY OF MENDOTA HEIGHTS

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Account	Comments	DEPT Descr	Amount
ALERUS RETIREMENT AND BENEFITS			
E 01-4490-110-10	NOV SERVICE FEE/ADMINISTR	Administration	\$60.00
ALERUS RETIREMENT AND BENEFITS			\$60.00
ALL CITY ELEVATOR, INC.			
E 08-4335-000-00	DECEMBER 2024 MAINTENANC	Spec Fds	\$216.86
ALL CITY ELEVATOR, INC.			\$216.86
ALLEGRA PRINT & IMAGING			
E 01-4300-020-20	BUSINESS CARDS - POWELL	Police	\$74.44
ALLEGRA PRINT & IMAGING			\$74.44
AMBIA SOLAR			
R 01-3250	REFUND BUILDING PERMIT #M		\$356.20
R 01-3315	REFUND BUILDING PERMIT #M		\$13.60
AMBIA SOLAR			\$369.80
AMERICAN LEGAL PUBLISHING			
G 01-1215	2025 HOSTING FEES		\$500.00
AMERICAN LEGAL PUBLISHING			\$500.00
AMERICAN PRESSURE, INC.			
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$332.34
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$332.35
AMERICAN PRESSURE, INC.			\$664.69
AMERICAN TEST CENTER			
E 01-4268-030-30	STATIC TESTING - FIRE	Fire	\$925.00
AMERICAN TEST CENTER			\$925.00
ASPEN EQUIPMENT			
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$37.63
ASPEN EQUIPMENT			\$37.63
ASPEN MILLS			
E 01-4410-030-30	UNIFORM - FIRE	Fire	\$99.00
E 01-4305-024-20	RESERVE SUPPLIES - PD	Police	\$58.99
E 01-4410-030-30	UNIFORM - FIRE	Fire	\$121.00
E 01-4410-030-30	UNIFORM - FIRE	Fire	\$170.19
E 01-4410-030-30	UNIFORM - FIRE	Fire	\$36.00
E 01-4410-030-30	UNIFORM - FIRE	Fire	\$52.95
E 01-4410-030-30	UNIFORM - FIRE	Fire	\$35.00
E 01-4410-030-30	UNIFORM - FIRE	Fire	\$56.95
E 01-4410-030-30	UNIFORM - FIRE	Fire	\$46.85
E 01-4410-030-30	UNIFORM - FIRE	Fire	\$251.95
ASPEN MILLS			\$928.88
ASPEN WASTE SYSTEMS INC.			
E 08-4280-000-00	DECEMBER RUBBISH SERVICE -	Spec Fds	\$407.87
E 45-4280-045-45	DECEMBER RUBBISH SERVICE -	Golf Course	\$152.85
E 01-4280-315-30	DECEMBER RUBBISH SERVICE -	Fire	\$230.65
E 01-4280-310-70	DECEMBER RUBBISH SERVICE -	Parks & Recreation	\$281.44
E 01-4280-310-50	DECEMBER RUBBISH SERVICE -	Road & Bridges	\$281.44
E 15-4280-310-60	DECEMBER RUBBISH SERVICE -	Utility Enterprise	\$281.44

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Account	Comments	DEPT Descr	Amount
E 01-4220-085-85	DECEMBER ORGANIC RECYCLI	Recycling	\$420.73
ASPEN WASTE SYSTEMS INC.			\$2,056.42
BESSER WELDING & FABRICATION			
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$32.00
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$40.50
BESSER WELDING & FABRICATION			\$72.50
BGMN, INC.			
E 01-4320-050-50	FUEL ADDITIVE	Road & Bridges	\$89.00
E 01-4320-110-10	FUEL ADDITIVE	Administration	\$88.99
E 01-4320-020-20	FUEL ADDITIVE	Police	\$88.99
E 01-4320-030-30	FUEL ADDITIVE	Fire	\$89.00
E 01-4320-070-70	FUEL ADDITIVE	Parks & Recreation	\$89.00
E 01-4320-105-15	FUEL ADDITIVE	Engineering Enterprise	\$89.00
E 15-4320-060-60	FUEL ADDITIVE	Utility Enterprise	\$89.00
BGMN, INC.			\$622.98
BITUMINOUS ROADWAYS			
E 01-4620-070-70	WENTWORTH TENNIS COURTS	Parks & Recreation	\$1,391.25
BITUMINOUS ROADWAYS			\$1,391.25
BLUE CROSS BLUE SHIELD			
G 01-1215	JANUARY 2025 HEALTH INSUR		\$5,355.68
G 01-1215	JANUARY 2025 HEALTH INSUR		\$692.26
G 01-1215	JANUARY 2025 HEALTH INSUR		\$3,720.88
BLUE CROSS BLUE SHIELD			\$9,768.82
BOUND TREE MEDICAL LLC			
E 01-4305-030-30	OPERATING SUPPLIES - FIRE	Fire	\$300.03
BOUND TREE MEDICAL LLC			\$300.03
BOYER TRUCK PARTS			
E 04-4620-000-00	2025 PLOW TRUCK - STREET	Spec Fds	\$153,407.12
E 04-4620-000-00	2025 PLOW TRUCK - STREET	Spec Fds	\$153,407.12
BOYER TRUCK PARTS			\$306,814.24
BRAUN INTERTEC			
E 27-4220-808-00	HAMPSHIRE ESTATES PAVEME	Spec Fds	\$11,805.70
BRAUN INTERTEC			\$11,805.70
BREDEMUS HARDWARE COMPANY, INC			
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$4,097.82
BREDEMUS HARDWARE COMPANY, INC			\$4,097.82
CAMPBELL KNOTSON			
E 01-4222-120-20	NOV 2024 PROSECUTION LEGA	Police	\$5,695.69
E 01-4220-120-80	NOV 2024 PLANNING LEGAL SE	Planning	\$1,620.00
E 01-4220-120-40	NOV 2024 CODE LEGAL SERVIC	Code Enforcement/Inspe	\$72.00
E 01-4220-120-09	NOV 2024 PARKS & REC LEGAL	City Council	\$234.00
E 01-4220-120-10	NOV 2024 POLICE LEGAL SERV	Administration	\$270.00
E 01-4220-120-10	NOV 2024 CLERK LEGAL SERVI	Administration	\$72.00
E 01-4220-120-10	NOV 2024 GENERAL LEGAL SE	Administration	\$36.00
E 01-4220-120-10	NOV 2024 MEETINGS LEGAL SE	Administration	\$1,112.07
CAMPBELL KNOTSON			\$9,111.76

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Account	Comments	DEPT Descr	Amount
COMCAST BUSINESS			
E 45-4210-045-45	DEC 8-JAN 7 SERVICE - PAR 3	Golf Course	\$364.66
E 01-4268-030-30	DEC 7-JAN 6 SERVICE - FIRE	Fire	\$35.25
COMCAST BUSINESS			\$399.91
CONFLUENCE, INC.			
E 10-4220-000-00	PARK SYSTEM MASTER PLAN	Spec Fds	\$4,021.81
CONFLUENCE, INC.			\$4,021.81
CREATIVE PLANNING			
E 01-4220-130-30	FIRE RELIEF ASSOCIATION AU	Fire	\$2,500.00
CREATIVE PLANNING			\$2,500.00
CUSTOM FIRE APPARATUS			
E 01-4330-460-30	EQUIP REPAIR - FIRE	Fire	\$1,176.03
CUSTOM FIRE APPARATUS			\$1,176.03
DREAMSCAPES LANDSCAPING AND DESIGN			
E 37-4460-000-00	IVY FALLS RETAINING WALL	Spec Fds	\$37,131.96
E 29-4220-000-00	IVY FALLS RETAINING WALL	Spec Fds	\$11,984.71
DREAMSCAPES LANDSCAPING AND DESIGN			\$49,116.67
ESS BROTHERS & SONS INC			
E 29-4330-000-00	EQUIP REPAIRS - STORM WAT	Spec Fds	\$55.00
ESS BROTHERS & SONS INC			\$55.00
FIRE EQUIPMENT SPECIALTIES			
E 01-4305-155-30	OPERATING SUPPLIES - FIRE	Fire	\$344.40
FIRE EQUIPMENT SPECIALTIES			\$344.40
FIRE PROTECTION PUBLICATIONS			
E 01-4402-030-30	BOOKS - FIRE	Fire	\$477.00
FIRE PROTECTION PUBLICATIONS			\$477.00
FIRST NET / AT&T MOBILITY			
E 01-4210-050-50	CELL SERVICE - STREET	Road & Bridges	\$147.05
E 01-4210-110-10	IPAD SERVICE - ADMIN	Administration	\$38.23
E 01-4210-070-70	CELL SERVICE - PARKS	Parks & Recreation	\$45.40
E 01-4490-080-80	CELL SERVICE - PLANNING	Planning	\$45.40
E 15-4210-060-60	CELL SERVICE - UTILITY	Utility Enterprise	\$83.63
E 01-4210-070-70	CELL SERVICE - REC	Parks & Recreation	\$50.48
E 01-4490-109-09	CELL SERVICE - CITY COUNCIL	City Council	\$45.40
E 01-4435-200-70	CELL SERVICE - REC	Parks & Recreation	\$45.40
E 01-4210-105-15	CELL SERVICE - ENGINEERING	Engineering Enterprise	\$90.80
E 01-4210-020-20	AIR CARDS - PD	Police	\$382.30
E 01-4490-640-12	IPAD SERVICE - ELECTIONS	Elections	\$76.46
E 01-4210-030-30	CELL SERVICE - FIRE	Fire	\$83.63
E 01-4210-030-30	CELL SERVICE - FIRE	Fire	\$167.26
E 01-4210-020-20	CELL SERVICE - PD	Police	\$1,060.60
E 45-4210-045-45	IPAD SERVICE - PAR 3	Golf Course	\$38.23
E 01-4210-070-70	IPAD SERVICE - PARKS	Parks & Recreation	\$38.23
E 01-4210-070-70	IPAD SERVICE - REC	Parks & Recreation	\$38.23
FIRST NET / AT&T MOBILITY			\$2,476.73

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Account	Comments	DEPT Descr	Amount
FLAGSHIP RECREATION			
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$126.00
FLAGSHIP RECREATION			\$126.00
FLEETPRIDE			
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$18.45
E 15-4305-060-60	OPERATING SUPPLIES - PW	Utility Enterprise	\$126.56
E 01-4305-050-50	OPERATING SUPPLIES - PW	Road & Bridges	\$126.57
E 01-4305-070-70	OPERATING SUPPLIES - PW	Parks & Recreation	\$126.57
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$22.12
E 01-4330-440-20	EQUIP REPAIR - PD	Police	\$39.48
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$9.82
FLEETPRIDE			\$469.57
FRATTALONES DAWNWAY LLLP			
E 01-4422-050-50	STREET MATERIALS	Road & Bridges	\$30.09
FRATTALONES DAWNWAY LLLP			\$30.09
GERTENS GREENHOUSE			
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$132.00
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$132.00
E 01-4424-050-50	STREET SWEEPING DEBRIS	Road & Bridges	\$1,980.00
GERTENS GREENHOUSE			\$2,244.00
GOLDENSTEIN, SCOTT			
E 01-4305-030-30	REIMBURSE CMC ROPE - S. GO	Fire	\$146.47
GOLDENSTEIN, SCOTT			\$146.47
GOPHER STATE ONE CALL			
E 01-4210-040-40	NOV 2024 SERVICE	Code Enforcement/Inspe	\$210.60
GOPHER STATE ONE CALL			\$210.60
GRAINGER			
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$22.15
E 15-4335-310-60	BLDG MAINT - PW	Utility Enterprise	-\$51.84
E 01-4335-310-50	BLDG MAINT - PW	Road & Bridges	-\$51.83
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$19.20
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$51.96
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$137.61
E 01-4335-310-70	BLDG MAINT - PW	Parks & Recreation	-\$51.83
GRAINGER			\$75.42
GRANNIS & HAUGE, P.A.			
E 01-4222-120-20	NOV 2024 PROSECUTIONS - PD	Police	\$1,800.00
GRANNIS & HAUGE, P.A.			\$1,800.00
H & L MESABI			
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$899.84
H & L MESABI			\$899.84
HANCO CORPORATION			
E 15-4335-310-60	BLDG MAINT - PW	Utility Enterprise	\$30.48
E 01-4335-310-70	BLDG MAINT - PW	Parks & Recreation	\$30.49
E 01-4335-310-50	BLDG MAINT - PW	Road & Bridges	\$30.49

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Account	Comments	DEPT Descr	Amount
HANCO CORPORATION			\$91.46
HOME DEPOT CREDIT SERVICES			
E 01-4330-440-20	EQUIP REPAIR - PD	Police	\$62.60
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$17.88
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$33.94
E 01-4305-030-30	OPERATING SUPPLIES - FIRE	Fire	\$31.33
E 45-4335-045-45	BLDG MAINT - PAR 3	Golf Course	\$24.63
E 15-4330-490-60	EQUIP REPAIR - UTILITY	Utility Enterprise	\$112.76
HOME DEPOT CREDIT SERVICES			\$283.14
HOSE INC			
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$248.62
HOSE INC			\$248.62
INNOVATIVE OFFICE SOLUTIONS			
E 01-4435-200-70	OFFICE SUPPLIES - REC	Parks & Recreation	\$173.14
E 01-4300-110-10	OFFICE SUPPLIES - ADMIN	Administration	\$16.23
E 01-4300-110-10	OFFICE SUPPLIES - ADMIN	Administration	\$111.87
E 01-4300-020-20	PAPER	Police	\$13.64
E 15-4300-060-60	PAPER	Utility Enterprise	\$1.81
E 01-4300-020-20	OFFICE SUPPLIES - PD	Police	\$15.64
E 01-4300-110-10	OFFICE SUPPLIES - ADMIN	Administration	\$20.07
E 01-4300-110-10	OFFICE SUPPLIES - ADMIN	Administration	\$65.71
E 01-4300-110-10	OFFICE SUPPLIES - ADMIN	Administration	\$56.93
E 01-4300-110-10	PAPER	Administration	\$41.41
E 01-4300-080-80	PAPER	Planning	\$7.73
E 01-4300-070-70	PAPER	Parks & Recreation	\$7.74
E 01-4300-040-40	PAPER	Code Enforcement/Inspe	\$7.74
E 01-4300-030-30	PAPER	Fire	\$3.19
E 01-4300-105-15	PAPER	Engineering Enterprise	\$7.74
INNOVATIVE OFFICE SOLUTIONS			\$550.59
INSPECTRON INC			
E 01-4231-040-40	OCT 2024 PLAN REVIEWS & IN	Code Enforcement/Inspe	\$35,566.87
INSPECTRON INC			\$35,566.87
INVER GROVE FORD			
E 01-4330-440-20	EQUIP REPAIR - PD	Police	\$296.44
INVER GROVE FORD			\$296.44
JANECKY PLUMBING SERVICE, INC			
E 45-4335-045-45	BLDG MAINT - PAR 3	Golf Course	\$800.00
JANECKY PLUMBING SERVICE, INC			\$800.00
KIMLEY-HORN AND ASSOCIATES, INC.			
E 27-4220-807-00	FRIENDLY HILLS ST. PROJ.	Spec Fds	\$21,821.67
KIMLEY-HORN AND ASSOCIATES, INC.			\$21,821.67
KIRCHNER CONTRACTING			
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$2,300.00
KIRCHNER CONTRACTING			\$2,300.00
KRENSING, JARRETT			
E 01-4400-070-70	TRAINING EXPENSE REIMBURS	Parks & Recreation	\$138.02

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Account	Comments	DEPT Descr	Amount
KRENSING, JARRETT			\$138.02
L E L S			
G 01-2075	DEC 2024 UNION DUES		\$916.50
L E L S			\$916.50
LANGUAGE LINE SERVICES			
E 01-4220-020-20	NOV SERVICE - PD	Police	\$67.50
LANGUAGE LINE SERVICES			\$67.50
LAWSON PRODUCTS, INC			
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$4.80
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$205.74
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$4.80
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	-205.74
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$6.32
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$49.65
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$49.65
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$49.65
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$6.32
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$4.80
LAWSON PRODUCTS, INC			\$175.99
LEAGUE MN CITIES			
E 01-4400-110-10	MCMA WINTER WORKSHOP - K	Administration	\$100.00
E 01-4400-109-09	ELECTED LEADERS INSTITUTE	City Council	\$350.00
LEAGUE MN CITIES			\$450.00
LUBE-TECH			
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$85.06
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$85.05
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$85.06
LUBE-TECH			\$255.17
M R P A			
G 01-1215	MRPA MEETING - M. LAWRENC		\$59.00
M R P A			\$59.00
M T I DISTRIBUTING COMPANY			
E 45-4330-490-45	EQUIP REPAIR - PAR 3	Golf Course	\$2,830.64
M T I DISTRIBUTING COMPANY			\$2,830.64
MANSFIELD OIL COMPANY			
G 01-1210	FUEL		\$9,284.07
MANSFIELD OIL COMPANY			\$9,284.07
MARTIN-MCALLISTER			
E 01-4220-030-30	EVALUATIONS - FIRE	Fire	\$2,000.00
MARTIN-MCALLISTER			\$2,000.00
MCKERNON, MARK			
E 01-4410-020-20	UNIFORM REIMBURSEMENT -	Police	\$47.49
MCKERNON, MARK			\$47.49
MENARDS			

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Account	Comments	DEPT Descr	Amount
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$94.82
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$14.31
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$22.26
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$146.18
E 01-4305-050-50	OPERATING SUPPLIES - STREE	Road & Bridges	\$110.66
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$11.11
E 01-4336-050-50	SNOW REMOVAL REPAIR - STR	Road & Bridges	\$0.85
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$27.84
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$82.34
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$105.00
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$127.56
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$17.99
E 01-4330-215-70	PARK MAINTENANCE	Parks & Recreation	\$228.24
E 01-4305-070-70	OPERATING SUPPLIES - PARKS	Parks & Recreation	\$10.53
E 08-4335-000-00	BLDG MAINT - CITY HALL	Spec Fds	\$77.94
MENARDS			\$1,077.63
MENDOTA HEIGHTS FIRE RELIEF			
E 06-4490-000-00	2024 CITY CONTRIBUTION	Spec Fds	\$239,190.00
MENDOTA HEIGHTS FIRE RELIEF			\$239,190.00
METRO SALES			
E 01-4330-490-50	COPIER/PRINTER LEASE	Road & Bridges	\$14.00
E 15-4330-490-60	COPIER/PRINTER LEASE	Utility Enterprise	\$14.00
E 01-4300-030-30	COPIER/PRINTER LEASE	Fire	\$118.65
E 01-4330-490-70	COPIER/PRINTER LEASE	Parks & Recreation	\$14.00
E 01-4220-110-10	COPIER/PRINTER LEASE	Administration	\$2,221.03
METRO SALES			\$2,381.68
MID NORTHERN SERVICES			
E 01-4335-310-70	BLDG MAINT - PW	Parks & Recreation	\$376.07
E 01-4335-310-50	BLDG MAINT - PW	Road & Bridges	\$376.07
E 15-4335-310-60	BLDG MAINT - PW	Utility Enterprise	\$376.06
MID NORTHERN SERVICES			\$1,128.20
MIDWEST MACHINERY CO (FRONTIER AG)			
E 01-4330-490-70	EQUIP REPAIR - PARKS	Parks & Recreation	\$1,660.25
MIDWEST MACHINERY CO (FRONTIER AG)			\$1,660.25
MITCHELL1			
E 15-4300-060-60	DEC 2024 SERVICE	Utility Enterprise	\$184.00
MITCHELL1			\$184.00
MN GLOVE INC			
E 01-4410-070-70	UNIFORM - PARKS	Parks & Recreation	\$49.98
E 01-4410-050-50	UNIFORM - STREETS	Road & Bridges	\$49.90
E 01-4410-050-50	UNIFORM - STREETS	Road & Bridges	\$134.98
E 01-4410-050-50	UNIFORM - STREETS	Road & Bridges	\$64.99
MN GLOVE INC			\$299.85
MN ST ADMIN ITG TELECOM SRVCE			
E 01-4220-114-14	NOV 2024 WAN SERVICE	Info Tech	\$111.00
E 01-4223-020-20	NOV 2024 WAN SERVICE	Police	\$124.00
MN ST ADMIN ITG TELECOM SRVCE			\$235.00

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Account	Comments	DEPT Descr	Amount
MN STATE FIRE CHIEFS ASSN			
G 01-1215	2025 MEMBERSHIP RENEWAL		\$400.00
MN STATE FIRE CHIEFS ASSN			\$400.00
MN TEAMSTERS LOCAL 320			
G 01-2075	DEC 2024 UNION DUES		\$980.00
MN TEAMSTERS LOCAL 320			\$980.00
MOTOROLA SOLUTIONS, INC.			
E 07-4330-000-00	RADIOS - PD	Spec Fds	\$54,905.04
MOTOROLA SOLUTIONS, INC.			\$54,905.04
NARDINI FIRE EQ			
E 01-4305-030-30	OPERATING SUPPLIES - FIRE	Fire	\$200.00
E 01-4335-315-30	BLDG MAINT - FIRE	Fire	\$390.75
NARDINI FIRE EQ			\$590.75
NUSS TRUCK & EQUIPMENT			
E 01-4330-490-50	EQUIP REPAIR - STREET	Road & Bridges	\$224.71
NUSS TRUCK & EQUIPMENT			\$224.71
NYSTROM PUBLISHING CO., INC.			
E 01-4268-650-10	NOV-DEC 2024 HEIGHTS HIGH	Administration	\$4,011.85
NYSTROM PUBLISHING CO., INC.			\$4,011.85
OLSEN CHAIN & CABLE			
E 01-4305-070-70	OPERATING SUPPLIES - PW	Parks & Recreation	\$53.67
E 15-4305-060-60	OPERATING SUPPLIES - PW	Utility Enterprise	\$40.57
E 01-4305-050-50	OPERATING SUPPLIES - PW	Road & Bridges	\$40.57
E 01-4305-070-70	OPERATING SUPPLIES - PW	Parks & Recreation	\$40.57
E 01-4305-050-50	OPERATING SUPPLIES - PW	Road & Bridges	\$53.67
E 15-4305-060-60	OPERATING SUPPLIES - PW	Utility Enterprise	\$53.67
OLSEN CHAIN & CABLE			\$282.72
OXYGEN SERVICE CO			
E 01-4200-610-70	CYLINDER RENTAL - PW	Parks & Recreation	\$82.18
E 01-4200-610-50	CYLINDER RENTAL - PW	Road & Bridges	\$82.18
E 15-4200-610-60	CYLINDER RENTAL - PW	Utility Enterprise	\$82.19
OXYGEN SERVICE CO			\$246.55
PAGEL, KYLE			
E 01-4410-020-20	UNIFORM REIMBURSEMENT - K	Police	\$212.19
PAGEL, KYLE			\$212.19
PIONEER SECURESHRED			
E 01-4490-020-20	NOV 2024 SHREDDING	Police	\$80.84
E 01-4490-110-10	NOV 2024 SHREDDING	Administration	\$59.16
PIONEER SECURESHRED			\$140.00
PRECISE MRM LLC			
E 01-4305-050-50	SUBSCRIPTION SERVICES - ST	Road & Bridges	\$20.00
PRECISE MRM LLC			\$20.00
PUBLIC EMPL INS PROGRAM			
G 01-1215	JAN 2025 HEALTH INSURANCE		\$5,313.16

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Account	Comments	DEPT Descr	Amount
G 01-1215	JAN 2025 HEALTH INSURANCE		\$13,650.38
G 01-1215	JAN 2025 HEALTH INSURANCE		\$1,312.26
G 01-1215	JAN 2025 HEALTH INSURANCE		\$1,216.92
G 01-1215	JAN 2025 HEALTH INSURANCE		\$1,479.60
G 08-1215	JAN 2025 HEALTH INSURANCE		\$608.46
G 01-1215	JAN 2025 HEALTH INSURANCE		\$8,335.14
G 01-1215	JAN 2025 HEALTH INSURANCE		\$608.46
G 01-1215	JAN 2025 HEALTH INSURANCE		\$17,338.50
G 01-1215	JAN 2025 HEALTH INSURANCE		\$889.52
PUBLIC EMPL INS PROGRAM			\$50,752.40
RAY O HERRON CO. INC.			
E 01-4410-020-20	AMMUNITION - PD	Police	\$1,246.00
RAY O HERRON CO. INC.			\$1,246.00
RENT N SAVE			
G 45-2035	OCT RENTALS - PAR 3		-\$27.48
E 45-4200-610-45	OCT RENTALS - PAR 3	Golf Course	\$427.13
E 01-4200-610-70	OCT RENTALS - PARKS	Parks & Recreation	\$1,757.40
RENT N SAVE			\$2,157.05
ROCK MILLS ENTERPRISES			
E 15-4305-060-60	OPERATING SUPPLIES - UTILIT	Utility Enterprise	\$6,810.00
ROCK MILLS ENTERPRISES			\$6,810.00
ROSENBAUER MINNESOTA LLC			
E 01-4330-460-30	EQUIP REPAIR - FIRE	Fire	\$6,592.56
E 01-4330-460-30	EQUIP REPAIR - FIRE	Fire	-\$89.62
ROSENBAUER MINNESOTA LLC			\$6,502.94
SCHLOMKA SERVICES, LLC			
E 15-4330-490-60	PUMP & CLEAN LIFT - UTILITY	Utility Enterprise	\$1,470.48
E 29-4337-000-00	CLEAN STORM SEWER CATCHE	Spec Fds	\$750.00
SCHLOMKA SERVICES, LLC			\$2,220.48
SPRWS			
E 01-4425-310-50	SERVICE - 2431 LEXINGTON A	Road & Bridges	\$27.76
G 01-2035	OCT - DEC 2024 CELL TOWER		\$2,470.00
G 01-2035	OCT - DEC 2024 CELL TOWER		\$1,856.86
G 01-2035	OCT - DEC 2024 CELL TOWER		\$2,375.00
G 01-2035	OCT - DEC 2024 CELL TOWER		\$1,856.86
G 01-2035	OCT - DEC 2024 CELL TOWER		\$2,375.00
G 01-2035	OCT - DEC 2024 CELL TOWER		\$1,856.86
E 08-4425-000-00	NOV 2024 SERVICE - 1101 VIC	Spec Fds	\$114.99
E 15-4425-310-60	SERVICE - 2431 LEXINGTON A	Utility Enterprise	\$27.75
E 01-4425-310-70	SERVICE - 2431 LEXINGTON A	Parks & Recreation	\$27.76
G 01-2035	DELINQUENT WATER PAYMENT		\$20,991.03
E 01-4425-315-30	NOV 2024 SERVICE - 2121 DO	Fire	\$75.03
SPRWS			\$34,054.90
ST. PAUL, CITY OF			
E 01-4422-050-50	ASPHALT MIX - STREET	Road & Bridges	\$6,547.87
ST. PAUL, CITY OF			\$6,547.87
STREICHERS			

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E 01-4305-020-20	OPERATING SUPPLIES - PD	Police	\$16,228.35
E 01-4410-020-20	UNIFORM - PD	Police	\$1,370.95
STREICHERS			\$17,599.30
SUMMIT COMPANIES			
E 01-4335-315-30	BLDG MAINT - FIRE	Fire	\$215.00
E 01-4335-315-30	BLDG MAINT - FIRE	Fire	\$4,701.00
SUMMIT COMPANIES			\$4,916.00
T & T DISPOSAL			
E 01-4424-050-50	DEBRIS DISPOSAL - STREET	Road & Bridges	\$1,660.50
T & T DISPOSAL			\$1,660.50
TIME SAVER OFF SITE SEC. SVC.			
E 01-4220-080-80	11/26/24 PLANNING COMMISSI	Planning	\$167.00
E 01-4220-110-10	11/19/24 CITY COUNCIL MINU	Administration	\$285.50
TIME SAVER OFF SITE SEC. SVC.			\$452.50
TKDA			
E 27-4220-805-00	EMERSON AVE ST IMPROVEME	Spec Fds	\$23,580.30
TKDA			\$23,580.30
TOTAL CONSTRUCTION			
E 15-4600-060-60	LIFT STATION PANELS - UTILIT	Utility Enterprise	\$22,700.00
TOTAL CONSTRUCTION			\$22,700.00
TRI STATE BOBCAT			
E 01-4330-490-50	EQUIP REPAIR - UTILITY	Road & Bridges	\$147.82
TRI STATE BOBCAT			\$147.82
ULINE			
E 01-4490-085-85	SUPPLIES - RECYCLING	Recycling	\$188.16
E 01-4435-200-70	KNAACK BOX - REC	Parks & Recreation	\$1,087.88
ULINE			\$1,276.04
UNIVERSITY OF MINNESOTA			
E 01-4400-070-70	MN TREE INSPECTOR RECERTI	Parks & Recreation	\$25.00
E 01-4400-050-50	MN TREE INSPECTOR RECERTI	Road & Bridges	\$50.00
E 15-4400-060-60	MN TREE INSPECTOR RECERTI	Utility Enterprise	\$25.00
UNIVERSITY OF MINNESOTA			\$100.00
USTA NORTHERN			
G 01-1215	TENNIS IN YOUR PARKS PROG		\$2,306.25
USTA NORTHERN			\$2,306.25
V & V MANUFACTURING INC			
E 01-4410-020-20	UNIFORMS - PD	Police	\$1,508.00
V & V MANUFACTURING INC			\$1,508.00
VERIZON WIRELESS			
E 01-4210-030-30	CELL SERVICE	Fire	\$110.03
E 45-4210-045-45	CELL SERVICE	Golf Course	\$40.01
E 01-4210-070-70	CELL SERVICE	Parks & Recreation	\$76.40
E 01-4210-050-50	CELL SERVICE	Road & Bridges	\$41.39
VERIZON WIRELESS			\$267.83

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Account	Comments	DEPT Descr	Amount
VESTIS (ARAMARK)			
E 01-4410-050-50	UNIFORM - PW	Road & Bridges	\$10.70
E 01-4200-610-70	MAT SERVICE - PW	Parks & Recreation	\$15.29
E 01-4200-610-50	MAT SERVICE - PW	Road & Bridges	\$15.29
E 15-4200-610-60	MAT SERVICE - PW	Utility Enterprise	\$15.29
E 01-4410-050-50	UNIFORM - PW	Road & Bridges	\$10.70
E 08-4335-000-00	MAT SERVICE - CITY HALL	Spec Fds	\$115.50
E 01-4200-610-70	MAT SERVICE - PW	Parks & Recreation	\$17.47
E 15-4200-610-60	MAT SERVICE - PW	Utility Enterprise	\$17.47
E 01-4200-610-70	MAT SERVICE - PW	Parks & Recreation	\$15.29
E 01-4200-610-50	MAT SERVICE - PW	Road & Bridges	\$15.29
E 15-4200-610-60	MAT SERVICE - PW	Utility Enterprise	\$15.29
E 01-4410-050-50	UNIFORM - PW	Road & Bridges	\$10.70
E 01-4200-610-50	MAT SERVICE - PW	Road & Bridges	\$17.47
VESTIS (ARAMARK)			\$291.75
WEGENER, WAYNE			
E 01-4490-020-20	SUPPLY REIMBURSEMENT - W.	Police	\$60.15
WEGENER, WAYNE			\$60.15
WEST ST PAUL PARK & REC			
E 01-4435-200-70	FALL 2024 GYMNASTICS - REC	Parks & Recreation	\$352.00
WEST ST PAUL PARK & REC			\$352.00
WINBERG COMPANIES			
E 29-4339-000-00	MARIE PARK POND IMPROVEM	Spec Fds	\$6,895.01
WINBERG COMPANIES			\$6,895.01
YAUCH, RYAN			
E 01-4410-020-20	UNIFORM REIMBUSEMENT - R.	Police	\$187.20
YAUCH, RYAN			\$187.20
			\$997,334.24



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: December 17, 2024

AGENDA ITEM: Ordinance No. 596 Amending Title 12: Zoning to incorporate cannabis business use types into the Table of Uses [Planning Case 2024-23]

ITEM TYPE: Ordinance

DEPARTMENT: Community Development **CONTACT:** Sarah Madden, Community Development Manager

ACTION REQUEST:

Approve Ordinance No. 596 Amending Title 12: Zoning to incorporate cannabis business use types into the Table of Uses.

BACKGROUND:

The Minnesota State Legislature adopted a new statute that legalized adult-use cannabis in 2023. This statute limited the regulations a city can place on the use, sale and production of cannabis and cannabis products, and established the Office of Cannabis Management (OCM) to oversee the licensing of these businesses. Local governments may not prohibit the use or sale of adult-use cannabis, but there are some regulatory actions that the City can pursue to establish performance standards for businesses operating within our bounds, such as zoning and registration requirements.

The attached Ordinance No. 596 establishes zoning controls for cannabis businesses by amending the Table of Uses to incorporate cannabis business types as permitted or conditional uses in the City's zoning districts. This ordinance is just one portion of the City's potential ordinance regulations regarding cannabis businesses. A cannabis business registration ordinance is also proposed to be implemented and will be brought back to the City Council at a future date.

The state law creates 13 license types which will be issued by the OCM. The City's zoning ordinance is proposed to be updated to incorporate the land uses into our current zoning districts to accommodate the language of the state law. Under state law, the City may not prohibit the establishment or operation of a licensed cannabis business, however, the City may adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis

business. One method of this restriction is the establishment of which zoning districts a cannabis business may operate within. The OCM licenses vary in business type, but the overall land uses can generally be categorized into standard categories, such as retail or manufacturing. The City is obligated to determine which zones cannabis and hemp businesses will be allowed to operate within.

The City Council was provided a copy of the OCM's guide for local governments in October to aid their discussion on establishing ordinance provisions relating to cannabis businesses. At the November 19 City Council Work Session, the City Council gave direction to staff to move forward with a zoning text amendment to the Table of Uses, with cannabis-based retail businesses listed as Conditional Uses in the B-1 General Business District and B-2 Neighborhood Business District. In the City's I-Industrial zoning District, general warehouse or manufacturing uses are proposed to also be listed as a Conditional Use. A lower-potency edible hemp retailer is proposed to be listed as a Permitted Use in the City's B-1, B-2, and MU – Mixed Use zoning districts.

At the November 26, 2024, Planning Commission meeting, a planning report was presented. A duly-noticed public hearing was held, and no members of the public spoke for or against the zoning text amendment.

The Planning Commission discussed the different license types that would be reviewed and issued by the OCM, as well as the depth of the buffer requirements which are proposed to be implemented in a future Cannabis Business Registration ordinance. A copy of the 11/26/24 planning report with attachments and an excerpt from the draft and unapproved minutes are attached to this memo. As noted in the attachment, staff recommended approval of the Zoning Text Amendment. Following their discussion, the Planning Commission voted unanimously (6-0) in support of the amendment. The City Council is asked to affirm that recommendation by voting in support of approval of Ordinance No. 596 as drafted in the attached ordinance.

FISCAL AND RESOURCE IMPACT:

Not applicable.

ATTACHMENTS:

1. Ordinance No. 596
2. Unapproved Planning Commission Minutes 11-26-24
3. Planning Commission Report 11-26-24

CITY COUNCIL PRIORITY:

Economic Vitality & Community Vibrancy, Inclusive and Responsive Government

**CITY OF MENDOTA HEIGHTS
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 596

**AMENDING TITLE 12: ZONING, CHAPTER 3: ALLOWED USES TO ESTABLISH CANNABIS
BUSINESS TYPES WITHIN THE TABLE OF USES**

The City Council of the City of Mendota Heights does ordain:

Section 1. City Code Title 12 – ZONING is hereby amended by adding the underlined to modify Chapter 3: ALLOWED USES , Table 12-3B-1.1 Table of Uses as follows:

COMMERCIAL/BUSINESS USES

Land Use	RE	R-1	R-2	R-3	MU	B-1	B-2	I	Use Specific Section
<u>Cannabis Retailer</u>						<u>CUP</u>	<u>CUP</u>		<u>3-8-1</u>
<u>Lower-potency hemp edible retailer</u>					<u>P</u>	<u>P</u>	<u>P</u>		<u>3-8-1</u>

INDUSTRIAL, TRANSPORTATION & UTILITY USES

Land Use	RE	R-1	R-2	R-3	MU	B-1	B-2	I	Use Specific Section
<u>Cannabis microbusiness,</u> <u>cannabis mezzobusiness,</u> <u>cannabis cultivator,</u> <u>cannabis manufacturer,</u> <u>cannabis wholesaler,</u> <u>cannabis testing facility,</u> <u>lower-potency hemp edible manufacturer,</u> <u>medical cannabis combination business</u>								<u>CUP</u>	<u>3-8-1</u>

Section 2. Effective date.

This ordinance shall be effective January 1, 2025, following adoption and publication according to law.

ADOPTED this 17th day of December, 2024 by the City Council for the City of Mendota Heights.

**CITY COUNCIL
CITY OF MENDOTA HEIGHTS**

ATTEST:

Stephanie B. Levine, Mayor

Nancy Bauer, City Clerk

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EXCERPT FROM DRAFT/UNAPPROVED 11/26/24 PLANNING COMMISSION MINUTES

B) PLANNING CASE 2024-23 **CITY OF MENDOTA HEIGHTS – ZONING TEXT AMENDMENT**

Community Development Manager Sarah Madden provided background information on the actions of the Minnesota Legislature related to legalization of adult-use cannabis as well as the establishment of the Office of Cannabis Management (OCM), which will establish the administrative rules and oversight of the adult-use cannabis industry in Minnesota. Once the administrative rules are in place, licensing of cannabis businesses will commence, and all licensing will be conducted by the OCM. Local governments may register cannabis businesses and enforce certain zoning regulations within their jurisdiction, but may not require additional licensing of cannabis businesses. The City Council is continuing discussions over the business registration portion of the local control. This item relates to amendment to the Zoning Use Table within Title 12, as established following the Zoning Code Update project. The Table and the full ordinance go into effect on January 1, 2025. The proposed amendments will be scheduled to also go into effect on January 1st with the full ordinance update.

Hearing notices were published and mailed to all properties within 350-ft. of the site; no comments or objections to this request were received.

Community Development Manager Sarah Madden provided a planning staff report and a presentation on this planning item to the Commission (which is available for viewing through the City's website).

Staff recommended approval of this application based on the findings and with conditions.

Commissioner Petschel asked if the limitation on cannabis businesses applies to cannabis retailers and low potency products.

Community Development Manager Sarah Madden replied that the limit is only on the number of cannabis retailers and the limitation does not apply to the sale of low potency products or industrial users.

Commissioner Petschel used a similar business model of a brewery or distillery and asked if that type of cannabis business could have similar sale of their product at that location. He also asked, in that scenario, if the manufacturing were the main use and out sale were the accessory use, would that business need to hold the one retail sales license for the community.

Commissioner Corbett stated that a mezzo business could obtain that type of license similar to a brew pub.

DRAFT/UNAPPROVED MINUTES

Community Development Manager Sarah Madden replied that there will be 13 different license types, and it is her understanding that the cap applies to the cannabis retailer license specifically and therefore she would believe the mezzo license could allow for retail sales as an accessory use as discussed.

Commissioner Corbett asked if some or all of the buffer would be implemented.

Community Development Manager Sarah Madden commented that all of the buffers would be implemented along with a buffer of 500 feet between cannabis retailers. She stated that even if they were the strictest on the buffers, measuring from the property line, the majority of the commercial areas would remain untouched by the buffers.

Commissioner Corbett asked how the registration process would be handled.

Community Development Manager Sarah Madden stated that based on feedback from the City Attorney, the City would be following a first-come, first-serve basis for processing applications for registration.

Commissioner Stone thanked staff for including comparison information from other cities.

Chair Field opened the public hearing.

Seeing no one coming forward wishing to speak, Chair Field asked for a motion to close the public hearing.

COMMISSIONER PETSCHER MOVED, SECONDED BY COMMISSIONER CORBETT, TO CLOSE THE PUBLIC HEARING.

AYES: 6

NAYS: 0

COMMISSIONER CORBETT MOVED, SECONDED BY COMMISSIONER PETSCHER, TO RECOMMEND APPROVAL OF DRAFT ORDINANCE NO. 596 AS PRESENTED.

AYES: 6

NAYS: 0

Chair Field advised the City Council would consider this application at its December 17, 2024 meeting.



PLANNING STAFF REPORT

DATE: November 26, 2024

TO: Planning Commission

FROM: Sarah Madden, Community Development Manager

SUBJECT: Planning Case 2024-23
ZONING CODE TEXT AMENDMENT – to add Cannabis Business Use Types within the Title 12: Zoning, Table of Uses

APPLICANT: City of Mendota Heights

120-DAY ACTION DEADLINE: n/a

INTRODUCTION

The Minnesota Legislature enacted new State Law at the end of the 2023 legislative session, amended in 2024, that legalizes the possession, use, manufacturing, and sale of certain cannabis products within the State. The Law also establishes the Office of Cannabis Management (OCM) to oversee the implementation and regulation of the adult-use cannabis market, the medical cannabis market, and the consumer hemp industry. The statute limited the regulations a city can place on the use, sale and production of cannabis and cannabis products. The OCM released a “A Guide for Local Governments on Adult-Use Cannabis” in June of this year, and the formal rulemaking process for the Office’s administrative rules is anticipated to begin shortly. Once the administrative rules are in effect, anticipated mid-2025, licensing of cannabis businesses will commence. All licensing of cannabis businesses will be conducted by the OCM. Under State Law, local governments may register cannabis businesses and enforce certain zoning regulations within their jurisdiction, but they may not require additional licensing of cannabis businesses.

The City Council is continuing discussions over the business registration portion of the local control, which will be housed in Title 3 of the City Code, Business and Licensing Regulations. The zoning code component of the City’s ordinances will exclusively relate to amendments in the table of uses, with performance standards referencing back to the Title 3 Chapter. The City Attorney has advised staff that the Zoning Code regulations should be put in place by January 1, 2025 as that was the original planned licensing date for cannabis businesses by the OCM.

This item relates to amendments to the Zoning Use Table within Title 12, as established following the Zoning Code Update project. The Table and the full ordinance go into effect on January 1st. The proposed amendments will be scheduled to also go into effect on January 1st with the full ordinance update.

A duly noticed public hearing was published in the Pioneer Press. No public comments have been received, as of the date of this report.

DISCUSSION & BACKGROUND

The City Council was provided a copy of the OCM's guide for local governments as part of the October 15th City Council work session agenda packet, and the Council held a discussion over the topic and model ordinance standards at the October 30th City Council regular meeting. A continued discussion on the draft registration ordinance was held at the November 19th City Council work session. The City Council has directed staff to move forward with the zoning text amendment to the Table of Uses as part of this item. The Cannabis Business Registration ordinance and associated performance standards will be located within Title 3 of the City Code, which is not within the Planning Commission's area of review. A copy of the current draft of the ordinance has been included in the attachments of this report to provide context for the Commission's discussion. This ordinance will house the definitions, buffer requirements, and other performance standards. The OCM's local government guide has also been enclosed.

The state law creates license types which will be issued by the OCM. The City's zoning ordinance is proposed to be updated to incorporate the land uses into our current zoning districts to accommodate the language of the state law. Under the state law, the City may not prohibit the establishment or operation of a licensed cannabis business, however the City may adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business. One method of this restriction is the establishment of which zoning districts a cannabis business may operate within.

There will be 13 license types issued by the OCM, however they can generally be categorized into standard categories, such as retail or manufacturing. The City is obligated to determine which zones cannabis and hemp businesses will be allowed to operate within. This topic was discussed at the October 30th City Council meeting and the November 19th City Council work session meeting. The staff recommendation was to allow cannabis-based retail businesses to be allowed in similar zoning categories as those of tobacco sales or liquor stores, and for manufacturing or industrial-type businesses to be permissible in the I-Industrial zoning district. The initial draft of the proposed ordinance slated for a Cannabis Retail business to be listed as a Conditional Use in the B-1 General Business, B-2 Neighborhood Business, and MU-Mixed Use districts. The City Council discussed the option of allowing cannabis retailers to be a listed use in business and commercial zoning districts, but to omit the use within the Mixed Use zoning district at the November 19th work session. The current draft (attached to this report) removed a cannabis retailer from being listed within the MU-Mixed Use district.

In the City's I-Industrial zoning district, general warehouse or manufacturing uses are proposed to also be listed as a Conditional use. The proposal of amendments to the Table of Uses is summarized in the chart below.

Use Type	Cannabis Business Type	Proposed Zoning District
Warehouse or Manufacturing	<ul style="list-style-type: none">• Cannabis microbusiness• Cannabis mezzobusiness• Cannabis cultivator• Cannabis manufacturer• Cannabis wholesaler• Cannabis testing facility• Lower-Potency Hemp Edible Manufacturer• Medical Cannabis Combination Business	<ul style="list-style-type: none">• I – Industrial as a Conditional Use

Retail	<ul style="list-style-type: none"> • Cannabis retailer • Lower-potency hemp edible retailer 	<ul style="list-style-type: none"> • B-1 General Business, B-2 Neighborhood Business; as a Conditional Use • B-1 General business, B-2 Neighborhood Business, MU-Mixed Use; as Permitted Use
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No other changes to the code are proposed. The proposed addition is reflected in the attached draft Ordinance Number 596.

ALTERNATIVES for ACTION

The proposed ordinance amendment is to Title 12-Zoning, which requires the Planning Commission to provide a review under a public hearing process and provide a recommendation to the City Council. The Planning Commission may consider one of the three following actions:

1. Recommend approval of the draft Ordinance No. 596 which amends certain sections of Zoning Code Title 12 – Zoning, Table of Uses, as presented herein or with added/revised language and standards deemed necessary by the commission; or
2. Recommend denial of the requested zoning code amendments and make no changes to Title 12 – Zoning, with findings to support such a recommendation; or
3. Table the amendment request, and direct city staff to provide additional information for further consideration by the Planning Commission and present this information at the next scheduled Planning Commission meeting.

STAFF RECOMMENDATION

Recommend approval of the draft Ordinance No. 596 as presented herein, or as may be modified through Planning Commission discussion.

Please note that the proposed ordinance amendment does not approve a specific project, business, or property. Issuance of Cannabis Business Licenses by the OCM is expected to occur in mid-2025, however the State Law which authorized Adult-Use Cannabis noted that the administration process would be in effect by January 1, 2025. The City Attorney has recommended that any amendments to the City of Mendota Heights Zoning Ordinance be in place in accordance with the state law by January 1st. The City Council will continue their discussion of the Adult-Use Cannabis Ordinance and Cannabis Business Registration processes at their December 17, 2024 meeting.

Attachments

- 1) Local Government Guide to Adult-Use Cannabis
- 2) Draft Ordinance No. 596
- 3) October 30, 2024 City Council Meeting Staff Report and Minutes
- 4) November 19, 2024 City Council Work Session Staff Report
- 5) Cannabis License Types Information
- 6) Nearby City Proposed Regulations



A Guide for Local Governments on Adult-Use Cannabis



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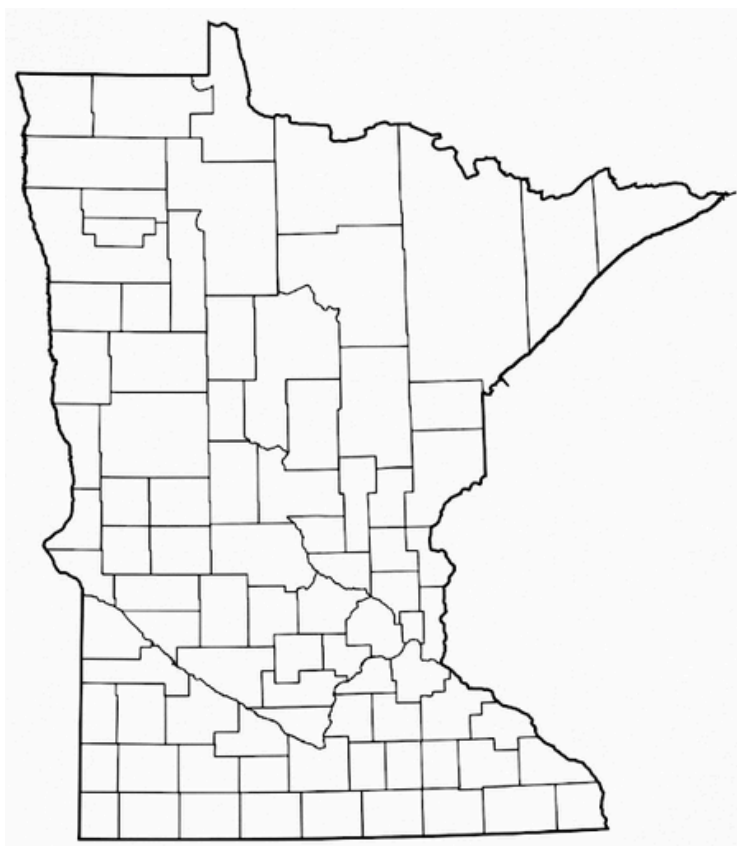
Introduction

This guide serves as a general overview of **Minnesota’s new adult-use cannabis law**, and how **local governments** can expect to be involved. The guide also provides important information about Minnesota’s new Office of Cannabis Management (OCM), and the office’s structure, roles, and responsibilities. While medical cannabis continues to play an important role in the state’s cannabis environment, this guide is primarily focused on the adult-use cannabis law and marketplace.

The following pages outline the variety of cannabis business licenses that will be issued, provide a broad summary of important aspects of the adult-use cannabis law, and cover a wide range of expectations and authorities that relate to local governments. This guide also provides best practices and important requirements for developing a local cannabis ordinance.

Chapter 342 of Minnesota law was established by the State Legislature in 2023 and was updated in 2024. Mentions of “adult-use cannabis law” or “the law” throughout this guide refer to Chapter 342 and the changes made to it.

As of this guide’s date of publication, state regulations governing the adult-use cannabis market have not yet been published — **this document will be updated** when such regulations become effective.



This guide is not a substitute for legal advice, nor does it seek to provide legal advice. Local governments and municipal officials seeking legal advice should consult an attorney.

About OCM

Minnesota's **Office of Cannabis Management** is the state regulatory office created to oversee the implementation and regulation of the adult-use cannabis market, the medical cannabis market, and the consumer hemp industry. Housed within OCM are the **Division of Medical Cannabis** (effective July 1, 2024), which operates the medical cannabis program, and the **Division of Social Equity**, which promotes development, stability, and safety in communities that have experienced a disproportionate, negative impact from cannabis prohibition and usage.



OCM, through Chapter 342, is tasked with establishing rules and policy and exercising its regulatory authority over the Minnesota cannabis industry. In its duties, OCM is mandated to:

- Promote public health and welfare.
- Protect public safety.
- Eliminate the illicit market for cannabis flower and cannabis products.
- Meet the market demand for cannabis flower and cannabis products.
- Promote a craft industry for cannabis flower and cannabis products.
- Prioritize growth and recovery in communities that have experienced a disproportionate, negative impact from cannabis prohibition.

OCM governs the application and licensing process for cannabis and hemp businesses, specific requirements for each type of license and their respective business activities, and conducts enforcement and inspection activities across the Minnesota cannabis and hemp industries.

License Types

Minnesota law allows for **13** different types of business licenses, each fulfilling a unique role in the cannabis and hemp supply chain. In addition to license types below, OCM will also issue endorsements to license holders to engage in specific activities, including producing, manufacturing, and sale of medical cannabis for patients.

Microbusiness

Microbusinesses may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Microbusiness may also operate a single retail location.

Mezzobusiness

Mezzobusinesses may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Mezzobusiness may also operate up to three retail locations.

Cultivator

Cultivators may cultivate cannabis and package such cannabis for sale to another licensed cannabis business.

Manufacturer

Manufacturers may manufacture cannabis products and hemp products, and package such products for sale to a licensed cannabis retailer.

Retailer

Retailers may sell immature cannabis plants and seedlings, cannabis, cannabis products, hemp products, and other products authorized by law to customers and patients.

Wholesaler

Wholesalers may purchase and/or sell immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from another licensed cannabis business.

Wholesalers may also import hemp-derived consumer products and lower-potency hemp edibles.

License Types (continued)

Transporter

Transporters may transport immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products to licensed cannabis businesses.

Testing Facility

Testing facilities may obtain and test immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from licensed cannabis businesses.

Event Organizer

Event organizers may organize a temporary cannabis event lasting no more than four days.

Delivery Service

Delivery services may purchase cannabis, cannabis products, and hemp products from retailers or cannabis business with retail endorsements for transport and delivery to customers.

Medical Cannabis Combination Business

Medical cannabis combination businesses may cultivate cannabis and manufacture cannabis and hemp products, and package such products for sale to customers, patients, or another licensed cannabis business. Medical cannabis combination businesses may operate up to one retail location in each congressional district.

Lower-Potency Hemp Edible Manufacturer

Lower-potency hemp edible manufacturers may manufacture and package lower-potency hemp edibles for consumer sale, and sell hemp concentrate and lower-potency hemp edibles to other cannabis and hemp businesses.

Lower-Potency Hemp Edible Retailer

Lower-potency hemp edible retailers may sell lower-potency hemp edibles to customers.

Each license is subject to further restrictions on allowable activities. Maximum cultivation area and manufacturing allowances vary by license type. Allowable product purchase, transfer, and sale between licensees are subject to restrictions in the law.

The Adult-Use Cannabis Law

Minnesota's new adult-use cannabis law permits the personal use, possession, and transportation of cannabis by those 21 years of age and older, and allows licensed businesses to conduct cultivation, manufacturing, transport, delivery, and sale of cannabis and cannabis products.

For Individuals

- **Possession limits:**
 - Flower – 2 oz. in public, 2 lbs. in private residence
 - Concentrate – 8 g
 - Edibles (including lower-potency hemp) – 800 mg THC
- **Consumption** only allowed on private property or at licensed businesses with on-site consumption endorsements. Consumption not allowed in public.
- **Gifting** cannabis to another individual over 21 years old is allowed, subject to possession limits.
- **Home cultivation** is limited to four mature and four immature plants (eight total) in a single residence. Plants must be in an enclosed and locked space.
- **Home extraction** using volatile substances (e.g., butane, ethanol) is not allowed.
- **Unlicensed sales** are not allowed.



For Businesses

- **Advertising:**
 - May not include or appeal to those under 21 years old.
 - Must include proper warning statements.
 - May not include misleading claims or false statements.
 - Billboards are not allowed.
- The flow of all products through the supply chain must be tracked by the state-authorized **tracking system**.
- All products sold to consumers and patients must be **tested for contaminants**.
- **Home delivery** is allowed by licensed businesses.



The Cannabis Licensing Process

An applicant will take the following steps to proceed from application to active licensure. As described, processes vary depending on social equity status and/or whether the type of license being sought is capped or uncapped in the general licensing process.

License Preapproval: Early Mover Process for Social Equity Applicants

The license preapproval process is a one-time application process available for verified social equity applicants. State law requires OCM to open the application window on July 24, 2024, and close the window on August 12, 2024. The preapproval process is available for the following license types, and all are capped in this process: microbusiness, mezzobusiness, cultivator, retailer, wholesaler, transporter, testing facility, and delivery service.

Preapproval steps:

1. Applicant's social equity applicant (SEA) status verified.
2. Complete application and submit application fees.
3. Application vetted for minimum requirements by OCM.
4. Application (if qualified) entered into lottery drawing.
5. If selected in lottery, OCM completes background check of selected applicant and issues license preapproval.
6. Applicant with license preapproval* submits business location and amends application accordingly.
7. OCM forwards completed application to local government.
8. Local government completes certification of zoning compliance.
9. OCM conducts site inspection.
10. When regulations are adopted, license becomes active, operations may commence.

*For social equity applicants with license preapproval for microbusiness, mezzobusiness, or a cultivator license, they may begin growing cannabis plants prior to the adoption of rules if OCM receives approval from local governments in a form and manner determined by the office. This is only applicable to cultivation and does not authorize retail sales or other endorsed activities of the licenses prior to the adoption of rules.

The Cannabis Licensing Process (cont.)

The general licensing process will align with the adoption of rules and OCM will share more information about the timing of general licensing process. The general licensing process includes social equity applicants and non-social equity applicants.

General Licensing: Cultivator, Manufacturer, Retailer, Mezzobusiness

1. Complete application and submit application fees.
2. Application vetted for minimum requirements by OCM.
3. Application (if qualified) entered into lottery drawing.
4. If selected in lottery, OCM completes background check of selected applicant and issues preliminary approval.
5. Applicant with preliminary approval submits business location and amends application accordingly.
6. OCM forwards completed application to local government.
7. Local government completes certification of zoning compliance.
8. OCM conducts site inspection.
9. License becomes active, operations may commence.*

General Licensing: Microbusiness, Wholesaler, Transporter, Testing Facility, Event Organizer

1. Complete application and submit application fees.
2. Application vetted for minimum requirements by OCM.
3. For qualified applicants, OCM completes background check of vetted applicant and issues preliminary approval.
4. Selected applicant submits business location and amends application accordingly.
5. OCM forwards completed application to local government.
6. Local government completes certification of zoning compliance.
7. OCM conducts site inspection.
8. License becomes active, operations may commence.*

*For businesses seeking a retail endorsement (microbusiness, mezzobusiness, and retailer), a valid local retail registration is required prior to the business commencing any retail sales. See Page 16 for information on the local retail registration process.

General Authorities

Local governments in Minnesota have various means of oversight over the cannabis market, as provided by the adult-use cannabis law. Local governments may not issue outright bans on cannabis business, or limit operations in a manner beyond what is provided by state law.

Cannabis Retail Restrictions (342.13)

Local governments may limit the number of retailers and microbusiness/mezzobusinesses with retail endorsements allowed within their locality, as long as there is **at least one retail location per 12,500 residents**. Local units of government are not obligated to seek out a business to register as cannabis business if they have not been approached by any potential applicants, but cannot prohibit the establishment of a business if this population requirement is not met. Local units of government may also issue more than the minimum number of registrations. Per statutory direction, a municipal cannabis store (Page 19) cannot be included in the minimum number of registrations required. For population counts, the state demographer estimates will likely be utilized.

Tribal Governments (342.13)

OCM is prohibited from and will not issue state licenses to businesses in Indian Country without consent from a tribal nation. Tribal nations hold the authority to license tribal cannabis businesses on tribal lands – this process is separate than OCM’s licensing process and authority. Subject to compacting, Tribal nations may operate cannabis businesses off tribal lands. There will be more information available once the compacting processes are complete.

Taxes (295.81; 295.82)

Retail sales of taxable cannabis products are subject to the state and local sales and use tax and a 10% gross receipts tax. Cannabis gross receipts tax proceeds are allocated as follows: 20% to the local government cannabis aid account and 80% to the state general fund. Local taxes imposed solely on sale of cannabis products are prohibited.

Cannabis retailers will be subject to the same real property tax classification as all other retail businesses. Real property used for raising, cultivating, processing, or storing cannabis plants, cannabis flower, or cannabis products for sale will be classified as commercial and industrial property.

General Authorities (cont.)

Retail Timing Restrictions (342.13)

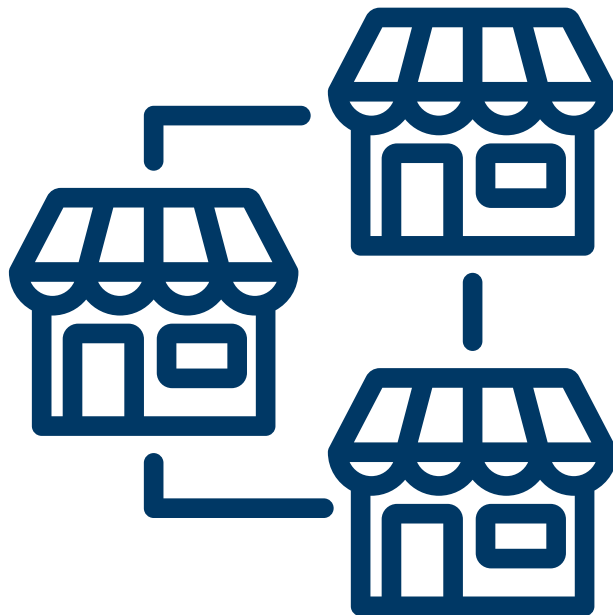
Local governments may prohibit retail sales of cannabis between the hours of 8 a.m. and 10 a.m. Monday-Saturday, and 9 p.m. and 2 a.m. the following day.

Operating Multiple Locations with One License

Certain cannabis licenses allow for multiple retail locations to be operated under a single license, with the following limitations:

- **Retailers:** up to five retail locations.
- **Mezzobusinesses:** up to three retail locations.
- **Microbusinesses:** up to one retail location.
- **Medical cannabis combination businesses:** one retail location per congressional district. Additionally, medical cannabis combination businesses may cultivate at more than one location within other limitations on cultivation.

For all other license types, one license permits the operation of one location. Each retail location requires local certification and/or registration.



Zoning and Land Use

Buffer Guidelines (342.13)

State law does not restrict how a local government conducts its zoning designations for cannabis businesses, except that they may prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including playgrounds and athletic fields.

Zoning Guidelines

While each locality conducts its zoning differently, a few themes have emerged across the country. For example, cannabis manufacturing facilities are often placed in industrial zones, while cannabis retailers are typically found in commercial/retail zones. Cannabis retail facilities align with general retail establishments and are prohibited from allowing consumption or use onsite, and are also required to have plans to prevent the visibility of cannabis and hemp-derived products to individuals outside the retail location. Industrial hemp is an agricultural product, and should be zoned as such.

Cannabis businesses should be zoned under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business. Note that certain types of licenses may be able to perform multiple activities which may have different zoning analogues. In the same way municipalities may zone a microbrewery that predominately sells directly to onsite consumers differently than a microbrewery that sells packaged beer to retailers and restaurants, so too might a municipality wish to zone two microbusinesses based on the actual activities that each business is undertaking. Table 1, included on Pages 13 and 14, explains the types of activities that cannabis businesses might undertake, as well as, some recommended existing zoning categories.

Zoning and Land Use (cont.)

Table 1: Cannabis and Hemp Business Activities

Endorsed Activity	License Type Eligible to Do Endorsed Activity	Description of Activity	Comparable Districts	Municipal Considerations
Cultivation	Cultivator Mezzobusiness Microbusiness Medical Cannabis Combination	"Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.	Indoor: Industrial, Commercial, Production Outdoor: Agricultural	Odor Potential need for transportation from facility Waste, water, and energy usage Security
Cannabis Manufacturing, Processing, Extraction	Manufacturer Mezzobusiness Microbusiness Medical Cannabis Combination	This group of endorsed activities turn raw, dried cannabis and cannabis parts into other types of cannabis products, e.g. edibles or topicals.	Industrial, Commercial, Production	Odor Potential need for transportation from facility Waste, water, and energy usage Security
Hemp Manufacturing	Lower-Potency Hemp Edible (LPHE) Manufacturing	These business convert hemp into LPHE edible products.	Industrial, Commercial, Production	Odor Waste, water, and energy
Wholesale	Wholesale Cultivator Manufacturer Mezzobusiness Microbusiness Medical Cannabis Combination	This activity and license type allows a business to purchase from a business growing or manufacturing cannabis or cannabis products and sell to a cannabis business engaged in retail.	Industrial, Commercial, Production	Need for transportation from facility Security

Zoning and Land Use (cont.)

Table 1: Cannabis and Hemp Business Activities (continued)

Endorsed Activity	License Type Eligible to Do Endorsed Activity	Description of Activity	Comparable Districts	Municipal Considerations
Cannabis Retail	Retail Mezzobusiness Microbusiness Medical Cannabis Combination	This endorsed activity and license types allow a business to sell cannabis and cannabis products directly to consumers.	Retail, Neighborhood Shopping Districts, Light Industrial, Existing districts where off-sale liquor or tobacco sales are allowed.	Micros may offer onsite consumption, similar to breweries. Micros and Mezzos may include multiple activities: cultivation, manufacture, and/or retail.
Transportation	Cannabis Transporter	This license type allows a company to transport products from one license type to another.		Fleet based business that will own multiple vehicles, but not necessarily hold a substantial amount of cannabis or cannabis products.
Delivery	Cannabis Delivery	This license type allows for transportation to the end consumer.		Fleet based business that will own multiple vehicles, but not necessarily hold a substantial amount of cannabis or cannabis products.
Events	Event Organizer	This license entitles license holder to organizer a temporary event lasting no more than four days.	Anywhere that the city permits events to occur, subject to other restrictions related to cannabis use.	On site consumption. Retail sales by a licensed or endorsed retail business possible.

Local Approval Process

Local governments play a critical role in the licensing process, serving as a near-final approval check on cannabis businesses nearing the awarding of a state license for operations. Once an applicant has been vetted by OCM and is selected for proceeding in the verification process, they are then required to receive the local government's certification of zoning compliance and/or local retail registration before operations may commence.



Local Certification of Zoning Compliance (342.13; 342.14)

Following OCM's vetting process, local governments must **certify** that the applicant with preliminary approval has achieved **compliance with local zoning ordinances** prior to the licensee receiving final approval from OCM to commence operations.

During the application and licensing process for cannabis businesses, OCM will notify a local government when an applicant intends to operate within their jurisdiction and request a certification as to whether a proposed cannabis business complies with local zoning ordinances, and if applicable, whether the proposed business complies with state fire code and building code.

According to Minnesota's cannabis law, a local unit of government has 30 days to respond to this request for certification of compliance. If a local government does not respond to OCM's request for certification of compliance within the 30 days, the cannabis law allows OCM to issue a license. OCM may not issue the final approval for a license if the local government has indicated they are not in compliance.

OCM will work with local governments to access the licensing software system to complete this zoning certification process.

Local Approval Process (cont.)

Local Retail Registration Process (342.22)

Once the licensing process begins, local government registration applies to cannabis retailers or other cannabis/hemp businesses seeking a retail endorsement. Local governments must issue a retail registration after verifying that:

- The business has a valid license or license preapproval issued by OCM.
- The business has paid a registration fee or renewal fee to the local government;
 - Initial registration fees collected by a local government may be \$500 or half the amount of the applicable initial license fee, whichever is less, and renewal registration fees may be \$1,000 or half the amount of the applicable renewal license fee, whichever is less.
- The business is found to be in compliance with Chapter 342 and local ordinances.
- If applicable, the business is current on all property taxes and assessments for the proposed retail location.

Local registrations may also be issued by counties if the respective local government transfers such authorities to the county.

Determining a Process for Limiting Retail Registrations

If a local government wishes to place a limitation on the number of retailers and microbusiness/mezzobusinesses with retail endorsements allowed within their locality (as long as there is at least one retail location per 12,500 residents, see Page 10), state law does not define the process for a local government's selection if there are more applicants than registrations available. A few options for this process include the use of a lottery, a first-come/first-serve model, a rolling basis, and others. Local governments should work with an attorney to determine their specific process for selection if they wish to limit the number of licensed cannabis retailers per 342.13. Local governments are not required to limit the number of licensed cannabis retailers.

Local Approval Process (cont.)

Local governments are permitted specific authorities for registration refusal and registration suspension, in addition to—and not in conflict with—OCM authorities.

Registration and Renewal Refusals

Local governments may refuse the registration and/or certification of a license renewal if the license is associated with an individual or business who no longer holds a valid license, has failed to pay the local registration or renewal fee, or has been found in noncompliance in connection with a preliminary or renewal compliance check.



Local Registration Suspension (342.22)

Local governments may suspend the local retail registration of a cannabis business or hemp business if the business is determined to not be operating in compliance with a local ordinance authorized by 342.13 or if the operation of the business poses an immediate threat to the health and safety of the public. The local government must immediately notify OCM of the suspension if it occurs. OCM will review the suspension and may reinstate the registration or take enforcement action.

Expedited Complaint Process (342.13)

Per state law, OCM will establish an expedited complaint process during the rulemaking process to receive, review, read, and respond to complaints made by a local unit of government about a cannabis business. Upon promulgation of rules, OCM will publish the complaint process.

At a minimum, the expedited complaint process shall require the office to provide an initial response to the complaint within seven days and perform any necessary inspections within 30 days. Within this process, if a local government notifies OCM that a cannabis business poses an immediate threat to the health or safety of the public, the office must respond within one business day.

Inspections & Compliance Checks

Local governments are permitted specific business inspection and compliance check authorities, in addition to—and not in conflict with—OCM authorities.

Inspections and Compliance Checks (342.22)

Local governments must conduct **compliance checks** for cannabis and hemp businesses holding retail registration **at least once per calendar year**. These compliance checks must verify compliance with age verification procedures and compliance with any applicable local ordinance established pursuant to 342.13. OCM maintains inspection authorities for all cannabis licenses to verify compliance with operation requirements, product limits, and other applicable requirements of Chapter 342.



Municipal Cannabis Stores

As authorized in Chapter 342.32, local governments are permitted to apply for a cannabis retail license to establish and operate a municipal cannabis store.

State law requires OCM issue a license to a city or county seeking to operate a single municipal cannabis store if the city or county:

- Submits required application information to OCM,
- Meets minimum requirements for licensure, and
- Pays applicable application and license fee.

A municipal cannabis store will not be included in the total count of retail licenses issued by the state under Chapter 342.

A municipal cannabis store cannot be counted as retail registration for purposes of determining whether a municipality's cap on retail registrations imposed by ordinance.



Creating Your Local Ordinance

As authorized in 342.13, a local government may adopt a local ordinance regarding cannabis businesses. Establishing local governments' ordinances on cannabis businesses in a timely manner is critical for the ability for local cities or towns to establish local control as described in the law, and is necessary for the success of the statewide industry and the ability of local governments to protect public health and safety. The cannabis market's potential to create jobs, generate revenue, and contribute to economic development at the local and state level is supported through local ordinance work. The issuance of local certifications and registrations to prospective cannabis businesses is also dependent on local ordinances.

- Local governments may not prohibit the possession, transportation, or use of cannabis, or the establishment or operation of a cannabis business licensed under state law.
- Local governments may adopt reasonable restrictions on the time, place, and manner of cannabis business operations (see Page 11).
- Local governments may adopt interim ordinances to protect public safety and welfare, as any studies and/or further considerations on local cannabis activities are being conducted, until January 1, 2025. A public hearing must be held prior to adoption of an interim ordinance.
- If your local government wishes to operate a municipal cannabis store, the establishment and operation of such a facility must be considered in a local ordinance.



Model Ordinance

For additional guidance regarding the creation of a cannabis related ordinance, please reference the addendum in this packet.

Additional Resources

OCM Toolkit for Local Partners

Please visit OCM webpage (mn.gov/ocm/local-governments/) for additional information, including a toolkit of resources developed specifically for local government partners. The webpage will be updated as additional information becomes available and as state regulations are adopted.

These resources are also included in the addendum of this packet.

Toolkit resources include:

- Appendix A: Model Ordinance
- Appendix B: Retail Registration Form and Checklist
- Appendix C: Hemp Flower and Hemp-Derived Cannabinoid Product Checklist
- Appendix D: Enforcement Notice from the Office of Cannabis Management
- Appendix E: Notice to Unlawful Cannabis Sellers

Local Organizations

There are several organizations who also have developed resources to support local governments regarding the cannabis industry. Please feel free to contact the following for additional resources:

- League of Minnesota Cities
- Association of Minnesota Counties
- Minnesota Public Health Law Center

Appendix A: Model Ordinance

Cannabis Model Ordinance

The following model ordinance is meant to be used as a resource for cities, counties, and townships within Minnesota. The italicized text in red is meant to provide commentary and notes to jurisdictions considering using this ordinance and should be removed from any ordinance formally adopted by said jurisdiction. Certain items are not required to be included in the adopted ordinance: 'OR' and (optional) are placed throughout for areas where a jurisdiction may want to consider one or more choices on language.

Section 1	Administration
Section 2	Registration of Cannabis Business
Section 3	Requirements for a Cannabis Business (Time, Place, Manner)
Section 4	Temporary Cannabis Events
Section 5	Lower Potency Hemp Edibles
Section 6	Local Government as a Retailer
Section 7	Use of Cannabis in Public

AN ORDINANCE OF THE (CITY/COUNTY OF) TO REGULATE CANNABIS BUSINESSES

The (city council/town board/county board) of (city/town/county) hereby ordains:

Section 1. Administration

1.1 Findings and Purpose

(insert local authority) makes the following legislative findings:

The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes (insert local authority) to protect the public health, safety, welfare of (insert local here) residents by regulating cannabis businesses within the legal boundaries of (insert local here).

(insert local authority) finds and concludes that the proposed provisions are appropriate and lawful land use regulations for (insert local here), that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

1.2 Authority & Jurisdiction

A county can adopt an ordinance that applies to unincorporated areas and cities that have delegated authority to impose local zoning controls.

(insert local authority) has the authority to adopt this ordinance pursuant to:

- Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of

a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.

- b) Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
- c) Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
- d) Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.

Ordinance shall be applicable to the legal boundaries of (insert local here).

(Optional) (insert city here) has delegated cannabis retail registration authority to (insert county here). However, (insert city here) may adopt ordinances under Sections (2.6, 3 and 4) if (insert county here) has not adopted conflicting provisions.

1.3 Severability

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

1.4 Enforcement

The elected body of a jurisdiction can choose to designate an official to administer and enforce this ordinance.

The (insert name of local government or designated official) is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

1.5 Definitions

1. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.
2. Cannabis Cultivation: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
3. Cannabis Retail Businesses: A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, (and/excluding) lower-potency hemp edible retailers.

4. Cannabis Retailer: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.
5. Daycare: A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.
6. Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50.
7. Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.
8. Place of Public Accommodation: A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.
9. Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
10. Public Place: A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.
11. Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
12. Retail Registration: An approved registration issued by the (insert local here) to a state-licensed cannabis retail business.
13. School: A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.
14. State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

Section 2. Registration of Cannabis Businesses

A city or town can delegate authority for registration to the County. A city or town can still adopt specific requirement regarding zoning, buffers, and use in public places, provided said requirements are not in conflict with an ordinance adopted under the delegated authority granted to the County.

2.1 Consent to registering of Cannabis Businesses

No individual or entity may operate a state-licensed cannabis retail business within (insert local here) without first registering with (insert local here).

Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of (up to \$2,000) for each violation.

Notwithstanding the foregoing provisions, the state shall not issue a license to any cannabis business to operate in Indian country, as defined in United States Code, title 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal government.

2.2 Compliance Checks Prior to Retail Registration

A jurisdiction can choose to conduct a preliminary compliance check prior to issuance of retail registration.

Prior to issuance of a cannabis retail business registration, (insert local here) (shall/shall not) conduct a preliminary compliance check to ensure compliance with local ordinances.

Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, (insert local here) shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

2.3 Registration & Application Procedure

2.3.1 Fees.

(insert local here) shall not charge an application fee.

A registration fee, as established in (insert local here)'s fee schedule, shall be charged to applicants depending on the type of retail business license applied for.

An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.

Any renewal retail registration fee imposed by (insert local here) shall be charged at the time of the second renewal and each subsequent renewal thereafter.

A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

2.3.2 Application Submittal.

The (insert local here) shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

(A) An applicant for a retail registration shall fill out an application form, as provided by the (insert local here). Said form shall include, but is not limited to:

- i. Full name of the property owner and applicant;
- ii. Address, email address, and telephone number of the applicant;
- iii. The address and parcel ID for the property which the retail registration is sought;
- iv. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.
- v. (Insert additional standards here)

(B) The applicant shall include with the form:

- i. the registration fee as required in [Section 2.3.1];
 - ii. a copy of a valid state license or written notice of OCM license preapproval;
 - iii. (Insert additional standards here)
- (C) Once an application is considered complete, the (insert local government designee) shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.
- (D) The application fee shall be non-refundable once processed.

2.3.3 Application Approval

- (A) (Optional) A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 2.6.
- (B) A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.
- (C) A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

2.3.4 Annual Compliance Checks.

The (insert local here) shall complete at minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under [Minn. Stat. 342.22 Subd. 4(b) and Minn. Stat. 342.24] and this/these [chapter/section/ordinances].

The (insert local here) shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.

Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government.

Any failures under this section must be reported to the Office of Cannabis Management.

2.3.5 Location Change

A jurisdiction may decide to treat location changes as a new registration, or alternatively treat a location change as allowable subject to compliance with the rest of the registration process.

A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 2.3.2 if it seeks to move to a new location still within the legal boundaries of (insert local here).

or

If a state-licensed cannabis retail business seeks to move to a new location still within the legal boundaries of (insert local here), it shall notify (insert local here) of the proposed location change, and submit necessary information to meet all the criteria in this paragraph.

2.4 Renewal of Registration

The (insert local here) shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.

A state-licensed cannabis retail business shall apply to renew registration on a form established by (insert local here).

A cannabis retail registration issued under this ordinance shall not be transferred.

2.4.1 Renewal Fees.

The (insert local here) may charge a renewal fee for the registration starting at the second renewal, as established in (insert local here)'s fee schedule.

2.4.2 Renewal Application.

The application for renewal of a retail registration shall include, but is not limited to:

- Items required under Section 2.3.2 of this Ordinance.
- Insert additional items here

2.5 Suspension of Registration

2.5.1 When Suspension is Warranted.

The (insert local here) may suspend a cannabis retail business's registration if it violates the ordinance of (insert local here) or poses an immediate threat to the health or safety of the public. The (insert local here) shall immediately notify the cannabis retail business in writing the grounds for the suspension.

2.5.2 Notification to OCM.

The (insert local here) shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide (insert local here) and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

2.5.3 Length of Suspension.

A jurisdiction can wait for a determination from the OCM before reinstating a registration.

The suspension of a cannabis retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended.

The (insert local here) may reinstate a registration if it determines that the violations have been resolved.

The (insert local here) shall reinstate a registration if OCM determines that the violation(s) have been resolved.

2.5.4 Civil Penalties.

Subject to Minn. Stat. 342.22, subd. 5(e) the (insert local here) may impose a civil penalty, as specified in the (insert local here)'s Fee Schedule, for registration violations, not to exceed \$2,000.

2.6 Limiting of Registrations

A jurisdiction may choose to set a limit on the number of retail registrations within its boundaries. The jurisdiction may not however, limit the number of registrations to fewer than one per 12,500 residents.

(Optional) The (insert local here) shall limit the number of cannabis retail businesses to no fewer than one registration for every 12,500 residents within (insert local legal boundaries here).

(Optional) If (insert county here) has one active cannabis retail businesses registration for every 12,500 residents, the (insert local here) shall not be required to register additional state-licensed cannabis retail businesses.

(Optional) The (insert local here) shall limit the number of cannabis retail businesses to (insert number <= minimum required).

Section 3. Requirements for Cannabis Businesses

State Statutes note that jurisdictions may “adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business.” A jurisdiction considering other siting requirements (such as a buffer between cannabis businesses, or a buffer from churches) should consider whether there is a basis to adopt such restrictions.

3.1 Minimum Buffer Requirements

A jurisdiction can adopt buffer requirements that prohibit the operation of a cannabis business within a certain distance of schools, daycares, residential treatment facilities, or from an attraction within a public park that is regularly used by minors, including a playground or athletic field. Buffer requirements are optional. A jurisdiction cannot adopt larger buffer requirements than the requirements here in Section 3.1. A jurisdiction should use a measuring system consistent with the rest of its ordinances, e.g. from lot line or center point of lot.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-1,000] feet of a school.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of a day care.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of a residential treatment facility.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

(Optional) The (insert local here) shall prohibit the operation of a cannabis retail business within [X] feet of another cannabis retail business.

Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in Section 3.1 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a (school/daycare/residential treatment facility/attraction within a public park that is regularly used by minors) moves within the minimum buffer zone.

3.2 Zoning and Land Use

For jurisdictions with zoning, said jurisdiction can limit what zone(s) Cannabis businesses can operate in. As with other uses in a Zoning Ordinance, a jurisdiction can also determine if such use requires a Conditional or Interim Use permit. A jurisdiction cannot outright prohibit a cannabis business. A jurisdiction should amend their Zoning Ordinance and list what zone(s) Cannabis businesses are permitted in, and whether they are permitted, conditional, or interim uses. While each locality conducts its zoning differently, a few themes have emerged across the country. For example, cannabis manufacturing facilities are often placed in industrial zones, while cannabis retailers are typically found in commercial/retail zones. Cannabis retail facilities align with general retail establishments and are prohibited from allowing consumption or use onsite and are also required to have plans to prevent the visibility of cannabis and hemp-derived products to individuals outside the retail location. Cannabis businesses should be zoned under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business.

3.2.1. Cultivation.

Cannabis businesses licensed or endorsed for cultivation are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Manufacturer.

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Hemp Manufacturer.

Businesses licensed or endorsed for low-potency hemp edible manufacturers permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Wholesale.

Cannabis businesses licensed or endorsed for wholesale are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Retail.

Cannabis businesses licensed or endorsed for cannabis retail are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Transportation.

Cannabis businesses licensed or endorsed for transportation are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Delivery.

Cannabis businesses licensed or endorsed for delivery are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.3 Hours of Operation

State law limits the retail sale of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to the hours of:

- *Monday-Saturday: 8 a.m.-2 a.m. the following day*
- *Sunday: 10 a.m.-2 a.m.*

A local jurisdiction may adopt an ordinance prohibiting sales for any period between the hours of 8 a.m.-10 a.m. and between 9 p.m.-2 a.m. the following day, seven days a week.

(Optional) Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of (insert time here) and (insert time here).

3.4 (Optional) Advertising

Cannabis businesses are permitted to erect up to two fixed signs on the exterior of the building or property of the business, unless otherwise limited by (insert local here)'s sign ordinances.

Section 4. Temporary Cannabis Events

Any individual or business seeking to obtain a cannabis event license must provide OCM information about the time, location, layout, number of business participants, and hours of operation. A cannabis event organizer must receive local approval, including obtaining any necessary permits or licenses issued by a local unit of government before holding a cannabis event.

4.1 License or Permit Required for Temporary Cannabis Events

4.1.1 License Required.

A cannabis event organizer license entitles the license holder to organize a temporary cannabis event lasting no more than four days. A jurisdiction should determine what type of approval is consistent with their existing ordinances for events.

A license or permit is required to be issued and approved by (insert local here) prior to holding a Temporary Cannabis Event.

4.1.2 Registration & Application Procedure

A registration fee, as established in (insert local here)'s fee schedule, shall be charged to applicants for Temporary Cannabis Events.

4.1.3 Application Submittal & Review.

The (insert local here) shall require an application for Temporary Cannabis Events.

- (A) An applicant for a retail registration shall fill out an application form, as provided by the (insert local here). Said form shall include, but is not limited to:
 - i. Full name of the property owner and applicant;
 - ii. Address, email address, and telephone number of the applicant;
 - iii. (Insert additional standards here)
- (B) The applicant shall include with the form:
 - i. the application fee as required in (Section 4.1.2);
 - ii. a copy of the OCM cannabis event license application, submitted pursuant to 342.39 subd. 2.

The application shall be submitted to the (insert local authority), or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

- (C) Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.

(D) The application fee shall be non-refundable once processed.

(E) The application for a license for a Temporary Cannabis Event shall meet the following standards:

A jurisdiction may establish standards for Temporary cannabis events which the event organizer must meet, including restricting or prohibiting any on-site consumption. If there are public health, safety, or welfare concerns associated with a proposed cannabis event, a jurisdiction would presumably be authorized to deny approval of that event.

- Insert standards here

(G) A request for a Temporary Cannabis Event that meets the requirements of this Section shall be approved.

(H) A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The (insert city/town/county) shall notify the applicant of the standards not met and basis for denial.

(Optional) Temporary cannabis events shall only be held at (insert local place).

(Optional) Temporary cannabis events shall only be held between the hours of (insert start time) and (insert stop time).

Section 5. (Optional) Lower-Potency Hemp Edibles

A jurisdiction can establish different standards or requirements regarding Low-Potency Edibles. A jurisdiction can consider including the following section and subsections in their cannabis ordinance.

5.1 Sale of Low-Potency Hemp Edibles

The sale of Low-Potency Edibles is permitted, subject to the conditions within this Section.

5.2 Zoning Districts

If sales are permitted, a jurisdiction can limit what zone(s) the sales of Low-Potency Edibles can take place in. A jurisdiction can also determine if such activity requires a Conditional or Interim Use permit.

Low-Potency Edibles businesses are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

5.3 (Optional) Additional Standards

5.3.1 Sales within Municipal Liquor Store.

A jurisdiction that already operates a Municipal Liquor Store may sell Low-Potency Edibles within the same store.

The sale of Low-Potency Edibles is permitted in a Municipal Liquor Store.

5.3.2 Age Requirements.

A jurisdiction is able to restrict the sale of Low-Potency Edibles to locations such as bars.

The sale of Low-Potency Edibles is permitted only in places that admit persons 21 years of age or older.

5.3.3 Beverages.

The sale of Low-Potency Hemp Beverages is permitted in places that meet requirements of this Section.

5.3.4 Storage of Product.

A jurisdiction is able to set requirements on storage and sales of Low-Potency Edibles.

Low-Potency Edibles shall be sold behind a counter, and stored in a locked case.

Section 6. (Optional) Local Government as a Cannabis Retailer

(insert local here) may establish, own, and operate one municipal cannabis retail business subject to the restrictions in this chapter.

The municipal cannabis retail store shall not be included in any limitation of the number of registered cannabis retail businesses under Section 2.6.

(insert local here) shall be subject to all same rental license requirements and procedures applicable to all other applicants.

Section 7. Use in Public Places

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.

Appendix B: Retail Registration Form and Checklist

Retail Registration Form and Checklist

Local Unit of Government:

Business Name:

Business Address:

Minnesota Cannabis Business License Number:

Registration Period

Initial

Renewal

Cannabis Microbusiness (\$0.00)

Cannabis Microbusiness (\$1000.00)

Cannabis Mezzobusiness (\$500.00)

Cannabis Mezzobusiness (\$1000.00)

Cannabis Retailer (\$500.00)

Cannabis Retailer (\$1000.00)

Is Applicant Current on All Property Tax and Assessments at Retail Location:

Yes

No

Preliminary Local Ordinance Compliance:

Pass

Fail

Notes:

The above named applicant having paid the appropriate fees, being current on all applicable tax obligations, and having passed a preliminary compliance review, is authorized to engage in retail cannabis sales in the above named jurisdiction.

Approved By:

Title:

Date:

Appendix C: Hemp Flower and Hemp-Derived Cannabinoid Product Checklist

Hemp Flower and Hemp-Derived Cannabinoid Product Checklist

Minnesota Statute 18K.02, Definitions
Minnesota Statute 152.01, Subdivision 9
Minnesota Statute 151.72, Sale of Certain Cannabinoid Products

Minnesota Statute 152.0264, Cannabis Sale Crimes
Minnesota Statute 342.09, Personal Adult Use of Cannabis

Question	Yes	No	Comments	Additional Information
Business License and Registration Compliance				
Is the business registered with the Minnesota Department of Health?				All businesses selling hemp-derived cannabinoid products must be registered. See Hemp-Derived Cannabinoid Products (www.health.state.mn.us/people/cannabis/edibles/index.html)
If the business offers on-site consumption, do they have a liquor license?				Local authorities issue on-site consumption licenses. These are required for all businesses permitting on-site consumption of THC.
Product Compliance – All Products				
Does the business ensure that all sales are made to persons 21 years old or older?				Only persons 21 years of age or older may purchase hemp-derived cannabinoid products, with the exception of topicals. These products may be sold to anyone.
Does the business have all edible cannabinoid products, except beverages, behind the counter or in a locked cabinet?				Businesses must ensure all edible cannabinoid products are secure and inaccessible to customers.

Question	Yes	No	Comments	Additional Information
Only delta-8 and delta-9 are allowed for human consumption. Does the business sell edibles or beverages with any other intoxicating cannabinoids?				MDH has identified products containing many different intoxicating cannabinoids, such as HHC, THC-O, THC-P, PHC, delta-10, delta-11, delta-8p, delta-9p, etc. The product must contain only delta-8 and/or delta-9.
Does the business sell any edible products that are similar to a product marketed to or consumed by children?				Edible products that appear similar to candy or snacks marketed toward or consumed by children are not allowed.
Does the label on the edible or beverage state “Keep out of reach of children”?				All products must include the warning label “Keep out of reach of children.”
Is the manufacturer’s name, address, website, and contact phone number included on the label or provided through a QR code?				If not, the product is not in compliance.
Does the QR code on the product bring the user to a Certificate of Analysis on the website, which includes the name of the independent testing laboratory, cannabinoid profile, and product batch number?				All products must be tested by batch in an independent, accredited laboratory. The results must include the cannabinoid profile.
Does the label on the product indicate the cannabinoids by serving and in total?				The label must indicate the potency by individual serving as well as in total.

Question	Yes	No	Comments	Additional Information
Does the label on the product make any claim the product offers any kind of health benefit?				Health claims are not permitted on hemp or cannabis products unless approved by the FDA. At this time, there is not an approved statement.
Does the label on the product state that the product does not claim to diagnose, treat, cure or prevent any disease?				The manufacturer cannot claim the product will provide any health benefit unless the product has been formally approved by the FDA.
Does the business sell CBD (or other forms of cannabidiol) in the form of a softgel, tablet, or tincture?				Non-intoxicating cannabinoids may only be sold in the form of an edible, beverage, or topical. Therefore, softgels and tablets cannot be sold. Tinctures must be labeled as either an edible or beverage and comply with the edible or beverage requirements.
Product Compliance – Edibles				
Does the edible product contain more than 5 mg delta-8 and/or delta-9 per serving?				Edibles may not exceed 5 mg delta-8 and/or delta-9 per serving.
Does the edible product package/container contain more than 50 mg total THC (delta-8 and/or delta-9)?				Edibles may not exceed 50 mg total delta-8 or delta-9 per package. The edible cannot contain any other form of THC or intoxicating cannabinoid.
Are all the edible product's servings clearly marked, wrapped, or scored <u>on</u> the product?				Edible product servings must be clearly distinguished on the product. Bulk products that require the consumer to measure are not allowed.

Question	Yes	No	Comments	Additional Information
Does the business sell any edible products in the shape of bears, worms, fruits, rings, ribbons?				Edibles in shapes that appeal to children are not allowed.
Is the edible product in a child-proof, tamper-evident, opaque container?				All edibles must be in a container that is child-resistant and tamper evident. If the container is clear, the business must place the edible into an opaque bag at the point of sale. Clear bags are not allowed.
Product Compliance - Beverages				
Does the beverage product contain more than 5 mg delta-8 or delta-9 per serving?				Beverages may not exceed 5 mg delta-8 and/or delta-9 per serving.
Does the beverage product contain more than 2 servings?				Beverages cannot exceed two servings, regardless of the THC potency.
Is the beverage product in an opaque container?				If the beverage is in a clear container, the business must place the beverage in an opaque bag at the point of sale.
Product Compliance – Smokables (non-flower)				
Does the business sell vapes, pre-rolls, dabs, or other smokable products which contain more than 0.3% THC?				<p>A product's certificate of analysis will show the concentration of THC the product contains. The certificate typically is found through the QR code on the product package. In MDH's experience, most vapes contain 50% - 90%+ THC.</p> <p>Pre-rolls may consist of raw hemp flower. These products are not regulated by 151.72. However, if a pre-roll is labeled as "infused" or "coated" have additional cannabinoids applied to the material, of which the product typically exceeds the 0.3% THC limit.</p>

Question	Yes	No	Comments	Additional Information
Does the business sell vapes, pre-rolls, dabs, or other smokeable products that contain other intoxicating cannabinoids, such as HHC?				MN Statutes do not allow any cannabinoid, other than delta-8 or delta-9, to be sold if the cannabinoid is intended to alter the structure or function of the body. HHC is a cannabinoid known to have potency greater than THC.
Does the business sell vapes, pre-rolls, dabs, or other smokable products which contain CBD?				Non-intoxicating cannabinoids cannot be smoked, vaped, or inhaled.
Product Compliance – Flower				
Does the business sell raw hemp flower?				<p>Raw hemp flower must contain 0.3% or less of delta-9 on a dry weight basis. Products exceeding 0.3% delta-9 dry weight are marijuana, and are illegal for sale.</p> <p>THC-A is the non psychoactive precursor to delta-9. Once heated THC-A converts to delta-9. In that process some amount of THC-A is lost.</p> <p>To determine whether, once heated, the hemp flower will exceed the allowable 0.3% of delta-9, one can use a decarboxylation formula which takes into account the conversion of THC-A into delta-9.</p> <p>That formula is as follows: $\text{Total THC} = (0.877 \times \text{THC-A}) + \text{d-9 THC}$</p> <p>Raw flower must include a certificate of analysis to show testing below 0.3% delta-9.</p> <ul style="list-style-type: none"> A lack of a certificate of analysis would constitute an illegal sale.

Question	Yes	No	Comments	Additional Information
				<ul style="list-style-type: none"> A certificate of analysis showing that under the decarboxylation formula that delta-9 would exceed the 0.3% threshold would also indicate the flower is cannabis and not hemp and therefore being sold illegally.
Product Compliance – On-Site Consumption				
If the business offers on-site consumption, do they serve the edible or beverage in its original packaging?				The business may not pour out or remove an edible from its original packaging.
If the business offers on-site consumption, do they mix a cannabis-infused beverage with alcohol?				The business may not mix cannabis-infused products with alcohol.
If the business offers on-site consumption, do they permit customers to remove from the premises products which have been removed from their original packaging?				Products which have been removed from their original packaging cannot be removed from the premises by the customer.

NOTE: If a person suspects that a hemp-derived cannabinoid product is being sold in violation of Minnesota law, they can use the complaint form at [Submitting Hemp-Derived Cannabinoid Product Complaints \(www.health.state.mn.us/people/cannabis/edibles/complaints.html\)](http://www.health.state.mn.us/people/cannabis/edibles/complaints.html).

Appendix D: Enforcement Notice from the Office of Cannabis Management

Enforcement Notice from the Office of Cannabis Management

Dear Registered Hemp Derived Cannabinoid Business:

The Office of Cannabis Management (OCM), established in 2023, is charged with developing and implementing the operational and regulatory systems to oversee the cannabis industry in Minnesota as provided in Minnesota Statutes Chapter 342.

When Minnesota legalized the sale of adult-use of cannabis flower, cannabis products, and lower-potency hemp edibles/ hemp-derived consumer products, the Minnesota Legislature included statutory provisions, [Minnesota Statutes, chapter 152.0264](#), making the sale of cannabis illegal until a business is licensed by OCM. The Office of Cannabis Management has not yet issued licenses for the cultivation, manufacture, wholesale, transportation or retail sale of cannabis, therefore any retail sales of cannabis products, including cannabis flower, are illegal.

The Office of Cannabis Management has received complaints of retailers selling cannabis flower under the label of hemp flower. Under an agreement between The Minnesota Department of Health (MDH) and OCM, inspectors from MDH will begin to examine any flower products being sold during their regular inspections to determine whether they are indeed hemp flower or cannabis flower.

In distinguishing between hemp and cannabis flower, OCM, consistent with federal rules and regulations related to hemp under 7 CFR 990.1, will consider the total concentration of THC post- decarboxylation, which is the process by which THC-A is converted into Delta-9 to produce an intoxicating effect. The examination of raw flower products will include reviewing the certificate of analysis for compliance in several areas, including:

Compliance with the requirement that raw flower listed for sale includes a Certificate of Analysis (COA). Products for sale without a COA will constitute an illegal sale.

A COA that affirms concentrations of 0.3% or less of Delta-9 on a dry weight basis. Products exceeding 0.3% Delta-9 dry weight are considered marijuana and are therefore illegal to sell.

A COA that confirms that the total levels of Delta-9 and THC-A after the decarboxylation process do not exceed 0.3%. A COA that indicates the raw flower will exceed 0.3 percent Delta-9 post-decarboxylation, or a subsequent test conducted by an independent laboratory utilized by OCM that confirms Delta-9 in excess of 0.3 percent will be considered illegal.

[Minnesota Statutes, Chapter 342](#) governs Minnesota’s cannabis market, and empowers OCM to ensure regulatory compliance. [Minnesota Statutes, chapter 342.09, subdivision 4](#) prohibits the retail sale of cannabis flower and cannabis products “without a license issued under this chapter that authorizes the sale.”

To date, the Office of Cannabis Management has not issued any cannabis licenses, applications for licenses are expected to be available in the first half of 2025. As such, selling cannabis is a clear violation of law. Be aware that under [Minnesota Statutes, 342.09, subdivision 6](#), OCM may assess fines in excess of a \$1 million for violations of this law. Likewise, under [Minnesota Statutes, chapter 342.19](#), OCM is empowered to embargo any product that it has “probable cause to believe . . . is being distributed in violation of this chapter or rules adopted under this chapter[.]” Furthermore, violations of law may be considered in future licensing decisions made by OCM.

As inspectors enter the field, we encourage you to review the products you are currently selling to ensure they fall within the thresholds outlined above. If you have any questions related to the products you are selling, please send an email to cannabis.info@state.mn.us.

Thank you for your attention to this matter.

A handwritten signature in black ink, appearing to read "Charlene Briner", with a long horizontal flourish extending to the right.

Charlene Briner
Interim Director
Office of Cannabis Management

Appendix E: Notice to Unlawful Cannabis Sellers

Notice to Unlawful Cannabis Sellers

This notice is to inform you that your current course of action may run afoul of Minnesota law, and continuing this course of action may result in civil actions and potential criminal prosecution. To avoid such outcomes, you should immediately cease and desist any plans to engage in the unlicensed sale of cannabis and cannabis products.

[Minnesota Statutes, Chapter 342 \(www.revisor.mn.gov/statutes/cite/342\)](http://www.revisor.mn.gov/statutes/cite/342) governs Minnesota's cannabis market, and empowers OCM to ensure regulatory compliance. [Minnesota Statutes, chapter 342.09, subdivision 4 \(www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.4\)](http://www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.4) prohibits the retail sale of cannabis flower and cannabis products "without a license issued under this chapter that authorizes the sale." To date the Office of Cannabis Management has not issued any retail, or other, cannabis licenses. As such, your plan to sell cannabis in a retail setting at this date would be in flagrant violation of the law. Be aware that under [Minnesota Statutes, 342.09, subdivision 6 \(www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.6\)](http://www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.6), OCM may assess fines in excess of a \$1,000,000 for violations of this law.

Likewise, under [Minnesota Statutes, chapter 342.19 \(www.revisor.mn.gov/statutes/cite/342.19\)](http://www.revisor.mn.gov/statutes/cite/342.19), OCM is empowered to embargo any product that it has "probable cause to believe . . . is being distributed in violation of this chapter or rules adopted under this chapter[.]" It is believed that products attempted to be sold at your retail location might be distributed in violation of the law, and would therefore be subject to embargo by OCM. Under [Minnesota Statutes, chapter 342.19, subd. 2 \(www.revisor.mn.gov/statutes/cite/342.19#stat.342.19.2\)](http://www.revisor.mn.gov/statutes/cite/342.19#stat.342.19.2), once embargoed OCM "shall release the cannabis plant, cannabis flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product when this chapter and rules adopted under this chapter have been complied with or the item is found not to be in violation of this chapter or rules adopted under this chapter."

While Minnesota has legalized the sale of adult-use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products, the legislature did add new statutory provisions, [Minnesota Statutes, chapter 152.0264 \(www.revisor.mn.gov/statutes/cite/152.0264\)](http://www.revisor.mn.gov/statutes/cite/152.0264), making illegal the unlawful sale of cannabis. As there are not yet any licenses issued by OCM for the cultivation, manufacture, wholesale, transportation, or retail of cannabis, any sales of cannabis products in excess of the limits in 152.0264 is illegal.

If you are only planning to sell cannabinoid products that are derived from hemp, you should ensure that the sale of those products is consistent with [Minnesota Statutes, chapter 151.72 \(www.revisor.mn.gov/statutes/cite/151.72\)](http://www.revisor.mn.gov/statutes/cite/151.72), including but not limited to the requirement that your business be registered with the Commissioner of Health, and that all products are in compliance with the relevant statutes.

Finally, in addition to the state laws outlined above, please be aware that any retail location must be in compliance with local government ordinances and zoning requirements.

OCM takes seriously its charge to enforce Minnesota Statutes, Chapter 342, and its responsibility to ensure a safe and legal cannabis market. In order to avoid the above-described actions, all attempts to open a cannabis retail dispensary in Minnesota without the appropriate license should be ceased.