

AGENDA AND ADDITIONS TO THE AGENDA
REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
TUESDAY, NOVEMBER 12, 2024
7:00 P.M. – CITY HALL

A. CALL TO ORDER

1. Pledge of Allegiance
2. Approval of Additions to the Agenda

B. PUBLIC FORUM – Action may or may not be taken on any issues raised. If Council requires more information or time for consideration, the issues will be placed on the agenda of the next regular council meeting. Speaker must state their name and address. At the discretion of the mayor, each speaker is given a three-minute time limit.

C. CONSENT CALENDAR – NOTICE TO THE PUBLIC – All items listed are considered to be routine by the City Council and will be acted on by one **motion**. There will be no separate discussion on these items unless a Citizen or Councilmember so requests:

1. Special Council Meeting Minutes of February 12, 2024
2. Special Council Meeting Minutes of February 12, 2024
3. Special Council Meeting Minutes of February 16, 2024
4. Special Council Meeting Minutes of October 7, 2024
5. Regular Council Meeting Minutes of October 14, 2024
6. Special Council Meeting Minutes of October 21, 2024
7. Month End Revenue Report dated October 2024
8. Month End Expenditures Report dated October 2024
9. Balance Sheet dated October 2024
10. Police Report for Crosslake – October 2024
11. Police Report for Mission Township – October 2024
12. Fire Department Report – October 2024
13. Planning & Zoning Commission Meeting Minutes of September 27, 2024
14. Public Works Commission Meeting Minutes of October 7, 2024
15. Crosslake Parks, Recreation, and Library Commission Minutes of September 25, 2024
16. Waste Partners Recycling Report for September 2024
17. F.I.R.E. Invoice
18. Bills for Approval
19. **Additional Bills for Approval**

D. MAYOR'S AND COUNCIL MEMBERS' REPORT

1. Memo dated November 8, 2024 from City Clerk Re: Canvass of Election Results
(**Council Action-Motion**)
2. Crosslakers – Request for Holiday Decorations and Discuss Installation/Maintenance of Decorations
3. Resolution Accepting Donations (**Council Action-Motion**)
4. Request for Deferral of Special Assessment for Daggett Pine Road for Senior Citizen

(Council Action-Motion)

- a. Letters from Bonnie Schlapkohl
- b. Assessment Worksheet
- c. City Code Regarding Deferral for Senior Citizens
- d. Information from LMC Regarding Deferrals for Senior Citizens
5. Memo dated November 12, 2024 Re: Commission Appointments (Council Action-Motion)

E. CITY ADMINISTRATOR'S REPORT

1. Memo dated November 7, 2024 from Char Nelson Re: Maximum Number of Liquor Licenses (Council Action-Motion)
2. Memo dated November 4, 2024 from Lori Conway Re: Vacation Pay (Council Action-Motion)
3. Resolution Regarding Unpaid Sewer Charges (Council Action-Motion)
4. Renewal of MMUA Safety Team Contract for 2025 (Council Action-Motion)
5. Renewal of Clifton Larson Allen Contract for 2025 (Council Action-Motion)

F. COMMISSION REPORTS

1. PLANNING & ZONING
 - a. Approval of Rolling Woods Final Plat (Council Action-Motion)
 - b. Memo dated October 12, 2024 from TJ Graumann Re: Rolling Hills – Park Dedication Consideration (Council Action-Motion)
2. PARK & RECREATION/LIBRARY
 - a. Halloween Party Recap
 - b. Highway Safety Improvement Program Funding Update
 1. Resolution Regarding HSIP Project (Council Action-Motion)
3. PUBLIC WORKS/CEMETERY/SEWER
 - a. Memo dated November 4, 2024 from Public Works Commission Re: Snow Removal (Council Action-Motion)
 1. Email dated November 12, 2024 from Kathy Allen Re: Request to Table Action on This Item
 - b. Memo dated November 4, 2024 from Public Works Commission Re: Johnnie Street Property (Council Action-Motion)
 - c. Memo dated November 4, 2024 from Public Works Commission Re: Recommendation to Hire NAGEL Appraisal & Consulting (Council Action-Motion)
 - d. Memo dated November 4, 2024 from Public Works Commission Re: Final Design for the Harbor Lane Improvements (Council Action-Motion)
 - e. Update on Sewer Line Damage and Repairs
 - f. Update on New Employees
4. PUBLIC SAFETY
 - a. Resolution in Support of the Cuyuna Range Fire Service Mutual Aid Agreement (Council Action-Motion)

b. First Reading of Ordinance to Regulate Cannabis Business (Council Action-Motion)

G. CITY ATTORNEY REPORT

H. NEW BUSINESS

I. OLD BUSINESS

J. ADJOURN

C.19.

ADDITIONAL BILLS FOR APPROVAL

November 12, 2024

| VENDORS | DEPT | | AMOUNT |
|--|-------------|--|------------------|
| Belson, memorial bench | Park | | 695.00 |
| Crow Wing Power, electric services | ALL | | 9,075.00 |
| Kirvida Fire, install wiring and Knox box, repairs | Fire | | 3,148.68 |
| Lakes Area Rental, plow, wide track rental | Fire | | 190.00 |
| Madden Galanter Hansen, labor attorney fees | Gov't | | 188.00 |
| Metro Sales, copier lease | Police | | 48.60 |
| Pratt's Affordable Excavating, town square sewer repairs | Sewer | | 12,299.25 |
| Viking Electric, cold storage building | Fire | | 971.01 |
| | | | |
| | | | |
| TOTAL | | | 26,615.54 |

D.
5.

MEMO TO: City Council

FROM: Mayor Nevin

DATE: November 12, 2024

SUBJECT: Commission Appointments

I hereby recommend the following appointments:

Planning and Zoning Commission

Cooper Hanning appointment as alternate

Jeff McGrath appointment as alternate



CITY OF CROSSLAKE
APPLICATION FOR APPOINTMENT TO CITY BOARD OR COMMISSION

PERSONAL INFORMATION

Name: Last Hanning First John Cooper III

Address: [REDACTED]

Phone: (H) NA (W) NA (Cell) [REDACTED]

Occupation: Property Manager Employer: Self Employed

Email Address: [REDACTED]

Are you a Crosslake resident or property owner? Yes No If yes, Seasonal Permanent

If yes, how long have you been a Crosslake resident or property owner? 3 years

Please check this box if you are currently on a board or commission and wish to be considered for reappointment. Please note below the current board or commission you are currently serving. You are not required to complete the remainder of the application.

Please rank in order which of the following boards and commissions you are interested in serving on:

- 1 PLANNING AND ZONING COMMISSION (Crosslake residency or property ownership required)
- _____ ECONOMIC DEVELOPMENT AUTHORITY (Crosslake residency or property ownership required)
- _____ PUBLIC WORKS/CEMETERY/SEWER COMMISSION (Crosslake residency or property ownership required)
- _____ PARKS AND RECREATION/LIBRARY COMMISSION (Crosslake residency or property ownership not required)
- _____ PUBLIC SAFETY COMMITTEE (Crosslake residency or property ownership required)
- _____ PUBLIC RIGHT-OF-WAY / VACATIONS COMMITTEE

Why are you interested in being appointed to a City advisory board or commission?

my Grandparents moved here in 1960 and I have been coming here my whole life. Now I live here full time and I want to be involved in the cities future.

What strengths and abilities would you bring to the board or commission? Please include any education and experience that would assist you in serving on a board or commission.

I have been a Real Estate Broker for almost 20 years. I have rehabed & built over 30 homes, I feel I have Experience ^(over) in this field.

What are the most important issues facing our community over the next several years? What do you think the role of your board or commission should be in addressing those issues?

Safe Buildings and a focus on the residence here in town and how projects benefit them.

Attendance: Are you aware of the importance of regular meeting attendance, including the time commitment involved in preparing for meetings, and do you feel you have the time available to be an active participant? Yes No

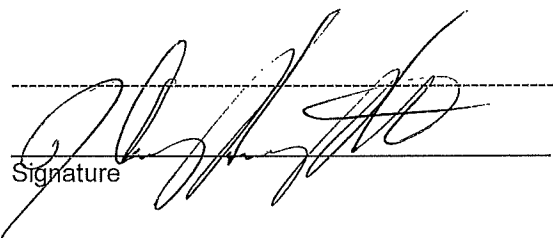
Comments:

I live here fulltime and being self employed makes my time flexible

POTENTIAL CONFLICTS

Conflicts of Interest may arise by the participation in any activity, recommended action, or decision from which you receive or could potentially receive direct or indirect personal financial gain. In accordance with this definition, do you have any legal or equitable interest in any business which could be construed as a conflict of interest? Yes No

If yes, please explain:

Signature  Date 10/4/24

Note: The selection process will vary according to the number of applications and vacancies, and may not include interviews with all applicants.

THANK YOU FOR YOUR INTEREST IN SERVING ON A CITY BOARD OR COMMISSION!

Please return application to:
City of Crosslake
13888 Daggett Bay Road
Crosslake, MN 56442
218-692-2688 Phone
218-692-2687 Fax

DATA PRACTICES ADVISORY

We are required to provide the following information to you. Under Minnesota law, some of the information requested above is public information, which must be provided to anyone who requests it. Some of it is classified as private information, which is not generally available to the public. However, all of the information will be used by the City Council in determining whether you should be appointed to a Board or Commission. Therefore, the information will be provided to the City Council in a public forum and will be reviewed in public. It will therefore be part of the public record, which will be available to anyone. Failure to provide the requested information may result in your not being considered for appointment. If you have concerns about providing any of the requested information, please contact City Hall at 218-692-2688.



CITY OF CROSSLAKE

APPLICATION FOR APPOINTMENT TO CITY BOARD OR COMMISSION

PERSONAL INFORMATION

Name: Last McGrath First Jeff

Address: [REDACTED]

Phone: (H) _____ (W) _____ (Cell) [REDACTED]

Occupation: Kennel owner/operator Employer: Northland Pet Lodge

Email Address: [REDACTED]

Are you a Crosslake resident or property owner? Yes No If yes, Seasonal Permanent

If yes, how long have you been a Crosslake resident or property owner? 23 years

Please check this box if you are currently on a board or commission and wish to be considered for reappointment. Please note below the current board or commission you are currently serving. You are not required to complete the remainder of the application.

Please rank in order which of the following boards and commissions you are interested in serving on:

PLANNING AND ZONING COMMISSION (Crosslake residency or property ownership required)

ECONOMIC DEVELOPMENT AUTHORITY (Crosslake residency or property ownership required)

PUBLIC WORKS/CEMETERY/SEWER COMMISSION (Crosslake residency or property ownership required)

PARKS AND RECREATION/LIBRARY COMMISSION (Crosslake residency or property ownership not required)

Why are you interested in being appointed to a City advisory board or commission?

I would like to give back to the city by volunteering time. I have experience in land use & development.

What strengths and abilities would you bring to the board or commission? Please include any education and experience that would assist you in serving on a board or commission.

As a local business owner I bring a lot of knowledge & experience to the commission. As I have been involved in land development and bring real world experience in land use &

(over)

construction. I am a business grad from St. John's Univ. 23+ years of business ownership.

What are the most important issues facing our community over the next several years? What do you think the role of your board or commission should be in addressing those issues?

Planning of land use and development for city growth. Helping to protect our resources and promote & retain businesses.

Attendance: Are you aware of the importance of regular meeting attendance, including the time commitment involved in preparing for meetings, and do you feel you have the time available to be an active participant? Yes No


Comments: I AM A BUSINESS OWNER, HUSBAND, FATHER, I HAVE MANY RESPONSIBILITIES BUT I ALSO HAVE A FLEXIBLE SCHEDULE AND LIVE AND WORK IN CROSSLAKE.

POTENTIAL CONFLICTS

Conflicts of Interest may arise by the participation in any activity, recommended action, or decision from which you receive or could potentially receive direct or indirect personal financial gain. In accordance with this definition, do you have any legal or equitable interest in any business which could be construed as a conflict of interest? Yes No

If yes, please explain:

I AM A BUSINESS OWNER IN CROSSLAKE, I AM ALSO DEVELOPING LAND IN CROSSLAKE, HOWEVER I FEEL THAT EVERY RESIDENT, ~~AND OR OWNER~~ HOME OWNER, OR BUSINESS OWNER ALL STAND TO HAVE PERSONAL FINANCIAL GAINS.


Signature

Date 11/08/2024

Note: The selection process will vary according to the number of applications and vacancies, and may not include interviews with all applicants.

THANK YOU FOR YOUR INTEREST IN SERVING ON A CITY BOARD OR COMMISSION!

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13888 Daggett Bay Road
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City of Crosslake

F. 2. b. 1.

RESOLUTION 24-

RESOLUTION REGARDING HSIP PROJECT

WHEREAS, the City of Crosslake is responsible to provide for streets and other transportation facilities such as trails and sidewalks to connect people, goods, and services in a safe and equitable manner; and

WHEREAS, the 2018 City of Crosslake Comprehensive Plan identified under Section Transportation "Goal 1: Continue to prioritize a well-maintained transportation system that provides adequate mobility for all modes and all users, including transit.... T8: Maintain and improve the existing road system to provide for traffic flow that is safe and efficient for all users. This includes vehicle and truck traffic, pedestrians, bicycles, ATV/OHV, snowmobiles, and other."; and

WHEREAS, the City of Crosslake desires to make safety improvements for vulnerable users along Crow Wing County CSAH 3 to connect East Lake Shore Drive residents to the City of Crosslake consistent with the Goal 1 identified above; and

WHEREAS, the LAKE Foundation has committed to lead in raising funds to reduce/limit the city's share of the non-federal cost share of construction and also including costs for required project development, design, and construction engineering meeting federal aid requirements.

NOW, THEREFORE BE IT RESOLVED that the City of Crosslake hereby approves the 2024 Greater Minnesota, Local HSIP Solicitation.

ADOPTED, THIS 12th DAY OF NOVEMBER, 2024

, MAYOR
MOTION:

, CITY ADMINISTRATOR

SECOND:

AYE:

NAY:

F.3.a.1.

City Clerk

From: Kathy Allen <boatfarm@live.com>
Sent: Tuesday, November 12, 2024 1:37 PM
To: City Clerk; Lori Conway
Subject: Item a under public works-snow removal
Attachments: Screenshot 2024-11-12 at 1.15.21 PM.png

I am unable to attend tonight's meeting. I am asking you to please forward this email to our city attorney and city council members.

This is related to the snow removal from the new sidewalk from Swann Drive to Bald Eagle Pass. This item is located on page 138 of the agenda packet and is from the Public Works meeting on November 4. I have also attached a screenshot of the resolution. By not removing the snow, you are greatly limiting access for residents and visitors alike. Please table this item until the city attorney can determine if this violates the American with Disabilities Act (ADA). Thank you!

Kathy Allen

F. 4. b.

ORDINANCE NO. __

AN ORDINANCE OF THE
CITY TO REGULATE CANNABIS BUSINESS

CITY OF CROSS LAKE
COUNTY OF CROW WING
STATE OF MINNESOTA

The City Council of the City does ordain as follows:

Section 1 – Amendment. Chapter 12, “Business and Business Regulation,” of the City Code is amended by adding the following provisions:

ARTICLE VI – CANNABIS BUSINESSES

Administration

Section 12-362 – Administration.

- (a) **Findings and Purpose.** The City Council makes the following legislative findings:
The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes the City Council to protect the public health, safety, welfare of Crosslake residents by regulating cannabis businesses within the legal boundaries of the City. The City Council finds and concludes that the proposed provisions are appropriate and lawful land use regulations for the City, 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.
- (b) **Authority & Jurisdiction.** The City Council has authority to adopt this ordinance pursuant to: (a) 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; and (d) Minn. Stat. § 462.357, regarding the authority of a local authority to adopt zoning ordinances. Ordinance shall be applicable within the legal boundaries of the City.

- (c) **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.
- (d) **Enforcement.** The City Council 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 a permit is required for a regulated activity listed in this ordinance.
- (e) **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 mezzobusiness with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, 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 City 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.

Registration

Section 12-363 – Registration of Cannabis Businesses

- (a) **Consent to registering of Cannabis Businesses.** No individual or entity may operate a state-licensed cannabis retail business within the City without first registering with the City. 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.
- (b) **Compliance Checks Prior to Retail Registration.** Prior to issuance of a cannabis retail business registration, the City shall conduct a preliminary compliance check to ensure compliance with local ordinances. Pursuant to Minn. Stat. ch. 342, within 30 days of receiving a copy of a state license application from OCM, the City 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.
- (c) **Registration & Application Procedure.**
 - (1) **Fees.** The City shall not charge an application fee. A registration fee, as established in the City’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 the City 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.

- (2) **Application Submittal.** The City 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 City. 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.
 - 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;
 - c. Once an application is considered complete, the City Clerk shall inform the applicant as such, process the application fees, and forward the application to the Council, who will approve or deny the request for approval or denial.
 - d. The application fee shall be non-refundable once processed.
- (3) **Application Approval.**
- a. 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.

Section 12-364 – Annual Compliance Checks.

The City 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 ordinance.

The City 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.

Section 12-365 – Location Change.

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 the City.

or

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

Section 12-366 – Renewal of Registration.

- (a) **State-Licensed Retail.** The City 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 the City.
- (b) **No Transfer.** A cannabis retail registration issued under this ordinance shall not be transferred.
- (c) **Renewal Fees.** The City may charge a renewal fee for the registration starting at the second renewal, as established in the City's fee schedule.
- (d) **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.

Section 12-367 – Suspension of registration

- (a) **When Suspension is Warranted.** The City may suspend a cannabis retail business's registration if it violates the ordinance of the City or poses an immediate threat to the health or safety of the public. The City shall immediately notify the cannabis retail business in writing the grounds for the suspension.
- (b) **Notification to OCM.** The City shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide the City and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.
- (c) **Length of Suspension.** 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

City may reinstate a registration if it determines that the violations have been resolved. The City shall reinstate a registration if OCM determines that the violation(s) have been resolved.

- (d) **Civil Penalties.** Subject to Minn. Stat. 342.22, subd. 5(e) the City may impose a civil penalty, as specified in the City’s Fee Schedule, for registration violations, not to exceed \$2,000.

Section 12-368 – Limiting of Registrations

The City shall limit the number of cannabis retail businesses to one.

Requirements for Cannabis Businesses

Section 12-369 – Minimum Buffer Requirements

The City shall prohibit the operation of a cannabis business within 1,000 feet of a school. The City shall prohibit the operation of a cannabis business within 500 feet of a day care. The City shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.

The City shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

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.

Section 12-370 – Zoning and Land Use

- (a) **Cultivation** Cannabis businesses licensed or endorsed for cultivation are not permitted.
- (b) **Cannabis Manufacturer:** Cannabis businesses licensed or endorsed for cannabis manufacturer are not permitted.
- (c) **Hemp Manufacturer.** Businesses licensed or endorsed for low-potency hemp edible manufacturers are not permitted.
- (d) **Wholesale.** Cannabis businesses licensed or endorsed for wholesale are not permitted.
- (e) **Cannabis Retail.** Cannabis businesses licensed or endorsed for cannabis retail are permitted as a (type of use) in the following zoning districts:

- Limited Commercial (LC)
-

Section 12-371 – Hours of Operation

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 10:00 a.m. and 10:00 p.m. (Note: The city can prohibit sales between 8-10 a.m. and between 9 p.m. to 2 a.m., seven days a week.)

Section 12-372 – 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 the City’s sign ordinances.

Section 12-373 – 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.

Section 6 – Effective Date. This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

Adopted by the City Council this ___ day of _____.

David Nevin, Mayor

ATTEST:

Charlene Nelson, City Clerk