



## **CITY OF FREEPORT**

125 Main Street E – PO Box 301 – Freeport, MN 56331 – 320-836-2112  
For TTY/TDD Users 1-800-627-3529 or 711 Minnesota Relay Service [www.freeportmn.org](http://www.freeportmn.org)

**April 25, 2023** - Meeting Agenda  
Freeport City Hall - 7:00 pm

### Call to Order

#### I. Approve Agenda

#### II. Public Forum

#### III. Consent Agenda

- a. March 21, 2023 Council Meeting Minutes
- b. Claims Report – April 2023
- c. March 2023 Sheriff's Report

#### IV. Reports

- a. Clerk-Treasurer Report
- b. Fire Department Report (N/A)
- c. Public Works Report
- d. Engineer Report
  - i. 2023-06 – Resolution Declaring Cost to be Assessed Ordering Preparation of Proposed Assessment
  - ii. 2023-07 – Resolution for Hearing on Proposed Assessment
- e. Attorney Report

#### V. Old Business

- a. THC Moratorium

#### VI. New Business

- a. Resolution 2023-08 – Liquor Licensing
- b. CSAH 11 Sidewalk – South End
- c. Traffic Calming in Welle Development
- d. 2023 First Quarter Report (Separate Document)
- e. Abdo Three-Year Contract Proposal (Separate Document)

#### VII. Closed Session

- a. Nature Energy Discussion

#### VIII. Adjourn

Next Regular Meeting: May 30, 2023



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[cityfrpt@albanytel.com](mailto:cityfrpt@albanytel.com)

### **March 21, 2023 – Meeting Minutes**

A regular meeting of the Freeport City Council was convened at 7:00 pm by Mayor Mike Eveslage, and council members Nick Arnzen, Tim Hennen, and Jake Renneker. Councilor Sarah Blake was absent.

Staff in attendance: City Clerk-Treasurer Jon Nelson and City Attorney Scott Dymoke.

#### **Approve Agenda**

- With the addition of the March claims approval list, Arnzen motioned to approve the agenda, seconded by Renneker. Motion carried 4-0.

#### **Public Forum**

- No comments.

#### **Consent Agenda**

- Hennen motioned to approve, seconded by Renneker, Motion carried 4-0.

#### **Reports**

##### **a. Clerk-Treasurer Report - Jon Nelson**

- Nelson & Mayor Eveslage went to LMC's City Day on the Hill. Presenters gave their takes on various bills that have been introduced during the legislative session. They had the opportunity to schedule meetings with Senators Westrom and Howe to discuss Freeport's I-94 interchange project.
- The new public works truck has been put to use and is working as expected.
- Nelson asked Council what they would like to do with the old public works truck. Arnzen said he has someone that is interested in it. Council discussed whether to put the truck out to bid or if we want to sell it outright. It was decided that Arnzen see if his party would like to purchase it and then put it up for sale on Facebook market for \$10,000.

##### **b. Attorney Report - City Attorney Scott Dymoke:**

- Nothing significant to report.

#### **Old Business**

##### **a. AFSA Funds - Streetlights**

- Nelson reported that Design Electric has taken a streetlight fixture down to find the correct retrofit LED kit. Once they find the correct kit and install it, they will reinstall the fixture so we can see what the light will look like.

b. THC Moratorium

- Nelson wanted to bring the THC moratorium back into discussion. Council will have to decide what they want to do before it runs out in August. Nelson will bring ordinances adopted by different cities to review to the next mee

**New Business**

a. Splitting Costs of Denmark Trip with EDA

- The EDA voted to approve covering the costs of sending Jim Notch, Mayor Eveslage, and Nelson to Denmark to tour Nature Energy facilities. At the time of approval, they requested that the City pay for half of the trip since the EDA has a smaller budget. Renneker motioned to approve the City splitting the costs of the Denmark trip 50/50 with the EDA, seconded by Hennen. Motion approved 4-0.
- Nelson noted that Joe Hennen, Sherry Eveslage, and Megan Nelson are also attending the tour but they have paid for their own portion of the trip.

**Adjourn**

Arnzen motioned to adjourn, seconded by Renneker. Motion carried 4-0.

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Mayor Mike Eveslage

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Clerk-Treasurer Jon Nelson

04/20/23  
09:39:27

CITY OF FREEPORT  
Claim Details  
For the Accounting Period: 4/23

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Report ID: AP100V

\* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
5370	829	ABDO	9,000.00					
1	469552	03/31/23 Monthly Fee - Mar 2023	9,000.00			101 41000	300	10100
		Total for Vendor:	9,000.00					
5357	22347S	15 ALBANY MUTUAL TELEPHONE	279.43					
1	10503735	04/01/23 836-2112	102.72			101 41000	320	10100
2	10501348	04/01/23 836-7158	48.09			101 41000	320	10100
3	10503481	04/01/23 836-2411	43.76			225 42200	320	10100
4	10503481	04/01/23 836-2423	41.18			225 42200	320	10100
5	10501621	04/01/23 836-2685	21.84			601 43225	320	10100
6	10501621	04/01/23 836-2685	21.84			602 43250	320	10100
		Total for Vendor:	279.43					
5389	659	ALEXANDRIA TECH & COMM COLLEGE	1,350.00					
1	00143006	02/22/23 Electrical Class	650.00			225 42200	330	10100
2	00242855	04/04/23 Ropes Rescue Corse	700.00			225 42200	330	10100
		Total for Vendor:	1,350.00					
5371	777	ANDY GRIEVE	30.00					
1	04/11/23	Chief's Meeting Meals	30.00			225 42200	335	10100
		Total for Vendor:	30.00					
5372	38	ATKINSON WELL DRILLING LLC	120.00					
1	34296	03/31/23 Wellhouse Repair	120.00			601 43225	311	10100
		Total for Vendor:	120.00					
5373	647	BADGER METER INC	24.16					
1	80123983	03/29/23 Beacon MBL Hosting Unit	12.08			601 43225	433	10100
2	80123983	03/29/23 Beacon MBL Hosting Unit	12.08			602 43250	433	10100
		Total for Vendor:	24.16					
5358	22348S	70 CENTERPOINT ENERGY	1,008.09					
1	03/23/23	11550500-0 03/23 City Hall	456.73			101 43100	382	10100
2	03/23/23	6027191-3 03/23 Maint Building	112.06			101 43100	382	10100
3	03/23/23	6023406-9 03/23 Fire Hall	439.30			225 42200	382	10100
		Total for Vendor:	1,008.09					

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5374		88 CITY OF MELROSE	145.65					
1	1943 02/02/23	EMR Refresher Course	145.65			225 42200	330	10100
		Total for Vendor:	145.65					
5375		675 CUSTOMIZED FIRE RESCUE TRAINING	2,850.00					
1	2266 03/24/23	Live Burn - 03/20/23	1,800.00			225 42200	330	10100
2	2226 04/19/23	Water Rescue Hands on Class	450.00			225 42200	330	10100
3	2226 04/19/23	Chiment Fires Live Burn	600.00			225 42200	330	10100
		Total for Vendor:	2,850.00					
5376		123 DYMOKE LAW OFFICE, P.A.	75.00					
1	04/03/23	General Matters - Mar 2023	75.00			101 41000	302	10100
		Total for Vendor:	75.00					
5377		752 EXPERT BILLING LLC	405.00					
1	11261 04/12/23	6 Runs Billed - Mar 2023	162.00			225 42200	300	10100
2	11199 03/17/23	9 Run Billed - Jan 2023	243.00			225 42200	300	10100
		Total for Vendor:	405.00					
5359	22349S	145 FINKEN WATER SOLUTIONS	23.00					
1	1361181 04/01/23	Metered Water	15.00			101 41000	410	10100
2	1361183 04/01/23	Water Cooler Rental	8.00			101 43100	410	10100
		Total for Vendor:	23.00					
5378		155 FREEPORT FARM CENTER, INC	254.43					
1	107706 03/21/23	Repairs	254.43			101 43100	220	10100
		Total for Vendor:	254.43					
5396		157 FREEPORT FIRE DEPT RELIEF ASSOC	3,761.94					
1	04/19/23	Firefighters SBR Reimb	2,000.00			225 42200	315	10100
2	03/24/23	St Rosa JC's horse & pig races	1,761.94*			225 42200	430	10100
		Total for Vendor:	3,761.94					

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5379		187 HAWKINS, INC	370.01					
1	6444273 04/11/23 Chlorine		340.01			601 43225	440	10100
2	6422549 03/15/23 Chlorine Cylinder		20.00			601 43225	440	10100
3	6447122 04/15/23 Chlorine Cylinder		10.00			601 43225	440	10100
		Total for Vendor:	370.01					
5380		194 HENNER LUMBER CO, INC	76.47					
1	INV9134-1 03/23/23 Solar Salt-Yellow/Blue Bags		76.47			101 43100	210	10100
		Total for Vendor:	76.47					
5381		826 INSPECTRON INC	375.00					
1	2023-548 04/06/23 1st Qtr Plan Review/Inspecti		375.00			101 42050	310	10100
		Total for Vendor:	375.00					
5395		219 JOANN TIMP	200.00					
1	04/19/23 April Cleaning		200.00			101 41000	300	10100
		Total for Vendor:	200.00					
5382		834 JON NELSON	374.66					
1	04/12/23 Mileage - MCFOA/Airport		374.66*			101 41000	335	10100
		Total for Vendor:	374.66					
5383		696 LITTLE FALLS MACHINE, INC	308.13					
1	368102 04/12/23 Spinner/Cylinder Return		308.13			101 43100	401	10100
		Total for Vendor:	308.13					
5398		264 MACQUEEN EMERGENCY	757.80					
1	P13513 03/28/23 Helmets for Fire Dept		757.80			225 42200	210	10100
		Total for Vendor:	757.80					
5363	22353S	76 MAGNIFI FINANCIAL	8,465.65					
1	481792 02/27/23 All Stars Area Fire Service Me		178.00*			225 42200	430	10100
2	132869 02/28/23 HSEM Tier 2 Reporting		204.30			601 43225	431	10100
3	02/28/23 Natures Energy Trip		3,850.13*			101 41000	430	10100
4	02/28/23 Natures Energy Trip		3,850.14*			300 46500	430	10100
5	03/06/23 Stearn County Beacon		1.00			101 41000	433	10100

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6	03/08/23 USPS		126.00			601 43225	200	10100
7	03/08/23 USPS		126.00			602 43250	200	10100
8	1485854 03/21/23 Iron Out		4.97			101 41000	210	10100
9	9429814 03/21/23 Printer Paper		39.99			101 41000	210	10100
10	6404 03/23/23 Conference Parking		23.00			101 41400	330	10100
11	8821068 03/28/23 Radio Batteries		62.12			225 42200	220	10100
	Total for Vendor:		8,465.65					
5384	769 METRO SALES, INC		89.87					
1	INV2262443 04/10/23 Copier Rentl 3/15/23-4/14/		89.87			101 41000	410	10100
	Total for Vendor:		89.87					
5385	666 MIKE EVESLAGE		131.00					
1	03/21/23 Milage - Airport		131.00*			101 41000	335	10100
	Total for Vendor:		131.00					
5387	309 MINNESOTA LIFE INSURANCE CO		1.70					
1	31040022 04/19/23 Goebel - Life Insurance		1.70*			101 43000	131	10100
	Total for Vendor:		1.70					
5386	767 MN FIRE SERVICE CERTIFICATION		277.00					
1	10949 03/22/23 Certification Exam (2)		277.00			225 42200	330	10100
	Total for Vendor:		277.00					
5360	22350S 387 RAHNS OIL & PROPANE, INC		1,277.59					
1	03/31/23 Fire Dept Fuel		464.19			225 42200	215	10100
2	03/31/23 PW Fuel		813.40			101 43100	215	10100
	Total for Vendor:		1,277.59					
5388	389 RAMLER TRUCK & TRAILER REPAIR,		444.79					
1	CI037419 04/11/23 Wiper Blades Trk# 405		42.21			225 42200	220	10100
2	RI061173 04/19/23 Repairs on Trk#404		402.58			225 42200	220	10100
	Total for Vendor:		444.79					

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5390		413 SCHLENNER WENNER & CO	10,000.00					
1	303905	01/31/23 2022 Audit Fees	10,000.00			101 41500	301	10100
		Total for Vendor:	10,000.00					
5391		440 STEARNS CO AUDITOR-TREASURER	947.80					
1	2023-00006	04/10/12 2023 1st Half Criminal Pro	750.00			101 41000	305	10100
2	2023-00048	03/20/23 Assessments	88.80			101 41550	304	10100
3	2023-00048	03/20/23 Truth-in-Taxation	109.00			101 41000	350	10100
		Total for Vendor:	947.80					
5392		822 STEARNS CO FIRE CHIEFS ASSN	15.00					
1	1113	04/10/23 2023 Dues	15.00			225 42200	433	10100
		Total for Vendor:	15.00					
5393		809 VALLI INFORMATION SYSTEMS, INC	75.00					
1	87402	03/31/23 Online Monthly Maintenance	75.00			101 41000	300	10100
		Total for Vendor:	75.00					
5361	22351S	510 VERIZON WIRELESS	42.25					
1	9931494718	04/01/23 Cell Phone 03/23	42.25			101 43100	320	10100
5364	22354S	510 VERIZON WIRELESS	38.87					
1	9931519888	04/01/23 FD Cell Phone	38.87			225 42200	320	10100
		Total for Vendor:	81.12					
5394		516 WEBER PRINTING	1,500.00					
1	24270	04/18/23 Website & Email Hosting	1,500.00			101 41000	300	10100
		Total for Vendor:	1,500.00					
5362	22352S	525 XCEL ENERGY, INC	1,039.28					
1	821090357	03/23/23 Water Tower 51-0584811-7	184.93			601 43225	381	10100
2	822434049	03/23/23 Street Lighting 51-5411884-	854.35			101 43160	381	10100



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5367	22355S	525 XCEL ENERGY, INC	2,439.19					
1	54-4642811	04/04/23 3212Nd Ave NW	242.05			601 43225	381	10100
2	54-4642811	04/04/23 120 7th St SW	79.26			101 43160	381	10100
3	54-4642811	04/04/23 125 Main St E	337.43			101 41000	381	10100
4	54-4642811	04/04/23 206 3rd Ave SE	117.90			101 43100	381	10100
5	54-4642811	04/04/23 401 7th St SE	27.49			602 43250	381	10100
6	54-4642811	04/04/23 302 3rd Ave SE	289.88			601 43225	381	10100
7	54-4642811	04/04/23 219 3rd St SE	39.26			602 43250	381	10100
8	54-4642811	04/04/23 104 4th St NW	339.97			225 42200	381	10100
9	54-4642811	04/04/23 302 3rd Ave SE	56.80			601 43225	381	10100
10	54-4642811	04/04/23 204 Main St E	508.44			101 43160	381	10100
11	54-4642811	04/04/23 113 Main St W	311.05			101 43160	381	10100
12	54-4642811	04/04/23 1003 2nd Ave SE	43.11			101 43160	381	10100
13	54-4642811	04/04/23 1000 Main St E Unit HLDPNB	14.98			101 43160	381	10100
14	54-4642811	04/04/23 460 7th St SW	31.57			602 43250	381	10100
Total for Vendor:			3,478.47					
# of Claims 37			Total:	48,573.76				

# ***FREEPORT ALL CALLS***

<b>City</b>	<b>Date Received</b>	<b>Call #</b>	<b>Description</b>
FREEPORT	03/22/2023 15:28:57	23022653	911 ABANDONED CALL
FREEPORT	03/09/2023 13:54:12	23018977	AGENCY ASSIST
FREEPORT	03/18/2023 10:39:00	23021495	AGENCY ASSIST
FREEPORT	03/12/2023 01:28:14	23019637	DOOR CHECK(S)
FREEPORT	03/07/2023 08:54:23	23018299	FOLLOW UP
FREEPORT	03/10/2023 10:10:49	23019195	FOLLOW UP
FREEPORT	03/06/2023 13:56:40	23018059	MATTER OF INFORMATION
FREEPORT	03/11/2023 18:04:21	23019546	MATTER OF INFORMATION
FREEPORT	03/10/2023 05:18:42	23019156	MEDICAL EMERGENCY
FREEPORT	03/24/2023 08:35:35	23023294	NEIGHBORHOOD DISPUTE
FREEPORT	03/24/2023 14:57:08	23023384	NEIGHBORHOOD DISPUTE
FREEPORT	03/18/2023 10:37:25	23021494	PERSONAL ASSIST
FREEPORT	03/27/2023 11:37:21	23023989	PHONE CALL
FREEPORT	03/08/2023 19:20:24	23018791	REPORT WRITING
FREEPORT	03/10/2023 09:24:30	23019184	REPORT WRITING
FREEPORT	03/21/2023 19:56:46	23022443	STALLED VEHICLE
FREEPORT	03/29/2023 19:32:46	23024727	SUSPICIOUS VEHICLE
FREEPORT	03/27/2023 10:12:03	23023968	THEFT
FREEPORT	03/06/2023 15:32:51	23018088	THEFT FROM VEHICLE
FREEPORT	03/07/2023 15:19:03	23018436	THEFT FROM VEHICLE
FREEPORT	03/04/2023 00:48:04	23017484	TRAFFIC STOP
FREEPORT	03/04/2023 01:01:20	23017488	TRAFFIC STOP
FREEPORT	03/23/2023 21:00:21	23023171	TRAFFIC STOP
FREEPORT	03/29/2023 02:34:57	23024454	TRAFFIC STOP

# Memo

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From: Jon Nelson - Clerk-Treasurer

To: Freeport City Council

Date: 04/20/2023

Re: Clerk-Treasurer Report

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1. May 5<sup>th</sup> is the first scheduled yard waste pick up with West Central Sanitation.
2. We have been busy in City Hall with building permit applications.
3. We ran our first full round of utility billing in-house for the month April. We will be taking that over moving forward.
4. Community Center is having a 30<sup>th</sup> Anniversary party on April 30<sup>th</sup> with live music and a dinner. Details are on poster in City Hall.

Job Duty	Date	Initial
Well, tower, pond checks	SAT 3/18/23	XJ
Well, tower, pond checks	SUN 3/19/23	XJ
Well, tower, 1. Station, pond checks, water samples, pushed drifts, blew streets in industrial park + pump road -	MON 3/20/23	XJ
Well, tower, pond checks, tabs, lights on tractor, salt storm drains by Fireman -	TUE 3/21/23	XJ
Well, tower, pond checks, sanded streets, Ammonia sampling salt in storm drain by Fireman -	Wed 3/22/23	XJ
Well, tower, 1. Station, pond checks, water samples, called Hacking chemical	THUR 3/23/23	XJ
storm drains open by Fireman - got hoses + pump ready for street	"	XJ
Well, tower, pond checks, garbages, put pump equip away - hoses	FRI 3/24/23	XJ
Well, tower, pond checks	SAT 3/25/23	XJ
Well, tower, pond checks	SUN 3/26/23	XJ
Well, tower, 1. Station, pond checks, water samples, garbages, shop	MON 3/27/23	XJ
equip maint, paperwork, set meter w/ Rural water	"	XJ
Well, tower, pond checks, chlorine line at Well 2 (creaky)	TUE 3/28/23	XJ
met w/ Rural water on pond transferring + phos + nitrate reduction	"	XJ
Well, tower, pond checks, static drawdown +	Wed 3/29/23	XJ
filed reports on them -	"	XJ
Well, tower, 1. Station, pond checks, water samples	THUR 3/30/23	XJ
Well, tower, pond checks, water meter reading, static reports at city hall. scada alarm	FRI 3/31/23	XJ
Well, tower, pond checks, push snow	SAT 4/1/23	XJ
Well, tower, pond checks	SUN 4/2/23	XJ
Well, tower, 1. Station, pond checks, water report MCH + MPCA	MON 4/3/23	XJ
garbages	"	XJ
Well, tower, pond checks, sanded, got blower back blew snow	TUE 4/4/23	XJ
by New Towne + Hydrants Industrial	"	XJ
Well, tower, pond checks, sanded, water sampling WQP +	Wed 4/5/23	XJ
Bact - DHIA -	"	XJ
Well, tower, 1. Station, pond checks, water sampling, sanded, parts for plow	THUR 4/6/23	XJ
truck - water tower + lower - lower pressure through out	"	XJ
town - pulled battery backup -	"	XJ
Well, tower, pond checks, garbages, paperwork -	FRI 4/7/23	XJ
Well, tower, pond checks	SAT 4/8/23	XJ
Well, tower, pond checks	SUN 4/9/23	XJ
Well, tower, 1. Station, pond checks, water samples, flushed hydrants, garbages	MON 4/10/23	XJ
MCH - Bact. samples -	"	XJ
Well, tower, pond checks, Hacking chemical (gas chlorine) + shop +	TUE 4/11/23	XJ
call for water issue on 9th st.	"	XJ

## Hours Breakdown - Maintenance Dept

Employee Name:	Loren Goebel							
Month:	March							
Day of Month	# of Hours: Streets, General Maint, Snow Removal, Sewer Line, Water Line	# of Hours: Water Plant	# of Hours: Sewer Plant	# of Hours: Parks, Mowing	# of Hours: Bldg Maint	# of Hours: Shop Equip Maint	# of Hours: Garbage Collection	Total Hours Per Day
1	11.5	1	1					13.5
2	0.5	1	1					2.5
3	1.5	1	1				0.5	4
4		0.5	0.5					1
5		0.5	0.5					1
6	6.5	1	1			2	0.5	11
7	9	1	1					11
8	9	1	1					11
9	5	1	1					7
10	0.5	0.5	0.5				0.5	2
11		0.5	0.5					1
12	2	0.5	0.5					3
13	5	1	1			0.5	0.5	8
14	2	1	1			5		9
15	5	1	1					7
16	5	1	2					8
17	1.5	1	1				0.5	4
18		0.5	0.5					1
19		0.5	0.5					1
20	5.5	1	1				0.5	8
21	3	1	1		1	2		8
22	4	2	1			1		8
23	5	1	1			1		8
24	2.5	1	1			1	0.5	6
25		0.5	0.5					1
26		0.5	0.5					1
27	2.5	2	1			2	0.5	8
28	3	3	1			1		8
29	3	4	1					8
30	1	2	1					4
31	1.5	1	1				0.5	4
TOTAL for Month Per Category	95	34.5	27.5	0	1	15.5	4.5	178



Building a Better World  
for All of Us®

## MEMORANDUM

TO: Freeport City Council

FROM: Dave Blommel, PE (Lic. MN)

DATE: April 20, 2023

RE: Council Update  
SEH No. FREEP GEN 14.00

### 2021 Project

I will bring a copy of the proposed final assessments to the meeting for your review. Since the original hearing there have been a few changes to the project that will have an impact on the assessments. We will go over it very briefly and answer any initial questions. Following the short overview, I will ask the council to consider a resolution ordering the final assessment hearing. Resolutions are attached with blanks that will require council input.

A few items to consider:

- Does the council want to have a work session with me prior to the hearing to discuss the assessments in more detail prior to the hearing?
- Will there be enough space at city hall to hold the hearing? With 100 parcels on the assessment roll it could be a busy meeting. Final hearings tend to have less attendance than preliminary hearings as long as the assessments don't change significantly.

### 7<sup>th</sup> St SW and Industrial Drive

Prior to the meeting I will meet Loren on site to review the condition of the roadways and provide a verbal update at the meeting. I spoke with the coordinator of the Local Road Improvement Program and they are anticipating close to \$100,000,000 for small city road projects. We have applied for that program before and placed in the top 1/3 of the applicants. If the currently proposed funding would have been available at the time of our last application, we would have been funded. Unfortunately, that funding announcement won't be known until Late May, with applications likely due this fall. Construction in 2023 would not be possible under this scenario.

### Welle County Acres Final

USDA delays continue to impact our bidding. The timing with the new BABA requirements is slowing our approvals. I will provide a verbal update at the meeting, but I share your frustration and we are pushing as hard as possible. Contractors in the area continue to be short on work and interested with several calls received per week showing interest in the work.

dwb

x:\fj\freep\common\\_council meeting\2023.04.20 m council update.docx

Engineers | Architects | Planners | Scientists

**Short Elliott Hendrickson Inc.**, 2351 Connecticut Avenue, Suite 300, Sartell, MN 56377-2485

320.229.4300 | 800.572.0617 | 888.908.8166 fax

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## RESOLUTION 2023-06

### RESOLUTION DECLARING COST TO BE ASSESSED, AND ORDERING PREPARATION OF PROPOSED ASSESSMENT

WHEREAS, a contract has been let (estimated costs have been calculated) for Improvement No. FREEP 153897, the improvement of 2nd Street SE – CSAH 11 to 4th Avenue SE, 3rd Street SE – CSAH 11 to 4th Avenue SE, 3rd Avenue SE – 2nd Street SE to 3rd Street SE, 4th Avenue SE - 2nd Street SE to 3rd Street SE, Trunk Sewer along 3rd Avenue NE – 2nd Street SE to 120 feet north of 2nd Street NE, Alley between Main Street and 2nd Street NE – CSAH 11 to 3rd Avenue NE, Alley between 2nd Street NE and 3rd Street NE – CSAH 11 to the extension of 3rd Avenue NE, 3rd Street NW - CSAH 11 and 4th Avenue NW, 4th Street NW – 120' West of CSAH 11 to 2nd Avenue NW, 2nd Avenue NW – 2nd Street NW to 4th Street NW and the contract price for such improvement is \$1,909,168.15, and the expenses incurred or to be incurred in the making of such improvement amount to \$436,322.56 so that the total cost of the improvement will be \$2,345,490.71.

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

1. The portion of the cost of such improvement to be paid by the city is hereby declared to be \$ [REDACTED] and the portion of the cost to be assessed against benefited property owners is declared to be \$ [REDACTED].
2. Assessments shall be payable in equal annual installments extending over a period of 20 years, the first of the installments to be payable on or before the first Monday in January 2023 and shall bear interest at the rate of 4 percent per annum from the date of the adoption of the assessment resolution.
3. The city clerk, with the assistance of the city engineer (consulting engineer), shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he/she shall file a copy of such proposed assessment in his/her office for public inspection.
4. The clerk shall upon the completion of such proposed assessment, notify the council thereof.

DATED THIS 25<sup>TH</sup> DAY OF APRIL, 2023.

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Mike Eveslage, Mayor

ATTEST:

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Jon Nelson, City Clerk-Treasurer

## RESOLUTION 2023-07

### A RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT

WHEREAS, by a resolution passed by the council on April 25, 2023, the city clerk was directed to prepare a proposed assessment of the cost of FREEP 153897, the improvement of 2nd Street SE – CSAH 11 to 4th Avenue SE, 3rd Street SE – CSAH 11 to 4th Avenue SE, 3rd Avenue SE – 2nd Street SE to 3rd Street SE, 4th Avenue SE - 2nd Street SE to 3rd Street SE, Trunk Sewer along 3rd Avenue NE – 2nd Street SE to 120 feet north of 2nd Street NE, Alley between Main Street and 2nd Street NE – CSAH 11 to 3rd Avenue NE, Alley between 2nd Street NE and 3rd Street NE – CSAH 11 to the extension of 3rd Avenue NE, 3rd Street NW - CSAH 11 and 4th Avenue NW, 4th Street NW – 120' West of CSAH 11 to 2nd Avenue NW, 2nd Avenue NW – 2nd Street NW to 4th Street NW, and

WHEREAS, the clerk has notified the council that such proposed assessment has been completed and filed in his/her office for public inspection,

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

1. A hearing shall be held at 7:00 p.m. on May 30, 2023 in the city hall located at 125 Main Street East, Freeport, MN 56331, to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The city clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. An owner may at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

DATED THIS 25<sup>TH</sup> DAY OF APRIL, 2023.

---

Michael Eveslage, Mayor

ATTEST:

---

Jon Nelson, Clerk-Treasurer



**Dymoke Law Office, P.A.**

408 Main Street East, Unit 5

PO Box 127

Melrose, Minnesota 56352

Telephone (320) 256-4205

Fax (320) 256-7201

April 19, 2023

Jon Nelson  
City of Freeport  
125 Main Street East  
Freeport, MN 56331

BY ELECTRONIC MAIL

Re: Monthly Legal Report

Dear Mr. Nelson:

During the period from March 16, 2023 through April 19, 2023, we have not given significant attention to any projects on behalf of the City of Freeport.

Respectfully submitted,  
Dymoke Law Office, P.A.

*Scott E. Dymoke*  
by Scott E. Dymoke

cc: M. Eveslage

# Memo

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From: Jon Nelson, Clerk-Treasurer

To: Freeport City Council

Date: 04/19/2023

Re: THC Moratorium

---

Our THC moratorium will end in August. Council should consider adopting a new THC ordinance.

I have attached Waite Park's THC ordinance and Alexandria's THC sales application to reference. Although we are unable to copy verbatim, they seem to be pretty thorough.

Things to consider:

- Penalties for infractions, whether it be from licensed or unlicensed establishments.
- Zoning of sales
- Permit Application Fees - \$500 seems to be a common fee. Will have to consider revising fee schedule ordinance
- Limiting the number of licenses to approve.
- Limiting the proximity of businesses with licenses. For example, no two entities within 1,000 ft of each other may hold a license.

Section 430  
Cannabinoid Products

Section 430:00. Purpose. The purpose of this ordinance is to establish licensing regulations for the sale of cannabinoid products derived from hemp as provided in Minn. Stat. § 151.72.

Section 430:05. Findings of City Council. The City Council makes the following findings regarding the need to regulate, license, and inspect establishments that sell certain cannabinoid products:

- (1) By enacting 2022 Session Law Chapter 98, Article 13, the Minnesota Legislature amended Minn. Stat. § 151.72 to allow for the sale of certain cannabinoid products.
- (2) This new law does not prohibit municipalities from licensing the sale of cannabinoid products derived from hemp locally.
- (3) The National Academies of Science, Engineering, and Medicine note that the growing acceptance, accessibility, and use of cannabis and its derivatives have raised important public health concerns, while the lack of aggregated knowledge of cannabis-related health effects has led to uncertainty about the impact of its use.
- (4) The Minnesota Legislature recognized the danger of cannabis use among youth by prohibiting the sale of any product containing cannabinoid or tetrahydrocannabinol (THC) extracted or otherwise derived from hemp to those under the age of 21 and requiring that edible cannabinoid products be packaged without appeal to children and in child-resistant packaging or containers.
- (5) Due to the passage of this new law by the Minnesota Legislature, the City Council believes the following rules, regulations, and standards for licensing the sale of cannabinoid products are necessary to ensure that retailers comply with the laws and business standards to promote and protect the public health, safety, and general welfare of the residents of St. Cloud.

Section 430:10. Definitions.

Subd. 1. “Cannabinoid product” means any product containing nonintoxicating cannabinoids extracted from hemp, including an edible cannabinoid product, that is sold for human or animal consumption.

Subd. 2. “Certified hemp” means the definition for the same provided in Minn. Stat. § 151.72, Subd. 1(b), as may be amended.

Subd. 3. “Compliance checks” means the system the City uses to investigate and ensure that those authorized to sell cannabinoid products are following and complying with the requirements of state laws and this ordinance. Compliance checks involve the use of persons under the age of 21 who purchase or attempt to purchase cannabinoid products.

Compliance checks may also be conducted by the City or other units of government for educational, research, and training purposes or for investigating or enforcing federal, state, or local laws and regulations relating to cannabinoid products.

Subd. 4. “Delivery sale” means the sale of any cannabinoid products to any person for personal consumption and not for resale when the sale is conducted by any means other than an in-person, over-the-counter sales transaction in a licensed retail establishment. Delivery sale includes, but is not limited to, the sale of any cannabinoid products when the sale is conducted by telephone, other voice transmission, mail, the internet, or app-based service. Delivery sale includes delivery by licensees or third parties by any means, including curbside pick-up.

Subd. 5. “Edible cannabinoid product” means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in connection with food ingredients, and is not a drug.

Subd. 6. “Hemp” or “Industrial Hemp” means the definition for the same provided in Minn. Stat. § 18K.02, Subd. 3, as may be amended.

Subd. 7. “Label” means the definition for the same provided in Minn. Stat. § 151.01, Subd. 18, as may be amended.

Subd. 8. “Labeling” means the definition for the same provided in Minn. Stat. § 151.72, Subd. 1(f), as may be amended.

Subd. 9. “Matrix barcode” means the definition for the same provided in Minn. Stat. § 151.72, Subd. 1(g), as may be amended.

Subd. 10. “Moveable place of business” means any form of business that is operated out of a kiosk, truck, van, automobile or other type of vehicle or transportable shelter and that is not a fixed address or other permanent type of structure licensed for over-the-counter sales transactions.

Subd. 11. “Nonintoxicating cannabinoid” means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by any route of administration.

Subd. 12. “Operator” means the person in legal possession and control of a location by reason of ownership, lease, contract or agreement, for the sale of cannabinoid products at retail.

Subd. 13. “Retail establishment” means any fixed place of business where cannabinoid products are available for sale to the general public. Retail establishment for purposes of this ordinance does not include exclusive liquor stores, residential homes, convenience stores, gasoline service stations, bars and restaurants.

Subd. 14. "Sale" means any transfer of goods for money, trade, barter or other consideration.

Subd. 15. "Self-service vending" means the display for sale of cannabinoid products that are accessible to the public without the need of assistance of an employee.

Subd. 16. "Vending machine" means any mechanical, electrical or electronic, or other type of device that dispenses cannabinoid products upon the insertion of money, tokens, or other form of payment into or onto the device by the person seeking to purchase cannabinoid products.

Subd. 17. "Youth-orientated facility" means any facility with residents, customers, visitors, or inhabitants of which 25 percent or more are regularly under the age of 21 or that primarily sells, rents, or offers services of products that are consumed or used primarily by persons under the age of 21. Youth-orientated facility includes, but is not limited to, schools, colleges, libraries, playgrounds, recreation centers and parks.

Section 430:15. License Required. It will be unlawful for any person to sell at retail any cannabinoid products derived from hemp within the City unless the person holds a retail cannabinoid products license, in full force and effect.

Section 430:20. Procurement of License.

Subd. 1. Any person desiring a retail cannabinoid products license will make and file with the City Clerk an application, in writing, executed in duplicate. Such application will give the name and residence address of the applicant, if an individual, will identify the location at which it is proposed to sell the cannabinoid products at retail, and will provide such other information as the City Council may require from time to time. The application will be accompanied by the required fee.

Subd. 2. The City Clerk will immediately transmit a copy of the application to the Chief of Police, who will investigate all facts and information which he/she can reasonably find, bearing upon the question of the applicant's fitness to receive the license and to perform the duties imposed by this ordinance. Upon completing the investigation, the Chief of Police will report, in writing, her/his findings to the Mayor, together with her/his recommendation as to the issuance of a license to the applicant. The Mayor will submit to the City Council the report of the Chief of Police, together with the recommendation as to the issuance of the license to the applicant.

Subd. 3. The City Council will consider the facts and recommendation of the Chief of Police and of the Mayor, together with any material facts which it may have or obtain, and then, by motion, will approve or deny the application to the City Clerk together with a copy of the motion. If the City Council has approved the application, it is the duty of the City Clerk to execute and deliver a license to the applicant on a form approved by the City Attorney. Such license will be for October 1st of the year of the issuance to September 30th of the following year or other such time frame as specified.

Section 430:25. Basis for Denial of License.

Subd. 1. Grounds for denying the issuance or renewal of a license include, but are not limited to, the following:

- (1) The applicant is under 21 years of age.
- (2) The applicant has been convicted within the past five years of any violation of federal, state, or local law, ordinance provision, or other regulation relating to cannabinoids products.
- (3) The applicant has had a license to sell cannabinoid products suspended or revoked within the preceding 12 months of the date of application.
- (4) The applicant fails to provide any of the information required on the licensing application, or provides false or misleading information.
- (5) The applicant is prohibited by federal, state, or other local law, ordinance, or other regulation from holding a license.
- (6) The business for which the license is requested is a moveable place of business. Only fixed-location retail establishments that are not excluded under the definition for retail establishments in this ordinance are eligible to be licensed.

Subd. 2. Proximity to Youth-Orientated Facilities. No license will be granted to any person for a retail establishment under this ordinance that is within 1,000 feet of a youth-orientated facility, as measured by the shortest line from the property line of the space to be occupied by the proposed licensee to the nearest property line of a youth-orientated facility. This restriction does not apply to an existing retail establishment that has been selling cannabinoid products for at least one year before this section was enacted.

Subd. 3. Proximity to Other Licensed Retailers. No license will be granted to any person for a retail establishment that is within 2,000 feet of any other existing licensed retail establishment under this ordinance, as measured by the shortest line from the property line of the space to be occupied by the applicant for the license to the nearest property line of the existing licensee. This restriction does not apply to an existing retail establishment that has been selling cannabinoid products for at least one year before this section was enacted.

Subd. 4. Issued Mistakenly. If a license is mistakenly issued or renewed to a person, the City will revoke the license upon the discovery that the person was ineligible for the license under this ordinance. The City will provide the license holder with notice of the revocation, along with information on the right to appeal.

Section 430:30. Sales of Cannabinoids Derived from Hemp. In accordance with Minn. Stat. § 151.72, Subd.3, as may be amended:

Subd. 1. A product containing nonintoxicating cannabinoids, including an edible cannabinoid product, may be sold for human or animal consumption only if all of the requirements of this section are met, provided that a product sold for human or animal consumption does not contain more than 0.3 percent of any tetrahydrocannabinol and an edible cannabinoid product does not contain more than five milligrams of any tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any tetrahydrocannabinol per package.

Subd. 2. No other substance extracted or otherwise derived from hemp may be sold for human consumption if the substance is intended:

- (1) For external or internal use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals; or
- (2) To affect the structure or any function of the bodies of humans or other animals.

Subd. 3. No product containing any cannabinoid or tetrahydrocannabinol extracted or otherwise derived from hemp may be sold to any individual who is under the age of 21.

Subd. 4. Products that meet the requirements of this section are not controlled substances under Minn. Stat. § 152.02.

Section 430:35. Testing Requirements. All testing must comply with the requirements set forth in Minn. Stat. § 151.72, Subd. 4, as may be amended.

Section 430:40. Labeling Requirements. All labeling must comply with the requirements set forth in Minn. Stat. § 151.72, Subd. 5, as may be amended.

Section 430:45. Additional Requirements for Edible Cannabinoid Products. In accordance with Minn. Stat. § 151.72, Subd. 5a, as may be amended:

Subd. 1. An edible cannabinoid product must not:

- (1) Bear the likeness or contain cartoon-like characteristics of a real or fictional person, animal, or fruit that appeals to children;
- (2) Be modeled after a brand of products primarily consumed by or marketed to children;
- (3) Be made by applying an extracted or concentrated hemp-derived cannabinoid to a commercially available candy or snack food item;
- (4) Contain an ingredient, other than a hemp-derived cannabinoid, that is not approved by the United States Food and Drug Administration for use in

food;

- (5) Be packaged in a way that resembles the trademarked, characteristic, or product-specialized packaging of any commercially available food product; or
- (6) Be packaged in a container that includes a statement, artwork, or design that could reasonably mislead any person to believe that the package contains anything other than an edible cannabinoid product.

Subd. 2. An edible cannabinoid product must be prepackaged in packaging or a container that is child-resistant, tamper-evident, and opaque or placed in packaging or a container that is child-resistant, tamper-evident, and opaque at the final point of sale to a customer. The requirement that packaging be child-resistant does not apply to an edible cannabinoid product that is intended to be consumed as a beverage and which contains no more than a trace amount of any tetrahydrocannabinol.

Subd. 3. If an edible cannabinoid product is intended for more than a single use or contains multiple servings, each serving must be indicated by scoring, wrapping, or other indicators designating the individual serving size.

Subd. 4. A label containing at least the following information must be affixed to the packaging or container of all edible cannabinoid products sold to consumers:

- (1) The serving size;
- (2) The cannabinoid profile per serving and in total;
- (3) A list of ingredients, including identification of any major food allergens declared by name; and
- (4) The following statement: “Keep this product out of reach of children.”

Subd. 5. An edible cannabinoid product must not contain more than five milligrams of any tetrahydrocannabinol in a single serving, or more than a total of 50 milligrams of any tetrahydrocannabinol per package.

#### Section 430:50. Prohibited Sales.

Subd. 1. Samples Prohibited. Sampling of cannabinoid products within any retail establishment licensed under this ordinance is prohibited. No person shall distribute samples of any cannabinoid products free of charge or at a nominal cost. The distribution of cannabinoid products as a free donation is prohibited.

Subd. 2. Coupon and Price Promotion. No person shall accept or redeem any coupon, price promotion, or other instrument or mechanism, whether in paper, digital, electronic, mobile, or any other form, that provides any cannabinoid products to a consumer at no cost or at a price that is less than the non-discounted, standard price listed by a retailer on the item or on any related shelving, posting, advertising, or display at the location where the item is sold or offered for sale, including all applicable taxes.



Subd. 3. Self-service Displays. All cannabinoid products must be stored behind the sales counter, in a locked case, in a storage unit, or in another area not freely accessible to the general public. No person shall allow the sale of cannabinoid products in open displays that are accessible to the public without the intervention of a store employee. This section does not apply to a retail establishment, as defined in this ordinance, that is continuously staffed by an employee from which persons under 21 years of age are prohibited from entering the store.

Subd. 4. Prohibition Against Retail Sales of Cannabinoid Products by Vending Machines. No person will sell or dispense cannabinoid products through use of a vending machine.

Subd. 5. Delivery Sales. All sales of cannabinoid products must be conducted in person, in a licensed retail establishment under this ordinance, in over-the-counter sales transactions.

Section 430:55. Adulterated or Misbranded Products. A cannabinoid product shall be considered adulterated or misbranded under the provisions set forth in Minn. Stat. §151.72, Subd. 6, as may be amended.

Section 430:60. Signage. At each location where cannabinoid products are sold, the licensee shall display a sign in plain view to provide public notice that selling any of these products to any person under the age of 21 is illegal and subject to penalties. The notice shall be placed in a conspicuous location in the licensed establishment and shall be readily visible to any person who is purchasing or attempting to purchase these products. The sign shall provide notice that all persons responsible for selling these products must verify, by means of photographic identification containing the bearer's date of birth, the age of any person under 30 years of age.

Section 430:65. Age Verification. At each location where edible cannabinoid products are sold, the licensee shall verify, by means of government-issued photographic identification containing the bearer's date of birth, that the purchaser or person attempting to make the purchase is at least 21 years of age. Verification is not required if the purchaser or person attempting to make the purchase is 30 years of age or older. It shall not constitute a defense to a violation of this Section that the person appeared to be 30 years of age or older.

Section 430:70. Responsibility. All licensees are responsible for the actions of their employees regarding the sale, offer to sell, and furnishing of cannabinoid products on the licensed premises. The sale, offer to sell, or furnishing of any cannabinoid product by an employee shall be considered an act of the licensee.

Section 430:75. Hours of Sales. No sales of cannabinoid products will be allowed at the licensed premises after 10:00 p.m. and before 8:00 a.m. daily.

Section 430:80. Compliance Checks and Inspections. All licensed premises must be open to

inspections by law enforcement or other authorized city officials during regular business hours. From time to time, but at least once per year, the City will conduct compliance checks. The City will conduct a compliance check that involves the participation of a person at least 17 years of age, but under the age of 21 to enter the licensed premises to attempt to purchase cannabinoid products. Prior written consent from a parent or guardian is required for any person under the age of 18 to participate in a compliance check. Persons used for the purpose of compliance checks will be supervised by law enforcement or other designated personnel.

Section 430:85. Civil Penalty, Suspension or Revocation of Licenses.

Subd. 1. The City Council will follow the provisions of this section of the ordinance on the suspension, revocation or imposition of a civil penalty against any license granted under this ordinance.

Subd. 2. Notice of Violation. The Chief of Police will provide, in writing, to the licensee either personally or by mail, notice of any alleged violation of the provisions of this ordinance or Minnesota Statutes Chapter 151, committed in the operation of the licensee's business, and provide notice to the City Attorney's Office. If the City Attorney's Office determines from the facts and circumstances reported, together with any other facts and circumstances known to it, that the violation may warrant a civil penalty, suspension or revocation of the license held by the licensee, it will notify the licensee, and set a time and place for a hearing sufficiently in advance to provide ten days written notice of the time, place and purpose of such hearing to the licensee.

Subd. 3. Hearing on Alleged Violations. The hearing will be held before an independent hearing officer, in accordance with Section 1100 of the 2007 Code of Ordinances of the City of St. Cloud. At the time of the hearing, the licensee may appear and present any evidence which is material to the investigation. The hearing officer will make findings of fact as to whether a violation of the provisions of this ordinance or Minnesota Statutes Chapter 151 have been committed in the operation of the licensee's business and whether the violation was willful in nature. The hearing officer will also make a recommendation as to what penalty, if any, will be applied. The City Council will adopt the hearing officer's findings of fact that the licensee has violated any of the provisions of this ordinance or State law, and may impose a civil fine, suspend or revoke the license in accordance with the schedule in Section 430:85 of this ordinance.

Subd. 4. Mandatory Revocation. The Council will revoke the license or licenses of any licensee under this ordinance if the licensee willfully violates any provisions of this ordinance or Minnesota Statutes Chapter 151.

Section 430:90. Penalties for Violations. Upon a violation by a licensee holding a cannabinoid products license of any provision of this ordinance or any provision of state law regulating the sale of cannabinoid products, or failing to comply with other statutory requirements of Minn. Stat. § 151.72, the City Council may impose a civil fine, suspend or

revoke the license in accordance with the following schedule:

First violation.....fine up to  
\$300.00  
Second violation within 36 months.....fine up to \$600.00 and a 30-day license  
suspension  
Third violation within 36 months..... fine up to \$1,000.00 and a license  
revocation  
Violation during period of suspension.....license revocation

Subd. 1. Any civil fine assessed against a licensee pursuant to this section must be paid in full within 30 days from receipt of written notification of the City Council's imposition of the civil fine. Failure to pay the fine within that time period will result in a ten-day license suspension. Licensees whose licenses have been revoked may not be issued a new license within six months from the effective date of such revocation.

# City of Alexandria



704 Broadway, Alexandria, MN 56308

320.763.6678 | 320.763.3511 (fax) | [www.AlexandriaMN.city](http://www.AlexandriaMN.city)

Licensing Year: 1/1/2023 to 12/31/2023

New: ☐

License Fee: \$500.00

Investigation Fee: \$500.00

## Tetrahydrocannabinol (THC) Product Sales

*The undersigned hereby makes application for a license and agrees to operate in the City of Alexandria in accordance with the regulations governing this enterprise as set forth in the Alexandria City Code. It is understood that failure to conform renders this license null and void.*

### Applicant Information

Name of Applicant \_\_\_\_\_

Applicant's Phone Number: \_\_\_\_\_ Applicant's Email Address: \_\_\_\_\_

Applicant's Physical Address: Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Applicant's Mailing Address (where future correspondence should be sent):

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Applicant is a: ☐ Natural Person ☐ Corporation ☐ Limited Liability Company ☐ Partnership ☐ Other \_\_\_\_\_

### Contact Person for Applicant if Applicant is not a Natural Person:

Name \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

List all other names under which you conduct business (legal names; "dba"/assumed names; names of affiliated companies, such as companies with common ownership or control; etc.).

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Applicant's Signature \_\_\_\_\_

Title (if signing on behalf of an organization) \_\_\_\_\_ Date \_\_\_\_\_

\*If you have any questions, please contact Amy Riedel at 320-759-3622 or email at [ariedel@alexandriamn.city](mailto:ariedel@alexandriamn.city). On behalf of the City of Alexandria, thank you for your prompt attention in returning your application.

**\*Please make sure all the necessary documents accompany your license application and the forms are filled out completely and signed. Incomplete applications will not be approved.**

### (FOR OFFICE USE ONLY)

Date Received: \_\_\_\_\_

Date of City Council Approval: \_\_\_\_\_

License #: \_\_\_\_\_

# General Application For License

## CITY OF ALEXANDRIA

### Section A

#### Certification of Compliance—Minnesota Workers' Compensation Law

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit to self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$2,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (not the agent):

Policy Number:

Dates of Coverage:

to

**OR**

I am not required to have workers' compensation liability coverage because:

- ☐ I have no employees
- ☐ I am self insured (include permit to self-insure)
- ☐ I have no employees who are covered by the workers' compensation law (these include spouse, parents, children, and certain farm employees)

I certify that the information provided above is accurate and complete and that a valid workers compensation policy will be kept in effect at all times as required by law.

### Section B

#### Tax Identification Information

Pursuant to Minnesota Statute 270C.72, the City of Alexandria is required upon request to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number or the social security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we are required to advise you of the following regarding the use of this information:

- This information may be used to deny the issuance, renewal or transfer of your license in the event you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
- Upon receiving this information, the City of Alexandria will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service;
- Failure to supply this information may jeopardize or delay the processing of your license application.

Minnesota Business ID Number:

Federal Tax ID Number:

If a Minnesota Tax ID number is not required, please explain:

Social Security Number:

### Section C

#### Tennessee Warning

Under the Minnesota Government Data Practices Act, some of the data you are being asked to provide on this application, including any social security number, are private data. You are being asked to provide this data so that the City of Alexandria may evaluate your eligibility for the license for which you are applying. By signing below, you are consenting to allow this data to be shared with City of Alexandria staff, councilmembers and mayor so that they may process and evaluate your application and eligibility for the license. In addition, you are being asked to provide this data because the City may be required to provide it to the Minnesota Commissioner of Revenue. It is also possible that the City may be required to share the data with the state or legislative auditor or upon court order. You may choose not to provide some or all of this private data, but withholding it or providing incomplete information may prevent you from obtaining the license for which you are applying.

Signature:

Date of Birth:

Date:

**Answer the following questions. Attach separate sheets if necessary. AN INCOMPLETE APPLICATION WILL BE RETURNED TO THE APPLICANT.**

1. For all Applicants who are natural persons and for each partner if the Applicant is a partnership, and for each on-site manager, proprietor, and other agent in charge of the premises to be licensed, please provide the following:
  - a. Full Legal Name: First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_
  - b. Place of Birth: \_\_\_\_\_
  - c. Date of Birth: \_\_\_\_\_
  - d. Current Address: \_\_\_\_\_
  - e. Have you ever used or been known by a name other than your true legal name and, if so, what was such name or names, and dates and places where used: \_\_\_\_\_  
\_\_\_\_\_
  - f. Name of the business if different than the full individual name of the applicant: \_\_\_\_\_  
\_\_\_\_\_
  - g. Street addresses at which you have lived during the preceding five (5) years: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - h. Kind, name, and location of every business or occupation in which you have been engaged in during the preceding five (5) years: \_\_\_\_\_  
\_\_\_\_\_
  - i. Names and addresses of your employers and partners, if any, during the preceding five (5) years: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - j. Have you ever been convicted of any felony, crime, or violation of any ordinance, including any alcohol-related traffic offenses, but excluding other traffic offenses? \_\_\_\_ Yes \_\_\_\_ No  
  
If so, indicate the time, place, and offense for which convictions were entered: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - k. Have you ever been engaged as an employer or in operating a business of similar nature (that is, a business relating to the sale of alcohol, tobacco, CBD, THC, or similar products)? \_\_\_\_ Yes \_\_\_\_ No  
  
If so, furnish information as to the time, place, and length of time of such employment or operation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - l. Have you ever been in the military service: \_\_\_\_ Yes \_\_\_\_ No - If so, provide documentation of all discharges.
  - m. Please provide the name of the operating officer, manager or proprietor or other agent in charge of the premises to be licensed: \_\_\_\_\_
  - n. Provide certification that the applicant has liability insurance covering the applicant's sale of THC products.

**2. If Applicant is a Partnership the following information must be provided for all partners (attach separate sheets if necessary):**

- a. List the names and addresses of all partners, each of whom must provide all information listed in items 1.a-1.m above: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. List your Managing Partner or Partners: \_\_\_\_\_  
\_\_\_\_\_
- c. What is the interest of each partner in the business? \_\_\_\_\_  
\_\_\_\_\_
- d. A true copy of the Partnership Agreement, if any, shall be submitted with the application. If and in the event the composition of the partnership shall change at any time subsequent to the initial applications, any amended partnership agreements must be filled with the city.

**3. If Applicant is a corporation, limited liability company, other association, the following information is required (attach separate sheets if necessary):**

- a. Company name and the state of incorporation or organization: \_\_\_\_\_  
\_\_\_\_\_
- b. Please attach a true copy of your Certificate of Incorporation or Organization, Articles of Incorporation or Organization, and if a foreign corporation, any certificate of authority to conduct business in the state of Minnesota as may be required by state law.
- c. Provide the name of each operating officer, on-site manager, proprietor, and other agent in charge of the premises to be licensed, giving all information about said person as required in items 1.a-1.m above: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d. A list of all persons who, whether individually or with another, own or control any interest in said corporation or association together with their addresses and all information as is required in items 1.a-1.m above: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e. The name of the business if it is to be conducted under a designation, name, or style other than the full legal name of the applicant: \_\_\_\_\_  
\_\_\_\_\_
- f. The name, address, and phone number of any company that is affiliated with you by virtue of common ownership or control ("affiliated business"): \_\_\_\_\_  
\_\_\_\_\_

**4. Legal Description and Street Address:** Provide the street address and exact legal description of the premises to be licensed, together with a plan, sketch, or drawing of the area showing dimensions, location of buildings, street access, parking facilities and the locations of and distances to the nearest place of worship and school building. **Please attach on separate sheet.**

**5. Floorplan:** Provide a diagram or sketch depicting the licensed premises and the area within the licensed premises where the licensed product will be sold.

**6. Age 21 and Older Retailer:** Please indicate whether access to the licensed premises will be limited to persons age 21 or older.    ☐ Yes    ☐ No

7. **Disclosure of Ownership Interests:** Each applicant that is not a natural person shall furnish the City with a list of all persons that have an interest of five (5) percent or more in the business and of any affiliated businesses.

OWNER NAME

INTEREST HELD

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8. **Prior Investigations:** Within the last 12 months prior to this application, has the applicant ever been the subject of a background investigation by any city, county, state, or federal agency? \_\_\_\_ Yes \_\_\_\_ No

If yes, please attach a complete, true, and correct copy of the results of that investigation, and sign the City's separate authorization to allow the City to obtain copies of those results from the investigating agency. If the investigation is pending, please indicate the government body that requested or required the investigation, the reason for the investigation, and describe the current status of the investigation. \_\_\_\_\_

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9. **Financial Delinquencies:** Are real estate taxes, assessments, or other financial claims of the City or State due, delinquent, or unpaid for the premises upon which the licensed establishment is to be located? \_\_\_\_ Yes \_\_\_\_ No

If yes, please describe those due, delinquent, or unpaid amounts (use additional sheets if needed) \_\_\_\_\_

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10. **Other Licenses Held:** Has the applicant, any owner of the applicant, or any affiliated company held a license (other than a driver's license) issued by any city or other jurisdiction within the last five (5) years? \_\_\_\_ Yes \_\_\_\_ No

If yes, list all such licenses including the type of license and the city or jurisdiction that issued the license: \_\_\_\_\_

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11. **Other Similar Licenses:** Has the applicant, owner of the applicant, any affiliated company, or any employee of the applicant or any affiliated company been the subject of any license suspension, revocation, fine, penalty, criminal charge or conviction or other adverse action relating to a license to sell licensed products issued by the City or any other jurisdiction? \_\_\_\_ Yes \_\_\_\_ No

If yes, please explain each adverse action, including the jurisdiction that issued the license, and adverse action taken, and the date of the adverse action (use additional sheets if needed): \_\_\_\_\_

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12. **Other Adverse Licensing Actions:** Has the applicant, any owner of the applicant, any affiliated company, or any employee of the applicant or any affiliated company been the subject of any license suspension, revocation, fine, penalty, criminal charge or conviction or other adverse action relating to a license issued by the City or any other jurisdiction? \_\_\_\_ Yes \_\_\_\_ No.

If yes, please explain each adverse action, including the jurisdiction that issued the license, and adverse action taken, and the date of the adverse action (use additional sheets if needed): \_\_\_\_\_

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**PLEASE SIGN THIS PART OF THE DOCUMENT IN FRONT OF A NOTARY PUBLIC**

I, \_\_\_\_\_ (Print Legibly), an individual applicant, partner or corporate officer for \_\_\_\_\_, being duly sworn, depose and say that the answers and statements in this application are true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature

Subscribed and sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

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**NOTE: EACH PERSON** WITH AN OWNERSHIP INTEREST IN THE APPLICANT **MUST** COMPLETE THIS AUTHORIZATION PAGE. (MAKE COPIES OF THIS SHEET IF NECESSARY)

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### **AUTHORIZATION FOR RELEASE OF CRIMINAL HISTORY**

The undersigned hereby authorizes the State of Minnesota and any law enforcement agency in the State of Minnesota and elsewhere, to release to the Chief of Police for the City of Alexandria any information regarding my criminal convictions or history or arrests, for any offense, for the limited purpose of investigating my background for issuance of a tetrahydrocannabinol product sales license. This authorization is valid for six (6) months from the date below unless specifically withdrawn by the undersigned before the expiration of that time period. A copy of this Authorization is as valid as the original.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
**Print Name (First, Middle, Last)**

\_\_\_\_\_  
Date of Birth

## **REPORT ON APPLICANT OR APPLICANTS BY POLICE CHIEF**

This is to certify that to the best of my knowledge, the applicant, and/or his or her partners named herein have not been convicted within the past five (5) years for any violations of the laws of the State of Minnesota, or any Municipal Ordinances, except as hereinafter stated:

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It is my judgement that the Applicant and his or her partners will comply with the laws and regulations relating to the conduct of this business if a license is granted.

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Date

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Chief of Police



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

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

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

PRODUCER	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED	INSURER A :	
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

## COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

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

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

The City of Alexandria is listed as an additional insured.

## CERTIFICATE HOLDER

## CANCELLATION

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

AUTHORIZED REPRESENTATIVE

**Memo:** The following resolution is to approve annual liquor licenses for the City of Freeport. All licenses under consideration are unchanged from 2022-23.

## **RESOLUTION 2023-06**

### **RESOLUTION APPROVING ANNUAL LIQUOR LICENSE RENEWALS**

It is hereby resolved by the City of Freeport, Minnesota that:

WHEREAS; the City of Freeport Ordinance 1200 regulates licensing of liquor establishments within the City;

WHEREAS; all licenses are approved contingent on a clear background check performed by the Stearns County Sheriff's Department and liquor liability insurance;

THEREFORE; Freeport City Council approves the renewal of the following licenses subject to the terms set for in the Minnesota Statutes and Freeport City Code 1200 for the period of July 1, 2023 to June 30, 2024:

<b>Licensee Name</b>	<b>Trade Name</b>	<b>Licensed Address</b>	<b>Licenses Approved</b>
<b>Pioneer Inn, Inc</b>	Pioneer Inn	123 Main St E (includes outdoor patio)	Off-Sale, On-Sale, Sunday, 2AM
<b>Pooch's Corner Pub and Grill LLC</b>	Pooch's Corner Pub and Grill LLC	103 1 <sup>st</sup> Ave	Off-Sale, On-Sale, Sunday, 2AM
<b>Freeport Black Sox</b>	Freeport Black Sox	1000 1 <sup>st</sup> Ave S	3.2% On-Sale
<b>Freeport Softball Club</b>	Freeport Recreational Club	307 7 <sup>th</sup> St SE	On-Sale, Sunday

DATED THIS 25<sup>TH</sup> DAY OF APRIL, 2023

\_\_\_\_\_  
Mike Eveslage, Mayor

ATTEST:

\_\_\_\_\_  
Jon Nelson, Clerk-Treasurer

# Memo

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From: Jon Nelson, Clerk-Treasurer

To: Freeport City Council

Date: 04/19/2023

Re: CSAH 11 Sidewalk – South End

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We were seeking funds for a sidewalk along CSAH 11 through an active transportation infrastructure grant. We were denied the grant but the safety concern in this area has not gone away.

The project that also included a push-button activated crosswalk at 3<sup>rd</sup> St SE & CSAH 11 was estimated to cost \$441,568.00.

Now that we know we are not receiving grant funds for the project we need to determine if it is something we will still want to pursue in the future.

# Memo

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From: Jon Nelson, Clerk-Treasurer

To: Freeport City Council

Date: 04/19/2023

Re: Welle Addition Traffic

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We are expecting an increase in traffic in the Welle Development with the latest addition coming soon. Some residents have voiced their concerns of the influx with upcoming construction and additional households that will be established in the neighborhood.

Traffic calming measures, such as reduced speeds, cautionary signage, speed bumps, etc., can be implemented by the City.

Prepare to discuss actions, if any, the city may consider as we prepare for growth in the Welle Development.