

**AGENDA
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
NOVEMBER 6, 2024
7:00 PM**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

"An opportunity for members of the public to address the City Council on items on/or not on the current agenda. Items requiring Council action maybe deferred to staff or Boards and Commissions for research and future Council Agendas if appropriate. You will be limited to three (3) minutes and we ask that you conduct yourself in a professional, courteous manner, and refrain from the use of profanity. Failure to abide by this policy may result in the loss of your privilege to speak".

APPROVAL OF MINUTES:

1. Consider approving the minutes of the "Regular Meeting" of the Wyoming, Minnesota City Council for October 15, 2024

SCHEDULED BID LETTINGS:

SCHEDULED PUBLIC HEARINGS:

CONSENT AGENDA:

Items under the "Consent Agenda" will be adopted with one motion; however, council members may request individual items to be pulled from the consent agenda for discussion and action if they choose.

2. Consider authorizing the payment of recommended bills, payroll and journal entries for the period of October 16, 2024 to November 6, 2024
3. To consider the retirement of JJ Hastings from the Wyoming Fire Department
4. To consider the resignation of Jeremy Peltier from the Police Officer position with the Wyoming Police Department
5. To consider Swenson's Lawncare for the 2025-2027 lawn mowing contract

6. To consider advertising for seasonal Ice Rink and Warming House Attendants at a wage of \$15 - \$17/hr
7. To consider **Resolution 24-11-101** a resolution accepting a donation from Xcel Energy for the 2024 Wyoming Tree Lighting
8. To consider **Resolution 24-11-102** a resolution accepting a donation from Forest Lake Area High School for the 2024 Wyoming Tree Lighting
9. To consider **Resolution 24-11-103** a resolution accepting a donation from Polaris for the 2024 Wyoming Tree Lighting
10. To consider **Resolution 24-11-104** a resolution accepting a donation from the Wyoming Lions Club for the 2024 Wyoming Tree Lighting
11. To consider **Resolution 24-11-105** a resolution certifying the 2024 General Election results for the City of Wyoming
12. To consider **Resolution 24-11-106** a resolution authorizing payment to Hugo's Tree Care for tree removal, stump grinding, and tree planting in the amount of \$26,500

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND DEPARTMENT HEADS:

13. Report of the Public Safety Director, Neil Bauer, for November 1, 2024
14. Report of City Building Official, Fred Weck, IV for October 31, 2024.
15. Report of the City Attorney, Tom Loonan, for October 30, 2024
16. Report of City Engineer Mark Erichson, WSB for October 31, 2024
17. Report of Public Works Superintendent, Steve Reeves, for October 29, 2024

COMMUNICATIONS:

18. Wyoming Tree Lighting Ceremony - Save the Date
19. Scout Project Update - Troop 57731 Little Library

OLD BUSINESS:

NEW BUSINESS:

20. To consider **Ordinance no. 2024-01** an ordinance amending the city of Wyoming code of ordinances, chapter 12, businesses; creating Article VII, establishing regulations for Cannabis Businesses and amending chapter 40, article IV, definition of terms; Article VI, divisions 2, & 9 – 13 amending zoning district allowed uses for licensed cannabis businesses.

21. To consider **Resolution 24-11-107** a resolution approving the Summary Publication of the Adult Cannabis Ordinance.

22. To consider the hiring of Lucas Harvey in the Building Inspector position

COUNCIL REPORTS:

ADJOURN

**DRAFT MINUTES
CITY COUNCIL
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
OCTOBER 15, 2024
7:00PM**

CALL TO ORDER:

Acting Mayor Claire Luger called the Regular Meeting of the Wyoming City Council for October 15, 2024 to order at 7:00 PM

CALL OF ROLL:

On a Call of the Roll the following members of the Wyoming City Council were present: Councilmembers Linda Nanko Yeager, Dennis Schilling, Brett Ohnstad, and Claire Luger

ABSENT: Mayor Lisa Iverson

Also Present: Tom Loonan, Eckberg Lammers, Robb Linwood, City Administrator, Grant MacFarlane, Assistant City Administrator, Mark Erichson-WSB, Neil Bauer - Public Safety Director, Fred Weck, Zoning Administrator/Building Official and Steve Reeves, Public Works Superintendent

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

Chris Ortwerth, 25730 Granford Avenue – Expressed his appreciation to Councilmember Nanko Yeager, City Administrator Linwood, and City Engineer Erichson for their recent assistance. He explained that he had been on vacation when construction was started on their road and when he got home Friday afternoon around with his motorhome and flatbed trailer found that he could not get into his driveway. He stated that his camper was now being stored in a paid storage facility because he cannot get it into his driveway. He asked if there was anybody from the City who was inspectors for the project watching what is going on. He stated that this road project has taken his property, even though it is road right-of-way, he has concerns that will change the amount of acreage he has which is concerning. He also stated that it appeared Midcontinent was running a fiber line as part of the project as well.

City Engineer Erichson – Stated that he would be on site tomorrow and would be happy to take a look at it with Mr. Ortwerth. He stated that there is a weekly construction meeting and asked if he would be available to attend. Stated that they have been putting together a weekly newsletter from the contractor and acknowledged that it had changed every week from what the contractor has provided the City. He stated that the contractor has been struggling with contractors and schedules and explained that every Wednesday they provide the City with what their outlook is which is what they use to put together the newsletter that is sent out on Fridays via e-mail and was also posted on the City website. He noted that they had sent the first 3 through the USPS, but wanted the information to get out more quickly so they changed the method of communication. He noted that they had communicated that they would do a portion of Granford and asked people to keep their eyes open for future newsletters because they may tackle more. He stated that he believes that notice was sent out prior to Mr. Ortwerth leaving for vacation but did not think he had signed up for the e-mail notifications. He stated that he would follow up with Mr. Ortwerth tomorrow regarding some of his other questions and issues he had raised.

APPROVAL OF MINUTES:

- 1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota City Council for October 1, 2024**

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR OCTOBER 1, 2024 AS SUBMITTED.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

2. Consider approving the minutes of the “Work Session Meeting” of the Wyoming, Minnesota City Council for October 1, 2024

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE THE MINUTES OF THE “WORK SESSION MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL FOR OCTOBER 1, 2024 AS SUBMITTED.

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

SCHEDULED BID LETTINGS: NONE

SCHEDULED PUBLIC HEARINGS: NONE

CONSENT AGENDA:

Items under the “Consent Agenda” will be adopted with one motion; however, council members may request individual items to be pulled from the consent agenda for discussion and action if they choose.

3. To consider authorizing the payment of recommended bills, payroll, and journal entries for the period from October 2, 2024 to October 15, 2024
4. To consider **Resolution 24-10-95** a resolution approving Wyoming paid on-call firefighters to probationary status
5. To consider **Resolution 24-10-96** a resolution appointing an additional election judge for the November 5, 2024 General Election
6. To consider **Resolution 24-10-97** a resolution authorizing payment to Miller Excavating for road repairs to 261st Street and 261st Lane in the amount of \$13,110.07
7. To consider **Resolution 24-10-98** a resolution approving payment for pay voucher #1 to A-1 Contracting, Inc. for the 2024 Street Improvement Project in the amount of \$247,165.94.
8. To consider **Resolution 24-10-99** a resolution Accepting Improvements for the 2024 Crack Fill Project and Authorizing Final Payment to Gopher State Sealcoat, Inc. in the amount of \$31,156.00.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE #3, #4, #5, #6, #7, and #8 OF THE WYOMING CITY COUNCIL CONSENT AGENDA

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

ACKNOWLEDGE RECEIPT OF REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND DEPARTMENT HEADS:

9. Report of the Public Safety Director, Neil Bauer for October 8, 2024
10. Report of City Building Official, Fred Weck, IV for October 10, 2024
11. Report of City Attorney Tom Loonan for October 10, 2024
12. Report of City Engineer Mark Erichson, WSB for October 10, 2024
13. Report of Public Works Superintendent, Steve Reeves for October 10, 2024

COMMUNICATIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS

14. To consider **Resolution 24-10-100** a resolution approving an Interim Conditional Use Permit to operate a gunsmith business in the detached accessory building at 6880 Greenway Lane for Arron Schille, Property ID 21.11069.07

Zoning Administrator/Building Official Weck – Gave an overview of the request for an ICUP to operate a gunsmithing business in a detached structure at 6880 Greenway Lane. He explained that the applicant had previously had a business in the State of Alabama and noted that the gunsmithing business is to restore antique firearms and customize shotguns, rifles, and handguns. He stated that staff and the Planning Commission recommend approval with the 3 conditions as outlined in the staff report.

Council Member Ohnstad – Asked if the applicant would need the permit if he was doing the work inside his home.

Zoning Administrator/Building Official Weck – Explained that if he was doing the work inside his home, he would not need the ICUP because it would be a permitted use.

Acting Mayor Luger – Asked about the process and length of the MPCA permitting.

Zoning Administrator/Building Official Weck – Noted that it is a matter of filling out a form and sending it in.

A MOTION WAS MADE BY COUNCILMEMBER OHNSTAD, SECONDED BY COUNCILMEMBER SCHILLING, TO APPROVE RESOLUTION 24-10-100 A RESOLUTION APPROVING AN INTERIM CONDITIONAL USE PERMIT TO OPERATE A GUNSMITH BUSINESS IN THE DETACHED ACCESSORY BUILDING AT 6880 GREENWAY LANE FOR ARRON SCHILLE, PROPERTY ID 21.11069.07

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

15. Naming of the Wyoming Dog Park

Assistant City Administrator MacFarlane – Noted that the City's dog park opened in May of 2024 and reminded the Council that in September, staff had asked for permission to hold a naming contest. He stated that the Council had given their approval so the contest was kicked off at Stagecoach Days. He explained that staff had narrowed the submissions down to what they felt were the top 10 and put to a community poll. He stated that the poll received 230 votes and staff compiled the top 3 vote getters and brought them to the Park Advisory Commission. He stated

that after reviewing the submissions, the Park Advisory Commission was recommending that the dog park be named the Wyoming Barks and Recreation Park or Wyoming Barks and Rec. Park.

The Council discussed their preference for renaming the dog park.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO APPROVE NAMING THE WYOMING DOG PARK ‘WYOMING BARKS AND REC.’

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

COUNCIL REPORTS:

Council Member Ohnstad – Attended the Park Advisory Commission meeting.

Council Member Nanko Yeager – No report.

Council Member Schilling – No report.

Acting Mayor Luger – No report.

A MOTION WAS MADE BY COUNCILMEMBER SCHILLING, SECONDED BY COUNCILMEMBER OHNSTAD, TO ADJOURN THE OCTOBER 15, 2024 “REGULAR MEETING” OF THE WYOMING, MINNESOTA CITY COUNCIL REGULAR MEETING AT 7:16 PM

Voting Aye: Schilling, Nanko Yeager, Luger, Ohnstad

Voting Nay: None

Abstain: None

Absent: Iverson

A portion of this public meeting may be closed to discuss “Labor Negotiation Strategies”; “Misconduct allegations or charges”; “Attorney-client privilege”; or “Performance evaluations” as per MN State Statute 13D.01-.05.

NEXT REGULAR MEETING:
NOVEMBER 6, 2024
7:00PM

City of Wyoming Check Detail Register

1/11
November 01, 2024 10:36 AM
User: ssaxe
DR: Wyoming

11-06-2024

Check # Invoice #	Check Date	Vendor Name	General Ledger #	Amount	Comment
12650	11/06/2024	WEX BANK			
100290698					
	101-2400-42120	MOTOR FUELS		\$115.51	MOTOR FUELS
	101-2200-42120	MOTOR FUELS		\$665.35	MOTOR FUELS
	101-2110-42120	MOTOR FUELS		\$2,805.21	MOTOR FUELS
	101-3100-42120	MOTOR FUELS		\$799.53	MOTOR FUELS
	101-5200-42120	MOTOR FUELS		\$48.68	MOTOR FUELS
	601-9425-42120	MOTOR FUELS		\$408.96	MOTOR FUELS
	602-9425-42120	MOTOR FUELS		\$408.95	MOTOR FUELS
Total for WEX BANK				\$5,252.19	
56983	11/06/2024	ADAM'S PEST CONTROL INC			
4001494					
	101-3100-42310	CONTRACTED SER		\$50.00	CONTRACTED SERVICES
4001496					
	101-2110-42310	CONTRACTED SER		\$50.00	CONTRACTED SERVICES
3968934					
	101-2110-42310	CONTRACTED SER		\$50.00	CONTRACTED SERVICES
4001495					
	101-3100-42310	CONTRACTED SER		\$75.00	CONTRACTED SERVICES
3922269					
	101-3100-42310	CONTRACTED SER		\$25.00	CONTRACTED SERVICES
Total for ADAM'S PEST CONTROL INC				\$250.00	
56984	11/06/2024	AMERICAN FLAG POLE & FLAG			
194410					
	101-5200-42100	OPERATING SUPPL		\$758.10	OPERATING SUPPLIES
Total for AMERICAN FLAG POLE & FLAG				\$758.10	
56985	11/06/2024	ASPEN MILLS			
341228					
	101-2110-44080	UNIFORMS		\$46.95	UNIFORMS
338854					
	101-2200-44080	UNIFORMS		\$263.50	UNIFORMS
Total for ASPEN MILLS				\$310.45	
56986	11/06/2024	BAKER TILLY MUNICIPAL ADVISORS			
BTMA28874					
	342-7000-46200	FISCAL AGENT FEE		\$25,100.00	FISCAL AGENT FEES
Total for BAKER TILLY MUNICIPAL ADVISORS				\$25,100.00	
56987	11/06/2024	BAYCOM, INC.			
EQUIPINV_051884					
	208-2110-45800	OTHER EQUIPMEN		\$4,000.00	OTHER EQUIPMENT
	202-2110-45800	OTHER EQUIPMEN		\$4,901.00	OTHER EQUIPMENT
Total for BAYCOM, INC.				\$8,901.00	

City of Wyoming Check Detail Register

2/11
November 01, 2024 10:36 AM
User: ssaxe
DR: Wyoming

11-06-2024

Check # Invoice #	Check Date	Vendor Name	General Ledger #	Amount	Comment
56988	11/06/2024	BLAINE BROTHERS INC.			
080001821346	101-3100-44040	REPAIRS & MAINT.	\$101.25	REPAIRS & MAINT. - EQUIPMENT	
080001821427	101-3100-44040	REPAIRS & MAINT.	\$101.25	REPAIRS & MAINT. - EQUIPMENT	
080001821432	101-3100-44040	REPAIRS & MAINT.	\$101.25	REPAIRS & MAINT. - EQUIPMENT	
080001821458	101-3100-44040	REPAIRS & MAINT.	\$101.25	REPAIRS & MAINT. - EQUIPMENT	
080001821491	101-3100-44040	REPAIRS & MAINT.	\$1,185.72	REPAIRS & MAINT. - EQUIPMENT	
Total for BLAINE BROTHERS INC.			\$1,590.72		
56989	11/06/2024	BRIAN CLARK			
10/28/2024	602-0000-11500	ACCOUNTS RECEIV	\$95.16	Sewer - Base Fee	
Total for BRIAN CLARK			\$95.16		
56990	11/06/2024	BS& A SOFTWARE			
156721	101-2400-44330	DUES & SUBSCRIP	\$96.00	DUES & SUBSCRIPTIONS	
Total for BS& A SOFTWARE			\$96.00		
56991	11/06/2024	CAMPBELL KNUTSON			
09302024	101-1400-43040	ATTORNEY FEES	\$2,029.50	ATTORNEY FEES	
Total for CAMPBELL KNUTSON			\$2,029.50		
56992	11/06/2024	CINTAS			
4208601213	101-3100-44180	UNIFORMS	\$67.37	STREETS	
	101-3100-42100	OPERATING SUPPL	\$42.60	SHOP SUPPLIES	
4209363016	101-2110-43600	CLEANING SERVIC	\$31.35	CLEANING SERVICE-PUBLIC SAFETY	
4209355545	101-1400-43600	CLEANING SERVIC	\$25.00	CLEANING SERVICE-CITY HALL	
4209355665	101-3100-44180	UNIFORMS	\$99.04	STREETS	
	101-3100-42100	OPERATING SUPPL	\$66.23	SHOP SUPPLIES	
4210061793	101-3100-44180	UNIFORMS	\$74.84	STREETS	
	101-3100-42100	OPERATING SUPPL	\$42.60	SHOP SUPPLIES	
Total for CINTAS			\$449.03		
56993	11/06/2024	CIVICPLUS			
314652	101-2110-42240	MAINTENANCE CO	\$4,188.00	MAINTENANCE CONTRACTS	
Total for CIVICPLUS			\$4,188.00		

City of Wyoming Check Detail Register

3/11
November 01, 2024 10:36 AM
User: ssaxe
DR: Wyoming

11-06-2024

Check # Invoice #	Check Date	Vendor Name	General Ledger #	Amount	Comment
56994 16282	11/06/2024	CONSTRUCTION ACCESSORIES, INC.			
		101-3100-42260 SIGN MATERIAL/RI	\$1,125.65	SIGN MATERIAL/REPLACEMENT	
		Total for CONSTRUCTION ACCESSORIES, INC.	\$1,125.65		
56995 20241015	11/06/2024	CULLIGAN WATER CONDITIONING			
		101-2110-42100 OPERATING SUPPL	\$174.25	OPERATING SUPPLIES	
		Total for CULLIGAN WATER CONDITIONING	\$174.25		
56996 1312311	11/06/2024	DALCO A DIVISION OF IMPERIAL DADE			
		101-1400-42000 SUPPLIES - OFFICE	\$56.95	SUPPLIES - OFFICE/COPY/COMPUTER	
		Total for DALCO A DIVISION OF IMPERIAL DADE	\$56.95		
56997 42081	11/06/2024	ECKBERG LAMMERS P.C.			
		101-1400-43040 ATTORNEY FEES	\$780.00	GENERAL	
		101-1400-43040 ATTORNEY FEES	\$144.00	GENERAL EMPLOYMENT	
		101-1400-43040 ATTORNEY FEES	\$360.00	ORDINANCES	
		Total for ECKBERG LAMMERS P.C.	\$1,284.00		
56998 17654	11/06/2024	FACILICARE INC			
		101-5500-43600 CLEANING SERVICE	\$1,263.40	LIBRARY	
		101-1400-43600 CLEANING SERVICE	\$559.00	CITY HALL/FIRE	
		101-2110-43600 CLEANING SERVICE	\$299.00	POLICE	
		101-3100-42310 CONTRACTED SERVICES	\$188.50	PUBLIC WORKS	
		Total for FACILICARE INC	\$2,309.90		
56999 2474933	11/06/2024	FEDERATED CO-OPS			
		101-3100-42120 MOTOR FUELS	\$2,237.60	MOTOR FUELS	
		Total for FEDERATED CO-OPS	\$2,237.60		
57000 7095	11/06/2024	FOREST LAKE CONTRACTING			
		101-3100-42310 CONTRACTED SERVICES	\$680.14	CONTRACTED SERVICES	
		Total for FOREST LAKE CONTRACTING	\$680.14		
57001 11152024	11/06/2024	H & W FUND I.U.O.E LOCAL 49			
		101-0000-21706 HOSPITALIZATION	\$8,850.00	PREMIUMS	
		Total for H & W FUND I.U.O.E LOCAL 49	\$8,850.00		
57002 20241015	11/06/2024	HALLBERG STORAGE LLC			
		101-2200-42100 OPERATING SUPPL	\$52.50	OPERATING SUPPLIES	
		Total for HALLBERG STORAGE LLC	\$52.50		

City of Wyoming Check Detail Register

4/11
November 01, 2024 10:36 AM
User: ssaxe
DR: Wyoming

11-06-2024

Check # Invoice #	Check Date	Vendor Name	General Ledger #	Amount	Comment
57003 5245	11/06/2024	HITCH-IT			
		101-3100-42400	SMALL TOOLS/MIN	\$1,140.00	SMALL TOOLS/MINOR EQUIPMENT
		101-5200-42400	SMALL TOOLS/MIN	\$400.00	SMALL TOOLS/MINOR EQUIPMENT
		601-9425-42400	SMALL TOOLS/MIN	\$400.00	SMALL TOOLS/MINOR EQUIPMENT
		602-9425-42400	SMALL TOOLS/MIN	\$400.00	SMALL TOOLS/MINOR EQUIPMENT
		Total for HITCH-IT		\$2,340.00	
57004 17046	11/06/2024	HUGO'S TREE CARE, INC.			
		401-6231-44840	TREES	\$26,500.00	TREES
		Total for HUGO'S TREE CARE, INC.		\$26,500.00	
57005 LINWOOD 2025	11/06/2024	ICMA MEMBERSHIP PAYMENTS			
		101-1400-44330	DUES & SUBSCRIP	\$780.00	DUES & SUBSCRIPTIONS
		Total for ICMA MEMBERSHIP PAYMEN		\$780.00	
57006 IN4672604	11/06/2024	INNOVATIVE OFFICE SOLUTIONS, LLC			
		101-3100-42000	SUPPLIES - OFFICE	\$107.49	SUPPLIES - OFFICE/COPY/COMPUTR
		Total for INNOVATIVE OFFICE SOLUTI		\$107.49	
57007 10/28/2024	11/06/2024	KATHLEEN & NATHANAEL SAHLI			
		602-0000-11500	ACCOUNTS RECEIV	\$86.85	Sewer - Base Fee
		Total for KATHLEEN & NATHANAEL SAI		\$86.85	
57008 WY105-12	11/06/2024	KENNEDY & GRAVEN			
		342-7000-46200	FISCAL AGENT FEE	\$8,500.00	FISCAL AGENT FEES
		Total for KENNEDY & GRAVEN		\$8,500.00	
57009 KPS1658	11/06/2024	KODIAK POWER SYSTEMS			
		602-9425-44040	REPAIRS & MAINT.	\$1,408.75	REPAIRS & MAINT. - EQUIPMENT
		Total for KODIAK POWER SYSTEMS		\$1,408.75	
57010 31329 31330 31332	11/06/2024	KRAMER MECHANICAL			
		101-2110-44010	REPAIRS & MAINT.	\$440.00	REPAIRS & MAINT. - BUILDINGS
		101-1400-44010	REPAIRS & MAINT.	\$320.00	REPAIRS & MAINT. - BUILDINGS
		101-3100-44010	REPAIRS & MAINT.	\$240.00	REPAIRS & MAINT. - BUILDINGS
		Total for KRAMER MECHANICAL		\$1,000.00	
57011 56273-2	11/06/2024	LAKE COUNTRY DOOR			
		101-3100-44010	REPAIRS & MAINT.	\$966.90	REPAIRS & MAINT. - BUILDINGS
		Total for LAKE COUNTRY DOOR		\$966.90	

City of Wyoming Check Detail Register

5/11
November 01, 2024 10:36 AM
User: ssaxe
DR: Wyoming

11-06-2024

Check # Invoice #	Check Date	Vendor Name	General Ledger #	Amount	Comment
57012	11/06/2024	LEAGUE OF MN CITIES			
412680					
	101-2400-42050	SOFTWARE UPGRA	\$202.83	SOFTWARE UPGRADES	
	101-3100-42050	SOFTWARE UPGRA	\$202.83	SOFTWARE UPGRADES	
	101-1400-42050	SOFTWARE UPGRA	\$202.84	SOFTWARE UPGRADES	
Total for LEAGUE OF MN CITIES				\$608.50	
57013	11/06/2024	LENFER AUTOMOTIVE AND TRANSMISSION			
23810					
	101-3100-44040	REPAIRS & MAINT.	\$42.68	REPAIRS & MAINT. - EQUIPMENT	
23833					
	101-3100-44040	REPAIRS & MAINT.	\$36.84	REPAIRS & MAINT. - EQUIPMENT	
23847					
	101-3100-44040	REPAIRS & MAINT.	\$1,480.70	REPAIRS & MAINT. - EQUIPMENT	
23808					
	101-3100-44040	REPAIRS & MAINT.	\$48.77	REPAIRS & MAINT. - EQUIPMENT	
23903					
	101-3100-44040	REPAIRS & MAINT.	\$138.51	REPAIRS & MAINT. - EQUIPMENT	
Total for LENFER AUTOMOTIVE AND TI				\$1,747.50	
57014	11/06/2024	LINDSTROM WHEELHORSE			
48179					
	101-3100-42400	SMALL TOOLS/MIN	\$7.69	SMALL TOOLS/MINOR EQUIPMENT	
Total for LINDSTROM WHEELHORSE				\$7.69	
57015	11/06/2024	MENARDS- FOREST LAKE			
44559					
	101-2110-44010	REPAIRS & MAINT.	\$91.19	REPAIRS & MAINT. - BUILDINGS	
44571					
	101-2110-44010	REPAIRS & MAINT.	\$0.69	REPAIRS & MAINT. - BUILDINGS	
44550					
	101-3100-44010	REPAIRS & MAINT.	\$51.83	REPAIRS & MAINT. - BUILDINGS	
44078					
	101-5200-42250	LANDSCAPING MA	\$10.98	LANDSCAPING MATERIALS	
Total for MENARDS- FOREST LAKE				\$154.69	
57016	11/06/2024	MINNESOTA VALLEY TESTING LABS			
1277344					
	601-9425-43110	LAB COSTS	\$116.00	LAB TESTS	
Total for MINNESOTA VALLEY TESTING				\$116.00	
57017	11/06/2024	MOODY'S INVESTOR SERVICE			
P0481075					
	342-7000-46200	FISCAL AGENT FEE	\$14,500.00	FISCAL AGENT FEES	
Total for MOODY'S INVESTOR SERVICE				\$14,500.00	
57018	11/06/2024	MUNICIPAL EMERGENCY SERVICES			
IN2132064					
	101-2200-42300	SAFETY EQUIPMEN	\$2,006.38	SAFETY EQUIPMENT	
Total for MUNICIPAL EMERGENCY SER				\$2,006.38	

City of Wyoming Check Detail Register

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Check # Invoice #	Check Date	Vendor Name	General Ledger #	Amount	Comment
57019	11/06/2024	NEIL BAUER			
20241023					
	101-2110-42080	TRAINING AND IN		\$1,625.68	TRAINING AND INSTRUCTION
Total for NEIL BAUER				\$1,625.68	
57020	11/06/2024	OLSON WILDLAND FABRICATION,LLC			
2402					
	101-2200-43900	VEHICLE MAINTEN		\$550.00	VEHICLE MAINTENANCE
Total for OLSON WILDLAND FABRICAT				\$550.00	
57021	11/06/2024	ON SITE, INC			
0001802695					
	101-5200-44050	SATALLITE RENTA		\$41.39	030626-0002 ASHTON PARK
0001800738					
	101-5200-44050	SATALLITE RENTA		\$41.39	030626-0002 ASHTON PARK
0001807671					
	101-5200-44050	SATALLITE RENTA		\$100.00	030626-0003 BANTA PARK
	101-5200-44050	SATALLITE RENTA		\$100.00	030626-0010 HAWK MEADOWS TRAIL
	101-5200-44050	SATALLITE RENTA		\$100.00	030626-0004 BLUE SPRUCE PARK
	101-5200-44050	SATALLITE RENTA		\$100.00	030626-0007 COMFORT LAKE
	101-5200-44050	SATALLITE RENTA		\$100.00	030626-0014 TOWN HALL PARK
	101-5200-44050	SATALLITE RENTA		\$100.00	030626-0011 LIONS PARK
	101-5200-44050	SATALLITE RENTA		\$375.00	030626-0008 GOODVIEW PARK
	101-5200-44050	SATALLITE RENTA		\$100.00	030626-0009 FIRESIDE PARK
	101-5200-44050	SATALLITE RENTA		\$100.00	030626-0013 TOLZMAN PARK
	101-5200-44050	SATALLITE RENTA		\$175.00	030626-0012 SWENSON PARK
	101-5200-44050	SATALLITE RENTA		\$100.00	030626-0015 VERGES MEMORIAL PARK
	101-5200-44050	SATALLITE RENTA		\$124.17	030626-0002 ASHTON PARK
0001804193					
	101-5200-44050	SATALLITE RENTA		\$41.39	030626-0002 ASHTON PARK
0001810947					
	101-5200-44050	SATALLITE RENTA		\$41.39	030626-0002 ASHTON PARK
Total for ON SITE, INC				\$1,739.73	
57022	11/06/2024	PAVEMENT RESOURCES			
107387					
	101-3100-44410	STREET MAINT MA		\$9,000.00	STREET MAINT MATERIALS
Total for PAVEMENT RESOURCES				\$9,000.00	
57023	11/06/2024	POMP'S TIRE SERVICE, INC.			
150186678					
	101-3100-44040	REPAIRS & MAINT.		\$622.54	REPAIRS & MAINT. - EQUIPMENT
150186560					
	101-3100-44040	REPAIRS & MAINT.		\$856.12	REPAIRS & MAINT. - EQUIPMENT
150186569					
	101-3100-44040	REPAIRS & MAINT.		\$856.12	REPAIRS & MAINT. - EQUIPMENT
Total for POMP'S TIRE SERVICE, INC.				\$2,334.78	

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Check # Invoice #	Check Date	Vendor Name	General Ledger #	Amount	Comment
57024 IN200-2000728	11/06/2024	PRECISE MRM LLC			
		101-3100-42400 SMALL TOOLS/MIN		\$448.42	SMALL TOOLS/MINOR EQUIPMENT
		Total for PRECISE MRM LLC		\$448.42	
57025 IN200-2001088	11/06/2024	PRECISE MRM LLC			
		101-3100-42310 CONTRACTED SER		\$120.00	CONTRACTED SERVICES
		Total for PRECISE MRM LLC		\$120.00	
57026 116320	11/06/2024	PRO-TEC DESIGNS, INC.			
		601-9425-45350 IMPROVEMENTS		\$2,023.97	IMPROVEMENTS
		Total for PRO-TEC DESIGNS, INC.		\$2,023.97	
57027 2110013837	11/06/2024	REGENTS OF THE U OF MN			
		101-3100-42080 TRAINING AND IN		\$75.00	TRAINING AND INSTRUCTION
		Total for REGENTS OF THE U OF MN		\$75.00	
57028 27970	11/06/2024	RES SPECIALTY PYROTECNICS INC			
		101-1400-42310 CONTRACTED SER		\$6,750.00	CONTRACTED SERVICES
		Total for RES SPECIALTY PYROTECNIC		\$6,750.00	
57029 108639245	11/06/2024	RICOH BUSINESS SYSTEMS			
		101-1400-42150 COPIER		\$144.05	CITY HALL
		101-2110-42240 MAINTENANCE CO		\$77.19	POLICE DEPT
		101-2110-42240 MAINTENANCE CO		\$4.10	FIRE DEPT
108673451		601-9425-42310 CONTRACTED SER		\$123.71	PUBLIC WORKS
		602-9425-42310 CONTRACTED SER		\$123.70	PUBLIC WORKS
		Total for RICOH BUSINESS SYSTEMS		\$472.75	
57030 6014534865	11/06/2024	STAPLES			
		101-2400-42000 SUPPLIES - OFFICE		\$39.12	SUPPLIES - OFFICE/COPY/COMPUTR
		Total for STAPLES		\$39.12	
57031 11012024	11/06/2024	STEVE KUSTRICH			
		601-9425-42080 TRAINING AND IN		\$23.00	TRAINING AND INSTRUCTION
		Total for STEVE KUSTRICH		\$23.00	
57032 M29578	11/06/2024	TIMESAVER OFF SITE SECRETARIAL			
		101-1400-42310 CONTRACTED SER		\$167.00	CITY COUNCIL MEETING
		101-1910-42310 CONTRACTED SER		\$186.00	PLANNING COMMISSION MEETING
		Total for TIMESAVER OFF SITE SECRE1		\$353.00	

City of Wyoming Check Detail Register

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Check # Invoice #	Check Date	Vendor Name	General Ledger #	Amount	Comment
57033	11/06/2024	TIREHUB			
45346703					
		101-2110-43900	VEHICLE MAINTEN	\$438.00	45346703
		101-2110-43900	VEHICLE MAINTEN	\$730.00	45347635
Total for TIREHUB				\$1,168.00	
57034	11/06/2024	UNITED TACTICAL SYSTEMS, LLC			
0093615-IN					
		101-2110-45800	OTHER EQUIPMEN	\$1,399.00	OTHER EQUIPMENT
Total for UNITED TACTICAL SYSTEMS,				\$1,399.00	
57035	11/06/2024	UNUM LIFE INSURANCE			
10142024					
		101-1400-41310	LIFE INSURANCE	\$191.56	ADMIN
		101-2110-41310	LIFE INSURANCE	\$781.08	POLICE
		101-1910-41310	LIFE INSURANCE	\$70.58	PLAN & ZONE
		101-2400-41310	LIFE INSURANCE	\$95.16	BLDG
		101-3100-41310	LIFE INSURANCE	\$347.64	STREETS
		601-9425-41310	LIFE INSURANCE	\$174.86	WATER
		602-9425-41310	LIFE INSURANCE	\$174.86	SEWER
		101-0000-21715	VOLUNTARY TERM	\$336.09	VOLUNTARY TERM LIFE
Total for UNUM LIFE INSURANCE				\$2,171.83	
57036	11/06/2024	US BANK - AGENT FEES			
7508121					
		342-7000-46200	FISCAL AGENT FEE	\$850.00	FISCAL AGENT FEES
Total for US BANK - AGENT FEES				\$850.00	
57037	11/06/2024	US BANK EQUIPMENT FINANCE			
539871913					
		101-2400-44330	DUES & SUBSCRIP	\$146.00	DUES & SUBSCRIPTIONS
Total for US BANK EQUIPMENT FINANCE				\$146.00	
57038	11/06/2024	VC3, INC.			
INV11578VC3					
		401-2110-45000	CAPITAL OUTLAY	\$1,762.00	CAPITAL OUTLAY
Total for VC3, INC.				\$1,762.00	
57039	11/06/2024	VC3, INC.			
VC3-173040					
		101-1400-42090	NETWORK MUNICI	\$3,799.67	NETWORK MUNICIPAL COMPUTERS
VC3-174019					
		101-1400-42090	NETWORK MUNICI	\$8,050.00	NETWORK MUNICIPAL COMPUTERS
INV11733VC3					
		101-2110-42100	OPERATING SUPPL	\$30.00	OPERATING SUPPLIES
Total for VC3, INC.				\$11,879.67	
57040	11/06/2024	VERIZON			
9976420046					
		602-9425-43210	TELEPHONE	\$80.04	MACHINE-TO-MACHINE
Total for VERIZON				\$80.04	

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Check # Invoice #	Check Date	Vendor Name	General Ledger #	Amount	Comment
57041	11/06/2024	WARNING LITES OF MN, INC			
24-02342					
		602-9425-42310	CONTRACTED SER	\$354.90	CONTRACTED SERVICES
Total for WARNING LITES OF MN, INC				\$354.90	
57042	11/06/2024	WILLIAMS SCOTSMAN, INC.			
9022168155					
		101-3100-44100	RENTALS (EQUIPM	\$692.88	RENTALS (EQUIPMENT)
Total for WILLIAMS SCOTSMAN, INC.				\$692.88	
57043	11/06/2024	WSB			
R-016806-000-5					
		651-1000-43030	ENGINEERING	\$1,400.00	2024 SWAMP SUBSCRIPTION
09302024					
		101-1400-43030	ENGINEERING	\$2,487.00	2024 GENERAL ENGINEERING
		651-1000-43030	ENGINEERING	\$57.00	2024 LGU SERVICES
		408-3100-43030	ENGINEERING	\$1,103.00	2023 EAST VIKING STREET IMPROVEMENT
		408-3100-43030	ENGINEERING	\$30,669.85	2024 STREET IMPROVEMENT PROJECT
		408-3100-43030	ENGINEERING	\$701.50	2023 FALLBROOK AVE & 264TH ST
		408-9425-45350	IMPROVEMENTS	\$619.50	2022 TRUNK WATERMAIN IMPROVEMENTS
		408-3100-43030	ENGINEERING	\$990.50	BRIDGE 13506 REPLACEMENT
		800-0000-20826	CLFLWD JENSEN	\$2,820.00	CLFLWD JENSEN ESCROW
		800-0000-20572	HEIMS LAKE VILLA	\$1,087.50	HEIMS LAKE VILLA NORTH ESCROW
		800-0000-20815	DAHLQUIST KATIE	\$2,586.00	DAHLQUIST KATIES GLEN ESCROW
		651-9425-43100	MS4 PERMIT - ENC	\$1,042.75	MS4 PERMIT - ENGINEERING
		408-3100-43030	ENGINEERING	\$9,956.50	PAVEMENT MANAGEMENT 2024
		404-5200-45450	IMPROVEMENTS R	\$2,946.25	IMPROVEMENTS RAILROAD PARK
		800-0000-20568	MOXNESS SUMMEF	\$621.25	MOXNESS SUMMER FIELDS ESCROW
		800-0000-20569	DIAMOND RIDGE C	\$1,381.50	EMERALD AVE IMPROVEMENTS PROJECT
Total for WSB				\$60,470.10	
57044	11/06/2024	WYOMING FIRE RELIEF			
2024					
		101-2200-41240	FIRE PENSION COI	\$5,400.00	FIRE PENSION CONTRIBUTIONS
Total for WYOMING FIRE RELIEF				\$5,400.00	
57045	11/06/2024	WYOMING POST OFFICE			
10162024					
		601-9425-43220	POSTAGE	\$2.20	POSTAGE
		602-9425-43220	POSTAGE	\$2.20	POSTAGE
Total for WYOMING POST OFFICE				\$4.40	

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Check # Invoice #	Check Date	Vendor Name		
	General Ledger #	Amount	Comment	
57046	11/06/2024	XCEL ENERGY		
897872370	101-3100-43800	UTILITIES-GAS/ELI	\$20.83	SPEED SIGN
897976291	101-3100-43800	UTILITIES-GAS/ELI	\$13.56	SPEED SIGN
897932352	101-3100-43800	UTILITIES-GAS/ELI	\$21.74	PARKS
897901675	101-3100-43860	STREET LIGHTS	\$56.49	STOP LIGHTS
897926295	101-3100-43860	STREET LIGHTS	\$14.69	STOP LIGHTS
898157293	601-9425-43800	UTILITIES-GAS/ELI	\$169.15	WELLHOUSE
898112707	101-3100-43800	UTILITIES-GAS/ELI	\$14.30	SPEED SIGN
898160174	101-3100-43800	UTILITIES-GAS/ELI	\$12.81	SPEED SIGN
898299990	101-3100-43800	UTILITIES-GAS/ELI	\$13.66	PARKS
897629743	101-3100-43860	STREET LIGHTS	\$47.68	STOP LIGHTS
899412240	602-9425-43800	UTILITIES-GAS/ELI	\$1,063.32	LIFT STATIONS
	601-9425-43800	UTILITIES-GAS/ELI	\$32.30	WELLHOUSE
899425789	101-3100-43800	UTILITIES-GAS/ELI	\$1,241.71	PARKS
	101-3100-43860	STREET LIGHTS	\$236.98	STOP LIGHTS
	601-9425-43800	UTILITIES-GAS/ELI	\$2,728.20	WELLHOUSE
	101-2110-43800	UTILITIES-GAS/ELI	\$369.80	POLICE/PUBLIC WORKS
	101-1400-43800	UTILITIES-GAS/ELI	\$83.90	CITY HALL
	101-5500-43800	UTILITIES-GAS/ELI	\$1,341.91	LIBRARY
	101-5200-43800	UTILITIES-GAS/ELI	\$116.90	UTILITIES-GAS/ELEC/SEWER/WATER
Total for XCEL ENERGY			\$7,599.93	

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Check #	Check Date	Vendor Name
Invoice #	General Ledger #	mount
		Comment

General Checking Account 10100
Total Amount Being Paid: \$246,156.09
Total Number of Checks: 65

Mayor Iverson

Councilmember Luger

Councilmember Nanko Yeager

Councilmember Schilling

Councilmember Ohnstad

For Check Dates 10/22/2024 to 10/22/2024

Check Number Name			Check Date
Text Label	56981	PACIFIC LIFE INSURANCE	10/22/2024
Item Code	GL Number	Amount	
ROTH	101-0000-21712	273.81	
		273.81	
Text Label	56982	CENTRAL PENSION FUND,	10/22/2024
Item Code	GL Number	Amount	
CENT PENS FUND	101-0000-21716	720.00	
		720.00	
Text Label	EFT1177	MN STATE RETIREMENT	10/22/2024
Item Code	GL Number	Amount	
CITY HSCP CONT	101-0000-21706	0.00	
HCSP	101-0000-21710	0.00	
MNDCP	101-0000-21712	552.00	
MNDCPPRETAX	101-0000-21712	764.00	
		1,316.00	
Text Label	EFT1178	SELECTACCOUNT,	10/22/2024
Item Code	GL Number	Amount	
DEP CARE	101-0000-21711	0.00	
FSA CONT	101-0000-21711	0.00	
HSA CITY CONT	101-0000-21707	0.00	
HSA CONT	101-0000-21707	2,192.45	
		2,192.45	
Text Label	EFT1179	P.E.R.A.,	10/22/2024
Item Code	GL Number	Amount	
CORD PERA	101-0000-21704	3,206.46	
DCP PERA	101-0000-21704	16.67	
DCP PERA MATCH	101-0000-21704	16.67	
PERA CITY MATCH	101-0000-21704	3,699.73	
PF PERA	101-0000-21704	4,188.33	
PF PERA CITY	101-0000-21704	6,282.48	
		17,410.34	
Text Label	EFT1180	INTERNAL REVENUE SERVICE,	10/22/2024
Item Code	GL Number	Amount	

For Check Dates 10/22/2024 to 10/22/2024

Check Number	Name	Check Date
FITW	101-0000-21701	7,690.04
SOCSEC_EE	101-0000-21703	3,457.57
MEDICARE_ER	101-0000-21703	1,298.96
SOCSEC_ER	101-0000-21703	3,457.57
MEDICARE_EE	101-0000-21703	1,298.96
		17,203.10

Text Label

EFT1181 STATE OF MINNESOTA,

10/22/2024

Item Code	GL Number	Amount
SITW	101-0000-21702	3,428.28
		3,428.28

Text Label

General Checking Account 10100
Total Amount Being Paid: \$42,543.98
Total Number of Checks: 7

- Mayor Iverson
- Councilmember Luger
- Councilmember Nanko Yeager
- Councilmember Schilling
- Councilmember Ohnstad



October 30, 2024

Presented To: Mayor Iverson and City Council Members

Presented By: Public Safety Director Neil Bauer

Department: Public Safety

Reference: Retirement of Firefighter JJ Hastings

Method: Consent Agenda

Background Information:

Firefighter JJ Hastings has submitted his letter of resignation after 24 years of service to the City of Wyoming fire department, including serving as a captain from 2006-2013 and as the fire chief from 2023 to 2018. Most recently, Firefighter JJ Hastings served as the department safety officer. His last day will be October 15, 2024. We wish him well and appreciate his commitment and dedication to the Wyoming community. Very few are able to make this level of commitment to a fire service and it is greatly appreciated.

Recommendation:

It is my recommendation that the City Council accept the retirement of JJ Hastings effective October 15, 2024.

Neil D. Bauer, Ed.D.
Public Safety Director



PUBLIC SAFETY

P.O. Box 188, 7665 Wyoming Trl., Wyoming, MN 55092
Phone: 651-462-0577 Fax: 651-462-0506

Dear Chief Neil Bauer,

Please accept this as my formal letter of resignation from the Wyoming Police Department. My last day with the department will be 11/24/2024, as I will start my new position the following day.

I am genuinely grateful for the opportunities and development I have received while working with the Wyoming Police Department. I will forever be thankful to the City of Wyoming for giving me my first opportunity to succeed in this career field and helping develop me into the Officer I am today. The amount of time and resources that have gone into affording me the growth experiences I have been allowed to take advantage of is not lost on me. The different positions that I have held during my years of service with this city have helped me to grow in my understanding of the various roles needed in a successful organization. I have also learned to value the different perspectives that add to a better and more robust response to serve the community in a more lasting way.

Please let me know how I can help during this transitional time and make the change as smooth as possible.

Thank you for everything, and I wish you and the department the best.



Jeremy M. Peltier

10/28/2024



Request for Council Action

Date: October 30, 2024

Presented to: Mayor Iverson and City Council Members

Presented by: Steve Reeves, Public Works Superintendent

Department: Public Works

Reference: Lawn Mowing 2025 - 2027

Method: Consent

Background Information:

The City of Wyoming's most recent lawn mowing contract was for 2022 – 2024 and is set to expire at the end of the year. With the current contract expiring, the City put out advertisements for Request for Proposals (RFPs) for lawn services for the 2025 – 2027 mowing seasons. This RFP included all sections of the City which require lawn care, including parks, lift stations, well houses, right of ways, and any other specified area requiring maintenance. Sealed bids were due on Friday October 15th, 2024 at 10:00am. All interested companies were invited to attend the bid opening at City Hall that day. Bids were opened at 10:15am as prescribed in the RFP. The City received five bids for lawn care services for 2025 – 2027. The bid table can be found below with respective bidders sorted in the order which they were opened (alphabetically).

Contractor	2025 Bid Amount	2026 Bid Amount	2027 Bid Amount	Grand Total Bid
1st Select	\$ 105,914.00	\$ 112,269.00	\$ 119,005.00	\$337,188.00
Grounds Maintenance	\$ 53,945.00	\$ 53,945.00	\$ 53,945.00	\$161,835.00
Hanna Enterprises	\$ 127,675.00	\$ 130,866.00	\$ 134,138.00	\$392,679.00
Leos Lawn Care	\$ 65,545.00	\$ 65,545.00	\$ 65,545.00	\$196,635.00
Swensons Lawn Care	\$ 53,744.86	\$ 53,744.86	\$ 53,744.86	\$161,234.58

Recommendation:

Staff recommends approval of the 3-year bid from Swenson's Lawn Care in the amount of \$53,744.86 per season with the total of \$161,234.58 for the three year contract term.



CITY OF WYOMING

P.O. Box 188, 26885 Forest Blvd., Wyoming, MN 55092
Phone: 651-462-0575 Fax: 651-462-0576



Request for Council Action

Date: November 1, 2024

Presented to: Mayor Iverson and City Council Members

Presented by: Steve Reeves, Public Works Superintendent

Department: Public Works

Reference: Advertise for an Ice Rink and Warming House Attendant

Method: Consent

Background Information:

The Public Works Department would like to advertise for Ice Rink and Warming House Attendants for the 2024-2025 season. The starting wage would be \$15.00-\$17.00 per hour.

Recommendation:

Staff recommends advertising for the positions of Ice Rink and Warming House Attendants for the 2024-2025 season.



CITY OF WYOMING

P.O. Box 188, 26885 Forest Blvd., Wyoming, MN 55092
Phone: 651-462-0575 Fax: 651-462-0576

RESOLUTION NO. 24-11-101

**A RESOLUTION ACCEPTING A DONATION TO THE CITY FROM XCEL ENERGY
FOR A DONATION TO THE 8TH ANNUAL TREE LIGHTING CEREMONY AT
RAILROAD PARK ON DECEMBER 7TH, 2024**

WHEREAS, the City of Wyoming is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts.

WHEREAS, the following persons and entities have offered to donate \$500 to the City of Wyoming 8th Annual Tree Lighting Ceremony.

<u>Name of Donor</u>	<u>Value</u>
Xcel Energy	\$500.00

WHEREAS, the City Council finds it appropriate to accept the donations offered.

THEREFORE, BE IT RESOLVED, the City of Wyoming accepts the donation from Xcel Energy and acknowledge the value of the donation at \$500.00.

**HEREUPON SAID RESOLUTION WAS DECLARED DULY PASSED AND ADOPTED
THIS 6TH DAY OF NOVEMBER, 2024.**

By: _____
Lisa Iverson, Mayor

ATTEST:

Robb Linwood, City Administrator

RESOLUTION NO. 24-11-102

A RESOLUTION ACCEPTING A DONATION TO THE CITY FROM FOREST LAKE AREA HIGH SCHOOL OF MR AND MRS KLAUS CHAIRS AT THE 8TH ANNUAL TREE LIGHTING CEREMONY AT RAILROAD PARK IN AN ESTIMATED VALUE AMOUNT OF \$200.00

WHEREAS, The City of Wyoming is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

WHEREAS, The following persons and entities have offered to donate two large chairs for the Tree lighting Ceremony at Railroad Park:

<u>Name of Donor</u>	<u>Amount</u>
Forest Lake Area High School	\$200.00

WHEREAS, All such donations have been contributed to assist in enhancing the city's establishments and recreational facilities; and

WHEREAS, The City of Wyoming values the value of the chair rentals at \$200.00.

WHEREAS, The City Council finds it appropriate to accept the donations offered.

THEREFORE, BE IT RESOLVED, The City of Wyoming accepts the donation from Forest Lake Area High School and acknowledge the value of the donation at \$200.00

HEREUPON SAID RESOLUTION WAS DECLARED DULY PASSED AND ADOPTED THIS 6TH DAY OF NOVEMBER, 2024.

By: _____
Lisa Iverson, Mayor

ATTEST:

Robb Linwood, City Administrator

RESOLUTION NO. 24-11-103

A RESOLUTION ACCEPTING A DONATION TO THE CITY FROM POLARIS INDUSTRIES FOR A DONATION TO THE 8TH ANNUAL TREE LIGHTING CEREMONY AT RAILROAD PARK ON DECEMBER 7TH, 2024

WHEREAS, the City of Wyoming is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts.

WHEREAS, the following persons and entities have offered to donate \$500 to the City of Wyoming 8th Annual Tree Lighting Ceremony.

<u>Name of Donor</u>	<u>Value</u>
Polaris Industries	\$500.00

WHEREAS, the City Council finds it appropriate to accept the donations offered.

THEREFORE, BE IT RESOLVED, the City of Wyoming accepts the donation from Polaris Industries and acknowledge the value of the donation at \$500.00.

HEREUPON SAID RESOLUTION WAS DECLARED DULY PASSED AND ADOPTED THIS 6TH DAY OF NOVEMBER, 2024.

By: _____
Lisa Iverson, Mayor

ATTEST:

Robb Linwood, City Administrator

RESOLUTION NO. 24-11-104

A RESOLUTION ACCEPTING A DONATION TO THE CITY FROM THE WYOMING LIONS CLUB OF SMORES, GIFT BAGS, CANDY CANES, AND COOKIES AT THE 8TH ANNUAL TREE LIGHTING CEREMONY AT RAILROAD PARK IN AN ESTIMATED VALUE AMOUNT OF \$250.00

WHEREAS, The City of Wyoming is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

WHEREAS, The following persons and entities have offered to donate \$250.00 for the Tree lighting Ceremony at Railroad Park:

<u>Name of Donor</u>	<u>Amount</u>
Wyoming Lions Club	\$250.00

WHEREAS, All such donations have been contributed to assist in enhancing the city's establishments and recreational facilities; and

WHEREAS, The City Council finds it appropriate to accept the donations offered.

THEREFORE, BE IT RESOLVED, The City of Wyoming accepts the donation from the Wyoming Lions Club and acknowledge the value of the donation at \$250.00

HEREUPON SAID RESOLUTION WAS DECLARED DULY PASSED AND ADOPTED THIS 6TH DAY OF NOVEMBER, 2024.

By: _____
Lisa Iverson, Mayor

ATTEST:

Robb Linwood, City Administrator

Request for Council Action

Date: November 6, 2024

Presented to: Mayor Iverson and City Council Members

Presented by: Grant MacFarlane, Assistant City Administrator

Department: Administration

Reference: Election Canvassing

Method: Consent

Background Information:

The 2024 General Election was held on November 5, 2024. The city has 10 days after the election to certify the results.

Recommendation:

To consider Resolution 24-11-105 a resolution certifying the 2024 City of Wyoming General Election results. This resolution will be added to the packet as soon as results are made available from Chisago County's Elections Office.

Results may potentially not be ready to be finalized by this meeting due to the lengthy absentee ballot counting process. Chisago County is estimating that they will have absentee ballot counting finalized by Wednesday or Thursday following the election. Staff will present an agenda item requesting that Council call a Special Meeting to canvass the results if they are not completed by this time. Results must be canvassed within 10 days of the election.

RESOLUTION NO. 24-11-105

A RESOLUTION CERTIFYING THE 2024 GENERAL ELECTION RESULTS FOR THE CITY OF WYOMING

WHEREAS, the Regular City Election was held at the General Election on Tuesday, November 5, 2024, to vote on one 4-year Mayor position and two 4-year City Council positions; and

WHEREAS, said returns were duly examined, approved and placed on file in the Office of the City Clerk.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Wyoming that it is hereby found, determined and declared that the General City Election held in and for the City of Wyoming on Tuesday, November 5, 2024 was in all respects duly held and the returns thereof have been duly canvassed, the votes cast at said election were:

MAYOR (4 Year Term – 1 elected)

Lisa Iverson	3,360
WRITE-IN*	165

COUNCIL (4 Year Term - 2 elected)

Linda Nanko Yeager	2,090
Jeff Allen	1,892
Brett Ohnstad	2,143
WRITE-IN*	68

THEREFORE, BE IT RESOLVED, that the following candidates for the office of City Council elected at the November 5, 2024 General City Election for the respective terms to commence January 1, 2025 are as follows:

Mayor 4-year term – Lisa Iverson
Council 4-year term – Brett Ohnstad
Council 4-year term – Linda Nanko Yeager

HEREUPON SAID RESOLUTION WAS DECLARED DULY PASSED AND ADOPTED THIS 6TH DAY OF NOVEMBER, 2024.

By: _____
Lisa Iverson, Mayor

ATTEST:

Robb Linwood, City Administrator

Request for Council Action

Date: November 1, 2024

Presented to: Mayor Iverson and City Council Members

Presented by: Grant MacFarlane, Assistant City Administrator

Department: Administration

Reference: Preparing for EAB Grant

Method: Consent

Background Information:

The City of Wyoming was awarded \$40,000 through the Minnesota Department of Natural Resources' Preparing for Emerald Ash Borer (EAB) Grant in 2022. The City committed to removing thirty ash trees, ten per year of the grant, during the grant's duration. Hugo's Tree Care was on site in October of 2024 to remove and plant ten trees and has provided an invoice totaling \$26,500 for their work. This was the final phase of the grant as this batch of removals/plantings will bring the total for each to 30. The EAB Grant has provided the City of Wyoming with a more diversified tree system which will be better able to withstand any potential future invasive species or mass tree diseases.

Recommendation: To approve Resolution 24-11-106 to authorize payment to Hugo Tree Care for their EAB Grant services.

RESOLUTION NO. 24-11-106

**A RESOLUTION AUTHORIZING PAYMENT TO HUGO'S TREE CARE FOR
TREE REMOVAL, STUMP GRINDING, AND TREE PLANTING IN THE
AMOUNT OF \$26,500**

WHEREAS, the City was awarded \$40,000 by the Minnesota Department of Natural Resources' through the 2022 Preparing for Emerald Ash Borer (EAB) Grant,

WHEREAS, the City has agreed to remove and replant thirty (30) trees as a part of the Preparing for EAB Grant,

WHEREAS, on October 10, 2024 Hugo's Tree Care removed ten (10) trees, ground ten (10) tree stumps, and replanted ten (10) trees as a part of this grant,

WHEREAS, the City has received an invoice from Hugo's Tree Care for work completed in the amount of \$26,500,

WHEREAS, the City of Wyoming's Purchasing Policy requires council approval for all purchases in excess of ten thousand dollars with several exceptions including emergency purchases that protect life, health and safety, and

THEREFORE BE IT RESOLVED, the City of Wyoming authorizes payment to Hugo's Tree Care for carrying out work as related to the 2022 Preparing for Emerald Ash Borer Grant in the amount of \$26,500.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF WYOMING ON THE 6th
DAY OF NOVEMBER, 2024.**

CITY OF WYOMING

By: _____
Lisa Iverson, Mayor

ATTEST:

Robb Linwood, City Administrator/Clerk



November 1, 2024

Re: Public Safety Activity Report – November 6, 2024, City Council Meeting

Police Update

Hiring Update

We conducted additional interviews for the vacant police officer position and the anticipated vacancy that will be presented to City Council. There are three applicants in the background phase: one has returned the packet and two are currently completing the background packet.

Technology Updates

We are continuing to update our technology on the PD side of things. We have started to purchase replacement laptop computers to replace the squad tablets using the supplemental police fund and the impound fund, allowing us to reduce the request for capital funds in 2025. We have also needed to replace the network switch and the VPN.

Looking ahead, there are significant changes in the FBI CJIS policy that will impact all law enforcement agencies. I spoke with the FBI Information Security Officer and the Acting Assistant Director of the FBI CJIS division while at the IACP conference about the financial significant impact these changes have on agencies, especially the thousands of small agencies across the country. They did not have anything in place and have no plans to provide grants or funding options to accomplish these modifications. They referred me to the State of MN for potential funding. At this time there are not any grants or other funding sources through the state. The BCA is aware of this issue and will be helping to see if opportunities could be created.

These changes are significant modifications, including infrastructure mandates for controlled access and fire suppression in server rooms. We have started discussions with our IT vendor (VC3) on how we can work towards compliance.

ARMER 800 MHz Radios

The replacement radios for police arrived and are being programmed by Chisago County at this time.



wyoming@wyomingmn.org • Phone: 651-462-0575 • Fax: 651-462-0576

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Fire Update

Community Outreach/Education

Wyoming Elementary students came through and toured the fire station on their field trip day. It was a great experience for the students!

Halloween Snow

Halloween was a busy day for fire calls related to motor vehicle crashes, downed powerlines and trees that had fallen as a result of the heavy snow. It brought the total calls for October to 34 for the month, one of the busiest months of the year.

Upcoming Community Outreach Events

November 27, 2024 Stuff a Squad (Bruce's Foods from 3-7 PM)

A handwritten signature in black ink, appearing to read 'N. D. Bauer'.

Neil D. Bauer, Ed.D.
Public Safety Director/Police Chief



October 31, 2024
Honorable Mayor and City Council
City of Wyoming
26885 Forest Boulevard
Wyoming, MN 55092

RE: NOVEMBER 6, 2024 CITY COUNCIL MEETING

Dear Mayor and Council Members:

This letter is intended to summarize on-going commercial building projects and zoning issues within the City. Some of these items may be separate agenda matters, while others are for informational purposes only.

Fairview Hospital

The final inspections for Phase 1 have been approved. Phase 2 consists of minor work in the control room. Framing, plumbing, and HVAC rough-ins have been approved. The permit to remodel the CT scanner room has been issued.

Rosenbauer Damaged Siding Replacement

Work is nearing completion.

Commercial Plumbing and Heating

Permits for the addition and to replace the existing septic system have been issued. The footing inspection has been approved.

Katie's Glen Subdivision

The model home has begun to schedule final inspections. The street is paved. Curbing has been placed in the street.

Planning Commission

The Planning Commission held a public hearing to consider the adoption of the Adult Use Cannabis Ordinance. This is a separate agenda item.

Sincerely,

Frederick E. Weck, IV
Zoning Administrator
Building Official #1825
Advanced Septic Inspector, MPCA #C5199
City of Wyoming



**ECKBERG
LAMMERS**
ATTORNEYS AT LAW

www.eckberglammers.com

Writer's Direct Dial:
(715) 808-8842

Writer's Email:
tloonan@eckberglammers.com

October 30, 2024

Robb Linwood
City of Wyoming
26885 Forest Boulevard
Wyoming, MN 55092

Delivered via Email

Re: City of Wyoming
Status Update for the Period of – October 11th– October 23rd

Dear Robb:

We continue our role as general counsel, answering questions, providing advise relating to the election, addressing legal concerns and reviewing items for the City including development matters, law updates, employment matters and policy considerations as requested.

Please contact me directly if you have any questions regarding this correspondence. Thank you for allowing us to serve the City of Wyoming.

Very Truly Yours,

s/ Thomas R. Loonan

Thomas R. Loonan
City Attorney

Stillwater Office
1809 Northwestern Avenue
Stillwater, MN 55082
Phone: 651-439-2878
Fax: 651-439-2923

Hudson Office
430 Second Street
Hudson, WI 54016
Phone: 715-386-3733
Fax: 715-386-6456



Engineer's Report



October 31, 2024

Honorable Mayor and City Council
City of Wyoming, MN
26885 Forest Boulevard
Wyoming, MN 55092

Re: November 6, 2024, City Council Meeting
WSB Project No. 021007-000

Dear Mayor and Council Members:

This engineer's report is intended to update you on engineering activities within the City since the last council meeting. Some of the items below may be on the agenda with more detailed information provided, while the other items below are for informational purposes only.

2024 Street Improvement Project

The work for 2024 is wrapping up with the final layer of asphalt expected to be completed November 6th and 7th. Dormant seeding will take place and that will conclude the work to be completed until spring.

Mail delivery is back to normal locations at each residence.

2024 Pavement Management Plan

Pavement management inspection and corresponding results have been mapped and staff will begin working to evaluate funding and confirm priority projects followed by reviewing with City Council. Identifying next year's improvement project with City Council and moving forward with the public improvement process will be considered at an upcoming City Council meeting.

Trunk Watermain and Sanitary Sewer Forcemain upsizing

Staff is working with the contractor on final contract closeout items and will be bringing project acceptance and final payment to an upcoming City Council meeting.

Katies Glen

Sanitary sewer, watermain, storm sewer, and retaining walls and the first layer of asphalt has been placed. As-built grading plans have been reviewed and a number of modifications are needed. The developers engineer is working with the contractor on these necessary grading

modifications to be in compliance with approved plans. A punch list has been created for the project.

Diamond Ridge Development

The contractor is completing punch list items and has placed the final lift of asphalt. We expect to bring this development to Council for acceptance of the public improvements once this work and the remaining punch list items have been taken care of.

Heims Lake Villas North

The contractor has completed paving the final lift of pavement. Punch list items have been completed. The project is nearing the point of project acceptance by City Council.

East Viking Boulevard (Fenwick to Glen Oak) and Bridge No. 13J22

Both the roadway and bridge portions of the project are substantially complete. Minor work and restoration will take place in the spring. The fencing along the bridge to guide “critters” to the culvert above the waterline was completed on September 5th. As-built plans are being prepared for inclusion in Wyoming’s asset management system.

Fallbrook Avenue and 264th Street Improvement Project

The project is now substantially complete. We are working with the contractor on contract closeout items and will have an agenda item prepared for an upcoming council meeting that will ask council to accept the improvements and make final payment.

Bingham Property – Hallberg Project (Multi-Tennent)

No new update.

All testing has now passed, and a site walk through has been completed. A final punch list has been provided to the contractor. Restoration items persist due to the lack of rain.

Sunrise Riverbank Development (residential and commercial)

No new update.

Summer Fields Development

No new update:

First Addition (19 lots): The contractor has indicated the project has been completed and all punch list items are complete as well. Upon inspection, there are a few items that remain; however, it is expected that this will be brought to the City in the near future for consideration of acceptance and release of escrow. The developer is working to address these remaining punch list items. The Developer started work installing pipes in the filtration basin on 12/12/2022. Staff has reduced the cash escrow to \$10,000. The remaining work is primarily related to the removal of silt fence and ensure restoration efforts have taken.

Second Addition (15 lots):

No New Update:

Utility Construction, curb and gutter placement and asphalt has been placed. An escrow reduction has been requested and staff is confirming the value of work completed and what remains now that they have submitted the remaining. The escrow reduction has taken place.

Third Addition

No new update.

The developer has indicated that they are currently working on the third addition final plat and construction plans. This is for the completion of the site on the east side of Kettle River Boulevard. Earlier indication was that the third addition was for the next phase on the west side of Kettle River Boulevard.

The next addition on the West side of Kettle River Boulevard will involve the design of a city lift station within the site and will require design and ordering of lift station components. An on-site generator will also be required to be installed at the downstream lift station. The lead time on this is significant and that information has been provided to the developer to make sure these do not impede the timing of this next phase. Lift station design is currently underway as requested by the developer.

Hallberg Storage

No new update.

Final punch list has been created and project completion is near. Restoration is all that is needed for acceptance, however due to the lack of rain, seeding efforts have failed.

Thank you for the opportunity to update the Council on current matters in the City.

Sincerely,

WSB and Associates, Inc.

Mark Erichson, P.E., City Engineer



October 29, 2024

Honorable Mayor Iverson and City Council Members Nanko Yeager, Luger, Ohnstad and Schilling,

RE: November 6, 2024 City Council Meeting

Public Works Department Activity

- 3 operators earned their MN Dept of Health Water Operator Certificate
- Fall hydrant flush is complete
- Fall lift station cleaning is underway
- Held first Winter Operations meeting to go over plow routes, equipment and procedures
- Fall sweep is in full swing with an operator out in our Enhanced Street Sweeping area to start
- Kettle River Blvd is seeing high volumes of traffic we are putting a lot of resources toward it including twice weekly grading and rolling
- 5 maintenance operators attended the MN Chapter of the APWA Winter Operator Training and now certificated Winter Operators
- Assistant Superintended Lopez and Superintendent Reeves attended the MN Chapter of the APWA Winter Operations Supervisor training and are now certified

Streets:

Gravel road maintenance continues as weather allows. 90% of gravel roads have been graded at least twice. Cleared vegetation in the right of way with emphasis at intersections so motorists and pedestrians have a clear view of oncoming traffic.

Utilities:

The crew completed utility locates in the city. Meter installs as they come through.

- **Sanitary Sewer**

Staff continue to do rounds checking lift stations. Fall Lift Station cleaning has begun. The new collection logs of data are underway and providing information on our critical infrastructure that we didn't have in the past. This includes run time hours on pumps as well as generator exercising

PUBLIC WORKS

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duration. Staff continued to perform maintenance to generators in town, Kodiak Power Systems is making repairs to Lift Station 7 radiator and coolant system maintenance to Lift Station 6.

- **Water:**

Continuing water testing and monitoring the city's water distribution system. Completed monthly bacterial sample test with results being negative.

Surface/Storm Water:

Completed first fall sweep in advance of areas to be hydrant flushed to keep sediment out of the storm sewer infrastructure. As leaves begin and continue to fall we will be sweeping regularly as part of our street sweeping plan.

Parks:

Park and playground inspections are being completed. Weed abatement in park playground areas and tree work in various parks. Ashton Park Little Free Library was installed through partnership with Girl Scouts Troop # 57731.

Fleet:

Annual DOT inspections have been completed on all plow trucks and 90% of the fleet over all. Regular and routine maintenance is occurring on all vehicles and equipment including replacement of tires paired with alignment on vehicles that were in for service and tire replacement was called for in the inspection.

Respectfully submitted,
Steve Reeves
Public Works Superintendent



Council Communication

Date: November 6, 2024

Presented to: Mayor Iverson and City Council Members

Presented by: Grant MacFarlane, Assistant City Administrator

Department: Administration

Reference: Tree Lighting Ceremony

Method: Communications

Background Information:

The Wyoming Tree Lighting Ceremony is an annual event held on the first Saturday of December in the City of Wyoming. This event creates a positive experience for families to come together and celebrate the holiday season. This year the Tree Lighting Ceremony will be held at Railroad Park on Saturday, December 7th from 4:30pm to 6:00pm. The City is still finalizing donors and entertainment that will be present at the event, however some of the participants include the The Dance Factory, Sunrise Apple Farm, Chisago County Anonymous Santa Program, and a special appearance from Santa.



CITY OF WYOMING

P.O. Box 188, 26885 Forest Blvd., Wyoming, MN 55092
Phone: 651-462-0575 Fax: 651-462-0576

Request for Council Action

Date: November 6, 2024

Presented to: Mayor Iverson and City Council Members

Presented by: Grant MacFarlane, Assistant City Administrator

Department: Administration

Reference: Scout Project Update

Method: Consent

Background Information:

The Wyoming City Council approved the Scout Project application for Troop 57731 to install a little library at Ashton Park during their September 17, 2024 City Council Meeting. Members of Troop 57731 were at Ashton Park on Wednesday, October 23rd to complete the installation of the new amenity. The little library has been successfully installed and is now open.





Memorandum

Date: October 30, 2024

Presented to: Mayor Iverson and City Council Members
Presented by: Zoning Administrator / Building Official Frederick E. Weck, IV
Department: Planning & Zoning
Reference: Adult Use Cannabis Ordinance
Method: New Business

Background Information:

With this memorandum you will find the draft of the Adult Use Cannabis Ordinance, maps showing buffer zones, a glossary of terms, the local government guide from the Office of Cannabis Management (OCM), and a resolution for the summary publication of the ordinance.

The draft ordinance is based on the model ordinance that was provided with the guide from the OCM. Both the model ordinance and the draft have been reviewed by Christina Benson who has become the City Attorney Office's cannabis authority. The model ordinance in the OCM guide was significantly revised in creating the city's draft. The model ordinance had some options that the city could select; those options and the Planning Commission's recommended choices will be described in the ordinance synopsis below.

The maps show the 500 and 1,000 foot buffers from parks and daycares to potential retail locations. The ordinance includes a buffer from residential treatment facilities, but there are none in the city at this time.

The following is a brief synopsis of the sections of the draft ordinance:

Division 1. Administration

12-401 Findings and Purpose – States that the purpose of the ordinance is to regulate cannabis businesses and where they are located.

12-402 Authority and Jurisdiction – Lists the statutes that give the city authority to adopt the ordinance.

12-403 Severability

12-404 Enforcement – The city clerk administers the liquor and tobacco ordinances, the Planning Commission chose that the city clerk will also administer the cannabis ordinance. Violations of the ordinance are misdemeanors.

Division 2. Registration of Cannabis Businesses

12-410 Consent to Registering of Cannabis Businesses – Requires businesses to register with the city. The Planning Commission decided on a maximum civil penalty of \$2,000.00 for those that do not register.

12-411 Compliance Check Prior to Retail Registration

12-412 Registration and Application Procedure – Lists registration fees, information required on and with the application, requires annual compliance checks, and requires a new application if the business relocates. The statute allows the city to charge a registration fee of \$500.00; or no more than half of the amount of the State's initial license fee, whichever is less.



DEPARTMENT OF BUILDING SAFETY

P.O. Box 188, 26885 Forest Blvd., Wyoming, MN 55092

Phone: 651-462-4947 Fax: 651-462-3938

Per Statute a renewal fee of \$1,000.00; or no more than half of the amount of the State's renewal license fee, whichever is less can be charged by the city. Both the initial and first annual renewal fees will be collected when a business first registers with the city.

12-413 Renewal of Registration – Requires annual renewal of the registration.

12-414 Suspension of Registration, Length of Suspension – The Planning Commission chose the maximum civil penalty of \$2,000.00. The commission also decided to leave the option for the city not to reinstate the business registration even if OCM determines the violation(s) have been resolved.

12-415 Limiting of Cannabis Registrations – The city must have at least one cannabis business registration per 12,000 residents; the Planning Commission is recommending one registration. This limit does not include a city operated dispensary, nor does it include medical cannabis combination businesses (medical dispensaries)

Division 3. Requirements for Cannabis Businesses

12-420 Minimum Buffer Requirements – The Planning Commission chose the maximum distances allowed for cannabis businesses, and decided to not have a buffer distance for low-potency hemp edibles. The hemp edibles can be sold in businesses that already have a liquor license, the city does not currently require buffers for businesses with a liquor license.

12-421 Definitions of Terms

12-422 Zoning and Land Use – The zoning districts and the businesses that were chosen to be allowed in them were based on similar current allowed uses in the district. All are allowed as an interim use; this does two things. Interim uses are processed as conditional uses, and this will require any new business that may go in a location that was already granted an interim use permit to go through the conditional use process as well.

12-423 Odor – This section was added by Ms. Benson.

12-424 Hours of Operation – The hours selected are the same hours that a liquor store or a bar or a restaurant would be allowed to sell or serve alcohol in the city.

12-425 Advertising – Everything after the first sentence of this section was added by Ms. Benson.

Division 4 Temporary Cannabis Events –

12-430 Permit required for Temporary Cannabis Events – Temporary Cannabis Events will be interim uses and will require the applicant to go through the conditional use permit process. No onsite consumption or off-site signage were recommended by Ms. Benson.

Division 5 Local Government as a Cannabis Retailer

12-440 Local Government as a Cannabis Retailer – Ms. Benson recommends that this division be removed from the ordinance if the city does not intend to operate a retail cannabis business.

Division 6 Use in Public Spaces – Prohibits the use of cannabis in public spaces unless the location is licensed to allow on-site consumption.

Recommendation:

Staff and the Planning Commission are recommending adoption of the ordinance and its summary publication.

Fred Weck

Zoning Administrator

Building Official #MN1825

Advanced Septic Inspector #C5199



DEPARTMENT OF BUILDING SAFETY

P.O. Box 188, 26885 Forest Blvd., Wyoming, MN 55092

Phone: 651-462-4947 Fax: 651-462-3938

ORDINANCE NO. 2024-01

AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 12, BUSINESSES; CREATING ARTICLE VII, ESTABLISHING REGULATIONS FOR CANNABIS BUSINESSES AND AMENDING CHAPTER 40, ARTICLE IV, DEFINITION OF TERMS; ARTICLE VI, DIVISIONS 2, & 9 – 13 AMENDING ZONING DISTRICT ALLOWED USES FOR LICENSED CANNABIS BUSINESSES.

NOW THEREFORE, it is hereby ordained by the City Council of the City of Wyoming, Chisago County, Minnesota, that Chapters 12 and 40 of the Wyoming City Code are amended as follows:

ARTICLE VII CANNABIS BUSINESSES.

DIVISION 1. ADMINISTRATION.

Sec. 12-401. Findings and Purpose.

The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes The City of Wyoming to protect the public health, safety, welfare of the City of Wyoming residents by regulating cannabis businesses within the legal boundaries of the City of Wyoming.

The City of Wyoming finds and concludes that the proposed provisions are appropriate and lawful land use regulations for the City of Wyoming, 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.

Sec. 12-402. Authority and Jurisdiction.

The City of Wyoming has the authority to adopt this ordinance pursuant to:

- (1) 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 businesses and hemp businesses.
- (2) Minn. Stat. 342.22, regarding the local registration and enforcement requirements of cannabis businesses and hemp businesses.
- (3) Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
- (4) Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.
- (5) Ordinance shall be applicable to the legal boundaries of the City of Wyoming.

Sec. 12-403. 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.

Sec. 12-404. Enforcement.

The city clerk administrator is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

DIVISION 2. REGISTRATION OF CANNABIS BUSINESSES.

Sec. 12-410. Consent to registering of Cannabis Businesses.

- (1) No individual or entity may operate a cannabis retailer business or lower-potency hemp edible retailer business within the City of Wyoming without first registering with the City of Wyoming.
- (2) Any cannabis retailer business or lower-potency hemp edible retailer 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.

Sec. 12-411. Compliance Check Prior to Retail Registration.

- (1) Prior to issuance of a registration, the City of Wyoming shall conduct a preliminary compliance check to ensure compliance with local ordinances.

Sec. 12-412. Registration and Application Procedure.

- (1) Fees.
 - (a) A registration fee, as established in the City of Wyoming's fee schedule, shall be charged to applicants depending on the type of business license applied for.
 - (b) The initial registration fee shall include the initial registration fee and the first annual renewal fee.
 - (c) Any renewal registration fee imposed by the City of Wyoming shall be charged at the time of the second renewal and each subsequent renewal thereafter.
- (2) Application Submittal
The City of Wyoming shall issue a registration to a cannabis retailer business or lower-potency hemp edible retailer business that adheres to the requirements of Minn. Stat. 342.22.
 - (a) An applicant for a registration shall fill out an application form, as provided by the City of Wyoming. Said form shall include, but is not limited to:
 1. Full name of the property owner and applicant;
 2. Address, email address, and telephone number of the applicant;
 3. The address and parcel ID for the property which the retail registration is sought;
 4. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13;
 5. Other information as required in the application form.
 - (b) The applicant shall include with the form:
 1. the registration fee as required in Section 12-412, (1);
 2. a copy of a valid state license or written notice of OCM license preapproval;
 3. Other information as required in the application form.
 - (c) Once an application is considered complete, the city clerk administrator shall inform the applicant as such, process the registration fees, and forward the application to the City Council for approval or denial.
 1. The registration fee shall be non-refundable once processed.
- (3) Application Approval.
 - (a) An application shall not be approved if the business would exceed the maximum number of registered businesses permitted under Section 12-415.
 - (b) An application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.

- (c) An application that meets the requirements of this ordinance shall be approved.
- (4) Annual Compliance Checks.
 - (a) The City of Wyoming shall complete compliance checks pursuant to Minn. Stat. 342.22 Subd. 4(b) and Minn. Stat. 342.24.
- (5) Location Change.
 - (a) A cannabis retailer business or lower-potency hemp edible retailer business shall be required to submit a new application for registration under Section 12-412, (2) if it seeks to move to a new location still within the legal boundaries of the City of Wyoming.

Sec. 12-413. Renewal of Registration.

- (1) Annual Renewal of Registration.
 - (a) The City of Wyoming shall renew registration at the same time OCM renews the business' license.
 - (b) A business shall renew their registration on a form established by the City of Wyoming.
 - (c) A registration issued under this ordinance shall not be transferred.
- (2) Renewal Fees.
 - (a) The City of Wyoming may charge a renewal fee for the registration starting at the second renewal, as established in the City of Wyoming's fee schedule.
- (3) Renewal Application.
 - (a) The application for renewal of a registration shall include, but is not limited to:
 - 1. Items required under Section 12-412, (2) of this Ordinance.
 - 2. Other information as required in the application form.

Sec. 12-414. Suspension of Registration.

- (1) When Suspension is Warranted.
 - (a) The City of Wyoming may suspend a registration if it violates the ordinance of the City of Wyoming or poses an immediate threat to the health or safety of the public. The City of Wyoming shall immediately notify the business in writing the grounds for the suspension.
- (2) Length of Suspension.
 - (a) The suspension of a 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.
 - (b) The City of Wyoming may reinstate a registration if OCM determines that the violation(s) have been resolved.
- (3) Civil Penalties.
 - (a) The City of Wyoming may impose a civil penalty, as specified in the City of Wyoming's Fee Schedule, for registration violations, not to exceed \$2,000.

Sec. 12-415. Limiting of Cannabis Registrations.

There shall be one registration available for either a cannabis microbusiness with a retail endorsement, cannabis mezzobusiness with a retail endorsement, or cannabis retailer businesses in the City of Wyoming.

DIVISION 3.

REQUIREMENTS FOR CANNABIS BUSINESSES.

Sec. 12-420. Minimum Buffer Requirements.

Buffer distances shall be measured from the property line of the proposed cannabis business to the property line of the protected use. The buffer distance for a property platted as a condominium shall be measured from the parent parcel property line to the property line of the protected use.

- (1) The City of Wyoming shall prohibit the operation of a cannabis business within 1,000 feet of a school.
- (2) The City of Wyoming shall prohibit the operation of a cannabis business within 500 feet of a daycare.
- (3) The City of Wyoming shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
- (4) The City of Wyoming 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.

Sec. 12-421. Definition of Terms.

The City of Wyoming Zoning Ordinance, Chapter 40, Division IV, shall be amended to include the following definitions:

- (1) Cannabis Business. A business licensed by the Office of Cannabis Management (OCM) as defined by Minnesota Statute 342.01 Subd. 14.
- (2) Cannabis Cultivator. A cannabis business that grows cannabis plants from seed or immature plant to mature plant, harvests the cannabis flower from a mature plant, and packages and labels immature cannabis plants and seedlings and cannabis flower for sale to pursuant to Minnesota Statute Section 342.30.
- (3) Cannabis Event. A temporary cannabis event lasting no more than four days operating pursuant to Minnesota Statute 342.39.
- (4) Cannabis Manufacturer. A cannabis business that makes cannabis and/or hemp concentrate, manufactures artificially derived cannabinoids, adult-use cannabis products, lower-potency hemp edibles, and/or hemp-derived consumer products, and sells cannabis concentrate, hemp concentrate, artificially derived cannabinoids, cannabis products, lower-potency hemp edibles, hemp-derived consumer products to other cannabis businesses pursuant to Minnesota Statute Section 342.31.
- (5) Cannabis Mezzobusiness. A cannabis business that grows cannabis plants from seed or immature plant to mature plant, harvests the cannabis flower from a mature plant, makes cannabis and/or hemp concentrate, manufactures artificially derived cannabinoids, adult-use cannabis products, lower-potency hemp edibles, and/or hemp-derived consumer products, and sells immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to consumers pursuant to Minnesota Statute Section 342.29.
- (6) Cannabis Microbusiness. A cannabis business that grows cannabis plants from seed or immature plant to mature plant, harvests the cannabis flower from a mature plant, makes cannabis and/or hemp concentrate, manufactures artificially derived cannabinoids, adult-use cannabis products, lower-potency hemp edibles, and/or hemp-derived consumer products, and sells immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to consumers, including on-site consumption, pursuant to Minnesota Statute Section 342.28.
- (7) Cannabis Retailer. A cannabis business that sells immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to customers pursuant to Minnesota Statute Chapter 342 and as defined in Minn. Rule 9810.0200.
- (8) Cannabis Testing Facility. A cannabis business that obtains and tests immature cannabis plants and seedlings, cannabis flower, cannabis products, hemp plant parts, hemp concentrate, artificially derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products from cannabis

microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers, cannabis wholesalers, lower-potency hemp edible manufacturers, and industrial hemp growers pursuant to Minnesota Statute Section 342.37.

- (9) Cannabis Wholesaler. A cannabis business that sells immature cannabis plants and seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products to cannabis microbusinesses, cannabis mezzobusinesses, cannabis manufacturers, and cannabis retailers pursuant to Minnesota Statute Section 342.33.
- (10) Hemp Business. A business licensed by the Office of Cannabis Management (OCM) as defined by Minnesota Statute 342.01 Subd. 34.
- (11) Lower-Potency Hemp Edible Manufacturer. A hemp business that makes hemp concentrate, manufactures artificially derived cannabinoids lower-potency hemp edibles, and/or hemp-derived consumer products, and sells hemp concentrate, artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived consumer products to other cannabis businesses and hemp businesses pursuant to Minnesota Statute Section 342.45.
- (12) Lower-Potency Hemp Edible Retailer. A hemp business that sells lower-potency hemp edibles to customers, including on-site consumption, pursuant to Minnesota Statute Section 342.46
- (13) Office of Cannabis Management (OCM). The state agency with the powers and duties of making rules, establishing policy, and exercising its regulatory authority over the cannabis industry and hemp consumer industry.

Sec. 12-422. Zoning and Land Use.

The City of Wyoming Zoning Ordinance, Chapter 40, shall be amended to incorporate licensed cannabis businesses as uses in suitable zoning districts as follows:

- (1) Cannabis Cultivator.
 - (a) Cannabis businesses licensed or endorsed for cultivation are permitted as an interim use in the following zoning districts:
 - 1. Agricultural (A) District.
 - 2. Industrial (I) District.
- (2) Cannabis Manufacturer.
 - (a) Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as an interim use in the following zoning districts:
 - 1. Agricultural (A) District.
 - 2. Industrial (I) District.
- (3) Cannabis Mezzobusiness.
 - (a) Cannabis businesses licensed or endorsed for cannabis mezzobusiness are permitted as an interim use in the following zoning districts:
 - 1. Agricultural (A) District.
 - 2. Industrial (I) District.
- (4) Cannabis Microbusiness.
 - (a) Cannabis businesses licensed or endorsed for cannabis microbusiness are permitted as an interim use in the following zoning districts:
 - 1. Agricultural (A) District.
 - 2. Industrial (I) District.

- (5) Cannabis Retailer.
- (a) Cannabis businesses licensed or endorsed for cannabis retail are permitted as an interim use in the following zoning districts:
 - 1. Central Business (CBD) District.
 - 2. Commercial (C) District.
 - 3. Office and Health Care (OHC) District.
 - 4. Mixed Use (MXD) District.
- (6) Cannabis Wholesale.
- (a) Cannabis businesses licensed or endorsed for wholesale are permitted as an interim use in the following zoning districts:
 - 1. Agricultural (A) District.
 - 2. Industrial (I) District.
- (7) Cannabis Transportation.
- (a) Cannabis businesses licensed or endorsed for transportation are permitted as an interim use in the following zoning districts:
 - 1. Agricultural (A) District.
 - 2. Industrial (I) District.
 - 3. Mixed Use (MXD) District.
- (8) Cannabis Delivery.
- (a) Cannabis businesses licensed or endorsed for delivery are permitted as an interim use in the following zoning districts:
 - 1. Agricultural (A) District.
 - 2. Industrial (I) District.
 - 3. Central Business (CBD) District.
 - 4. Commercial (C) District.
 - 5. Office and Health Care (OHC) District.
 - 6. Mixed Use (MXD) District.
- (9) Hemp Edible Manufacturer.
- (a) Hemp businesses licensed or endorsed for lower-potency hemp edible manufacturers permitted as an interim use in the following zoning districts:
 - 1. Agricultural (A) District.
 - 2. Industrial (I) District.
- (10) Hemp Edible Retailer.
- (a) Hemp businesses licensed or endorsed for lower-potency hemp edible retailers permitted as an accessory use for businesses with a valid liquor license issued under City Code Chapter 4 in the following zoning districts:
 - 1. Central Business (CBD) District.
 - 2. Commercial (C) District.
 - 3. Office and Health Care (OHC) District.
 - 4. Mixed Use (MXD) District.

- (b) Hemp businesses licensed or endorsed for lower-potency hemp edible retailers permitted as an interim use in the following zoning districts:
 - 1. Central Business (CBD) District.
 - 2. Commercial (C) District.
 - 3. Office and Health Care (OHC) District.
 - 4. Mixed Use (MXD) District.
- (11) Temporary Cannabis Event.
 - (a) Cannabis businesses licensed or endorsed for a temporary cannabis event are permitted as an interim use in the following zoning districts:
 - 1. Agricultural (A) District.

Sec. 12-423. Odor.

- (1) Cannabis Businesses and Hemp Businesses shall be ventilated so that all odors cannot be detected by a person with a normal sense of smell at the exterior of the facility or at any adjoining use or property; they shall not produce noxious or dangerous gases or odors or otherwise create a danger to any person or entity in or near the facilities.
- (2) The facility shall not produce noxious or nuisance causing odors, subject to the following conditions:
 - (a) The applicant shall provide plans that show appropriate odor control systems so as not to produce any noxious or dangerous gases or odors or create any dangers to any person or entity in or near the facility.
 - (b) An odor maintenance plan must be submitted to the City and approved by the City.

Sec. 12-424. Hours of Operation.

- (1) 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 9:00 p.m.
- (2) Lower-Potency Hemp Edible Retailer are limited to retail sale of lower-potency hemp edibles, or hemp-derived consumer products for off-site consumption between the hours of 10 a.m. and 9 p.m., seven days a week.
- (3) Lower-Potency Hemp Edible Retailers are limited to retail sale of lower-potency hemp edibles, or hemp derived consumer products for on-site consumption between the hours of 8:00 a.m. & 2:00 a.m.

Sec. 12-425. 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 of Wyoming's sign ordinances. Exterior wall, window, and monument signage shall contain only words and shall not depict a cannabis flower, cannabis product, hemp edibles, hemp derived edible consumer product or any other logo, picture, image, or symbol intended to denote or suggest cannabis, hemp, or related paraphernalia and the like. Additionally, a business logo containing the above depictions shall not be displayed as part of any exterior signage. No products, interior signage, advertisements, or like attention-getting items shall be placed or displayed that may be visible from the exterior of the Cannabis or Hemp Business.

Sec. 14-426. Security.

Any security bars, gates, or grills shall be retractable, shall remain open and retracted when the Cannabis or Hemp business is open to the public or otherwise in operation and shall not be installed on the exterior of the building.

DIVISION 4.**TEMPORARY CANNABIS EVENTS.****Sec. 12-430. Permit Required for Temporary Cannabis Events.**

- (1) Permit Required.
 - (a) A permit is required to be issued and approved by the City of Wyoming prior to holding a Temporary Cannabis Event.
- (2) Registration and Application Procedure.
 - (a) A registration fee, as established in the City of Wyoming's fee schedule, shall be charged to applicants for Temporary Cannabis Events.
- (3) Application Submittal and Review.
 - (a) The City of Wyoming shall require an application for Temporary Cannabis Events.
 1. An applicant for a temporary cannabis event permit shall fill out an application form, as provided by the City of Wyoming. 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. Other information as required in the application form.
 2. The applicant shall include with the form:
 - i. The registration fee as required in Section 12-430, (2);
 - ii. A copy of the OCM cannabis event license application, submitted pursuant to 342.39 Subd. 2.
 - (b) The application shall be submitted to the city clerk administrator, or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.
 - (c) Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the City Council for approval or denial.
 - (d) The registration fee shall be non-refundable once processed.
- (4) The application for a permit for a Temporary Cannabis Event shall meet the following standards:
 - (a) An Interim Conditional Use Permit shall be required for the operation of a temporary cannabis event. All conditional uses shall be subject to the requirements of this Division and Chapter 40, Article V, Division 6 of this code.
 - (b) On-site consumption is prohibited.
 - (c) No off-site signage shall be permitted.
- (5) A request for a Temporary Cannabis Event that meets the requirements of this Section shall be approved.
- (6) A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The City of Wyoming shall notify the applicant of the standards not met and basis for denial.

DIVISION 5.

LOCAL GOVERNMENT AS A CANNABIS RETAILER.

Sec. 12-440. The City of Wyoming may establish, own, and operate one municipal cannabis retail business subject to the restrictions in this chapter.

- (1) The municipal cannabis retail store shall not be included in any limitation of the number of registered businesses under Section 12-415.

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DIVISION 6.

USE IN PUBLIC PLACES.

Sec. 12-450. 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.

Sec. 40 – 451–459. Reserved.

Passed and approved by the City Council of the City of Wyoming this 6th day of November, 2024.

Lisa Iverson, Mayor

ATTEST:

Robb Linwood, City Clerk

This Document Drafted by:
The City of Wyoming
26885 Forest Boulevard
Wyoming, Minnesota 55092

DRAFT



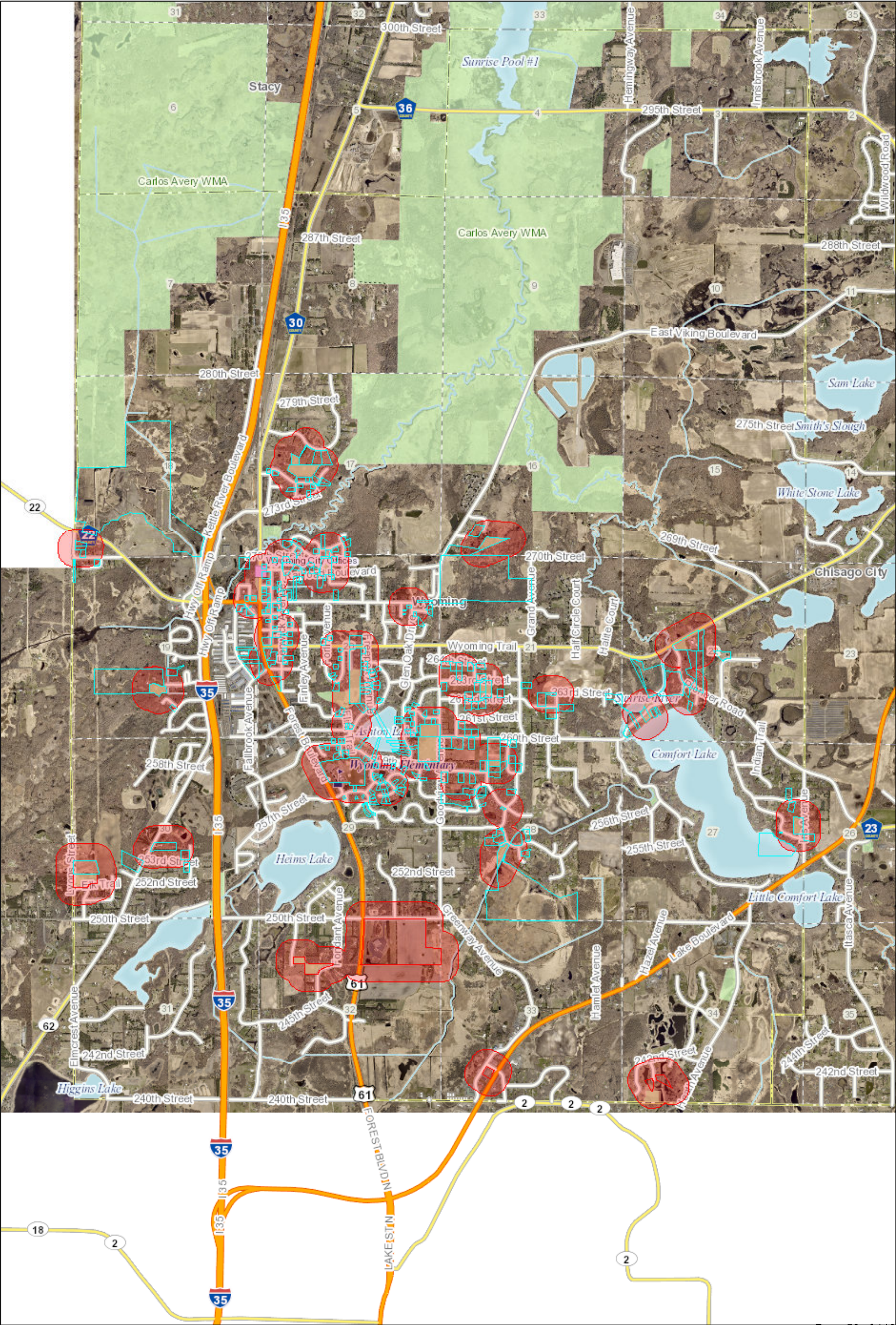
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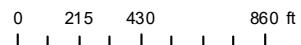
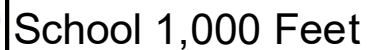
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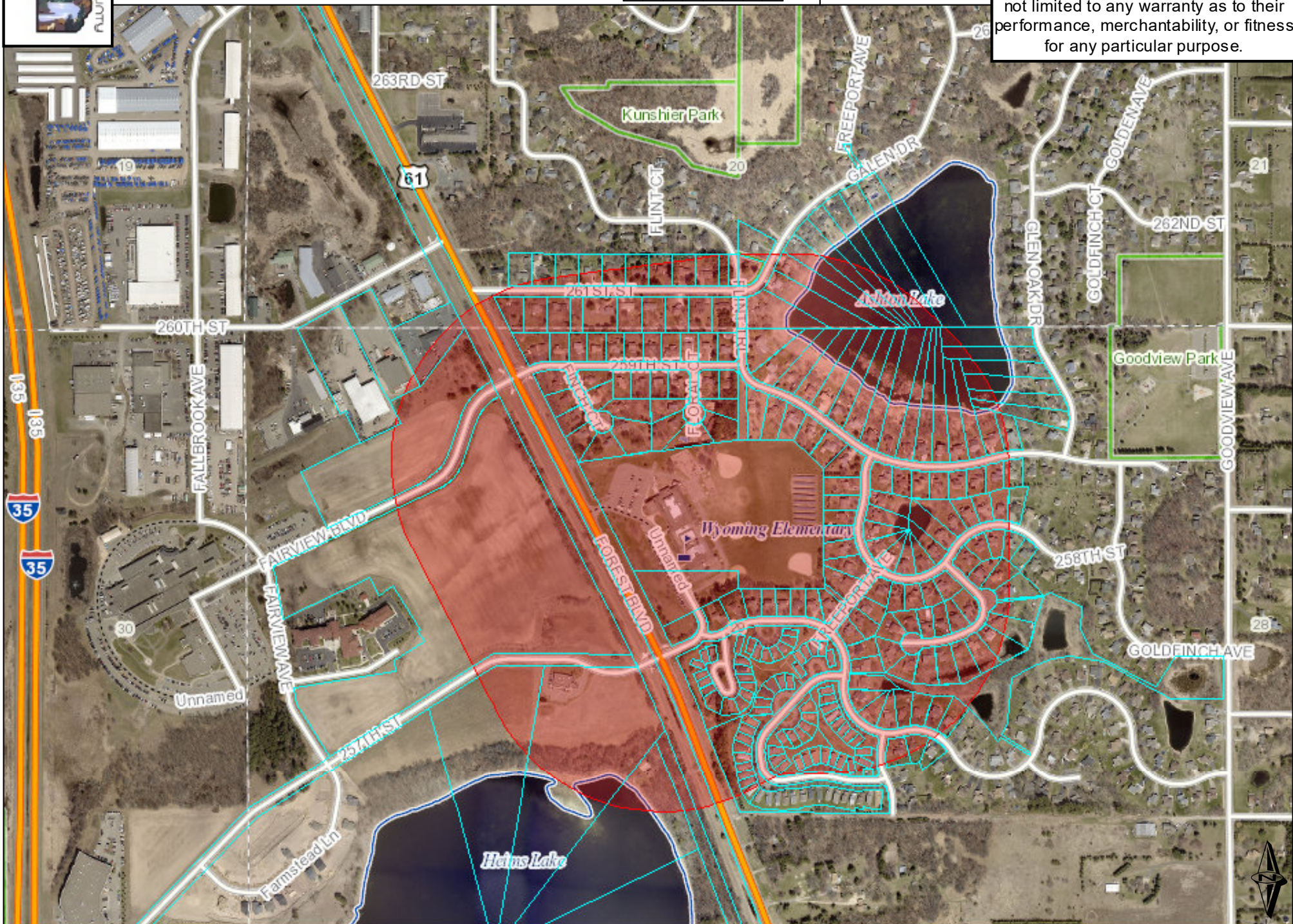
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CANNABIS ORDINANCE DEFINITIONS

Cannabis	All parts of the plant of the genus Cannabis
Hemp	The plant Cannabis sativa L. and any part of the plant with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.
Cannabis Product	A product infused with cannabinoids or any other product that contains cannabis concentrate.
Lower Potency Hemp Edible	Any product intended to be eaten or consumed as a beverage by humans containing hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients;
Edible Cannabinoid Products	Any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
Cannabis Business	Retail, cultivation, manufacture, transport, testing facility, event, and delivery service.
Hemp Business	Lower-potency hemp edible manufacturer or lower-potency hemp edible retailer.

cannabis microbusiness;	• grow cannabis plants and harvest up to 3,000 pounds • make concentrate • manufacture • package and label • sell to consumers and other cannabis businesses cannabis plants, flower, and products, lower-potency hemp edibles, and other products authorized by law • permit on-site consumption of edibles (cannot permit smoking or a vaporized delivery method)
cannabis mezzobusiness;	• grow cannabis plants and harvest: • up to 10,000 pounds • 15,000 square feet plant canopy indoor • One acre plant canopy outdoor • make concentrate • manufacture • package and label • sell to consumers and other cannabis businesses cannabis plants, flower, and products, lower-potency hemp edibles, and other products authorized by law
cannabis cultivator;	• Grow:

	• 30,000 square feet plant canopy indoors • Two acres plant canopy outdoors • package and label immature cannabis plants and seedlings and cannabis flower • transport cannabis flower to a cannabis manufacturer located on the same premises
cannabis manufacturer;	
cannabis retailer;	sell to consumers cannabis plants, flower, and products, lower-potency hemp edibles, and other products authorized by law
cannabis wholesaler;	
cannabis transporter;	
cannabis testing facility;	
cannabis event organizer;	• Local approval • Event access is at least 21 years of age • Designated retail area • On-site Consumption permitted if approved by the local unit of government
cannabis delivery service;	

Lower Potency Hemp Edible Manufacturer	• purchase hemp and cannabis • make hemp concentrate; • manufacture • package and label • sell to other cannabis and hemp businesses hemp concentrate, artificially derived cannabinoids, and lower-potency hemp edibles.
Lower Potency Hemp Edible Retailer	• Sell lower-potency hemp edibles • On-site consumption of lower-potency hemp edibles on a portion of its premises if it has an on-site consumption endorsement.
Retail operations endorsement	Something available to cannabis microbusinesses and cannabis mezzobusinesses authorizing the retail sale of cannabis flower or cannabis products either at the same location as the cultivation and manufacturing operations or at a different location than the cultivation and manufacturing operations



A Guide for Local Governments on Adult-Use Cannabis



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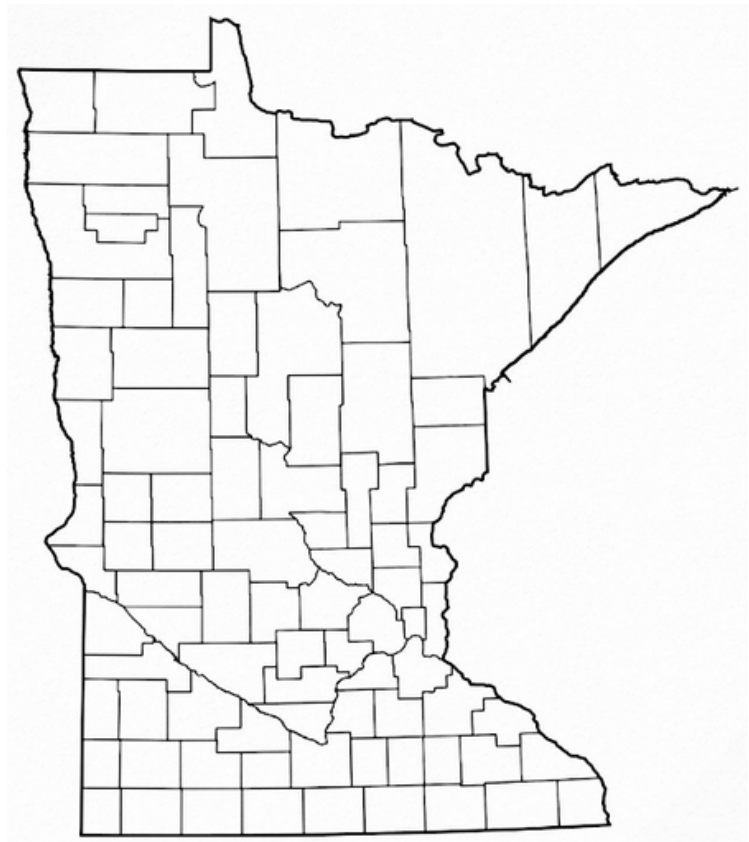
Introduction

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

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

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

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



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

About OCM

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



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

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

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

License Types

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

Microbusiness

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

Mezzobusiness

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

Cultivator

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

Manufacturer

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

Retailer

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

Wholesaler

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

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

License Types (continued)

Transporter

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

Testing Facility

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

Event Organizer

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

Delivery Service

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

Medical Cannabis Combination Business

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

Lower-Potency Hemp Edible Manufacturer

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

Lower-Potency Hemp Edible Retailer

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

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

The Adult-Use Cannabis Law

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

For Individuals

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



For Businesses

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



The Cannabis Licensing Process

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

License Preapproval: Early Mover Process for Social Equity Applicants

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

Preapproval steps:

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

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

The Cannabis Licensing Process (cont.)

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

General Licensing: Cultivator, Manufacturer, Retailer, Mezzobusiness

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

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

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

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

General Authorities

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

Cannabis Retail Restrictions (342.13)

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

Tribal Governments (342.13)

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

Taxes (295.81; 295.82)

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

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

General Authorities (cont.)

Retail Timing Restrictions (342.13)

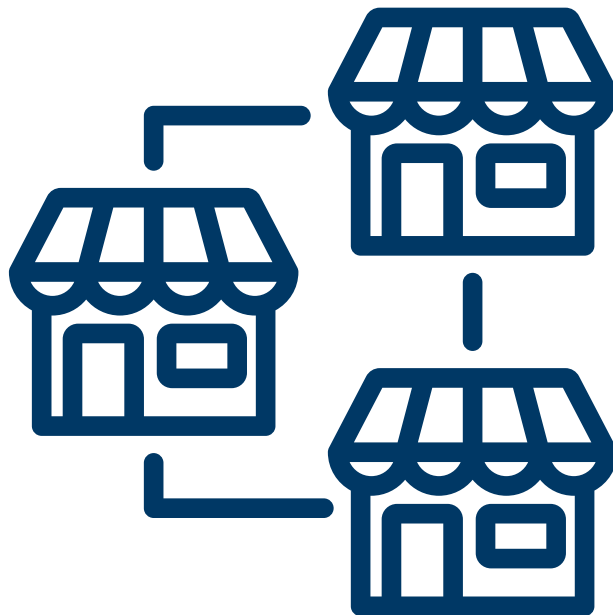
Local governments may prohibit retail sales of cannabis between the hours of 8 a.m. and 10 a.m. Monday-Saturday, and 9 p.m. and 2 a.m. the following day.

Operating Multiple Locations with One License

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

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

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



Zoning and Land Use

Buffer Guidelines (342.13)

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

Zoning Guidelines

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

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

Zoning and Land Use (cont.)

Table 1: Cannabis and Hemp Business Activities

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

Zoning and Land Use (cont.)

Table 1: Cannabis and Hemp Business Activities (continued)

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

Local Approval Process

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



Local Certification of Zoning Compliance (342.13; 342.14)

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

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

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

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

Local Approval Process (cont.)

Local Retail Registration Process (342.22)

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

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

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

Determining a Process for Limiting Retail Registrations

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

Local Approval Process (cont.)

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

Registration and Renewal Refusals

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



Local Registration Suspension (342.22)

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

Expedited Complaint Process (342.13)

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

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

Inspections & Compliance Checks

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

Inspections and Compliance Checks (342.22)

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



Municipal Cannabis Stores

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

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

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

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

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



Creating Your Local Ordinance

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

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



Model Ordinance

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

Additional Resources

OCM Toolkit for Local Partners

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

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

Toolkit resources include:

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

Local Organizations

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

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

Appendix A: Model Ordinance

Cannabis Model Ordinance

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

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

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

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

Section 1. Administration

1.1 Findings and Purpose

(insert local authority) makes the following legislative findings:

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

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

1.2 Authority & Jurisdiction

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

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

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

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

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

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

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

1.3 Severability

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

1.4 Enforcement

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

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

1.5 Definitions

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

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

Section 2. Registration of Cannabis Businesses

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

2.1 Consent to registering of Cannabis Businesses

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

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

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

2.2 Compliance Checks Prior to Retail Registration

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

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

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

2.3 Registration & Application Procedure

2.3.1 Fees.

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

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

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

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

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

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

2.3.2 Application Submittal.

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

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

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

(B) The applicant shall include with the form:

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

2.3.3 Application Approval

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

2.3.4 Annual Compliance Checks.

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

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

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

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

2.3.5 Location Change

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

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

or

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

2.4 Renewal of Registration

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

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

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

2.4.1 Renewal Fees.

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

2.4.2 Renewal Application.

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

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

2.5 Suspension of Registration

2.5.1 When Suspension is Warranted.

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

2.5.2 Notification to OCM.

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

2.5.3 Length of Suspension.

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

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

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

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

2.5.4 Civil Penalties.

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

2.6 Limiting of Registrations

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

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

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

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

Section 3. Requirements for Cannabis Businesses

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

3.1 Minimum Buffer Requirements

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

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

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

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

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

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

Pursuant to Minn. Stat. 462.367 subd. 14, nothing in Section 3.1 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a (school/daycare/residential treatment facility/attraction within a public park that is regularly used by minors) moves within the minimum buffer zone.

3.2 Zoning and Land Use

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

3.2.1. Cultivation.

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

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

3.2.1. Cannabis Manufacturer.

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

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

3.2.1. Hemp Manufacturer.

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

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

3.2.1. Wholesale.

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

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

3.2.1. Cannabis Retail.

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

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

3.2.1. Cannabis Transportation.

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

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

3.2.1. Cannabis Delivery.

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

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

3.3 Hours of Operation

A jurisdiction may adopt an ordinance limiting hours of operation between 10 a.m. and 9 p.m., seven days a week, and that State statute prohibits the sale of cannabis between 2 a.m. and 8 a.m., Monday through Saturday, and between 2 a.m. and 10 a.m. on Sundays.

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

3.4 (Optional) Advertising

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

Section 4. Temporary Cannabis Events

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

4.1 License or Permit Required for Temporary Cannabis Events

4.1.1 License Required.

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

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

4.1.2 Registration & Application Procedure

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

4.1.3 Application Submittal & Review.

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

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

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

- (C) Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.
- (D) The application fee shall be non-refundable once processed.
- (E) The application for a license for a Temporary Cannabis Event shall meet the following standards:

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

- Insert standards here

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

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

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

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

Section 5. (Optional) Lower-Potency Hemp Edibles

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

5.1 Sale of Low-Potency Hemp Edibles

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

5.2 Zoning Districts

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

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

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

5.3 (Optional) Additional Standards

5.3.1 Sales within Municipal Liquor Store.

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

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

5.3.2 Age Requirements.

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

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

5.3.3 Beverages.

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

5.3.4 Storage of Product.

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

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

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

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

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

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

Section 7 Use in Public Places

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use.

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

Hemp Flower and Hemp-Derived Cannabinoid Product Checklist

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

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

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

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

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

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

Question	Yes	No	Comments	Additional Information
Does the business sell vapes, pre-rolls, dabs, or other smokeable products that contain other intoxicating cannabinoids, such as HHC?				MN Statutes do not allow any cannabinoid, other than delta-8 or delta-9, to be sold if the cannabinoid is intended to alter the structure or function of the body. HHC is a cannabinoid known to have potency greater than THC.
Does the business sell vapes, pre-rolls, dabs, or other smokable products which contain CBD?				Non-intoxicating cannabinoids cannot be smoked, vaped, or inhaled.
Product Compliance – Flower				
Does the business sell raw hemp flower?				Raw hemp flower must contain 0.3% or less of delta-9 on a dry weight basis. Products exceeding 0.3% delta-9 dry weight are marijuana, and are illegal for sale. THC-A is the non psychoactive precursor to delta-9. Once heated THC-A converts to delta-9. In that process some amount of THC-A is lost. To determine whether, once heated, the hemp flower will exceed the allowable 0.3% of delta-9, one can use a decarboxylation formula which takes into account the conversion of THC-A into delta-9. That formula is as follows: $\text{Total THC} = (0.877 \times \text{THC-A}) + \text{d-9 THC}$ Raw flower must include a certificate of analysis to show testing below 0.3% delta-9. A lack of a certificate of analysis would constitute an illegal sale.

Question	Yes	No	Comments	Additional Information
				A certificate of analysis showing that under the decarboxylation formula that delta-9 would exceed the 0.3% threshold would also indicate the flower is cannabis and not hemp and therefore being sold illegally.
Product Compliance – On-Site Consumption				
If the business offers on-site consumption, do they serve the edible or beverage in its original packaging?				The business may not pour out or remove an edible from its original packaging.
If the business offers on-site consumption, do they mix a cannabis-infused beverage with alcohol?				The business may not mix cannabis-infused products with alcohol.
If the business offers on-site consumption, do they permit customers to remove from the premises products which have been removed from their original packaging?				Products which have been removed from their original packaging cannot be removed from the premises by the customer.

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

Appendix C: Enforcement Notice from the Office of Cannabis Management

Enforcement Notice from the Office of Cannabis Management

Dear Registered Hemp Derived Cannabinoid Business:

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

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

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

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

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

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

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

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

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

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

Thank you for your attention to this matter.

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

Charlene Briner
Interim Director
Office of Cannabis Management

Appendix D: Notice to Unlawful Cannabis Sellers

Notice to Unlawful Cannabis Sellers

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

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

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

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

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

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

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

RESOLUTION NO. 24-11-107

**RESOLUTION ADOPTING AND APPROVING A SUMMARY PUBLICATION FOR
ORDINANCE NO. 2024-01 AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF
ORDINANCES, CHAPTER 12, BUSINESSES; CREATING ARTICLE VII, ESTABLISHING
REGULATIONS FOR CANNABIS BUSINESSES AND AMENDING CHAPTER 40, ARTICLE
IV, DEFINITION OF TERMS; ARTICLE VI, DIVISIONS 2, & 9 – 13 AMENDING ZONING
DISTRICT ALLOWED USES FOR LICENSED CANNABIS BUSINESSES**

WHEREAS, the City of Wyoming is a political subdivision, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City has adopted the City of Wyoming Ordinance, No. 2024-01 an ordinance amending Chapters 12 and 40 of the City Code containing 10 pages; and,

WHEREAS, the City Council has determined that publication of the title of the ordinance and a summary of the ordinance would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Wyoming hereby directs the City Clerk to cause to be published in the Chisago County Press the following notice:

NOTICE OF ADOPTION OF THE CITY OF WYOMING ORDINANCE NO. 2024-01 AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 12, BUSINESSES; CREATING ARTICLE VII, ESTABLISHING REGULATIONS FOR CANNABIS BUSINESSES AND AMENDING CHAPTER 40, ARTICLE IV, DEFINITION OF TERMS; ARTICLE VI, DIVISIONS 2, & 9 – 13 AMENDING ZONING DISTRICT ALLOWED USES FOR LICENSED CANNABIS BUSINESSES.

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on the 1st day of October 2024, the City Council of the City of Wyoming adopted an Ordinance amending Chapters 12 and 40 of the City Code. The new Ordinance is entitled:

ORDINANCE NO. 2024-01 AN ORDINANCE AMENDING THE CITY OF WYOMING CODE OF ORDINANCES, CHAPTER 12, BUSINESSES; CREATING ARTICLE VII, ESTABLISHING REGULATIONS FOR CANNABIS BUSINESSES AND AMENDING CHAPTER 40, ARTICLE IV, DEFINITION OF TERMS; ARTICLE VI, DIVISIONS 2, & 9 – 13 AMENDING ZONING DISTRICT ALLOWED USES FOR LICENSED CANNABIS BUSINESSES.

NOTICE IS FURTHER GIVEN The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapters 152, 342, and 462, which authorizes The City of Wyoming to protect the public health, safety, welfare of the City of Wyoming residents by regulating cannabis businesses within the legal boundaries of the City of Wyoming.

NOTICE IS FURTHER GIVEN that a printed copy of the entire ordinance is available for inspection by any person during the City Clerk's regular office hours in the City Hall located at 26885 Forest Boulevard, Wyoming, Minnesota. Furthermore, proof of publication of the title and

summary shall be recorded in the ordinance book of the City Wyoming within 10 days of publication of the title and summary.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF WYOMING THIS 6th DAY OF NOVEMBER, 2024.

Lisa Iverson, Mayor

ATTEST:

This Document Drafted by:
The City of Wyoming
26885 Forest Boulevard
Wyoming, Minnesota 55092

Robb Linwood, City Administrator



Request for Council Action

Date: November 1, 2024
Presented to: Mayor Iverson and City Council Members
Presented by: Fred Weck, Building Official
Department: Department of Building Safety
Reference: Building Inspector Hiring Recommendation
Method: New Business

Background Information:

The Department of Building Safety has completed the selection process on a group of candidates for our Building Inspector Position. We reviewed and scored 8 applications for the position, and conducted interviews with the top applicants. A complete backgroundcheck and employment verification have been completed on the candidate.

Lucas Harvey was selected as the top candidate for the position of Building Inspector. Mr. Harvey has worked as a residential and commercial carpenter for the past 19 years; the last 8 years with Twin City Framers where he has been their training director. Mr. Harvey holds certification with the State of Minnesota as a Building Official Limited.

Based on his qualifications, wage history, and work experience I am recommending starting Lucas Harvey's wage at Step 1 of the positions scale at \$31.18 per hour with a 6 month probationary period per the City of Wyoming Personnel policy.

Recommendation: The Department of Building Safety is requesting council authorization for the hiring of Lucas Harvey for the Building Inspector Position with a tentative start date of November 25, 2024 at a starting salary of \$31.18 per hour.



DEPARTMENT OF BUILDING SAFETY

P.O. Box 188, 26885 Forest Blvd., Wyoming, MN 55092

Phone: 651-462-4947 Fax: 651-462-3938