

City of Dover Regular Monthly Meeting Minutes August 3, 2023

The Regular Monthly Meeting of the Dover City Council was called to order at 7:00 PM by Mayor Dave Iseminger in the City Hall as posted.

Present were Mayor Dave Iseminger, Council Members Jaime Putzier, Chelsie Kiekbusch and Eric Tyler. Absent- none. Staff present Gary Pedersen, Clerk/Treasurer. Others in attendance: Brian Howard of Olmsted County Sheriff's Department, Adeline Wolter, Elizabeth Wolter, Jennifer Mitchell and Jodi Nicklay.

The agenda for the meeting was presented. The motion was made by Member Kiekbusch to approve, seconded by Member Tyler the motion carried.

Citizen comment period: Deputy Howard discussed the patrols movement in the city when located in Dover. The Council members offered that they have noticed a much-improved system the past few months and thanked them for addressing their concerns.

Motion by member Kiekbusch and seconded by member Tyler to approve the prior months meeting minutes, the motion carried.

The clerk reviewed the financial statements and bills to be paid for the past month.

Motion by member Tyler and seconded by member Kiekbusch to approve the financial statements and pay the bills as presented, the motion carried.

Clerks' notes and topics:

1. 2024 Budget will be being worked on this coming month-
2. Ball field tree project done.
3. Mow around the two ponds and water tower road- check with John Keefe to do it again.

Elizabeth Wolter and Dog Bite report from the Sheriff's Department at her house.

Ms. Wolter stated that the dog bite was a total surprise as the dog is not an aggressive type and since she has taken corrective action for the future- bought a muzzle and locks the dog in a separate room when she has visitors. She views the bite as a onetime thing. The dog is a mixed hound named "June".

Motion by Mayor Iseminger and seconded by member Kiekbusch to label the dog as "a potentially dangerous dog" as defined by state statutes and must follow protocol for that determination, the motion carried.

Motion by member Kiekbusch and seconded by member Tyler to approve an event application by Neighbors Pub for August 26 for a .2K marathon and set up for their patio after the event, the motion carried with the usual conditions as stated on the application.

Jennifer Mitchell of the Community Church addressed the council on the future of the land and the church building upon the closing of the church by its members. The city is interested and would like to know what the costs would be to deal with any asbestos or hazardous materials in the building. Ms. Mitchell will get back to the council if she can get more information.

Motion by member Kiekbusch and seconded by Mayor Iseminger to appoint Jodi Nicklay for the open city council seat that was given up by Kevin Connor, the motion carried unanimously.

Council Member Nicklay then took her “oath of office” and officially took over the seat.

Motion by member Kiekbusch and seconded by member Tyler to approve a “change order” for the street construction for \$500 to take out a tree that was pushing up the water service in the area, the motion carried.

STATE ITEM OF BUSINESS: Cannabis Business Moratorium Interim Ordinance

BACKGROUND: The City of Dover is aware that May 30, 2023, Minnesota Governor signed into law a comprehensive bill which will legalize production, possession, and consumption of cannabis products in the State of Minnesota. Some parts of the new law take effect on August 1, 2023, other parts of the new law do not take effect until January 1, 2025, to give the State of Minnesota an opportunity to create the new state offices/agencies which will oversee the cannabis industry and license cannabis producers and retailers. Local units of government including cities through their planning and zoning administration authority have the ability to control certain aspects of the cannabis industry including the “time, place and manner of operation of cannabis businesses” as set forth in Minnesota Statutes Section 342.13.

Motion by member Tyler and seconded by member Kiekbusch to approve Resolution #01-2023 and Temporary Interim Ordinance #01-2023, as attached to the minutes, the motion carried unanimously.

Member comments:

Member Putzier- update on Eyota Ambulance request for enlarging their parking lot- funds from Chicken feed and Luke Bryant concert.

Member Kiekbusch gave final numbers on playground- \$102,000 for equipment, \$15,688.35 teardown of old equipment, \$3,514.64 border work, and \$3,500 to install new set up for total of \$124,702.99.

Member Tyler- Sanitation District working on capital outlay for 2025-2026.

Mayor Iseminger attended two ROCOG meetings on streets for the County.

Motion by member Nicklay and seconded by member Tyler to adjourn the motion carried.

The meeting was adjourned at 9:05 PM.

Minutes by

Gary Pedersen, Clerk

Resolution Interim Ordinance number 01-2023

WHEREAS, the City of Dover is aware that May 30, 2023, Minnesota Governor signed into law a comprehensive bill which will legalize production, possession and consumption of cannabis products in the State of Minnesota; and,

WHEREAS, some parts of the new law take effect on August 1, 2023, other parts of the new law do not take effect until January 1, 2025 to give the State of Minnesota an opportunity to create the new state offices/agencies which will oversee the cannabis industry and license cannabis producers and retailers; and,

WHEREAS, local units of government including cities, counties and townships will through their planning and zoning administration authority have the ability to control certain aspects of the cannabis industry including the “time, place and manner of operation of cannabis businesses” as set forth in Minnesota Statutes Section 342.13; and,

NOW THEREFORE, pursuant to Minnesota Statutes Sections 342.13 and 462.355 which authorizes counties to approve interim ordinances creating moratoriums on certain types of new development in order to conduct studies concerning official controls or amendments, extension or additions to those controls and to protect the public health, safety and general welfare; the City of Dover Council approves the attached Interim Ordinance.

Dated: August 3, 2023

CITY OF DOVER COUNCIL

A TEMPORARY INTERIM ORDINANCE PURSUANT TO MINNESOTA STATUTES 342.13 TO PERMIT THE CITY TO STUDY ISSUES SURROUNDING THE TIME, PLACE AND MANNER OF OPERATIONS OF CANNABIS BUSINESSES IN THE CITY OF DOVER.

THE CITY COUNCIL OF DOVER OF OLMSTED COUNTY DOES ORDAIN:

INTERIM ORDINANCE TEMPORARILY PROHIBITING CANNABIS BUSINESSES IN THE CITY OF DOVER, MN:

The CITY has authorized a study by the Clerk/Treasurer and the Council members and input from, the Public Health Department, the Environmental Resources Department, and the County Attorney's Office, for the purpose of amendment or adoption of official controls relating to the time, place and manner of operation of cannabis businesses within the City of Dover.

“Cannabis businesses” are defined in Minnesota Statutes Section 342.01, Subd. 14 and it includes the following businesses:

- (1) cannabis microbusiness;
- (2) cannabis mezzobusiness;
- (3) cannabis cultivator;
- (4) cannabis manufacturer;
- (5) cannabis retailer;
- (6) cannabis wholesaler;
- (7) cannabis transporter;
- (8) cannabis testing facility;
- (9) cannabis event organizer;
- (10) cannabis delivery service;
- (11) medical cannabis cultivator;
- (12) medical cannabis processor;
- (13) medical cannabis retailer; and
- (14) medical cannabis combination business.

b. The topics of the study shall include, but are not limited to the following in the City of Dover:

- (1) developing model ordinances for reasonable restrictions on the time, place, and manner of the operation of a cannabis business.
- (2) developing standardized forms and procedures for the issuance of a retail registration pursuant to Minnesota Statutes Section 342.22.
- (3) developing model policies and procedures for the performance of compliance checks required under section 342.22.
- (4) clarifying the process by which the City will report to the State whether or not a cannabis business complies with applicable local zoning ordinances and the state fire code and building code requirements and other information relevant to the State's decision whether to issue a license.
- (5) determining how many cannabis business registrations will be permitted in City of Dover, given the minimum threshold in Minnesota Statutes Section 342.13 of at one least one cannabis business per every 12,500 residents.

c. Minnesota Statutes, Section 342.13 authorizes the City to adopt an interim ordinance to conduct a study to consider adoption of reasonable restrictions of the time, place and manner of operation of a cannabis business in order to protect the planning process and the health, safety, and general welfare of the public. This moratorium shall take effect August 3, 2023 following publication of a summary of the ordinance in the City's official newspaper. The initial term shall expire on January 1, 2025 or when the City approves new ordinances, policies and procedures intended to regulate the time, place and manner of operation of cannabis businesses in the City of Dover, whichever comes first.

Dated: August 3, 2023

CITY COUNCIL OF DOVER, MN

City of Dover Special Meeting Minutes August 22, 2023

A Special Meeting of the Dover City Council was called to order at 6:30 PM by Mayor Dave Iseminger in the City Hall as posted.

Present were Mayor Dave Iseminger, Council Members Jaime Putzier, Chelsie Kiekbusch, Eric Tyler and Jodi Nicklay. Absent- none. Staff present Gary Pedersen, Clerk/Treasurer. Others in attendance: Wayne Bendickson

Motion by member Putzier and seconded by member Tyler to approve the proposed agenda as is, the motion carried.

Road project quotes for 7th St SW.

Quotes submitted by:

Griffin Construction

QCC-Queen City Construction

(Others were sought but in all other cases they were at least two months out and with the street project already started we cannot wait for them).

Motion by member Kiekbusch and seconded by member Putzier to approve the quote by Queen City Construction to do the job as described in the scope of work on their quote and as instructed by Mayor Iseminger from there onsite meeting, the motion carried. The quote was for \$9,985 to complete the job.

Wayne Bendickson wanted to make sure his driveway will not be effected by the work and was told it will not.

Motion by member Nicklay and seconded by member Tyler to accept the resignation of Water Superintendent Marvin Ihrke effective August 31, 2023, the motion carried.

Motion by member Tyler and seconded by member Nicklay to adjourn the motion carried.

The meeting was adjourned at 7:02 PM.

Minutes by

Gary Pedersen, Clerk