



WILLMAR CITY COUNCIL MEETING

MONDAY, FEBRUARY 3, 2025 @ 6:30 PM

BOARD ROOM HEALTH AND HUMAN SERVICES BUILDING

2200 – 23rd STREET NE, WILLMAR MINNESOTA

AGENDA

1. Call Meeting to Order
2. Roll Call
3. Pledge of Allegiance
4. Proposed Additions or Deletions to Agenda
5. Consent Items
Approve:
 - A. City Council Minutes of January 21, 2025
 - B. Willmar Municipal Utilities Commission Minutes of January 27, 2025
 - C. Advertisement for Bids: Project No. 2505-B TH 40 Drain Pipe Repair
 - D. Advertisement for Bids: Project No. 2503-B Street Improvement Project West
 - E. Park and Recreation Board Applications
 - F. Accounts Payable Report, 1/17/25 - 1/29/25
6. Approve Consent Agenda Items
7. Items Removed from Consent Agenda
8. Open Forum (Individuals Limited to Three (3) Minutes)
9. Public Hearing:
 - A. Cannabis Regulation Ordinance
 - B. Ordinance amending Willmar Zoning Ordinance No. 1060
10. Regular Business
 - A. Consider the hiring of Alissa Gambrel as the City of Willmar Human Resource Director
 - B. Review of the City Council Open Forum Policy
11. "Community Pride" Announcements
12. Adjourn

WILLMAR CITY COUNCIL PROCEEDINGS
BOARD ROOM HEALTH AND HUMAN SERVICES
BUILDING 2200 – 23rd STREET NE, WILLMAR
MINNESOTA

January 21, 2025
6:30 PM

The regular meeting of the Willmar City Council was called to order by Mayor Douglas Reese. Members present on a roll call were Mayor Douglas Reese, Council Members Justin Ask, Audrey Nelsen, Tom Gilbertson, Steve Gardner, Rick Fagerlie, Vicki Davis, and Tom Butterfield. Excused: Carl Shuldes. Present 8, Absent 1.

Also present were City Administrator Leslie Valiant, City Operations Director Kyle Box, Interim Police Chief Michael Holme, Finance Director Tom Odens, Planning and Development Director Christopher Corbett, Public Works Director Justin DeLeeuw, City Engineer Jared Voge, Director of Community Growth Pablo Obregon, and City Clerk Vernae Larsen.

Council Member Ask asked to add an Open Forum discussion at the end of Regular Business as line item 9E. He then moved to approve the **Proposed Agenda as amended**. Council Member Fagerlie seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Ayes	Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield
Noes	None

City Clerk Vernae Larsen reviewed the consent agenda.

Approve:

- A. City Council Minutes of January 13, 2025
- B. Willmar Municipal Utilities Commission Minutes of January 13, 2025
- C. Civic Center Arena Special Events by On-Sale Liquor License Holder Permit-Spurs Corporation
- D. **Resolution No. 2025-015** Accept and Final Project No. 2305 Trott Ave Regional Stormwater Pond
- E. Accounts Payable Report, 1/9/25 - 1/16/25

Information:

- Finance Report
- Director's
- Reports
- Review Park Board Applications

Council Member Ask moved to **Approve Consent Agenda Items**. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield
Noes None

Regular Business

A. Project No. 2505-B Professional Services and Preliminary Budget

Public Works Director Justin DeLeeuw provided information about Project No. 2505-B TH 40 Drain Pipe Repair. He asked Council to adopt the resolution awarding Project No. 2505-B professional services to Bolton and Menk, Inc. in the amount of \$89,920 and to adopt a resolution approving the preliminary budget for Project No. 2505-B in the amount of \$539,510.

Council Member Gilbertson introduced **Resolution No. 2025-016 awarding Project No. 2505-B TH 40 Drain Pipe Repair Professional Services to Bolton & Menk**. Council Member Butterfield seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield
Noes None

Council Member Davis moved to adopt **Resolution No. 2025-017 Approving Project No. 2505-B TH 40 Drain Pipe Repair Preliminary Budget**. Council Member Butterfield seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield
Noes None

B. Advertisement for Bids: Project No. 2501-A 20th St SE Reconstruction

City Engineer Jared Voge provided information regarding Project No. 2501-A 20th St. SE Reconstruction. He asked Council to adopt the resolution approving plans and specifications and authorize advertisement for bids on Project No. 2501-A. Council Member Gardner moved to approve **Resolution No. 2025-018 approving plans and specifications and authorizing Advertisement for Bids: Project No. 2501-A 20th St SE Reconstruction**. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield
Noes None

C. Advertisement for Bids: Project No. 2508 Seal Coating

City Engineer Jared Voge provided information regarding Project No. 2508 Seal Coating. He asked Council to adopt the resolution approving plans and specifications and authorizing advertisement for bids on Project No. 2508. Council Member Fagerlie moved to approve **Resolution No. 2025-019 approving plans and specifications and authorizing Advertisement for Bids: Project No. 2508 Seal Coating**. Council Member Nelsen seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield
Noes None

D. City Council Work Session, Monday, February 10, 2025, at 6:30 PM

City Administrator Leslie Valiant recommended to Council that they schedule a work session on February 10, 2025. Following discussion, Council Member Ask moved to schedule **City Council Work Session, Monday, February 10, 2025, at 6:30 PM**. Council Member Butterfield seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield
Noes None

E. Open Forum Policy and Procedure

Following discussion, it was requested that staff review the current Open Forum policy and Community Pride Announcements policy and add it to the next meeting agenda.

Having no further business, Council Member Fagerlie moved to **Adjourn** at 6:54 PM. Council Member Davis seconded the motion, which carried on a roll call vote of Ayes 7, Noes 0.

Ayes Council Member Ask, Council Member Nelsen, Council Member Gilbertson, Council Member Gardner, Council Member Fagerlie, Council Member Davis, Council Member Butterfield
Noes None

MAYOR

Attest:

CITY CLERK

Resolution No. 2025-015

A RESOLUTION ACCEPTING PROJECT NO. 2305 AND AUTHORIZING FINAL PAYMENT.

Motion By: Ask Second By: Davis

IMPROVEMENT: Project No. 2305: Trott Avenue Regional Stormwater Pond

CONTRACTOR:	Swenson and Sons Construction, Inc.
DATE OF CONTRACT:	September 18, 2023
BEGIN WORK:	October 15, 2023
COMPLETE WORK:	November 26, 2024
APPROVE, ENGINEERING DEPT:	January 9, 2025

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 2305 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$173,791.00
CHANGE ORDER NO. 1	\$24,378.77
CHANGE ORDER NO. 2	-\$10,236.30
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$187,933.47
Less Previous Payments	\$177,596.30
FINAL PAYMENT DUE CONTRACTOR:	\$10,337.17

Dated this 21st day of January, 2025

/S/ Douglas E. Reese
Mayor

Attest:

/S/Vernae Larsen
City Clerk

Resolution No. 2025-016

A RESOLUTION AWARDING THE TH 40 DRAIN PIPE REPAIR PROJECT DESIGN & CONSTRUCTION PROFESSIONAL SERVICES TO BOLTON AND MENK, INC. IN THE AMOUNT OF \$89,920.

Motion By: Gilbertson Second By: Butterfield

BE IT RESOLVED by the City Council of the City of Willmar. A Municipal Corporation of the State of Minnesota, that the bid of Bolton and Menk, Inc. of Willmar, MN for the TH 40 Drain Pipe Repair Project Design and Construction professional services is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$89,920.

Dated this 21st day of January, 2025

/S/ Douglas E. Reese

Mayor

Attest:

/S/Vernae Larsen

City Clerk

RESOLUTION NO. 2025-017
PRELIMINARY INDUSTRIAL PARK BUDGET 2505-B:
BNSF TH 40 DRAIN PIPE PROJECT ESTIMATED
TOTAL COST \$539,510
***Budget Amounts are Essential**

Dated:

13-Jan-25

Code PERSONNEL SERVICES

10* Salaries Reg. Employees	_____
11* Overtime Reg. Employees	_____
12* Salaries Temp. Employees	_____
13* Employer Pension Contr.	_____
14* Employer Ins. Contr.	_____
TOTAL	\$0.00

RECEIVABLES

Assessments Prop Owners	_____
Community Investment /Levy	_____
MSA	_____
MUG	_____
WTP	_____
LOST	_____
TOTAL	0

FINANCING

General	_____
MSA	_____
MUC	_____
WTP	_____
LOST	_____
INDUSTRIAL PARK	\$539,510

SUPPLIES

20* Office Supplies	_____
21* Small Tools	_____
22* Motor Fuels & Lubricants	_____
23* Postage	_____

24 Mtce. of Equipment	_____
25 Mtce. of Structures	_____
26 Mtce. of Other Improvements	_____
27 Subsistence of Persons	_____
28 Cleaning & Waste Removal	_____
29* General Supplies	_____
TOTAL	\$0.00

TOTAL GRAND

539,510

TOTAL

\$539,510

Dated: January 21, 2025

/S/ Douglas E. Reese

Mayor

OTHER SERVICES

30 Communications	_____
31• Printing & Publishing	_____
32 Utilities	_____
33* Travel-Conf.-Schools	_____
34 Mtce. of Equipment	_____
35 Mtce. of Structures	_____

36* Mtce. of Other Impr.
37 Subsistence of Persons
38 Cleaning & Waste Removal
39* Other Services

\$428,180

Attest:

\$21,410

/S/Vernae Larsen
City Clerk

TOTAL

\$449,590

OTHER CHARGES

40 Rents
41* Insurance & Bonds
42 Awards & Indemnities
43 Subscription/Memberships
44 Interest
45 Licenses & Taxes
46* Prof. Serv.
47* Advertising
48* Adm. OH (Transfer)
49 Other Charges

\$89,920

TOTAL

\$89,920

GRAND TOTAL

\$539,510

RESOLUTION NO. 2025-018

**A RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS AND AUTHORIZING PUBLICATION OF THE
ADVERTISEMENT FOR BIDS FOR PROJECT NO 2501-A.**

Motion By: Gardner Second By: Davis

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 2501-A for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bid packages will be publicly opened and read at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 21st day of January, 2025

/S/ Douglas E. Reese
Mayor

Attest:

/S/Vernae Larsen
City Clerk

RESOLUTION NO. 2025-019

**A RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS AND AUTHORIZING PUBLICATION OF THE
ADVERTISEMENT FOR BIDS FOR PROJECT NO 2508.**

Motion By: Fagerlie Second By: Nelsen

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 2508 for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bid packages will be publicly opened and read at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 21st day of January, 2025

/S/ Douglas E. Reese
Mayor

Attest:

/S/Vernae Larsen
City Clerk



SUBJECT TO FINAL APPROVAL OF THE MUNICIPAL UTILITIES COMMISSION

WILLMAR MUNICIPAL UTILITIES COMMISSION

Meeting Minutes – January 27, 2025

11:45 am – WMU Auditorium

The Municipal Utilities Commission (MUC) met in its regular scheduled meeting on Monday, January 27, 2025, at 11:45 am in the WMU Auditorium with the following Commissioners present: Shawn Mueske, John Kennedy, Dave Baumgart, Terrill Sieck, Bruce DeBlieck, and Patricia Elizondo. Absent was Commissioner Carol Laumer.

Others present at the meeting were: General Manager Jeron Smith, Director of Administration Janell Johnson, Finance & Office Services Supervisor Andrea Prekker, Facilities & Maintenance Supervisor Kevin Marti, Executive Secretary Beth Mattheisen, Executive Secretary Abby Ahrendt, City Councilman Tom Gilbertson, City Attorney Robert Scott (via teleconference), and WC Tribune Journalist Jennifer Kotila.

The meeting began with the recitation of the Pledge of Allegiance. Commission President Mueske proceeded to introduce the newly appointed General Manager Jeron Smith, City Council Liaison Tom Gilbertson, and Executive Secretary Abby Ahrendt. Each provided a brief introduction of themselves to the Commission.

President Mueske then inquired if there were any changes needed to the agenda. Hearing none, a resolution to approve the consent agenda was requested. After review and discussion, Commissioner DeBlieck offered a resolution to approve the consent agenda as presented, which was seconded by Commissioner Baumgart.

RESOLUTION NO. 2

“BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the consent agenda be approved as presented which includes:

- ❖ Minutes from January 13, 2025, MUC Meeting; and,
- ❖ Bills represented by vouchers No. 20250114 to No. 20250164 and associated wire transfers inclusive in the amount of \$2,096,961.06.

Dated this 27th day of January 2025.

President

Attest:

Secretary

The foregoing resolution was adopted by a vote of six ayes and zero nays.

General Manager Smith informed the Commission that each member of Missouri River Energy Services (MRES) is required to designate a representative and an alternate to represent their community at the MRES Annual Meeting and on any matters requiring a membership vote. These individuals are also listed as the main contacts within the community for correspondence and notifications. Similarly, representatives and alternates are required for the Western Minnesota Municipal Power Agency (WMMPA).

During the discussion, Commissioner DeBlieck noted that in the past, the General Manager was designated as the representative, with the Commission President serving as the alternate. Director of Administration Johnson provided additional context regarding prior designations and agreed that appointing a commissioner as the alternate would be appropriate.

Following further discussion, Commissioner DeBlieck offered a resolution to designate General Manager Smith as the authorized representative for business matters of both MRES and WMMPA, with Commissioner Mueske designated as the alternate. Commissioner Baumgart seconded the resolution.

RESOLUTION NO. 3

The foregoing resolution was adopted by a vote of six ayes and zero nays.

Finance and Office Services Supervisor Prekker informed the Commission of the need to revise the current listing of signatories for WMU's official financial transactions. At this time, Prekker requested the addition of General Manager Smith to replace past General Manager John Harren with the current listing if signatories for WMU. Following discussion, Commissioner DeBlieck offered a resolution to approve the inclusion of General Manager Smith to join Finance & Office Services Supervisor Andrea Prekker Johnson as official signatories of the Willmar Municipal Utilities effective immediately. Commissioner Mueske seconded.

RESOLUTION NO. 4

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that Finance & Office Services Supervisor Andrea Prekker be designated as an official signatory (joining General Manager Jeron Smith for all matters of financial concerns as a signatory effective immediately."

Dated this 27th day of January 2025.

President

Attest:

Secretary

The foregoing resolution was adopted by a vote of six ayes and zero nays.

General Manager Smith informed the Commission that as a matter of procedural protocol, the Utilities are required to annually designate official posting sites for legal notifications. It is the recommendation of staff to designate West Central Tribune (newspaper) and Willmar City Office Building (community board) as the official posting sites for legal publications/notifications. Commissioner Baumgart offered a resolution to designate West Central Tribune and Willmar City Office as the designated publication sites for 2025. Commissioner Mueske seconded.

RESOLUTION NO. 5

“BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the 2025 official designated sites for Willmar Municipal Utilities legal postings and notifications be West Central Tribune (Willmar, MN) and Willmar City Office Building (community board)”

Dated this 27th day of January 2025.

President

Attest:

Secretary

The foregoing resolution was adopted by a vote of six ayes and zero nays.

Facilities and Maintenance Supervisor Marti presented the Facilities & Maintenance Department’s year-end update which covered several key topics including:

1. **New Building Project:** Property acquisition is underway, with groundbreaking planned for 2026 and occupancy by 2027. Continuing process to finalize property acquisition.
2. **Wind Generation:** An RFP for demolition of the 2 turbine units and their removal is being drafted. Early termination of the 20-year site lease with the school district is under discussion. Removal requirements and clarifications were reviewed.
3. **Diesel Generation:** Completed annual and monthly maintenance inspections including quarterly URGE testing as required. Marti noted WMU was not dispatched to run by MISO/MRES during 2024.
4. **CIP Updates:** New Water Department pickup was brought into service in July. Updated 800 MHz/ARMER radio system by purchasing the County’s current system (Fire Dept).
5. **Miscellaneous Updates:** The status of the new water fill station project was given, which will resume this spring and is expected to be completed by fall 2025 or spring 2026.

General Manager Smith provided updates on additional topics including:

1. As a member of Missouri River Energy Services (MRES), Willmar Municipal Utilities (WMU) receives monthly updates from the MRES and Western Minnesota Municipal Power Agency (WMMPA) Board of Directors meetings. The December 2024 monthly update, which offers a brief overview of topics discussed and actions taken by the Boards, is available for review.
2. Additionally, discussions highlighted sustainable clean power initiatives, with a particular focus on the Marshall solar project.
3. It was confirmed that the February 24th MUC meeting will proceed as planned, as a quorum is available.

General Manager Smith informed the Commission that meetings of the Labor and Planning Committees will be forthcoming. The tentative Labor Committee agenda will include discussions on the new building land acquisition and the MUC Self-Survey. Meanwhile, the Planning Committee will tentatively focus on the new building project and plans for new power generation initiatives.

Upcoming events to note:

- MMUA Legislative Conference: Jan. 28-29, 2025 (St. Paul) (DeBlieck/Smith)
- APPA Legislative Rally: Feb. 24-26, 2025 (Washington, DC) (DeBlieck/Laumer/Smith)
- Commission retreat will be scheduled for either the 1st or 3rd week in March. Commissioner Mueske will reach out to APPA or MRES to explore suitable options for the retreat, which is expected to be a full-day event. More information to follow.
- Reminder: Labor Committee meeting will be held today following the regular MUC meeting (est. 1:00 pm).

There being no further business to come before the Commission, Commissioner Baumgart offered a motion to adjourn. Commissioner Sieck seconded the motion which was carried by a vote of six ayes and zero nays, and the meeting was adjourned at 12:16 pm.

Respectfully Submitted,

WILLMAR MUNICIPAL UTILITIES

Abby Ahrendt, Executive Secretary

ATTEST:

Dave Baumgart, Secretary



City Council Action Request

Council Meeting Date:	February 3, 2025	Agenda Item Number:	5.C.
Agenda Section:	Consent Items	Originating Department:	Public Works
Resolution:	Yes	Prepared By:	Kelsi Delbosque, Administrative Assistant
Ordinance:	No	Presented By:	Jared Voge, City Engineer
Item:	Advertisement for Bids: Project No. 2505-B TH 40 Drain Pipe Repair		

RECOMMENDED ACTION:

Adopt the resolution approving plans and specifications and authorize advertisement for bids on Project No. 2505-B.

OVERVIEW:

Project No. 2505-B, the repair and replacement of a crushed drain pipe from the Willmar Wye Project on the north side of TH 40, has been designed and is ready for bidding. Council action is required for the approval of plans and specifications and to authorize advertisement for bids. Bids are scheduled to be opened on February 26th at 1:40 p.m.

BUDGETARY/FISCAL ISSUES:

Industrial Park funds will be utilized for the project.
Engineer budget estimate \$539,510

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Resolution- Approve Specs & Adv. For Bids Project No 2505-B
2. Project No. 2505-B Signed Title Sheet

RESOLUTION NO. _____

**A RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS AND AUTHORIZING
PUBLICATION OF THE ADVERTISEMENT FOR BIDS FOR PROJECT NO 2505-B.**

Motion By: _____ Second By: _____

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 2505-B for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bid packages will be publicly opened and read at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 3rd day of February, 2025

Mayor

Attest:

City Clerk

CITY OF WILLMAR

CONSTRUCTION PLANS FOR

T.H. 40 DRAINTILE REPAIRS

JACK & BORE STORM SEWER, OPEN CUT STORM SEWER

JANUARY, 2025

RESOURCE LIST

CITY ADMINISTRATOR

LESLIE VALIANT
CITY HALL
333 6TH STREET SW
WILLMAR, MN 56201
PHONE: (320) 235-4913
FAX: (320) 235-4917
EMAIL: lvaliant@willmarmn.gov

CITY ENGINEER

JARED VOGGE, P.E.
2040 U.S. HIGHWAY 12 EAST
WILLMAR, MN 56201
CELL: (612) 756-0326
EMAIL: jared.vogge@bolton-menk.com

CONSULTANT

BOLTON & MENK, INC.

JOSHUA HALVORSON, P.E.
2040 U.S. HIGHWAY 12 EAST
WILLMAR, MN 56201
CELL: (320) 905-3520
FAX: (320) 231-9710
EMAIL: joshua.halvorson@bolton-menk.com

ELECTRIC

WILLMAR MUNICIPAL UTILITIES

ED ZURN
BRIAN HOOVER
700 LITCHFIELD AVENUE SW
P.O. BOX 937
WILLMAR, MN 56201
PHONE: (320) 235-4422
CELL: (320) 212-8588 (ED)
CELL: (320) 212-0376 (BRIAN)
EMAIL: ezurn@wmu.willmar.mn.us
EMAIL: bhooover@wmu.willmar.mn.us

PUBLIC WORKS

JUSTIN DELEEUEW
333 6TH STREET SW
WILLMAR, MN 56201
PHONE: (320) 214-5171
CELL: (320) 220-3309
jdeleeuw@willmarmn.gov

BNSF RAILROAD

DAN PELTIER
MANAGER ENGINEER
PHONE: (763)-782-3495
CELL: (612)-325-2698

UTILITIES

GAS

MAGELLAN (ONEOK)

HEATH BIEGLER
CELL: (612)-723-0107
EMAIL: HEATH.BIEGLER@ONEOK.COM

CENTERPOINT ENERGY

AUSTIN SOWERS
700 WEST LINDEN AVENUE
MINNEAPOLIS, MN 55440
OFFICE: (612) 321-5241 (AUSTIN)
CELL: (218) 221-5271 (AUSTIN)
EMAIL: austin.sowers@centerpointenergy.com

COMMUNICATIONS

ARVIG COMMUNICATIONS SYSTEMS
JOHN VONRUDEN
160 2ND AVENUE SW
PERHAM, MN 56573
PHONE: (218)-346-8480
EMAIL: JOHN.VONRUDEN@ARVIG.COM

CENTURYLINK - LUMEN

TONY VANDERHAGEN
4658 HEATHERWOOD ROAD
SAINT CLOUD, MN 56301
PHONE: (320)-255-8533
EMAIL: TONY.VANDERHAGEN@CENTURYLINK.COM

TELEPHONE

HANSON COMMUNICATIONS

BRUCE HANSON
1104 19TH AVENUE SW, SUITE B
WILLMAR, MN 56201
PHONE: (320) 847-3993
EMAIL: bruce@hcinet.net
FIELD - TOM JOHNSON (320) 212-3560

FIBER OPTIC

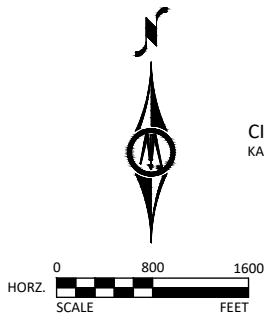
WINDSTREAM/EN-TEL

MIKE ALTHOFF
63 Maple Avenue North
Maple Lake, MN 55358
PHONE: (612) 282-2331
EMAIL: Mike.Althoff@windstream.com



MAP LEGEND

PROJECT LIMITS



MAP OF THE
CITY OF WILLMAR
KANDIYOHI COUNTY, MN

PROJECT LOCATION

DESIGNED BY: JH
DRAWN BY: JH
CHECKED BY: JH
CLIENT PROJ. NO.: 24X136269



2040 HIGHWAY 12 EAST
WILLMAR, MN 56201
Phone: (320) 231-3956
Email: Willmar@bolton-menk.com
www.bolton-menk.com

DESIGNED	NO.	ISSUED FOR	DATE
DML			
DRAWN			
DML			
CHECKED			
JJH			
CLIENT PROJ. NO.			
24X136269			

SHEET NUMBER SHEET TITLE

GENERAL

G0.01 - G0.03 TITLE SHEET, LEGEND, GENERAL NOTES

G1.01 STATEMENT OF ESTIMATED QUANTITIES

CIVIL

C1.01 STORM SEWER DETAILS

C2.01 - C2.02 EROSION CONTROL PLAN, EROSION CONTROL DETAILS

C5.01 - C5.02 STORM SEWER PLAN & PROFILE

THIS PLANSET CONTAINS 9 SHEETS.

BM=1116.73
MNDOT BM WILLPORT
AZ MARK

PROJECT DATUM:

HORIZONTAL: KANDIYOHI COUNTY COORD SYSTEM
2011 ADJUSTMENT

VERTICAL: NAVD88

RECORD DRAWING
INFORMATION

OBSERVER:

CONTRACTOR:

DATE:

CITY OF WILLMAR, MINNESOTA

T.H. 40 DRAINTILE REPAIRS

TITLE SHEET

SHEET

G0.01



City Council Action Request

Council Meeting Date:	February 3, 2025	Agenda Item Number:	5.D.
Agenda Section:	Consent Items	Originating Department:	Public Works
Resolution:	Yes	Prepared By:	Kelsi Delbosque, Administrative Assistant
Ordinance:	No	Presented By:	Jared Voge, City Engineer
Item:	Advertisement for Bids: Project No. 2503-B Street Improvement Project West		

RECOMMENDED ACTION:

Adopt the resolution approving plans and specifications and authorize advertisement for bids on Project No. 2503-B.

OVERVIEW:

Project No. 2503-B has been designed and is ready for bidding. The streets included with the overlay project are shown on the enclosed title sheet. Council action is required for the approval of plans and specifications and to authorize advertisement for bids. Bids are scheduled to be opened on February 26th at 1:30 p.m.

BUDGETARY/FISCAL ISSUES:

Funding sources for the project include assessments and City funds.

ALTERNATIVES TO CONSIDER:**ATTACHMENTS:**

1. Resolution- Approve Specs & Adv. For Bids Project No 2503-B
2. Project No. 2503-B Street Improvements - West Title Sheet
3. Preliminary Budget Project No. 2503-B Street Improvement Project West

RESOLUTION NO. _____

**A RESOLUTION APPROVING FINAL PLANS AND SPECIFICATIONS AND AUTHORIZING
PUBLICATION OF THE ADVERTISEMENT FOR BIDS FOR PROJECT NO 2503-B.**

Motion By: _____ Second By: _____

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project No. 2503-B for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bid packages will be publicly opened and read at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 3rd day of February, 2025

Mayor

Attest:

City Clerk

STREET IMPROVEMENT PROJECT WEST

& GUTTER REPAIR, ADA IMPROVEMENTS, CONCRETE CURB AND GUTTER REPAIR, BITUMINOUS PATH CONSTRUCTION

JANUARY, 2025

RESOURCE LIST

CITY ADMINISTRATOR
LESLIE VALIANT
CITY HALL
333 6TH STREET SW
WILLMAR, MN 56201
PHONE: (320) 235-4913
FAX: (320) 235-4917
EMAIL: lvaliant@willmarmn.gov

CITY ENGINEER
JARED VOGGE, P.E.
2040 U.S. HIGHWAY 12 EAST
WILLMAR, MN 56201
PHONE: (320) 231-3956
CELL: (612) 756-0326
EMAIL: jared.vogge@bolton-menk.com

CONSULTANT
BOLTON & MENK, INC.
JOSHUA HALVORSON, P.E.
2040 U.S. HIGHWAY 12 EAST
WILLMAR, MN 56201
PHONE: (320) 231-3956
CELL: (320) 905-3520
FAX: (320) 231-9710
EMAIL: joshua.halvorson@bolton-menk.com

WATER
WILLMAR MUNICIPAL UTILITIES
ALAN NEER
MATT KADERLIK
700 LITCHFIELD AVENUE SW
P.O. BOX 937
WILLMAR, MN
PHONE: (320) 235-4422
CELL: (320) 212-8583 (ALAN)
CELL: (320) 894-8141 (MATT)
EMAIL: aneer@wmu.willmar.mn.us

ELECTRIC
WILLMAR MUNICIPAL UTILITIES
ED ZURN
BRIAN HOOVER
700 LITCHFIELD AVENUE SW
P.O. BOX 937
WILLMAR, MN 56201
PHONE: (320) 235-4422
CELL: (320) 212-8588 (ED)
CELL: (320) 212-0376 (BRIAN)
EMAIL: ezurn@wmu.willmar.mn.us
EMAIL: bhoover@wmu.willmar.mn.us

WASTEWATER
CITY OF WILLMAR
JASON LINDAHL
TOM TEMPLER
3000 75TH STREET SW
WILLMAR, MN 56201
PHONE: 320-235-4760
CELL: (320) 905-3659 (JASON)
CELL: (320)-894-2961 (TOM)
EMAIL: jlindahl@willmarmn.gov
EMAIL: ttempler@willmarmn.gov

PUBLIC WORKS
JUSTIN DELEEUEW
333 6TH STREET SW
WILLMAR, MN 56201
PHONE: (320) 214-5171
CELL: (320) 220-3309
jdeleeuw@willmarmn.gov

UTILITIES

GAS
CENTERPOINT ENERGY
ANNAH ANDERSON
700 WEST LINDEN AVENUE
MINNEAPOLIS, MN 55440
OFFICE: (612) 321-5260
CELL: (612) 749-3556
EMAIL: annah.anderson@centerpointenergy.com

COMMUNICATIONS
LUMEN
LAUREN SCHMIDT
4658 Heatherwood Road
Saint Cloud, MN 56301
PHONE: (612) 432-7626
EMAIL: lschmidt@congruex.com

**CABLE
CHARTER COMMUNICATIONS**
RICK WYNN
400 LAKELAND DRIVE NE
WILLMAR, MN 56201
PHONE: (320) 235-1535 EXT. 11614
CELL: (320) 247-3533
EMAIL: rick.wynn@charter.com

TELEPHONE
HANSON COMMUNICATIONS
BRUCE HANSON
1104 19TH AVENUE SW, SUITE B
WILLMAR, MN 56201
PHONE: (320) 847-3993
EMAIL: bruce@hcinet.net
FIELD - TOM JOHNSON (320) 212-3560

FIBER OPTIC
WINDSTREAM/EN-TEL
MIKE ALTHOFF
63 Maple Avenue North
Maple Lake, MN 55358
PHONE: (612) 282-2331
EMAIL: Mike.Althoff@windstream.com

ZAYO GROUP, LLC
STEVEN SENGER
OSP PROJECT MANAGER
5005 CHESHIRE PKWY
SUITE 1
PLYMOUTH, MN 55446
PHONE: (952) 230-9660
CELL: (612) 210-8036
EMAIL: steven.senger@zayo.com
RELOCATION INFORMATION
EMAIL: zayo.relo.minnesota@zayo.com

MAP LEGEND

 PROJECT LIMITS

2040 HIGHWAY 12 EAST
WILLMAR, MN 56201
Phone: (320) 231-3956
Email: Willmar@bolton-menk.com
www.bolton-menk.com



DESIGNED	NO.	ISSUED FOR	DATE
SJJ			
DRAWN			
KMD, NST, ATM			
CHECKED			
JJH			
CLIENT PROJ. NO.			
01W1 132911 / 2503-B			

CITY OF WILLMAR, MINNESOTA
STREET IMPROVEMENT PROJECT WEST
TITLE SHEET

SHEET

G0.01

RESOLUTION NO. 2024-143
PRELIMINARY 2025 STREET IMPROVEMENTS BUDGET
2503-B STREET IMPROVEMENT PROJECT WEST
ESTIMATED TOTAL COST \$2,069,400

*Budget Amounts are Essential

Code

PERSONNEL SERVICES

10* Salaries Reg. Employees	_____
11* Overtime Reg. Employees	_____
12* Salaries Temp. Employees	_____
13* Employer Pension Contr.	_____
14* Employer Ins. Contr.	_____
TOTAL	\$0.00

SUPPLIES

20* Office Supplies	_____
21* Small Tools	_____
22* Motor Fuels & Lubricants	_____
23* Postage	_____
24 Mtce. of Equipment	_____
25 Mtce. of Structures	_____
26 Mtce. of Other Improvements	_____
27 Subsistence of Persons	_____
28 Cleaning & Waste Removal	_____
29* General Supplies	_____
TOTAL	\$0.00

OTHER SERVICES

30 Communications	_____
31* Printing & Publishing	_____
32 Utilities	_____
33* Travel-Conf.-Schools	_____
34 Mtce. of Equipment	_____
35 Mtce. of Structures	_____
36* Mtce. of Other Impr.	\$1,657,000
37 Subsistence of Persons	_____
38 Cleaning & Waste Removal	_____
39* Other Services	\$82,800
TOTAL	\$1,739,800

OTHER CHARGES

40 Rents	_____
41* Insurance & Bonds	_____
42 Awards & Indemnities	_____
43 Subscription/Memberships	_____
44 Interest	_____
45 Licenses & Taxes	_____
46* Prof. Serv.	\$329,600
47* Advertising	_____
48* Adm. OH (Transfer)	_____
49 Other Charges	_____
TOTAL	\$329,600

GRAND TOTAL **\$2,069,400**

RECEIVABLES

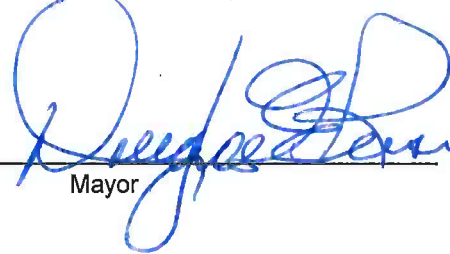
Assessments Prop Owners	\$1,222,400
Community Investment /Levy	\$847,000
MSA	_____
MUC	_____
WTP	_____
LOST	_____
TOTAL	\$2,069,400

FINANCING

General	\$2,069,400
MSA	_____
MUC	_____
WTP	_____
LOST	_____
TOTAL	\$2,069,400

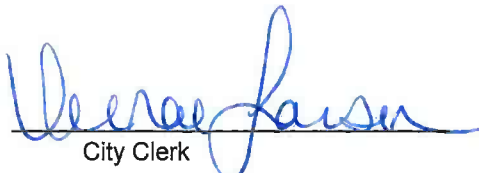
GRAND TOTAL **\$2,069,400**

Dated: November 18, 2024



Mayor

Attest:



City Clerk



City Council Action Request

Council Meeting Date:	February 3, 2025	Agenda Item Number:	5.E.
Agenda Section:	Consent Items	Originating Department:	Administration
Resolution:	No	Prepared By:	Leslie Valiant, City Administrator
Ordinance:	No	Presented By:	
Item:	Park and Recreation Board Applications		

RECOMMENDED ACTION:

Approve Stephanie Carlson and Taylor Marcus to the Park and Recreation Board

OVERVIEW:

Mayor Reese has approved forwarding Park Board applicants Stephanie Carlson and Taylor Marcus.

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Carlson Stephanie Park Rec Application
2. Marcus, Taylor Park Rec Application

APPLICATION FOR APPOINTMENT TO CITY BOARD/COMMITTEE/COMMISSION ('22)

[Print](#)


APPLICATION FOR APPOINTMENT TO CITY BOARD/COMMITTEE/COMMISSION

333 Southwest 6th Street, Willmar, MN 56201 | 320-235-8311 | Fax: 320-235-4917

Please indicate the Board/Committee(s)/Commission(s) to which you are interested in being appointed. You may select more than one.

*** Please indicate the Board/Committee(s)/Commission(s) to which you are interested in being appointed. You may select more than one.**

- ☐ Airport Commission (meets monthly)
- ☐ Cable Advisory Board (meets as needed)
- ☐ Charter Commission (meets as needed)
- ☒ Park and Recreation Board
- ☐ City/County Economic Development Operations Board (meets monthly)
- ☐ Human Rights Commission (meets as needed)
- ☐ Municipal Utilities Commission (meets bi-monthly)
- ☐ Pioneerland Library System Board (meets monthly)
- ☐ Planning Commission (meets bi-monthly)
- ☐ Police Civil Service Commission (meets first Monday in February each year and on as-needed basis thereafter)
- ☐ Willmar Convention and Visitors Bureau
- ☐ Ad hoc Task Forces (will be posted and will meet on an as-needed basis)
- ☐ Zoning Appeals Board
- ☐ Downtown Willmar (DTW)

APPLICANT INFORMATION

Date	* First Name	* Last Name
01/13/2025	Stephanie	Carlson

Format: MM/DD/YYYY

*** Address**

618 12th street SW

*** City**

WILLMAR

*** Phone**

3208942797

Phone

*** Email**

slcarlson227@gmail.com

Email

*** What prompted you to make application for a citizen committee?**

Rob Baumgarn reached out to me, Julie Asmus also encouraged me to consider it.

*** Briefly tell us why you want to serve on this Board/Committee/Commission:**

Having been born and raised in Willmar, I value the opportunity to serve my community. As a mother of elementary school aged children, I feel I would bring a valuable perspective to the Parks & Rec Board.

*** List any special background or experience you have which would be helpful to this Board/Committee/Commission:**

* I currently serve my church congregation as the Children & Family Ministry Director, where I facilitate meetings, collaborate with other staff & lay leaders, & lead/train teams of volunteers. * I was a participant in the 2021-22 Leadership 2040 Cohort.

*** List your educational background**

*2004 Willmar High School graduate *2004-2006 pursued studies in Elementary Education at College of St. Benedict *2007-2010 pursued studies in Special Education at SCSU

*** List any social, fraternal, patriotic, governmental, or service organizations, which you have or currently are serving on:**

*WIN (formerly BPW), member and mentor *Youth for Christ, Parent Life mentor

*** If you are employed, please provide the name and address of your employer and your position:**

Children & Family Ministry Director at First Covenant Church 801 Willmar Ave SW, Willmar

APPLICATION FOR APPOINTMENT TO CITY BOARD/COMMITTEE/COMMISSION ('22)

[Print](#)


APPLICATION FOR APPOINTMENT TO CITY BOARD/COMMITTEE/COMMISSION

333 Southwest 6th Street, Willmar, MN 56201 | 320-235-8311 | Fax: 320-235-4917

Please indicate the Board/Committee(s)/Commission(s) to which you are interested in being appointed. You may select more than one.

* Please indicate the Board/Committee(s)/Commission(s) to which you are interested in being appointed. You may select more than one.

- ☐ Airport Commission (meets monthly)
- ☐ Cable Advisory Board (meets as needed)
- ☐ Charter Commission (meets as needed)
- ☒ Park and Recreation Board
- ☐ City/County Economic Development Operations Board (meets monthly)
- ☐ Human Rights Commission (meets as needed)
- ☐ Municipal Utilities Commission (meets bi-monthly)
- ☐ Pioneerland Library System Board (meets monthly)
- ☐ Planning Commission (meets bi-monthly)
- ☐ Police Civil Service Commission (meets first Monday in February each year and on as-needed basis thereafter)
- ☐ Willmar Convention and Visitors Bureau
- ☐ Ad hoc Task Forces (will be posted and will meet on an as-needed basis)
- ☐ Zoning Appeals Board
- ☐ Downtown Willmar (DTW)

APPLICANT INFORMATION

Date	* First Name	* Last Name
12/11/2024	Taylor	Marcus

Format: MM/DD/YYYY

*** Address**

2501 Country Club Drive NE

*** City**

Willmar

*** Phone**

3208947172

Phone

*** Email**

taylor@marcusconstruction.com

Email

*** What prompted you to make application for a citizen committee?**

Rob Baumgarn had shared the opening on the park and recreation board and recommended I consider serving on the board. I've also known other park and rec board members that have enjoyed serving and recommended that I consider involvement also.

*** Briefly tell us why you want to serve on this Board/Committee/Commission:**

My commitment to Willmar runs deep, as I was raised here, returned to a family business located in Willmar, and I desire to see our community flourish. Growing up here, I benefited immensely from the Parks and Recreation programs, which instilled in me a strong sense of community involvement. Now, as a parent of three young children, including one with physical disabilities, I have a unique perspective on the importance of the programming offered but the need for it to be inclusive as well. My professional background in construction, coupled with my leadership experience, equips me with valuable skills to contribute to the Park and Recreation Board. I can offer insights on facility development, program promotion, and team management. My ability to lead teams and communicate effectively will be assets in board discussions and community outreach. I'm passionate about giving back to Willmar. By serving on the Park and Recreation Board, I aim to ensure that current and future generations have access to enriching programs and facilities that cater to all abilities and interests. My goal is to help Willmar grow and thrive, making it an even better place for families like mine and for all residents.

*** List any special background or experience you have which would be helpful to this Board/Committee/Commission:**

- VP of Operations and Owner at Marcus Construction - Elder at The Open Door Christian Church - Philanthropy Board Member at Gillette Children's - Co-lead at The Twin Cities Walk to End Hydrocephalus

*** List your educational background**

B.A. from Bethel University (Major in Communications and Minor in Business)

*** List any social, fraternal, patriotic, governmental, or service organizations, which you have or currently are serving on:**

Rotary Club of Willmar

*** If you are employed, please provide the name and address of your employer and your position:**

Marcus Construction 2580 Highway 12 East Willmar MN 56201 Position: VP of Operations and Owner



City Council Action Request

Council Meeting Date:	February 3, 2025	Agenda Item Number:	5.F.
Agenda Section:	Consent Items	Originating Department:	Finance
Resolution:	No	Prepared By:	Tom Odens, Finance Director
Ordinance:	No	Presented By:	Vernae Larsen, City Clerk
Item:	Accounts Payable Report, 1/17/25 - 1/29/25		

RECOMMENDED ACTION:

Review and Approve Accounts Payable Listing

OVERVIEW:

Reduction of Departmental Budgets by amounts approved.

BUDGETARY/FISCAL ISSUES:

ALTERNATIVES TO CONSIDER:

ATTACHMENTS:

1. Vendor Payment History 1.17.25 - 1.29.25
2. EFT CK 571-574

Vendor Payment Listing

January 17, 2025 thru January 29, 2025



VENDOR	NAME	INVOICE	CHECK NO	INVOICE NET	INVOICE DESCRIPTION
103111	ACCESS LIFTS	M41035A-12	73642	1,003.00	Annual Maintenance Renewal
103696	ACE ROLLOFFS & DISPOSAL	235/01-25	73643	116.82	Garbage
103800	AFLAC	859155	73644	775.43	January 2025 employee premiums
103987	Alexandria Technical & Community College (ATCC)	1271339	73645	1,500.00	FFI, FFII & HazMat Ops Training
103557	AMAZON CAPITAL SERVICES	1FK7-XMVC-L9GY	73646	45.49	500qty 10lb. bags for ice
103557	AMAZON CAPITAL SERVICES	1PRJ-GYMP-NXFV	73646	57.20	Whistles for Officials
103557	AMAZON CAPITAL SERVICES	1X19-34HH-WCLD	73646	78.00	Volleyball net Straps
103557	AMAZON CAPITAL SERVICES	1LLP-XV73-NCX7	73646	46.62	program items
103557	AMAZON CAPITAL SERVICES	1QJ7-96ND-4JMC	73646	26.40	2025 Desk Calendars
103557	AMAZON CAPITAL SERVICES	1HH9-MVV6-FQTP	73646	112.51	Badge Pinning Supplies for Officer Caron
103557	AMAZON CAPITAL SERVICES	1RNV-RGH6-QFP4	73646	145.98	Round tablecloths - MLK event
103557	AMAZON CAPITAL SERVICES	1QD7-34FN-WLKQ	73646	92.95	Monitor arm for B. Diem & Extension cords
103557	AMAZON CAPITAL SERVICES	144H-RMJJ-367D	73646	479.70	Basketballs
103557	AMAZON CAPITAL SERVICES	1WWT-H6JL-CFYF	73646	49.99	Wireless Headphones for Investigators
103557	AMAZON CAPITAL SERVICES	17NW-CXJK-9QXV	73646	265.36	(3) 4x4 burn dressings, (1) unit does foil pac
103557	AMAZON CAPITAL SERVICES	1TT7-MKHX-N7KJ	73646	11.48	50pk of hospital grade biohazard bags
103557	AMAZON CAPITAL SERVICES	19YX-K69F-NYV3	73646	26.99	Wireless mini lav mics
103557	AMAZON CAPITAL SERVICES	1G7G-JQGN-714H	73646	50.04	Patch cables
103557	AMAZON CAPITAL SERVICES	166J-M66L-LG6D	73646	118.54	Intramural Championship Rings
103557	AMAZON CAPITAL SERVICES	139F-6YPW-JM7X	73647	9.23	Fiber jumper
103557	AMAZON CAPITAL SERVICES	1JFT-NF3R-4TGX	73647	5.99	(1) 2pc selective star of life hard hat sickers
103008	ASPEN MILLS	347125	73648	1,362.90	Uniforms for Officer Rodriguez, E
100073	ATWATER FORD INC	106938	73649	210.92	Squad 24 Repairs
100073	ATWATER FORD INC	106423	73649	145.60	Repairs to Squad 29
103610	AUSTIN INCORPORATED	58069	73650	120.00	pumped load 1/13/25
103610	AUSTIN INCORPORATED	58202	73650	120.00	Septic Pumping
102793	AUTO TECH ALIGNMENTS & MORE	27954	73651	115.00	Alignment
102418	B & H	231072407	73652	1,139.40	Replacement drone - per quote #1116967639
104080	B&F Fastener Supply	80013644-00	73653	408.67	Ladder
101010	BOLTON & MENK INC	0353714	73654	11,500.00	AIP Funded Runway 13/31 Edge Lighting
101010	BOLTON & MENK INC	0347890	73654	7,294.50	Civic Center Parking Lot prof. services
101010	BOLTON & MENK INC	0347879	73654	49,691.50	2025-26 Feasibility Report
101010	BOLTON & MENK INC	0346438	73654	26,006.50	2025-26 Feasibility Report
101010	BOLTON & MENK INC	0343932	73654	35,995.50	2025-26 Feasibility Report
101010	BOLTON & MENK INC	0350001	73654	2,981.00	Civic Center Parking Lot prof. services
101010	BOLTON & MENK INC	0349972	73654	51,449.00	2025-26 Feasibility Report
101980	BSE	929742974	73655	82.56	LED Lights
103647	CAPITAL ONE	011525	73656	72.49	Breakroom supplies
103647	CAPITAL ONE	011425	73656	41.62	Badge Pinning Ceremony for Officer Caron
103647	CAPITAL ONE	011425-2	73656	86.91	Supplies for CERT Appreciation Night
102542	CARRANZA/NORMA I	230	73657	150.00	Interpreting Services for ICR 24016474
103390	CENTRACARE	726743475	73658	35.00	Alcohol Testing - Dickerson
103390	CENTRACARE	012125	73658	32,903.79	State of MN Reimb ECPN Payments
103390	CENTRACARE	506240334	73658	90.00	Pre-Employment Physical
103390	CENTRACARE	506240335	73658	184.00	Pre-Employment Physical
103390	CENTRACARE	726825090	73658	259.00	Pre-Employment Physical
100154	CHAMBERLAIN OIL CO	496847-00	73659	313.48	Shop Supplies and oil
100154	CHAMBERLAIN OIL CO	498487-00	73659	84.28	Car wash soap
100156	CHAPPELL CENTRAL INC	00021158	73660	97.67	VFD filters
100156	CHAPPELL CENTRAL INC	00021151	73660	116.14	VFD filters
100156	CHAPPELL CENTRAL INC	SVC-116846	73660	709.60	repair HVAC JOT's 1
100156	CHAPPELL CENTRAL INC	SVC-119227	73660	148.50	Makeup air system evaluation
100156	CHAPPELL CENTRAL INC	SVC-121416	73660	808.33	Install 4 new zone temp sensors, mixed air sensor
100736	CHARTER COMMUNICATIONS	175505001012125	73661	142.24	Jan/Feb TV
104241	Chuck Loso	11539	73662	260.00	Minnesota Wild Ticket Refund
103708	CITY LINE TOWING	25-07112	73663	195.00	City Tow for ICR# 24000690
900001	CITY OF ST. CLOUD	AR033384	73664	3,901.00	2025 CMWEA Membership Fee
102984	CODE 4 SERVICES INC	10290	73665	18,585.92	FY2025 Squad laptops & docks
102984	CODE 4 SERVICES INC	10290-2	73665	68.65	Getac freight
104070	Column Software PBC	B15E1683-0067	73666	97.58	Cannabis Ordinance Public Hearing Notice

Vendor Payment Listing

January 17, 2025 thru January 29, 2025



VENDOR	NAME	INVOICE	CHECK NO	INVOICE NET	INVOICE DESCRIPTION
104070	Column Software PBC	B15E1683-0068	73666	88.00	01/18/25 Ord Notice - Sum Pub amending zoning ord
104014	Consolidated Management Company	91-38577	73667	2,883.11	Food for 2025 MLK event
103677	COORDINATED BUSINESS SYSTEMS	INV434599	73668	158.35	Managed Print Services
100186	CROW CHEMICAL & LIGHTING	129096	73669	126.60	Spillifer wipes
100203	DESIGN ELECTRIC INC	25172	73670	901.37	Signal repair at 1st and Litchfield
104231	Disrupter Media Consultants, Inc	1023	73671	20,000.00	Media
103979	DONAHOE/THOMAS	012725	73672	590.00	Volleyball Official (19 Games)
104242	Donna Schueler	11409	73673	260.00	Minnesota Wild Ticket Refund
100212	DOOLEY'S PETROLEUM INC	59871	73674	3,445.55	Generator fuel
100222	DUNINCK INC	Appl #12	73675	171,002.45	Project No. 2301-A Pay App No. 12
102723	ENVIRONMENTAL RESOURCE ASSOC.	099475	73676	655.54	PT lab supplies
103305	EPG MEDIA LLC	18055	73677	525.00	Snow Goer Advertising
102443	EXCEL OVERHEAD DOOR	44085	73678	403.00	Garage door repair
104013	Exclaimer LTD	1921357	73679	2,791.80	FY25 Exclaimer renewal
103002	FARM-RITE EQUIPMENT	W15363	73680	501.17	ToolCat Wiring issue
104243	Fernando Alvarado	11313	73681	260.00	Minnesota Wild Ticket Refund
100775	FIRST CHOICE FOOD & BEVERAGE	2107:036165	73682	1,960.70	Concession Supplies
100775	FIRST CHOICE FOOD & BEVERAGE	2107:036216	73682	737.10	Concession Supplies
102484	FISCHER/BETH	012925	73683	3,384.84	2024 Mileage Reimbursement
102973	FLEETPRIDE	122940190	73684	66.90	filters
103995	Flock Group Inc	INV-56700	73685	500.00	Subscription (Amendment to contract)
100293	GENERAL MAILING SERVICES	72381	73686	11.69	Mailing Service
100293	GENERAL MAILING SERVICES	72396	73686	255.25	POSTAGE 01/13-01/17/25
100786	GRAINGER INC	9304305643	73687	194.12	Water Cooler
103765	HARRY'S FROZEN FOOD	76765	73688	777.00	Concession Supplies
103980	HARTLEY/JOHN	012725	73689	590.00	Volleyball Official (19 Games)
100325	HAWKINS INC	6964560	73690	12,139.74	Ind. ferric
102036	HEGLUND CATERING	16326	73691	665.00	Catered Event for CERT Appreciation Night
100333	HILLYARD\HUTCHINSON	605712381	73692	97.59	Kleenex
100333	HILLYARD\HUTCHINSON	605712307	73692	552.90	Trash Cans for Events Rec Center
103760	HOMETOWN FIBER	4914	73693	18,157.50	Specs, design, 3D model - electrical
104235	IdentiSys Inc.	700671	73694	650.00	Badge printing gear
103023	INNOVATIVE OFFICE SOLUTIONS	IN4747679	73695	324.60	Office Supplies
103023	INNOVATIVE OFFICE SOLUTIONS	IN4743357	73695	264.68	Office Supplies
103023	INNOVATIVE OFFICE SOLUTIONS	IN4748808	73695	137.32	Office Supplies
103404	JOHNSON CNTRLS FIRE PROTECTION	41785881	73696	7,263.13	Fire Alarm Work- MinnWest Bldg 32
103963	JT SERVICES	JT25-017-02	73697	321.00	Lighting Repairs
100867	KANDI STEEL AND FAB	7065	73698	10.30	Shop supplies
101993	KIESLER POLICE SUPPLY INC	IN253006	73699	613.40	Flashbangs
103138	KING'S ELECTRIC LLC	3232	73700	1,558.41	Oxidation ditch trouble shoot
103138	KING'S ELECTRIC LLC	3228	73700	247.50	GBT repair
103138	KING'S ELECTRIC LLC	3226	73700	332.50	HVAC trouble lights
103825	LAWTON/JAY	012725	73701	590.00	Volleyball Official (19 Games)
100412	LEAGUE OF MN CITIES	420034	73702	1,440.00	LMC - Stormwater Coalition Annual Fee
100412	LEAGUE OF MN CITIES	421863	73702	350.00	Gilbertson - 2025 elected leaders institute
100412	LEAGUE OF MN CITIES	421865	73702	350.00	Ask - 2025 Elected Leaders Institute
100412	LEAGUE OF MN CITIES	421866	73702	525.00	Valiant - 2025 MCMA Annual Conference
100412	LEAGUE OF MN CITIES	422083	73702	350.00	Gardner - 2025 Elected Leaders Institute
102255	LEWIS MOTOR REPAIR	555870	73703	1,341.90	Aerator motor troubleshoot
103376	LLOYD SECURITY INC	190816	73704	947.28	Monitoring Services - Fire
103376	LLOYD SECURITY INC	190288	73704	137.97	Vehicle storage fire monitoring
102593	LOFFLER COMPANIES	4905824	73705	34.45	Telephone Charges
100424	M-R SIGN CO INC	226885	73706	150.29	Signs
100424	M-R SIGN CO INC	226884	73706	109.20	Signs
100427	MACQUEEN EQUIPMENT INC	P42567	73707	707.64	Quick fill female coupling
100437	MARCO TECHNOLOGIES LLC	INV13453181	73708	52.50	Shredding service for January 2025
100449	MENARDS	89126	73709	45.98	Mouse repeller
100449	MENARDS	89360	73709	97.87	General supplies
100449	MENARDS	89123	73709	6.02	screws, anchors
100449	MENARDS	88729	73709	8.47	concrete clean out brush

Vendor Payment Listing

January 17, 2025 thru January 29, 2025



VENDOR	NAME	INVOICE	CHECK NO	INVOICE NET	INVOICE DESCRIPTION
100449	MENARDS	89184	73709	17.98	4x6-6' Green Treated timber
100449	MENARDS	89554	73709	26.97	reflective lettering, mail box post
100449	MENARDS	89570	73709	38.68	Shop supplies
100449	MENARDS	89549	73709	48.11	Shop supplies
100449	MENARDS	88721	73709	185.02	PVC Pipe and Small Tools
100449	MENARDS	89444	73709	97.14	Straps and Hooks
103890	MHSRC/RANGE	337900-11484	73710	645.00	Class fee for Officer Gerads
104025	Midwest Biosolids Association, Incorporated	293	73711	650.00	Membership dues
104019	Miguel Angel Garcia	00000005	73712	200.00	Live music for MLK event
102699	MIKE'S SMALL ENGINE CENTER	32119	73713	524.22	Chain saw chains, bar oil, engine oil
102699	MIKE'S SMALL ENGINE CENTER	32199	73713	3,255.90	Chainsaws, Chains, Battery for trimmer
103790	MILES PARTNERSHIP,LLLP	109363	73714	2,700.00	Explore Minnesota - Dig. Guide - All Inclusive Adv
101805	MINI BIFF LLC	11004	73715	207.06	Mini Biff
100496	MN PUBLIC FACILITIES AUTHORITY	070043RFY09-Feb2025	73716	302,004.13	MPFA-07-0043-R-FY09 Feb 2025
100496	MN PUBLIC FACILITIES AUTHORITY	090005RFY10-Feb2025	73716	6,230.36	MPFA-09-0005-R-FY10 Feb 2025 Pymt
100496	MN PUBLIC FACILITIES AUTHORITY	090043RFY10-Feb2025	73716	297,319.20	MPFA-09-0043-R-FY10 Feb 2025 Pymt
100496	MN PUBLIC FACILITIES AUTHORITY	090044RFY13-Feb2025	73716	7,126.16	MPFA-09-0044-R-FY13 Feb 2025 Pymt
100496	MN PUBLIC FACILITIES AUTHORITY	140050RFY15-Feb2025	73716	7,440.00	MPFA-14-0050-R-FY15 Feb 2025 Pymt
100496	MN PUBLIC FACILITIES AUTHORITY	CWRFL010FY17-Feb2025	73716	3,260.25	MPFA-CWRF-L-010-FY17 Feb 2025 Pymt
100496	MN PUBLIC FACILITIES AUTHORITY	CWRFL033FY19-Feb2025	73716	6,115.34	MPFA-CWRF-L-033-FY19 Feb 2025 Pymt
100541	MUNICIPAL UTILITIES	STMT/12-2024-1	73717	264.98	Municipal Utilities - Dec
100544	MVTL LABORATORIES INC	1289283	73718	303.00	Lab test's
100544	MVTL LABORATORIES INC	1290200	73718	80.00	Lab test's
100544	MVTL LABORATORIES INC	1290534	73718	57.00	Lab test
100555	NAT'L LEAGUE OF CITIES	191436	73719	2,190.00	Direct member dues 1/1/25-1/1/26
101627	NCL OF WISCONSIN INC	514762	73720	260.34	Lab supplies
102547	CARRANZA/NOE	231	73721	150.00	Interpreting Services for Officer Maschino
102547	CARRANZA/NOE	228	73721	150.00	Interpreting Services for ICR 24016474
102547	CARRANZA/NOE	232	73721	150.00	Interpreting services for ICR 25000811
103605	NORTH CENTRAL INTERNATIONAL	X201138350:01	73722	23.92	Air Fitting
103605	NORTH CENTRAL INTERNATIONAL	X201138319:01	73722	7.64	Air Line
103605	NORTH CENTRAL INTERNATIONAL	X201138427:01	73722	12.63	Fright
103605	NORTH CENTRAL INTERNATIONAL	X201138350:02	73722	28.54	Air Fitting
103605	NORTH CENTRAL INTERNATIONAL	R201000776:01	73722	646.58	Nelsons Repair
103605	NORTH CENTRAL INTERNATIONAL	X201138839:01	73722	28.54	Air Fitting
104207	Office Of MNIT Services	DV24120444	73723	257.72	LOGIS Internet transport Dec
100943	OKINS/STEVEN B	Nov 2024 Life Ins	73724	5.90	Nov 2024 COBRA Overpayment - Life Ins
100943	OKINS/STEVEN B	Dec 2024 Life Ins	73724	5.90	Dec 2024 COBRA Overpayment - Life Ins
100943	OKINS/STEVEN B	Jan 2025 Life Ins	73724	5.90	Jan 2025 COBRA Overpayment - Life Ins
102543	PAT'S GRAPHICS	15476	73725	670.76	Decals for new plow trucks
100608	PETERSON SHOE STORE	234134	73726	220.99	Safety Boots - Larson
100624	PRINT MASTERS	93569	73727	177.00	Business cards for Gilbertson & Gardner
100636	R & R SPECIALTIES INC	0084400-IN	73728	345.35	Zam Parts
100639	RAMBOW INC	664561	73729	950.00	Safety Jacket
104244	Rick's Cycling and Sports	098584144440442	73730	34.99	Trishaw Bike Repair
103594	RIDDELL	952236781	73731	2,956.37	Helmet Reconditioning
103867	RS AMERICAS INC	9020299017	73732	404.75	VFD relay's
100665	RULE TIRE SHOP	1-74355	73733	291.00	Tire
100665	RULE TIRE SHOP	1-74384	73733	500.00	Tire
100665	RULE TIRE SHOP	1-74534	73733	692.00	Tires
100683	SCOTT SWANSON'S EQUIPMENT CO	47345	73734	301.10	pressure washer parts
100275	SHI CORP	B19303108	73735	10,636.60	Replacement forensics computer
100275	SHI CORP	B19313764	73735	2,572.40	Additional Cisco Duo licenses for PW
900094	ST LOUIS MRO INC	64062	73736	160.00	Drug screen collections
104015	Swenson and Sons Construction	Appl #4 Final	73737	10,337.17	2305 Trott Ave Storm Pond Final Pay App.
100161	SYSO WESTERN MINNESOTA	253824751	73738	838.54	Concession Supplies
103706	TACTICAL ADVANTAGE, LLC	2024-0106	73739	505.50	Glock 17Gen
103801	TECH CHECK,LLC	7074C	73740	12,054.70	FY2025 Network equipment replacements
103757	TOM'S BACKHOE SERVICE, INC.	Appl #8	73741	97,198.33	ELLS 7, 8 & 9 Pay Application No. 8
104046	Tyler Business Forms	101192	73742	226.56	AP Checks

Vendor Payment Listing

January 17, 2025 thru January 29, 2025



VENDOR	NAME	INVOICE	CHECK NO	INVOICE NET	INVOICE DESCRIPTION
103795	TYLER TECHNOLOGIES, INC	045-496721	73743	700.00	11/19/24 Watts Imp Remote
103795	TYLER TECHNOLOGIES, INC	045-500299	73743	2,100.00	12/16-12/18/24 Watts Imp Remote
103795	TYLER TECHNOLOGIES, INC	045-488461	73743	1,400.00	09/27/25 & 09/24/24 Talbot & Edgar Imp Remote
103795	TYLER TECHNOLOGIES, INC	045-495888	73743	136,670.00	Annual Subscription
103143	US BANK EQUIPMENT FINANCE	547357350	73744	751.80	500-0664928-000/001
100777	VIKING COCA-COLA BOTTLING CO	3553617	73745	2,014.75	Concession Supplies
104104	Wenger Corporation	886396	73746	5,994.40	Show Mobile stage panels
100803	WEST CENTRAL PRINTING	24924	73747	23.05	Business Cards for Officer Lueders
100803	WEST CENTRAL PRINTING	24954	73747	125.45	Business Cards for Officers
100808	WEST CENTRAL TROPHIES	9858	73748	25.00	Name tags - Gilbertson/Gardner
100809	WESTBERG, EISCHENS PLLP	78344	73749	675.00	Preparation of 2024 1099 Nec, 1099 MISC, 1099 S
102689	WILLMAR AUTO VALUE	22551314	73750	332.18	Batteries
102689	WILLMAR AUTO VALUE	22551256	73750	113.94	Balance Beads
102689	WILLMAR AUTO VALUE	22551497	73750	43.98	Horn for #171950
102689	WILLMAR AUTO VALUE	22551500	73750	103.99	Ignition Coil
102689	WILLMAR AUTO VALUE	22551468	73750	132.93	Spark Plug, Blower Motor
102689	WILLMAR AUTO VALUE	22552463	73750	28.99	Universal lift support
102689	WILLMAR AUTO VALUE	22551831	73750	23.98	Wiper Blades
102689	WILLMAR AUTO VALUE	22552178	73750	104.18	Fittings
102689	WILLMAR AUTO VALUE	22552223	73750	21.99	Glass Cleaner
102689	WILLMAR AUTO VALUE	22552145	73750	78.99	Blower Motor
102689	WILLMAR AUTO VALUE	22553225	73750	24.98	Wiper Blades
102689	WILLMAR AUTO VALUE	22553489	73750	26.67	Fuses
102689	WILLMAR AUTO VALUE	22554095	73750	16.99	Gasket maker #062633
102689	WILLMAR AUTO VALUE	22554076	73750	45.98	Grommet kit/ shrink wrap kit
102689	WILLMAR AUTO VALUE	22554302	73750	28.96	Air Fitting
102689	WILLMAR AUTO VALUE	22551265	73751	13.99	Balance Beads
102689	WILLMAR AUTO VALUE	22551513	73751	16.98	Coil Boots
100812	WILLMAR CHAMBER OF COMMERCE	01152025	73752	2,433.93	Chamber Monthly
100393	WILLMAR NOON KIWANIS	012025	73753	106.50	Oct, Nov, Dec 2024 QTR INV
Total				1,455,615.45	

Vendor Payment Listing

January 17, 2025 thru January 29, 2025



VENDOR	NAME	INVOICE	CHECK NO	INVOICE NET	INVOICE DESCRIPTION
100492	MN DEPT OF REVENUE	STMT/12-24	571	4,469.28	FUEL AND SALES TAX
102302	US BANK	012425	572	3,605,933.61	BOND PAYMENTS
100467	CENTERPOINT ENERGY	STMT/12-2024	573	11,452.21	NATURAL GAS-DEC
102365	CARDMEMBER SERVICE	STMT/12-24	574	15,333.24	BREMER CREDIT CARD STMT 12/2024
			Total	3,621,855.10	



City Council Action Request

Council Meeting Date:	February 3, 2025	Agenda Item Number:	9.A.
Agenda Section:	Public Hearing:	Originating Department:	Administration
Resolution:	No	Prepared By:	Kyle Box, City Operations Director
Ordinance:	Yes	Presented By:	Kyle Box, City Operations Director
Item:	Cannabis Regulation Ordinance		

RECOMMENDED ACTION:

1. Adopt the Cannabis Regulation Ordinance
2. Publish the Ordinance by Summary

OVERVIEW:

The proposed Cannabis Registration Ordinance is in response to recent legislative changes under the State of Minnesota's cannabis legalization framework. As Minnesota moves forward with the legalization of adult-use cannabis, municipalities are empowered to establish local regulations to ensure the safe, regulated distribution and use of cannabis products within their communities.

This ordinance will set forth guidelines for cannabis businesses operating within the city, including requirements for registration and operational standards. It ensures compliance with state law while addressing local concerns regarding zoning, public health, safety, and the welfare of our residents. The City of Willmar is committed to creating a responsible regulatory framework that fosters economic opportunity while mitigating potential risks associated with cannabis-related businesses.

The ordinance outlines the procedures for cannabis business registration. It also establishes provisions for compliance with state cannabis regulations, including the Office of Cannabis Management rules, while allowing the City to effectively manage the local cannabis market. This ensures a balanced approach that supports the responsible growth of the cannabis industry, respects the concerns of residents, and promotes community well-being.

BUDGETARY/FISCAL ISSUES:

NA

ALTERNATIVES TO CONSIDER:

None Recommended

ATTACHMENTS:

1. Cannabis Registration Ordinance_redline
2. Summary Publication of Cannabis Retail Registration Ordinance
3. Cannabis Registration Ordinance_clean

ORDINANCE NO. _____

AN ORDINANCE REGULATING CANNABIS AND HEMP RETAIL BUSINESSES IN THE
CITY OF WILLMAR

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS
AND BUSINESS REGULATIONS. Chapter 8 of the Willmar Municipal Code is hereby
amended by adding a new Article XI, Cannabis and Hemp Retail Businesses and Temporary
Cannabis Events, regulating the sale of cannabis and hemp products in the City of Willmar, as
follows:

**ARTICLE XI. – CANNABIS AND HEMP RETAIL BUSINESSES AND
TEMPORARY CANNABIS EVENTS**

DIVISION 1. – GENERALLY

- Sec. 8-351. – State Law Adopted.**
- Sec. 8-352. – Definitions.**
- Sec. 8-353. – Conditions.**
- Sec. 8-354. – Violations.**
- Sec. 8-355. – Penalties and Suspension.**
- Sec. 8-356. – Exceptions and Defenses.**
- Sec. 8-357. – Enforcement.**
- Sec. 8-358. – Minimum Employee Age.**
- Sec. 8-359. – Use in Public Places.**
- Sec. 8-360. – Pre-License Application Response Required.**
- Sec. 8-361. – Severability.**

DIVISION 2. – CANNABIS RETAIL BUSINESS REGISTRATION

- Sec. 8-371. – Registration Required.**
- Sec. 8-372. – Limitation of Registrations.**
- Sec. 8-373. – Application.**
- Sec. 8-374. – Preliminary Inspection Prior To Retail Registration.**
- Sec. 8-375. – Approval or Denial of Retail Registration.**
- Sec. 8-376. – Ineligibility and Basis for Denial.**
- Sec. 8-377. – Fees.**
- Sec. 8-378. – Prohibited Acts.**
- Sec. 8-379. – Annual Compliance Checks.**
- Sec. 8-380. – Term.**
- Sec. 8-381. – Renewal.**
- Sec. 8-382. – Renewal Application.**
- Sec. 8-383. – Location Change and Transferability.**
- Sec. 8-384. – Responsibility of Registered Cannabis Retail Business.**
- Sec. 8-385. – Display of Registration.**
- Sec. 8-386. – Penalties and Suspension.**
- Sec. 8-387. – Registration Conditions.**

- Sec. 8-388. – Minimum Buffer Requirements.**
- Sec. 8-389. – Zoning Districts.**
- Sec. 8-390. – Hours of Operation.**
- Sec. 8-391. – Smoking in Cannabis Businesses Prohibited.**
- Sec. 8-392. – On-Site Consumption within Cannabis Microbusinesses.**
- Sec. 8-393. – Advertising.**
- Sec. 8-394. – Other Conditions for Registered Cannabis Retail Businesses.**
- Sec. 8-395. – City as Cannabis Retailer.**

DIVISION 3. – LOWER-POTENCY HEMP EDIBLE RETAILER REGISTRATION

- Sec. 8-411. – Lower-Potency Hemp Edibles Sales Permitted With Valid Registration.**
- Sec. 8-412. – Registration, Fees, And Renewal.**
- Sec. 8-413. – Term.**
- Sec. 8-414. – Ineligibility and basis for denial.**
- Sec. 8-415. – Responsibility of Lower-Potency Hemp Edible Retailers.**
- Sec. 8-416. – Zoning Districts.**
- Sec. 8-417. – Prohibited Acts.**
- Sec. 8-418. – Other Conditions for Registered Lower-Potency Hemp Edible Retailers.**
- Sec. 8-419. – On-Site Consumption.**
- Sec. 8-420. – Penalties and Suspension.**
- Sec. 8-421. – Compliance Checks.**
- Sec. 8-422. – Display of Registration.**
- Sec. 8-423. – Advertising.**
- Sec. 8-424. – Storage of Product.**

DIVISION 4. – TEMPORARY CANNABIS EVENTS.

- Sec. 8-431. – Permit Required.**
- Sec. 8-432. – Event Registration and Application Fee.**
- Sec. 8-433. – Application.**
- Sec. 8-434. – Locations Permitted.**
- Sec. 8-435. – Operating Hours of Events.**
- Sec. 8-436. – On-Site Consumption.**
- Sec. 8-437. – Basis for Denial.**

DIVISION 1. – GENERALLY

Sec. 8-351. – State Law Adopted.

Except as further restricted or regulated by this article, the provisions of M.S.A. ch. 342, relating to cannabis and hemp regulation and the corresponding state rules with respect to the same are hereby adopted and made a part of this article as if set out herein in full. In accordance with M.S.A. §§ 342.13 and 342.22, the city may impose further restrictions and regulations within city limits. Whenever there is an inconsistency between the provisions of M.S.A. ch. 342, as

amended, and the provisions of this article, the more restrictive provision shall govern unless preempted by state law.

Sec. 8-352. – Definitions.

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The words, terms, and phrases contained in M.S.A. § 342.01 and the corresponding promulgated state rules shall have the same meanings in this article; said definitions, as the same may be amended from time to time, being hereby incorporated herein by reference. Unless otherwise noted in this article, the following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Cannabis Retail Businesses. A cannabis retailer location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, and medical combination businesses operating a retail location, excluding lower-potency hemp edible retailers.

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.

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.

Lower-potency Hemp Edible. A hemp product as defined under M.S.A. § 342.01, subd. 50.

Lower-potency Hemp Edible Retailer. A person or entity licensed or authorized to acquire, possess, transfer, sell, dispense, or distribute lower-potency hemp edible products and related supplies and products pursuant to M.S.A. ch. 342.

Office of Cannabis Management. The Minnesota Office of Cannabis Management, referred to as "OCM" in this article.

Preliminary License Approval. OCM pre-approval for a cannabis business license for applicants who qualify under M.S.A. § 342.17.

Residential Treatment Facility. A facility as defined under M.S.A. § 245.462 subd. 23.

Retail Registration. An approved registration issued by the city to a state-licensed cannabis retail business or lower-potency hemp edible retailer.

Registered Retail Business. A cannabis retail business or lower-potency hemp edible retailer with a valid retail registration issued by the city.

School. A public school as defined under M.S.A. § 120A.05 or a nonpublic school that must meet the reporting requirements under M.S.A. § 120A.24.

State License. An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

Temporary Cannabis Event. A cannabis event lasting no more than four days, organized by a holder of a cannabis event organizer license pursuant to M.S.A. § 342.39 and subject to the requirements of M.S.A. § 342.40.

Sale. Any transfer of goods for money, trade, barter, or other consideration.

Vending Machine. Any mechanical, electric, or electronic, or other type of device that dispenses licensed products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the licensed product.

Sec. 8-353. – Conditions.

(a) All retail registrations issued under this article shall be issued subject to the conditions set forth in this chapter and subject to all city ordinances and sections of this Code applicable thereto and the laws of the state. All other regulations contained in state law and city code, including, but not limited to, this chapter as applicable to a respective otherwise registered retail business enterprise regarding operational requirements and restrictions and prohibited acts and sales, shall not be limited by virtue of issuance of a registration under this article and shall be complied with as applicable to the otherwise registered business enterprise selling or operating as a registered cannabis or hemp retail business to the same extent as if such business enterprise were not a registered cannabis or hemp retail business.

(b) All such regulations applicable to an otherwise registered retail business shall remain applicable to the operations of the retail business registered under this article during the term of a registration issued under this article.

Sec. 8-354. – Violations.

(a) *Revocation and Suspension.* Any retail registration issued under this article may be revoked or suspended as provided for other licensed businesses in this chapter.

(e) *OCM notification of suspension.* Following the issuance of a notice of suspension of the registration of a registered retail business by the city clerk pursuant to this article, the city clerk shall immediately notify the OCM and

provide the OCM a copy of the notice of suspension issued to the registered retail business containing a description of the grounds for such suspension. The city may hold a hearing pursuant to this chapter if timely requested by the alleged violator or stay such hearing pending a response from OCM. If a hearing is timely requested and held and a suspension is imposed, the city clerk shall additionally immediately notify the OCM and provide the OCM a copy of the city council's order of suspension issued to the registered retail business. A suspension shall not be imposed and served until notice to OCM and any determination by OCM. The OCM may order reinstatement of the retail registration or take other action authorized by law, up to and including revocation of the state license for the cannabis retail business or lower-potency hemp edible retailer. Failure by OCM to respond or to timely respond following notice from the city clerk to OCM as provided herein shall not prohibit or limit the city's enforcement action or subsequent enforcement actions.

(f) *Timing of suspension.* A suspension imposed following notice to OCM and a determination by OCM shall be served by the registered retail business on such date(s) as determined by the city clerk in consultation with the city administrator and chief of police, and included in a subsequent written notice from the city clerk to the registered retail business. The noticed and ordered date(s) of suspension shall be consecutive days and shall be served by the registered retail business within 60 days following the final determination of suspension by OCM or as otherwise provided herein if OCM fails to respond following notice.

(g) *Reinstatement.* The city may reinstate a retail registration if it determines that the violation(s) has been resolved. The city shall reinstate a registration if the OCM determines that the violation(s) has been resolved. The city may wait for a determination from the OCM with regard to the violation(s) before reinstating a registration issued by the city.

(h) *Complaint to OCM.* In addition to providing notification to the OCM of any suspension of the registration of a registered retail business as set forth above, the City shall submit to the OCM notification of any violation(s) through the complaint process as set forth in M.S.A. § 342.13(g) and corresponding state rules.

(i) *Misdemeanor prosecution.* In addition to the process contained in this section for registration violations, violations of this article or failure to comply with any of its requirements herein shall constitute a criminal misdemeanor offense and may be prosecuted accordingly.

(j) *Continued violation.* Each violation, and every day in which a violation occurs or continues, shall constitute separate offenses.

(1) *Timely payment.* In the event that any imposed penalty or hearing costs and expenses are not timely paid in accordance with the notice of violation/citation or the city council's decision, as applicable, such failure shall serve as grounds for additional enforcement actions, up to and including but not limited to immediate retail registration suspension as provided in this article.

Sec. 8-355. – Penalties and Suspension.

(a) *Administrative civil penalties.* In addition to any other penalties that may be imposed under this article, any registered retail business with a retail registration from the city found to have violated this article, or whose employee shall have violated this article, shall be subject to administrative penalties and/or suspension in accordance with the following schedule:

(1) *First violation.* The council shall impose a civil fine of \$500 and suspend the license for not less than three days.

(2) *Second violation within 36 months.* The council shall impose a civil fine of \$1,000.00 and suspend the license for not less than ten consecutive days.

(3) *Third violation within 36 months.* The council shall impose a civil fine of \$2,000.00 and suspend the license for not less than 30 consecutive days.

For the purposes of this section, "within a 24-month period" means a period, two years in duration, which begins to toll on the date of the occurrence of the first violation, and ends two years from the date of the first violation.

Notwithstanding the foregoing and the penalties contained in the city clerk's notice of violation/citation, the city council, following notice and a hearing as provided in this chapter, may deviate from the administrative penalties provided above herein, by increasing or decreasing such imposed penalties subject to statutory limits, based upon the city council's findings following consideration of the facts, circumstances, history, and evidence presented and such other factors and evidence as the city council deems relevant. A history of repeated violations extending beyond the time periods stated herein may be considered by the city council to impose a longer suspension period or revocation or non-renewal of a registration as provided in this article, subject to OCM approval of such revocation or corresponding enforcement actions by the OCM.

(b) *Civil penalty for registration violations.* Subject to M.S.A. § 342.22, subd. 5(e), the city may impose a civil penalty, as specified in the city's Fee Schedule, not to exceed \$2,000, on any cannabis retail business or lower-potency hemp edible retailer, which makes any sale to a customer or patient without a valid retail registration pursuant to this article or for any other registration violation.

(c) *Criminal penalty.* Any violation of the provisions of this article or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Nothing in this section shall prohibit the city from seeking prosecution as a misdemeanor for any violation of this article. Prosecution may precede, run consecutively with, or follow any administrative civil enforcement action. Violations of this article can occur regardless of whether or not a permit is required for a regulated activity listed in this article.

Sec. 8-356. – Exceptions and Defenses.

Nothing in this article shall prevent the providing of sales by a registered cannabis retail business or lower-potency hemp edible retailer to a person under the age of 21 as part of a lawfully recognized religious, spiritual, or cultural ceremony. It shall be an affirmative defense to the violation of this article for a person to have reasonably relied on proof of age as described by state law in M.S.A. § 342.27, subd. 4.

Sec. 8-357. – Enforcement.

Pursuant to M.S.A. § 342.22, subd. 5, if the city determines that a registered retail business is not operating in compliance with the requirements of this article, including but not limited to sections 8-379, 8-416, and/or the governing state statutes and rules, or that the operation of the business poses an immediate threat to the health or safety of the public, the city may impose penalties and/or suspend the retail registration of the cannabis retail business pursuant to sections 8-354 and 8-355 of this article.

Sec. 8-358. – Minimum Employee Age.

Pursuant to M.S.A. § 342.24, subd. 1(a), cannabis businesses may not employ an individual under 21 years of age and may not contract with an individual under 21 years of age if the individual's scope of work involves the handling of cannabis plants, cannabis flower, artificially derived cannabinoids, or cannabinoid products.

Sec. 8-359. – 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 prohibited under section 10-3.

Sec. 8-360. – Pre-License Application Response Required.

Pursuant to M.S.A. § 342.13, within 30 days of receiving a copy of a state license application from OCM, the city shall certify on a form provided by OCM whether any proposed cannabis business as defined under M.S.A. § 342.01,

including any cannabis retail business and lower-potency hemp edible retailer required to register with the city, complies with the city zoning code, the fire code, the building code, and the provisions of this article, if applicable to the state license application.

Sec. 8-361. – Severability.

If any part, term, or provision of this article or the application thereof to any person or circumstances is held by a court of competent jurisdiction to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this article, which remaining portions shall continue in full force and effect.

Secs. 8-362 – 8-370. – Reserved.

DIVISION 2. – CANNABIS RETAIL BUSINESS REGISTRATION

Sec. 8-371. – Registration Required.

No person or entity may operate a state-licensed cannabis retail business within the corporate limits of the city without first registering with the city. Any operation of a state-licensed cannabis business within the corporate limits of the city without valid retail registration shall be a violation of this article, and the business shall be subject to the penalty set forth in sections 8-354 and 8-355.

Sec. 8-372. – Limitation of Registrations.

Under M.S.A. § 342.13(h), the city may limit the number of active cannabis retail business registrations if the city has one active cannabis retail business registration for every 12,500 residents. Pursuant to this authority, the city shall limit the number of cannabis retail business registrations to two (2), excluding any potential municipal cannabis retail business. The City reserves the right to amend this ordinance to increase the number of cannabis retail business registrations issued by the city.

Sec. 8-373. – Application.

The city shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of M.S.A. 342.22, this article, the city zoning code, and the state fire code and building code, as applicable.

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

- (1) Full name of the property owner and applicant;

(2) Address, email address, and telephone number of the applicant;

(3) If the applicant is a corporation or any other type of business organization, the application shall also contain the names, addresses and respective percentage ownership interest of all of the owners of the corporation or business organization, provided however that if the number of owners exceeds ten persons only the ten owners having the largest percentage of ownership shall be listed;

(4) The address and parcel ID for the property from which the retail registration is sought;

(5) Certification that the applicant complies with the requirements of this article, the city zoning code, and with the state fire code and building code;

(6) Certification that the applicant has a valid license or license preapproval issued by the OCM;

(7) Any other information the city deems necessary.

(b) The applicant shall include with the form:

(1) the application fee as required in section 8-377;

(2) a copy of a valid state license or written notice of OCM license preapproval; and

(3) A certificate of insurance evidencing a valid liability policy providing minimum coverage of \$1,000,000.00 combined single limit per occurrence, which certificate(s) must state that no cancellation of such policy may be effective except upon 30 days' written notice to the city.

(c) Once an application is considered complete by the city clerk, the city clerk or their 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 application fee shall be non-refundable once processed.

Sec. 8-374. – Preliminary Inspection Prior To Retail Registration.

Prior to issuance of a cannabis retail business registration, the city shall conduct a preliminary inspection to ensure compliance with the requirements of this article and all city ordinances.

Sec. 8-375. – Approval or Denial of Retail Registration.

Upon approval by the city council, the city clerk shall issue a retail registration to a cannabis retail business that has complied with section 8-374 and has passed the preliminary inspection required under section 8-375. A state-licensed cannabis retail business registration application shall not be approved or renewed if the applicant is unable to meet the requirements of this article. If the registration is denied, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal such denial to the city council. Notice shall also be provided to OCM by the city clerk in the same manner as provided in section 8-354(e).

Sec. 8-376. – Ineligibility and Basis for Denial.

The following shall be grounds for denying the issuance of retail registration or a renewal required under this article:

(a) *Grounds for denial.* Grounds for denying the issuance or renewal of a retail registration under this article include, but are not limited to, the following:

- (1) The cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 8-373. The city shall process cannabis retail registration applications in the order in which the applications are received until the maximum number of registered cannabis retail businesses has been met.
- (2) The applicant does not have a valid license or license preapproval issued by the OCM.
- (3) The applicant fails to provide any information required on the application or provides inaccurate, false or misleading information.
- (4) The fee for the registration or registration renewal has not been paid.
- (5) The applicant's cannabis retail business does not comply with the requirements of this article, the city zoning code, and with the state fire code and building code.
- (6) The applicant's cannabis retail business operates in violation of any section of M.S.A. ch. 342.
- (7) The applicant's cannabis retail business made any sales with the city prior to issuance of a valid retail registration by the city pursuant to this article.

(8) The applicant has otherwise failed a compliance check completed by the city.

(b) *Moveable place of business.* No retail registration shall be issued to a moveable place of business. Only fixed location cannabis businesses shall be eligible to be registered under this article.

(c) *Delinquent obligations to city or state.* No registration shall be granted or renewed for operation on any premises on which real estate taxes, assessments, or other financial claims of the city or of the state are due, delinquent, or unpaid. If an action has been commenced pursuant to the provisions of M.S.A. ch. 278, questioning the amount or validity of taxes, the council may, on application by the applicant, waive strict compliance with this provision; no waiver may be granted, however, for taxes, or any portion thereof, which remain unpaid for a period exceeding one year after becoming due unless such one-year period is extended through no fault of the applicant.

Sec. 8-377. – Fees.

(a) *Registration fee.* A registration fee shall be charged to applicants depending on the type of retail business state license applied for by the applicant. The initial retail registration fee shall be established by the city council and adopted by resolution in the city fee schedule in an amount not to exceed \$500 or half the amount of an initial state license fee under M.S.A. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee. The registration fees in this section shall not be prorated for registrations issued for less than a full year.

(b) *Renewal registration fee.* Any renewal retail registration fee imposed by the city shall be charged at the time of the second renewal and each subsequent renewal thereafter. A renewal retail registration fee shall be established by the city council and adopted by resolution in the city fee schedule in an amount not to exceed \$1,000 or half the amount of a renewal state license fee under M.S.A. 342.11, whichever is less.

(c) *Medical cannabis combination business.* 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.

Sec. 8-378. – Prohibited Acts.

It shall be a violation of this article for any person or cannabis retail business regulated under this article to violate any provisions of M.S.A. ch. 342 applicable to cannabis retail businesses, including, but not limited to the following:

- (a) To operate a state-licensed cannabis retail business within the corporate limits of the city or make any sale to a customer or patient without validly registering with the city.
 - (b) To sell cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to a person who is visibly intoxicated.
 - (c) To knowingly sell more cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products than a customer is legally permitted to possess.
 - (d) To give away immature cannabis plants or seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.
 - (e) To operate a drive-through window.
 - (f) To allow for the dispensing of cannabis plants, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in vending machines.
 - (g) To sell cannabis plants, cannabis flower, or cannabis products if the cannabis retailer knows that any required security or statewide monitoring systems are not operational.
 - (h) To permit an individual under 21 years of age to enter the business premises other than entry by a person enrolled in the registry program as defined by M.S.A. § 342.01, subd. 59.
 - (i) To sell or give cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to an individual under 21 years of age unless the individual is a person enrolled in the registry program as defined by M.S.A. § 342.01, subd. 59 and the cannabis business holds a medical cannabis retail endorsement.
- (1) *Age verification.* Registered cannabis retail businesses must verify by means proof of age as described by state law in M.S.A. § 342.24, subd. 4 that the purchaser is at least 21 years of age.
 - (2) A registered retailer may seize a form of identification listed under paragraph (1) if the registered retailer has reasonable grounds to believe that the form of identification has been altered or falsified or is being used to violate any law. A registered retailer that seizes a form of identification as authorized under this paragraph must deliver it to a law enforcement agency within 24 hours of seizing it.

(j) To sell or give cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products by any other means, to any other person, or in any other manner or form prohibited by federal, state, or other local law, ordinance, or other regulation.

Sec. 8-379. – Annual Compliance Checks.

- (a) *Annual compliance checks.* The city shall complete at minimum one compliance check per calendar year of every cannabis retail business with a valid retail registration to assess the business's compliance with age verification requirements in applicable law as well as compliance with this article, the city zoning code, the state fire code and building code, and all other applicable city ordinances.
- (b) *Unannounced age verification compliance checks.* 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 city.
- (c) *Compliance check failures.* Any failures under this section shall be reported to the Office of Cannabis Management and constitute a violation of section 8-379 of this code.
- (d) *Other compliance checks.* Nothing in this section shall prohibit compliance checks authorized by state or federal laws for educational, research, or training purposes or required for the enforcement of a particular state or federal law.

Sec. 8-380. – Term.

All registrations issued under this article must be renewed annually at the same time OCM renews the cannabis retail business's state license. In the event that OCM does not renew the license for any cannabis retail business subject to this article, the retail registration for that cannabis retail business shall terminate automatically without further action from the city.

Sec. 8-381. – Renewal.

A state-licensed cannabis retail business shall apply annually to renew registration on a form established by the city pursuant to section 8-834. The applicant shall provide notice to the City Clerk of its intent to renew its state license and retail registration at least 30 days prior to submitting an application

for a license renewal to the OCM and shall timely submit a renewal application to the city clerk when the OCM renews the cannabis retail business's state license. A cannabis retail registration issued under this article shall not be transferred.

Sec. 8-382. – Renewal Application.

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

- (a) Items required under section 8-374 of this article.

The renewal application shall not be deemed complete until the city has received the renewal fee required under section 8-377.

Sec. 8-383. Location Change and Transferability.

Every retail registration issued under this article shall be valid only on the premises for which the registration was issued and only for the person to whom the registration was issued. No transfer of any registration to another location or person shall be valid. A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 8-374 if it seeks to move to a new location still within the legal boundaries of the city. Retail registration fees shall not be prorated.

Sec. 8-384. Responsibility of Registered Cannabis Retail Business.

Every person issued a retail registration under this article shall be responsible for the actions of the registrant's employees in regard to the operation of the state-licensed cannabis retail business, and the sale of such items by an employee shall be considered a sale by the retail registration holder. Nothing in this section shall be construed as prohibiting the city from also subjecting the registered cannabis retail business's employee(s) to whatever penalties are appropriate under this article, state or federal law, or other applicable law or regulation for violations thereof.

Sec. 8-385. – Display of Registration.

Each retail registration issued under this article shall be posted/displayed in a conspicuous place in plain view of the general public on the premises of the cannabis retail business for which it is issued.

Sec. 8-386. – Penalties and Suspension.

Every cannabis retail business registered pursuant to this article will be subject to suspension or revocation of their registration, or any other penalty as set forth in

this article, or not renewed by the city council according to the procedures as provided in sections 8-354 and 8-355, for any of the following reasons:

- (a) Violation of any provision of this article.
- (b) One or more of the bases for denial of a retail registration under section 8-377 existing at the time the registration application was made or at any time before the registration was completed.
- (c) Other good cause related to violation of applicable ordinances, law and/or rules by the business in selling or furnishing products regulated under M.S.A. ch. 342.

Revocation of a retail registration shall be subject to OCM approval or corresponding enforcement actions by the OCM.

Sec. 8-387. – Registration Conditions.

Each retail registration issued under this article is subject to all of the following conditions:

- (a) The cannabis retail business must fully light the interior of the retail establishment during business hours.
- (b) The cannabis retail business must fully cooperate with representatives from the city when present at the retail establishment for city business purposes.
- (c) The cannabis retail business must maintain clean and clear front and rear entrances of the retail establishment.
- (d) The cannabis retail business must utilize security cameras in good working order pursuant to M.S.A. § 342.27, subds. 9 and 10.
- (e) The cannabis retail business must promptly remove any graffiti on the exterior of the retail establishment.
- (f) Individuals employed by a registered cannabis retail business must be at least 21 years of age.

Sec. 8-388. – Minimum Buffer Requirements.

- (1) The city shall prohibit the operation of a cannabis retail business within 1,000 feet of a school.
- (2) The city shall prohibit the operation of a cannabis retail business within 500 feet of a day care.

- (3) The city shall prohibit the operation of a cannabis retail business within 500 feet of a residential treatment facility.
- (4) The city shall prohibit the operation of a cannabis retail business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
- (5) Pursuant to M.S.A. 462.357 subd. 1e, nothing in this section shall prohibit an active cannabis retail business or a cannabis retail 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.

Sec. 8-389. – Zoning Districts.

Retail. Cannabis businesses licensed or endorsed for cannabis retail are permitted as a conditional use in the following zoning districts pursuant to the City of Willmar Zoning Ordinance:

- (a) General Business District.
- (b) Central Business District.
- (c) General Business District 2.
- (d) General Business District 3.

Sec. 8-390. – Hours of Operation.

Cannabis retail businesses may not sell cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 10:00 p.m. and 8:00 a.m. Monday through Saturday. Cannabis retail businesses may not sell cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products before 10:00 a.m. or after 10:00 p.m. on Sundays.

Sec. 8-391. – Smoking in Cannabis Businesses Prohibited.

Pursuant to M.S.A. § 144.417 and M.S.A. § 342.28, subd. 10, a cannabis retail business with an on-site consumption endorsement may not permit adult-use cannabis flower, adult-use cannabis products, hemp-derived consumer products, or tobacco to be consumed through smoking or a vaporized delivery method on the premises.

Sec. 8-392. – On-Site Consumption within Cannabis Microbusinesses.

(a) *Conditions.* A cannabis microbusiness with an on-site consumption endorsement may permit on-site consumption of edible cannabis products and lower-potency hemp edibles if:

(1) *Premises.* The portion of the premises in which on-site consumption is permitted must be definite and distinct from all other areas of the microbusiness and must be accessed through a distinct entrance.

(2) *Products.* The edible cannabis products and lower-potency hemp edibles sold for on-site consumption comply with M.S.A. ch. 342 and rules adopted pursuant to that chapter regarding the testing, packaging, and labeling of cannabinoid products.

(3) *Packaging.* The edible cannabinoid products and lower-potency hemp edibles sold for on-site consumption are served in the required packaging but may be removed from the products' packaging by customers for consumption on site.

(4) *Food and drink.* Food and beverages may be prepared and sold on site provided that the cannabis microbusiness complies with all relevant state and local laws, the Code, licensing requirements, and zoning requirements.

(5) *Display.* The display and consumption of any edible cannabis product or lower-potency hemp edible is not visible from outside of the licensed premises of the business.

(6) *Entertainment.* The cannabis microbusiness may offer recorded or live entertainment, provided that the cannabis microbusiness complies with all relevant state and local laws, ordinances, licensing requirements, and zoning requirements.

(b) *Prohibited acts for on-site consumption.* A cannabis microbusiness with an on-site consumption endorsement may not:

(1) Sell an edible cannabis product or a lower-potency hemp edible to an individual who is under 21 years of age.

(2) Permit an individual who is under 21 years of age to enter the premises.

(3) Sell an edible cannabis product or a lower-potency hemp edible to a person who is visibly intoxicated.

(4) Sell or allow the sale or consumption of alcohol or tobacco on the premises.

(5) Sell products that are intended to be eaten or consumed as a drink, other than packaged and labeled edible cannabis products and lower-potency hemp edibles, that contain cannabis flower or hemp plant parts or are infused with cannabis concentrate, hemp concentrate, or artificially derived cannabinoids.

(6) Permit edible cannabis products or lower-potency hemp edibles sold in the portion of the area designated for on-site consumption to be removed from that area.

(7) Permit adult-use cannabis flower, adult-use cannabis products, hemp-derived consumer products, or tobacco to be consumed through smoking or a vaporized delivery method on the premises.

(8) Distribute or allow free samples of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.

Sec. 8-393. – Advertising.

Cannabis retail businesses are permitted to erect up to two fixed signs on the exterior of the building or property of the business subject to compliance and any other limits in the city code including the city’s sign ordinance.

Sec. 8-394. – Other Conditions for Registered Cannabis Retail Businesses.

In addition to the registration conditions required in section 8-389, each retail registration issued under this article for a cannabis retail business is subject to all of the following conditions:

(a) The registered cannabis retail business must post signs in visible locations that prohibit loitering inside or near the front entrance of the retail establishment.

(b) The sales counter, store entrance, and interior of the retail establishment shall be visually recorded with a videotape or similar device at a quality level that allows the visual identification of patrons and employees. The recordings shall be maintained and made available to the police for 15 days before being reused, erased or otherwise deleted.

(c) The registered cannabis retail business must have the following notices posted:

(1) a sign at the front entrance of the retail establishment that prohibits persons under the age of 21 from entering the retail establishment;

(2) a statement that operating a motor vehicle under the influence of intoxicating cannabinoids is illegal;

(3) a statement that cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products are only intended for consumption by individuals who are at least 21 years of age; and

(4) information about any product recall.

(d) Each day of business, the cannabis retail business must inspect the parking lot and entrances of the retail establishment for litter and properly dispose of such litter.

Sec. 8-395. – City as Cannabis Retailer.

(a) The city may establish, own, and operate one municipal cannabis retail business subject to the restrictions in this article.

(b) The municipal cannabis retail store shall not be included in any limitation of the number of registered cannabis retail businesses under section 8-373.

(c) The city shall be subject to all of the same retail registration requirements and procedures applicable to all other applicants.

Secs. 8-396 —8-410. Reserved.

DIVISION 3. – LOWER-POTENCY HEMP EDIBLE RETAILER REGISTRATION

Sec. 8-411. – Lower-Potency Hemp Edibles Sales Permitted With Valid Registration.

The sale of lower-potency hemp edibles is permitted by lower-potency hemp edible retailers, subject to compliance with the retail registration requirements in this article and the specific terms of sections 8-411 through 8-423 for a retail registration for a lower-potency hemp edible retailer.

Sec. 8-412. – Registration, Fees, And Renewal.

(a) *Initial Application.* The procedures for and content of an application for a retail registration for a lower-potency hemp edible retailer under this article shall be as provided in section 8-374 of this code.

(b) *Fees.*

(1) Registration fees for a retail registration for a lower-potency hemp edible retailer shall be as provided in section 8-377 of this code.

(2) The city shall waive the initial registration fee only for retail businesses which have received from the city a license for the year 2025 to sell tetrahydrocannabinol products pursuant to M.S.A. § 151.72 and article IX of this Code, and which then seek retail registration as a lower-potency hemp edible retailer following licensure by the OCM in the year 2025. The city shall not waive the initial registration fee for any other lower-potency hemp edible retailer in the year 2025 which is not already licensed by the city in the year 2025 pursuant to M.S.A. § 151.72 and article IX of this Code.

(c) *Renewal Application.* The procedures for and content of a renewal application for a retail registration for a lower-potency hemp edible retailer under this article shall be as provided in section 8-834 of this code.

Sec. 8-413. – Term.

All registrations issued under this article must be renewed annually at the same time OCM renews the lower-potency hemp edible retailer license. In the event that OCM does not renew the license for any lower-potency hemp edible retailer subject to this article, the retail registration for that the lower-potency hemp edible retailer shall terminate automatically without further action from the city.

Sec. 8-414. – Ineligibility and basis for denial.

(a) *Grounds for denial.* Grounds for denying the issuance or renewal of a retail registration under this article include, but are not limited to, the following:

- (1) The applicant does not have a valid license issued by the OCM.
- (2) The applicant fails to provide any information required on the application or provides inaccurate, false or misleading information.
- (3) The fee for the registration or registration renewal has not been paid.
- (4) The applicant's lower-potency hemp edible retail business does not comply with the requirements of this article, the city zoning code, and with the state fire code and building code.
- (5) The applicant's lower-potency hemp edible retail business operates in violation of any section of M.S.A. ch. 342.

(6) The applicant has otherwise failed the compliance check completed by the city.

(b) *Delinquent obligations to the city or state.* No registration shall be granted or renewed for operation on any premises on which real estate taxes, assessments, or other financial claims of the city or of the state are due, delinquent, or unpaid. If an action has been commenced pursuant to the provisions of M.S.A. ch. 278, questioning the amount or validity of taxes, the council may, on application by the applicant, waive strict compliance with this provision; no waiver may be granted, however, for taxes, or any portion thereof, which remain unpaid for a period exceeding one year after becoming due unless such one-year period is extended through no fault of the applicant.

Sec. 8-415. – Responsibility of Lower-Potency Hemp Edible Retailers.

Every person issued a lower-potency hemp edible retail registration under this article shall be responsible for the actions of the registrant's employees in regard to the sale of lower-potency hemp edibles, and the sale of such an item by an employee shall be considered a sale by the registration holder. Nothing in this section shall be construed as prohibiting the city from also subjecting the registered retail business's employee(s) to whatever penalties are appropriate under this article, state or federal law, or other applicable law or regulation for violation thereof.

Sec. 8-416. – Zoning Districts.

Lower-potency hemp edibles retailers are permitted as the following types of uses in the following zoning districts pursuant to the City of Willmar Zoning Ordinance:

(a) Fully Permitted.

- (1) General Business District.
- (2) Central Business District.
- (3) General Business District 2.
- (4) General Business District 3.

(a) Subject to Plan Review.

- (1) Limited Industry.
- (2) General Industry.

Sec. 8-417. – Prohibited Acts.

It shall be a violation of this article for any person or lower-potency hemp edible retailer regulated under this article to violate any provisions of M.S.A. ch. 342 applicable to hemp businesses, including, but not limited to the following:

- (a) To operate a state-licensed lower-potency hemp edible retail business within the corporate limits of the city or make any sale to a customer or patient without validly registering with the city.
- (b) To knowingly sell more lower-potency hemp edibles or hemp-derived consumer products than a customer is legally permitted to possess.
- (c) To sell lower-potency hemp edibles to individuals who are under 21 years of age.
- (d) Age verification. Lower-potency hemp edible retailers must verify by means proof of age as described by state law in M.S.A. § 342.24, subd. 4 that the purchaser is at least 21 years of age.
- (e) To sell lower-potency hemp edibles to a person who is visibly intoxicated.
- (f) To sell cannabis flower, cannabis products, or hemp-derived consumer products.
- (g) To allow for the dispensing of lower-potency hemp edibles in vending machines.
- (h) To distribute or allow free samples of lower-potency hemp edibles, except when the business is licensed by the OCM to permit on-site consumption and samples are consumed within its licensed premises.
- (i) To sell or give cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products by any other means, to any other person, or in any other manner or form prohibited by federal, state, or other local law, ordinance, or other regulation.

Sec. 8-418. Other Conditions for Registered Lower-Potency Hemp Edible Retailers.

(a) Notices. Lower-potency hemp edible retailers must have the following notices posted:

- (1) A statement that operating a motor vehicle under the influence of intoxicating cannabinoids is illegal;

(2) A statement that cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products are only intended for consumption by individuals who are at least 21 years of age; and

(3) Information about any product recall.

Sec. 8-419. – On-Site Consumption.

(a) Conditions. A lower-potency hemp edible retailer may permit on-site consumption of lower-potency hemp edibles if:

(1) The lower-potency hemp edible retailer has an on-site consumption endorsement issued by the OCM.

(2) The lower-potency hemp edible retailer holds an on-sale license issued under M.S.A. ch. 340A.

(3) Lower-potency hemp edibles that are intended to be consumed as a beverage are either served in their required packaging or outside of their packaging if the information that is required to be contained on the label of a lower-potency hemp edible is posted or otherwise displayed by the lower-potency hemp edible retailer.

(4) Lower-potency hemp edibles sold for on-site consumption, other than lower-potency hemp edibles that are intended to be consumed as a beverage, are served in the required packaging. The lower-potency hemp edible products may be removed from their packaging by customers and consumed on site.

(b) Prohibited acts for on-site consumption. A lower-potency hemp edible retailer with an on-site consumption endorsement may not:

(1) Sell, give, furnish, or in any way procure for another lower-potency hemp edibles for the use of an obviously intoxicated person.

(2) Sell lower-potency hemp edibles that are designed or reasonably expected to be mixed with an alcoholic beverage.

(3) Permit lower-potency hemp edibles that have been removed from the products' packaging to be removed from the premises of the lower-potency hemp edible retailer.

Sec. 8-420. – Penalties and Suspension.

The procedures for violations of this article by lower-potency hemp edible retailers and penalties shall be as provided in sections 8-354 and 8-355 of this code.

Sec. 8-421. – Compliance Checks.

(a) Preliminary inspection. The procedure for state licensing and preliminary inspection shall be as provided in section 8-375.

(b) Annual compliance checks. The procedure for each annual compliance check shall be as provided in section 8-381.

Sec. 8-422. – Display of Registration.

Each retail registration issued to a lower-potency hemp edible retailer under this article shall be posted/displayed in a conspicuous place in plain view of the general public on the premises of the lower-potency hemp edible retailer for which it is issued.

Sec. 8-423. – Advertising.

Lower-potency hemp edible retailers are permitted to erect up to two fixed signs on the exterior of the building or property subject to compliance and any other limits in the city code including the city's sign ordinance.

Sec. 8-424. – Storage of Product.

Lower-potency hemp edibles, other than lower-potency hemp edibles that are intended to be consumed as a beverage, must be displayed behind a checkout counter where the public is not permitted or in a locked case. All lower-potency hemp edibles that are not displayed must be stored in a secure area.

Secs. 8-425 – 8-430. Reserved.

DIVISION 4. – TEMPORARY CANNABIS EVENTS.

Sec. 8-431. – Permit Required.

A temporary cannabis event permit is required to be issued and approved by the city prior to holding a temporary cannabis event.

Sec. 8-432. – Event Registration and Application Fee.

An event registration permit fee shall be charged to applicants for temporary cannabis events. Subject to applicable law, fees for temporary cannabis events under this

article shall be in the amount(s) duly established by ordinance of the city council from time to time.

Sec. 8-433. – Application.

The city shall require an application for temporary cannabis event permits. The application shall be submitted to the city clerk. If the city clerk or the city clerk's designee determines that a submitted application is incomplete, the city clerk shall return the application to the applicant with a notice of deficiencies.

(a) An applicant for a temporary cannabis event permit shall fill out an application form, as provided by the city. This form shall include, but is not limited to the following contents:

- (1) Full name of the property owner and applicant;
- (2) Address, email address, and telephone number of the applicant;
- (3) If the applicant is a corporation or any other type of business organization, the application shall also contain the names, addresses and respective percentage ownership interest of all of the owners of the corporation or business organization, provided however that if the number of owners exceeds ten persons only the ten owners having the largest percentage of ownership shall be listed;
- (4) Any other information reasonably necessary to make a determination as to whether a permit should be issued; and

(b) The applicant shall include with the form:

- (1) The application fee as required in section 8-432;
- (2) A copy of the OCM cannabis event license application, submitted pursuant to M.S.A. § 342.39, subd. 2.
- (3) A depiction of any premises for which the applicant seeks approval from the city to designate as an area for on-site consumption of adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination thereof. The city reserves the right to deny any application for on-site consumption at a temporary cannabis event with or without denial of the application for the temporary cannabis event in its entirety.
- (4) A certificate of insurance evidencing a valid liability policy providing minimum coverage of \$1,000,000.00 combined single limit per occurrence, which certificate(s) must state that no cancellation of such policy may be effective except upon 30 days' written notice to the city..

(c) Once an application is considered complete, the city clerk shall inform the applicant as such, process the application fees, and forward the application to city council for approval or denial.

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

Sec. 8-434. – Locations Prohibited.

Temporary cannabis events shall not be held:

(a) On any property located within a residential district.

(b) On public property.

(c) On any property that does not comply with the buffer requirements set forth in Section 8-388 and the Willmar Zoning Ordinance with respect to buffer requirements for cannabis businesses.

Sec. 8-435. – Operating Hours of Events.

Temporary cannabis events shall only be held between the hours of 10:00 a.m. and 10:00 p.m. If a temporary cannabis event is held indoors, the event, if approved by the city, may be permitted to operate until 12:00 a.m., provided the cannabis event organizer complies with the city's noise regulations.

Sec. 8-436. – On-Site Consumption.

On-site consumption of cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination of those items shall not be permitted at temporary cannabis events.

Sec. 8-437. – Basis for Denial.

A request for a temporary cannabis event permit that does not meet the requirements of this article shall be denied. The city shall notify the applicant of the standards not met and basis for denial.

Secs. 8-438 —8-450. Reserved.

Section 2. RENUMBERING OF EXISTING MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS AND BUSINESS REGULATIONS, ARTICLE XI, SUSPENSION OR REVOCATION OF PERMIT OR LICENSES. Chapter 8 of the Willmar Municipal Code is hereby amended by renumbering existing Article XI, Suspension or Revocation of Permit or License, as Article XII. Sections 8-351 and 8-352 under existing Article XI, renumbered as

Article II pursuant to this Ordinance shall be renumbered to Sections 8-451 and 8-452, respectively, and all internal references shall be amended accordingly.

Section 3. AMENDMENT OF MUNICIPAL CODE SECTION 8-334. Chapter 8, Article X, of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-334. – Immediate suspension of license.

Notwithstanding anything to the contrary in this chapter, the issuing authority or his or her designee may immediately suspend a license, if the licensee, or any person working on behalf of the licensee, is determined to be conducting business in an unlawful manner, any manner that constitutes a substantial hazard to the health, safety or general welfare of the public, or after repeated complaints received regarding unlawful conduct of the business practices or method of solicitation. The licensee will be given notice of the immediate suspension on site. The suspension will take place immediately. The licensee may request a hearing before the city council to review such suspension pursuant to section 8-3452.

Section 4. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this ____ day of _____, 20__.

ATTEST:

Vernae Larsen, City Clerk

Doug Reese, Mayor

VOTE: ____ SHULDES ____ O'BRIEN ____ DAVIS ____ ASMUS
 ____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ____

AN ORDINANCE AMENDING WILLMAR MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS AND BUSINESS REGULATIONS TO REGULATE CANNABIS AND HEMP RETAIL BUSINESSES IN THE CITY OF WILLMAR

Summary: Ordinance No. ____ as adopted by the Willmar City Council on _____, 2025, amends the City's Licenses, Permits and Business Regulations Provisions under Chapter 8 to: (1) adopt the state law related to cannabis and hemp businesses and products; (2) establish definitions, regulations, and standards applicable to the cannabis and hemp retail businesses; (3) establish procedures for the registration of cannabis and hemp retail business; (4) establish limitations on cannabis retail business registrations; (5) establish violations, penalties, and enforcement; and (6) establishes temporary cannabis event permits and standards.

The complete text of Ordinance No. ____ may be obtained at no charge at City Hall (333 6th Street Southwest, Willmar, MN 56201), or from the City's website at www.willmarmn.gov.

ORDINANCE NO. _____

AN ORDINANCE REGULATING CANNABIS AND HEMP RETAIL BUSINESSES IN THE
CITY OF WILLMAR

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS
AND BUSINESS REGULATIONS. Chapter 8 of the Willmar Municipal Code is hereby
amended by adding a new Article XI, Cannabis and Hemp Retail Businesses and Temporary
Cannabis Events, regulating the sale of cannabis and hemp products in the City of Willmar, as
follows:

**ARTICLE XI. – CANNABIS AND HEMP RETAIL BUSINESSES AND
TEMPORARY CANNABIS EVENTS**

DIVISION 1. – GENERALLY

- Sec. 8-351. – State Law Adopted.**
- Sec. 8-352. – Definitions.**
- Sec. 8-353. – Conditions.**
- Sec. 8-354. – Violations.**
- Sec. 8-355. – Penalties and Suspension.**
- Sec. 8-356. – Exceptions and Defenses.**
- Sec. 8-357. – Enforcement.**
- Sec. 8-358. – Minimum Employee Age.**
- Sec. 8-359. – Use in Public Places.**
- Sec. 8-360. – Pre-License Application Response Required.**
- Sec. 8-361. – Severability.**

DIVISION 2. – CANNABIS RETAIL BUSINESS REGISTRATION

- Sec. 8-371. – Registration Required.**
- Sec. 8-372. – Limitation of Registrations.**
- Sec. 8-373. – Application.**
- Sec. 8-374. – Preliminary Inspection Prior To Retail Registration.**
- Sec. 8-375. – Approval or Denial of Retail Registration.**
- Sec. 8-376. – Ineligibility and Basis for Denial.**
- Sec. 8-377. – Fees.**
- Sec. 8-378. – Prohibited Acts.**
- Sec. 8-379. – Annual Compliance Checks.**
- Sec. 8-380. – Term.**
- Sec. 8-381. – Renewal.**
- Sec. 8-382. – Renewal Application.**
- Sec. 8-383. – Location Change and Transferability.**
- Sec. 8-384. – Responsibility of Registered Cannabis Retail Business.**
- Sec. 8-385. – Display of Registration.**
- Sec. 8-386. – Penalties and Suspension.**
- Sec. 8-387. – Registration Conditions.**

- Sec. 8-388. – Minimum Buffer Requirements.**
- Sec. 8-389. – Zoning Districts.**
- Sec. 8-390. – Hours of Operation.**
- Sec. 8-391. – Smoking in Cannabis Businesses Prohibited.**
- Sec. 8-392. – On-Site Consumption within Cannabis Microbusinesses.**
- Sec. 8-393. – Advertising.**
- Sec. 8-394. – Other Conditions for Registered Cannabis Retail Businesses.**
- Sec. 8-395. – City as Cannabis Retailer.**

DIVISION 3. – LOWER-POTENCY HEMP EDIBLE RETAILER REGISTRATION

- Sec. 8-411. – Lower-Potency Hemp Edibles Sales Permitted With Valid Registration.**
- Sec. 8-412. – Registration, Fees, And Renewal.**
- Sec. 8-413. – Term.**
- Sec. 8-414. – Ineligibility and basis for denial.**
- Sec. 8-415. – Responsibility of Lower-Potency Hemp Edible Retailers.**
- Sec. 8-416. – Zoning Districts.**
- Sec. 8-417. – Prohibited Acts.**
- Sec. 8-418. – Other Conditions for Registered Lower-Potency Hemp Edible Retailers.**
- Sec. 8-419. – On-Site Consumption.**
- Sec. 8-420. – Penalties and Suspension.**
- Sec. 8-421. – Compliance Checks.**
- Sec. 8-422. – Display of Registration.**
- Sec. 8-423. – Advertising.**
- Sec. 8-424. – Storage of Product.**

DIVISION 4. – TEMPORARY CANNABIS EVENTS.

- Sec. 8-431. – Permit Required.**
- Sec. 8-432. – Event Registration and Application Fee.**
- Sec. 8-433. – Application.**
- Sec. 8-434. – Locations Permitted.**
- Sec. 8-435. – Operating Hours of Events.**
- Sec. 8-436. – On-Site Consumption.**
- Sec. 8-437. – Basis for Denial.**

DIVISION 1. – GENERALLY

Sec. 8-351. – State Law Adopted.

Except as further restricted or regulated by this article, the provisions of M.S.A. ch. 342, relating to cannabis and hemp regulation and the corresponding state rules with respect to the same are hereby adopted and made a part of this article as if set out herein in full. In accordance with M.S.A. §§ 342.13 and 342.22, the city may impose further restrictions and regulations within city limits. Whenever there is an inconsistency between the provisions of M.S.A. ch. 342, as

amended, and the provisions of this article, the more restrictive provision shall govern unless preempted by state law.

Sec. 8-352. – Definitions.

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The words, terms, and phrases contained in M.S.A. § 342.01 and the corresponding promulgated state rules shall have the same meanings in this article; said definitions, as the same may be amended from time to time, being hereby incorporated herein by reference. Unless otherwise noted in this article, the following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Cannabis Retail Businesses. A cannabis retailer location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, and medical combination businesses operating a retail location, excluding lower-potency hemp edible retailers.

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.

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.

Lower-potency Hemp Edible. A hemp product as defined under M.S.A. § 342.01, subd. 50.

Lower-potency Hemp Edible Retailer. A person or entity licensed or authorized to acquire, possess, transfer, sell, dispense, or distribute lower-potency hemp edible products and related supplies and products pursuant to M.S.A. ch. 342.

Office of Cannabis Management. The Minnesota Office of Cannabis Management, referred to as "OCM" in this article.

Preliminary License Approval. OCM pre-approval for a cannabis business license for applicants who qualify under M.S.A. § 342.17.

Residential Treatment Facility. A facility as defined under M.S.A. § 245.462 subd. 23.

Retail Registration. An approved registration issued by the city to a state-licensed cannabis retail business or lower-potency hemp edible retailer.

Registered Retail Business. A cannabis retail business or lower-potency hemp edible retailer with a valid retail registration issued by the city.

School. A public school as defined under M.S.A. § 120A.05 or a nonpublic school that must meet the reporting requirements under M.S.A. § 120A.24.

State License. An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

Temporary Cannabis Event. A cannabis event lasting no more than four days, organized by a holder of a cannabis event organizer license pursuant to M.S.A. § 342.39 and subject to the requirements of M.S.A. § 342.40.

Sale. Any transfer of goods for money, trade, barter, or other consideration.

Vending Machine. Any mechanical, electric, or electronic, or other type of device that dispenses licensed products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the licensed product.

Sec. 8-353. – Conditions.

(a) All retail registrations issued under this article shall be issued subject to the conditions set forth in this chapter and subject to all city ordinances and sections of this Code applicable thereto and the laws of the state. All other regulations contained in state law and city code, including, but not limited to, this chapter as applicable to a respective otherwise registered retail business enterprise regarding operational requirements and restrictions and prohibited acts and sales, shall not be limited by virtue of issuance of a registration under this article and shall be complied with as applicable to the otherwise registered business enterprise selling or operating as a registered cannabis or hemp retail business to the same extent as if such business enterprise were not a registered cannabis or hemp retail business.

(b) All such regulations applicable to an otherwise registered retail business shall remain applicable to the operations of the retail business registered under this article during the term of a registration issued under this article.

Sec. 8-354. – Violations.

(a) *Revocation and Suspension.* Any retail registration issued under this article may be revoked or suspended as provided for other licensed businesses in this chapter.

(e) *OCM notification of suspension.* Following the issuance of a notice of suspension of the registration of a registered retail business by the city clerk pursuant to this article, the city clerk shall immediately notify the OCM and

provide the OCM a copy of the notice of suspension issued to the registered retail business containing a description of the grounds for such suspension. The city may hold a hearing pursuant to this chapter if timely requested by the alleged violator or stay such hearing pending a response from OCM. If a hearing is timely requested and held and a suspension is imposed, the city clerk shall additionally immediately notify the OCM and provide the OCM a copy of the city council's order of suspension issued to the registered retail business. A suspension shall not be imposed and served until notice to OCM and any determination by OCM. The OCM may order reinstatement of the retail registration or take other action authorized by law, up to and including revocation of the state license for the cannabis retail business or lower-potency hemp edible retailer. Failure by OCM to respond or to timely respond following notice from the city clerk to OCM as provided herein shall not prohibit or limit the city's enforcement action or subsequent enforcement actions.

(f) *Timing of suspension.* A suspension imposed following notice to OCM and a determination by OCM shall be served by the registered retail business on such date(s) as determined by the city clerk in consultation with the city administrator and chief of police, and included in a subsequent written notice from the city clerk to the registered retail business. The noticed and ordered date(s) of suspension shall be consecutive days and shall be served by the registered retail business within 60 days following the final determination of suspension by OCM or as otherwise provided herein if OCM fails to respond following notice.

(g) *Reinstatement.* The city may reinstate a retail registration if it determines that the violation(s) has been resolved. The city shall reinstate a registration if the OCM determines that the violation(s) has been resolved. The city may wait for a determination from the OCM with regard to the violation(s) before reinstating a registration issued by the city.

(h) *Complaint to OCM.* In addition to providing notification to the OCM of any suspension of the registration of a registered retail business as set forth above, the City shall submit to the OCM notification of any violation(s) through the complaint process as set forth in M.S.A. § 342.13(g) and corresponding state rules.

(i) *Misdemeanor prosecution.* In addition to the process contained in this section for registration violations, violations of this article or failure to comply with any of its requirements herein shall constitute a criminal misdemeanor offense and may be prosecuted accordingly.

(j) *Continued violation.* Each violation, and every day in which a violation occurs or continues, shall constitute separate offenses.

(1) *Timely payment.* In the event that any imposed penalty or hearing costs and expenses are not timely paid in accordance with the notice of violation/citation or the city council's decision, as applicable, such failure shall serve as grounds for additional enforcement actions, up to and including but not limited to immediate retail registration suspension as provided in this article.

Sec. 8-355. – Penalties and Suspension.

(a) *Administrative civil penalties.* In addition to any other penalties that may be imposed under this article, any registered retail business with a retail registration from the city found to have violated this article, or whose employee shall have violated this article, shall be subject to administrative penalties and/or suspension in accordance with the following schedule:

(1) *First violation.* The council shall impose a civil fine of \$500 and suspend the license for not less than three days.

(2) *Second violation within 36 months.* The council shall impose a civil fine of \$1,000.00 and suspend the license for not less than ten consecutive days.

(3) *Third violation within 36 months.* The council shall impose a civil fine of \$2,000.00 and suspend the license for not less than 30 consecutive days.

For the purposes of this section, "within a 24-month period" means a period, two years in duration, which begins to toll on the date of the occurrence of the first violation, and ends two years from the date of the first violation.

Notwithstanding the foregoing and the penalties contained in the city clerk's notice of violation/citation, the city council, following notice and a hearing as provided in this chapter, may deviate from the administrative penalties provided above herein, by increasing or decreasing such imposed penalties subject to statutory limits, based upon the city council's findings following consideration of the facts, circumstances, history, and evidence presented and such other factors and evidence as the city council deems relevant. A history of repeated violations extending beyond the time periods stated herein may be considered by the city council to impose a longer suspension period or revocation or non-renewal of a registration as provided in this article, subject to OCM approval of such revocation or corresponding enforcement actions by the OCM.

(b) *Civil penalty for registration violations.* Subject to M.S.A. § 342.22, subd. 5(e), the city may impose a civil penalty, as specified in the city's Fee Schedule, not to exceed \$2,000, on any cannabis retail business or lower-potency hemp edible retailer, which makes any sale to a customer or patient without a valid retail registration pursuant to this article or for any other registration violation.

(c) *Criminal penalty.* Any violation of the provisions of this article or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Nothing in this section shall prohibit the city from seeking prosecution as a misdemeanor for any violation of this article. Prosecution may precede, run consecutively with, or follow any administrative civil enforcement action. Violations of this article can occur regardless of whether or not a permit is required for a regulated activity listed in this article.

Sec. 8-356. – Exceptions and Defenses.

Nothing in this article shall prevent the providing of sales by a registered cannabis retail business or lower-potency hemp edible retailer to a person under the age of 21 as part of a lawfully recognized religious, spiritual, or cultural ceremony. It shall be an affirmative defense to the violation of this article for a person to have reasonably relied on proof of age as described by state law in M.S.A. § 342.27, subd. 4.

Sec. 8-357. – Enforcement.

Pursuant to M.S.A. § 342.22, subd. 5, if the city determines that a registered retail business is not operating in compliance with the requirements of this article, including but not limited to sections 8-379, 8-416, and/or the governing state statutes and rules, or that the operation of the business poses an immediate threat to the health or safety of the public, the city may impose penalties and/or suspend the retail registration of the cannabis retail business pursuant to sections 8-354 and 8-355 of this article.

Sec. 8-358. – Minimum Employee Age.

Pursuant to M.S.A. § 342.24, subd. 1(a), cannabis businesses may not employ an individual under 21 years of age and may not contract with an individual under 21 years of age if the individual's scope of work involves the handling of cannabis plants, cannabis flower, artificially derived cannabinoids, or cannabinoid products.

Sec. 8-359. – 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 prohibited under section 10-3.

Sec. 8-360. – Pre-License Application Response Required.

Pursuant to M.S.A. § 342.13, within 30 days of receiving a copy of a state license application from OCM, the city shall certify on a form provided by OCM whether any proposed cannabis business as defined under M.S.A. § 342.01,

including any cannabis retail business and lower-potency hemp edible retailer required to register with the city, complies with the city zoning code, the fire code, the building code, and the provisions of this article, if applicable to the state license application.

Sec. 8-361. – Severability.

If any part, term, or provision of this article or the application thereof to any person or circumstances is held by a court of competent jurisdiction to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this article, which remaining portions shall continue in full force and effect.

Secs. 8-362 – 8-370. – Reserved.

DIVISION 2. – CANNABIS RETAIL BUSINESS REGISTRATION

Sec. 8-371. – Registration Required.

No person or entity may operate a state-licensed cannabis retail business within the corporate limits of the city without first registering with the city. Any operation of a state-licensed cannabis business within the corporate limits of the city without valid retail registration shall be a violation of this article, and the business shall be subject to the penalty set forth in sections 8-354 and 8-355.

Sec. 8-372. – Limitation of Registrations.

Under M.S.A. § 342.13(h), the city may limit the number of active cannabis retail business registrations if the city has one active cannabis retail business registration for every 12,500 residents. Pursuant to this authority, the city shall limit the number of cannabis retail business registrations to two (2), excluding any potential municipal cannabis retail business. The City reserves the right to amend this ordinance to increase the number of cannabis retail business registrations issued by the city.

Sec. 8-373. – Application.

The city shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of M.S.A. 342.22, this article, the city zoning code, and the state fire code and building code, as applicable.

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

- (1) Full name of the property owner and applicant;

(2) Address, email address, and telephone number of the applicant;

(3) If the applicant is a corporation or any other type of business organization, the application shall also contain the names, addresses and respective percentage ownership interest of all of the owners of the corporation or business organization, provided however that if the number of owners exceeds ten persons only the ten owners having the largest percentage of ownership shall be listed;

(4) The address and parcel ID for the property from which the retail registration is sought;

(5) Certification that the applicant complies with the requirements of this article, the city zoning code, and with the state fire code and building code;

(6) Certification that the applicant has a valid license or license preapproval issued by the OCM;

(7) Any other information the city deems necessary.

(b) The applicant shall include with the form:

(1) the application fee as required in section 8-377;

(2) a copy of a valid state license or written notice of OCM license preapproval; and

(3) A certificate of insurance evidencing a valid liability policy providing minimum coverage of \$1,000,000.00 combined single limit per occurrence, which certificate(s) must state that no cancellation of such policy may be effective except upon 30 days' written notice to the city.

(c) Once an application is considered complete by the city clerk, the city clerk or their 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 application fee shall be non-refundable once processed.

Sec. 8-374. – Preliminary Inspection Prior To Retail Registration.

Prior to issuance of a cannabis retail business registration, the city shall conduct a preliminary inspection to ensure compliance with the requirements of this article and all city ordinances.

Sec. 8-375. – Approval or Denial of Retail Registration.

Upon approval by the city council, the city clerk shall issue a retail registration to a cannabis retail business that has complied with section 8-374 and has passed the preliminary inspection required under section 8-375. A state-licensed cannabis retail business registration application shall not be approved or renewed if the applicant is unable to meet the requirements of this article. If the registration is denied, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal such denial to the city council. Notice shall also be provided to OCM by the city clerk in the same manner as provided in section 8-354(e).

Sec. 8-376. – Ineligibility and Basis for Denial.

The following shall be grounds for denying the issuance of retail registration or a renewal required under this article:

(a) *Grounds for denial.* Grounds for denying the issuance or renewal of a retail registration under this article include, but are not limited to, the following:

- (1) The cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 8-373. The city shall process cannabis retail registration applications in the order in which the applications are received until the maximum number of registered cannabis retail businesses has been met.
- (2) The applicant does not have a valid license or license preapproval issued by the OCM.
- (3) The applicant fails to provide any information required on the application or provides inaccurate, false or misleading information.
- (4) The fee for the registration or registration renewal has not been paid.
- (5) The applicant's cannabis retail business does not comply with the requirements of this article, the city zoning code, and with the state fire code and building code.
- (6) The applicant's cannabis retail business operates in violation of any section of M.S.A. ch. 342.
- (7) The applicant's cannabis retail business made any sales with the city prior to issuance of a valid retail registration by the city pursuant to this article.

(8) The applicant has otherwise failed a compliance check completed by the city.

(b) *Moveable place of business.* No retail registration shall be issued to a moveable place of business. Only fixed location cannabis businesses shall be eligible to be registered under this article.

(c) *Delinquent obligations to city or state.* No registration shall be granted or renewed for operation on any premises on which real estate taxes, assessments, or other financial claims of the city or of the state are due, delinquent, or unpaid. If an action has been commenced pursuant to the provisions of M.S.A. ch. 278, questioning the amount or validity of taxes, the council may, on application by the applicant, waive strict compliance with this provision; no waiver may be granted, however, for taxes, or any portion thereof, which remain unpaid for a period exceeding one year after becoming due unless such one-year period is extended through no fault of the applicant.

Sec. 8-377. – Fees.

(a) *Registration fee.* A registration fee shall be charged to applicants depending on the type of retail business state license applied for by the applicant. The initial retail registration fee shall be established by the city council and adopted by resolution in the city fee schedule in an amount not to exceed \$500 or half the amount of an initial state license fee under M.S.A. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee. The registration fees in this section shall not be prorated for registrations issued for less than a full year.

(b) *Renewal registration fee.* Any renewal retail registration fee imposed by the city shall be charged at the time of the second renewal and each subsequent renewal thereafter. A renewal retail registration fee shall be established by the city council and adopted by resolution in the city fee schedule in an amount not to exceed \$1,000 or half the amount of a renewal state license fee under M.S.A. 342.11, whichever is less.

(c) *Medical cannabis combination business.* 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.

Sec. 8-378. – Prohibited Acts.

It shall be a violation of this article for any person or cannabis retail business regulated under this article to violate any provisions of M.S.A. ch. 342 applicable to cannabis retail businesses, including, but not limited to the following:

- (a) To operate a state-licensed cannabis retail business within the corporate limits of the city or make any sale to a customer or patient without validly registering with the city.
 - (b) To sell cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to a person who is visibly intoxicated.
 - (c) To knowingly sell more cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products than a customer is legally permitted to possess.
 - (d) To give away immature cannabis plants or seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.
 - (e) To operate a drive-through window.
 - (f) To allow for the dispensing of cannabis plants, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in vending machines.
 - (g) To sell cannabis plants, cannabis flower, or cannabis products if the cannabis retailer knows that any required security or statewide monitoring systems are not operational.
 - (h) To permit an individual under 21 years of age to enter the business premises other than entry by a person enrolled in the registry program as defined by M.S.A. § 342.01, subd. 59.
 - (i) To sell or give cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to an individual under 21 years of age unless the individual is a person enrolled in the registry program as defined by M.S.A. § 342.01, subd. 59 and the cannabis business holds a medical cannabis retail endorsement.
- (1) *Age verification.* Registered cannabis retail businesses must verify by means proof of age as described by state law in M.S.A. § 342.24, subd. 4 that the purchaser is at least 21 years of age.
 - (2) A registered retailer may seize a form of identification listed under paragraph (1) if the registered retailer has reasonable grounds to believe that the form of identification has been altered or falsified or is being used to violate any law. A registered retailer that seizes a form of identification as authorized under this paragraph must deliver it to a law enforcement agency within 24 hours of seizing it.

(j) To sell or give cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products by any other means, to any other person, or in any other manner or form prohibited by federal, state, or other local law, ordinance, or other regulation.

Sec. 8-379. – Annual Compliance Checks.

- (a) *Annual compliance checks.* The city shall complete at minimum one compliance check per calendar year of every cannabis retail business with a valid retail registration to assess the business's compliance with age verification requirements in applicable law as well as compliance with this article, the city zoning code, the state fire code and building code, and all other applicable city ordinances.
- (b) *Unannounced age verification compliance checks.* 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 city.
- (c) *Compliance check failures.* Any failures under this section shall be reported to the Office of Cannabis Management and constitute a violation of section 8-379 of this code.
- (d) *Other compliance checks.* Nothing in this section shall prohibit compliance checks authorized by state or federal laws for educational, research, or training purposes or required for the enforcement of a particular state or federal law.

Sec. 8-380. – Term.

All registrations issued under this article must be renewed annually at the same time OCM renews the cannabis retail business's state license. In the event that OCM does not renew the license for any cannabis retail business subject to this article, the retail registration for that cannabis retail business shall terminate automatically without further action from the city.

Sec. 8-381. – Renewal.

A state-licensed cannabis retail business shall apply annually to renew registration on a form established by the city pursuant to section 8-834. The applicant shall provide notice to the City Clerk of its intent to renew its state license and retail registration at least 30 days prior to submitting an application

for a license renewal to the OCM and shall timely submit a renewal application to the city clerk when the OCM renews the cannabis retail business's state license. A cannabis retail registration issued under this article shall not be transferred.

Sec. 8-382. – Renewal Application.

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

- (a) Items required under section 8-374 of this article.

The renewal application shall not be deemed complete until the city has received the renewal fee required under section 8-377.

Sec. 8-383. Location Change and Transferability.

Every retail registration issued under this article shall be valid only on the premises for which the registration was issued and only for the person to whom the registration was issued. No transfer of any registration to another location or person shall be valid. A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 8-374 if it seeks to move to a new location still within the legal boundaries of the city. Retail registration fees shall not be prorated.

Sec. 8-384. Responsibility of Registered Cannabis Retail Business.

Every person issued a retail registration under this article shall be responsible for the actions of the registrant's employees in regard to the operation of the state-licensed cannabis retail business, and the sale of such items by an employee shall be considered a sale by the retail registration holder. Nothing in this section shall be construed as prohibiting the city from also subjecting the registered cannabis retail business's employee(s) to whatever penalties are appropriate under this article, state or federal law, or other applicable law or regulation for violations thereof.

Sec. 8-385. – Display of Registration.

Each retail registration issued under this article shall be posted/displayed in a conspicuous place in plain view of the general public on the premises of the cannabis retail business for which it is issued.

Sec. 8-386. – Penalties and Suspension.

Every cannabis retail business registered pursuant to this article will be subject to suspension or revocation of their registration, or any other penalty as set forth in

this article, or not renewed by the city council according to the procedures as provided in sections 8-354 and 8-355, for any of the following reasons:

- (a) Violation of any provision of this article.
- (b) One or more of the bases for denial of a retail registration under section 8-377 existing at the time the registration application was made or at any time before the registration was completed.
- (c) Other good cause related to violation of applicable ordinances, law and/or rules by the business in selling or furnishing products regulated under M.S.A. ch. 342.

Revocation of a retail registration shall be subject to OCM approval or corresponding enforcement actions by the OCM.

Sec. 8-387. – Registration Conditions.

Each retail registration issued under this article is subject to all of the following conditions:

- (a) The cannabis retail business must fully light the interior of the retail establishment during business hours.
- (b) The cannabis retail business must fully cooperate with representatives from the city when present at the retail establishment for city business purposes.
- (c) The cannabis retail business must maintain clean and clear front and rear entrances of the retail establishment.
- (d) The cannabis retail business must utilize security cameras in good working order pursuant to M.S.A. § 342.27, subds. 9 and 10.
- (e) The cannabis retail business must promptly remove any graffiti on the exterior of the retail establishment.
- (f) Individuals employed by a registered cannabis retail business must be at least 21 years of age.

Sec. 8-388. – Minimum Buffer Requirements.

- (1) The city shall prohibit the operation of a cannabis retail business within 1,000 feet of a school.
- (2) The city shall prohibit the operation of a cannabis retail business within 500 feet of a day care.

- (3) The city shall prohibit the operation of a cannabis retail business within 500 feet of a residential treatment facility.
- (4) The city shall prohibit the operation of a cannabis retail business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
- (5) Pursuant to M.S.A. 462.357 subd. 1e, nothing in this section shall prohibit an active cannabis retail business or a cannabis retail 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.

Sec. 8-389. – Zoning Districts.

Retail. Cannabis businesses licensed or endorsed for cannabis retail are permitted as a conditional use in the following zoning districts pursuant to the City of Willmar Zoning Ordinance:

- (a) General Business District.
- (b) Central Business District.
- (c) General Business District 2.
- (d) General Business District 3.

Sec. 8-390. – Hours of Operation.

Cannabis retail businesses may not sell cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 10:00 p.m. and 8:00 a.m. Monday through Saturday. Cannabis retail businesses may not sell cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products before 10:00 a.m. or after 10:00 p.m. on Sundays.

Sec. 8-391. – Smoking in Cannabis Businesses Prohibited.

Pursuant to M.S.A. § 144.417 and M.S.A. § 342.28, subd. 10, a cannabis retail business with an on-site consumption endorsement may not permit adult-use cannabis flower, adult-use cannabis products, hemp-derived consumer products, or tobacco to be consumed through smoking or a vaporized delivery method on the premises.

Sec. 8-392. – On-Site Consumption within Cannabis Microbusinesses.

(a) *Conditions.* A cannabis microbusiness with an on-site consumption endorsement may permit on-site consumption of edible cannabis products and lower-potency hemp edibles if:

(1) *Premises.* The portion of the premises in which on-site consumption is permitted must be definite and distinct from all other areas of the microbusiness and must be accessed through a distinct entrance.

(2) *Products.* The edible cannabis products and lower-potency hemp edibles sold for on-site consumption comply with M.S.A. ch. 342 and rules adopted pursuant to that chapter regarding the testing, packaging, and labeling of cannabinoid products.

(3) *Packaging.* The edible cannabinoid products and lower-potency hemp edibles sold for on-site consumption are served in the required packaging but may be removed from the products' packaging by customers for consumption on site.

(4) *Food and drink.* Food and beverages may be prepared and sold on site provided that the cannabis microbusiness complies with all relevant state and local laws, the Code, licensing requirements, and zoning requirements.

(5) *Display.* The display and consumption of any edible cannabis product or lower-potency hemp edible is not visible from outside of the licensed premises of the business.

(6) *Entertainment.* The cannabis microbusiness may offer recorded or live entertainment, provided that the cannabis microbusiness complies with all relevant state and local laws, ordinances, licensing requirements, and zoning requirements.

(b) *Prohibited acts for on-site consumption.* A cannabis microbusiness with an on-site consumption endorsement may not:

(1) Sell an edible cannabis product or a lower-potency hemp edible to an individual who is under 21 years of age.

(2) Permit an individual who is under 21 years of age to enter the premises.

(3) Sell an edible cannabis product or a lower-potency hemp edible to a person who is visibly intoxicated.

(4) Sell or allow the sale or consumption of alcohol or tobacco on the premises.

(5) Sell products that are intended to be eaten or consumed as a drink, other than packaged and labeled edible cannabis products and lower-potency hemp edibles, that contain cannabis flower or hemp plant parts or are infused with cannabis concentrate, hemp concentrate, or artificially derived cannabinoids.

(6) Permit edible cannabis products or lower-potency hemp edibles sold in the portion of the area designated for on-site consumption to be removed from that area.

(7) Permit adult-use cannabis flower, adult-use cannabis products, hemp-derived consumer products, or tobacco to be consumed through smoking or a vaporized delivery method on the premises.

(8) Distribute or allow free samples of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.

Sec. 8-393. – Advertising.

Cannabis retail businesses are permitted to erect up to two fixed signs on the exterior of the building or property of the business subject to compliance and any other limits in the city code including the city’s sign ordinance.

Sec. 8-394. – Other Conditions for Registered Cannabis Retail Businesses.

In addition to the registration conditions required in section 8-389, each retail registration issued under this article for a cannabis retail business is subject to all of the following conditions:

(a) The registered cannabis retail business must post signs in visible locations that prohibit loitering inside or near the front entrance of the retail establishment.

(b) The sales counter, store entrance, and interior of the retail establishment shall be visually recorded with a videotape or similar device at a quality level that allows the visual identification of patrons and employees. The recordings shall be maintained and made available to the police for 15 days before being reused, erased or otherwise deleted.

(c) The registered cannabis retail business must have the following notices posted:

(1) a sign at the front entrance of the retail establishment that prohibits persons under the age of 21 from entering the retail establishment;

(2) a statement that operating a motor vehicle under the influence of intoxicating cannabinoids is illegal;

(3) a statement that cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products are only intended for consumption by individuals who are at least 21 years of age; and

(4) information about any product recall.

(d) Each day of business, the cannabis retail business must inspect the parking lot and entrances of the retail establishment for litter and properly dispose of such litter.

Sec. 8-395. – City as Cannabis Retailer.

(a) The city may establish, own, and operate one municipal cannabis retail business subject to the restrictions in this article.

(b) The municipal cannabis retail store shall not be included in any limitation of the number of registered cannabis retail businesses under section 8-373.

(c) The city shall be subject to all of the same retail registration requirements and procedures applicable to all other applicants.

Secs. 8-396 —8-410. Reserved.

DIVISION 3. – LOWER-POTENCY HEMP EDIBLE RETAILER REGISTRATION

Sec. 8-411. – Lower-Potency Hemp Edibles Sales Permitted With Valid Registration.

The sale of lower-potency hemp edibles is permitted by lower-potency hemp edible retailers, subject to compliance with the retail registration requirements in this article and the specific terms of sections 8-411 through 8-423 for a retail registration for a lower-potency hemp edible retailer.

Sec. 8-412. – Registration, Fees, And Renewal.

(a) *Initial Application.* The procedures for and content of an application for a retail registration for a lower-potency hemp edible retailer under this article shall be as provided in section 8-374 of this code.

(b) *Fees.*

(1) Registration fees for a retail registration for a lower-potency hemp edible retailer shall be as provided in section 8-377 of this code.

(2) The city shall waive the initial registration fee only for retail businesses which have received from the city a license for the year 2025 to sell tetrahydrocannabinol products pursuant to M.S.A. § 151.72 and article IX of this Code, and which then seek retail registration as a lower-potency hemp edible retailer following licensure by the OCM in the year 2025. The city shall not waive the initial registration fee for any other lower-potency hemp edible retailer in the year 2025 which is not already licensed by the city in the year 2025 pursuant to M.S.A. § 151.72 and article IX of this Code.

(c) *Renewal Application.* The procedures for and content of a renewal application for a retail registration for a lower-potency hemp edible retailer under this article shall be as provided in section 8-834 of this code.

Sec. 8-413. – Term.

All registrations issued under this article must be renewed annually at the same time OCM renews the lower-potency hemp edible retailer license. In the event that OCM does not renew the license for any lower-potency hemp edible retailer subject to this article, the retail registration for that the lower-potency hemp edible retailer shall terminate automatically without further action from the city.

Sec. 8-414. – Ineligibility and basis for denial.

(a) *Grounds for denial.* Grounds for denying the issuance or renewal of a retail registration under this article include, but are not limited to, the following:

- (1) The applicant does not have a valid license issued by the OCM.
- (2) The applicant fails to provide any information required on the application or provides inaccurate, false or misleading information.
- (3) The fee for the registration or registration renewal has not been paid.
- (4) The applicant's lower-potency hemp edible retail business does not comply with the requirements of this article, the city zoning code, and with the state fire code and building code.
- (5) The applicant's lower-potency hemp edible retail business operates in violation of any section of M.S.A. ch. 342.

(6) The applicant has otherwise failed the compliance check completed by the city.

(b) *Delinquent obligations to the city or state.* No registration shall be granted or renewed for operation on any premises on which real estate taxes, assessments, or other financial claims of the city or of the state are due, delinquent, or unpaid. If an action has been commenced pursuant to the provisions of M.S.A. ch. 278, questioning the amount or validity of taxes, the council may, on application by the applicant, waive strict compliance with this provision; no waiver may be granted, however, for taxes, or any portion thereof, which remain unpaid for a period exceeding one year after becoming due unless such one-year period is extended through no fault of the applicant.

Sec. 8-415. – Responsibility of Lower-Potency Hemp Edible Retailers.

Every person issued a lower-potency hemp edible retail registration under this article shall be responsible for the actions of the registrant's employees in regard to the sale of lower-potency hemp edibles, and the sale of such an item by an employee shall be considered a sale by the registration holder. Nothing in this section shall be construed as prohibiting the city from also subjecting the registered retail business's employee(s) to whatever penalties are appropriate under this article, state or federal law, or other applicable law or regulation for violation thereof.

Sec. 8-416. – Zoning Districts.

Lower-potency hemp edibles retailers are permitted as the following types of uses in the following zoning districts pursuant to the City of Willmar Zoning Ordinance:

(a) Fully Permitted.

- (1) General Business District.
- (2) Central Business District.
- (3) General Business District 2.
- (4) General Business District 3.

(a) Subject to Plan Review.

- (1) Limited Industry.
- (2) General Industry.

Sec. 8-417. – Prohibited Acts.

It shall be a violation of this article for any person or lower-potency hemp edible retailer regulated under this article to violate any provisions of M.S.A. ch. 342 applicable to hemp businesses, including, but not limited to the following:

- (a) To operate a state-licensed lower-potency hemp edible retail business within the corporate limits of the city or make any sale to a customer or patient without validly registering with the city.
- (b) To knowingly sell more lower-potency hemp edibles or hemp-derived consumer products than a customer is legally permitted to possess.
- (c) To sell lower-potency hemp edibles to individuals who are under 21 years of age.
- (d) Age verification. Lower-potency hemp edible retailers must verify by means proof of age as described by state law in M.S.A. § 342.24, subd. 4 that the purchaser is at least 21 years of age.
- (e) To sell lower-potency hemp edibles to a person who is visibly intoxicated.
- (f) To sell cannabis flower, cannabis products, or hemp-derived consumer products.
- (g) To allow for the dispensing of lower-potency hemp edibles in vending machines.
- (h) To distribute or allow free samples of lower-potency hemp edibles, except when the business is licensed by the OCM to permit on-site consumption and samples are consumed within its licensed premises.
- (i) To sell or give cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products by any other means, to any other person, or in any other manner or form prohibited by federal, state, or other local law, ordinance, or other regulation.

Sec. 8-418. Other Conditions for Registered Lower-Potency Hemp Edible Retailers.

(a) Notices. Lower-potency hemp edible retailers must have the following notices posted:

- (1) A statement that operating a motor vehicle under the influence of intoxicating cannabinoids is illegal;

(2) A statement that cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products are only intended for consumption by individuals who are at least 21 years of age; and

(3) Information about any product recall.

Sec. 8-419. – On-Site Consumption.

(a) Conditions. A lower-potency hemp edible retailer may permit on-site consumption of lower-potency hemp edibles if:

(1) The lower-potency hemp edible retailer has an on-site consumption endorsement issued by the OCM.

(2) The lower-potency hemp edible retailer holds an on-sale license issued under M.S.A. ch. 340A.

(3) Lower-potency hemp edibles that are intended to be consumed as a beverage are either served in their required packaging or outside of their packaging if the information that is required to be contained on the label of a lower-potency hemp edible is posted or otherwise displayed by the lower-potency hemp edible retailer.

(4) Lower-potency hemp edibles sold for on-site consumption, other than lower-potency hemp edibles that are intended to be consumed as a beverage, are served in the required packaging. The lower-potency hemp edible products may be removed from their packaging by customers and consumed on site.

(b) Prohibited acts for on-site consumption. A lower-potency hemp edible retailer with an on-site consumption endorsement may not:

(1) Sell, give, furnish, or in any way procure for another lower-potency hemp edibles for the use of an obviously intoxicated person.

(2) Sell lower-potency hemp edibles that are designed or reasonably expected to be mixed with an alcoholic beverage.

(3) Permit lower-potency hemp edibles that have been removed from the products' packaging to be removed from the premises of the lower-potency hemp edible retailer.

Sec. 8-420. – Penalties and Suspension.

The procedures for violations of this article by lower-potency hemp edible retailers and penalties shall be as provided in sections 8-354 and 8-355 of this code.

Sec. 8-421. – Compliance Checks.

(a) Preliminary inspection. The procedure for state licensing and preliminary inspection shall be as provided in section 8-375.

(b) Annual compliance checks. The procedure for each annual compliance check shall be as provided in section 8-381.

Sec. 8-422. – Display of Registration.

Each retail registration issued to a lower-potency hemp edible retailer under this article shall be posted/displayed in a conspicuous place in plain view of the general public on the premises of the lower-potency hemp edible retailer for which it is issued.

Sec. 8-423. – Advertising.

Lower-potency hemp edible retailers are permitted to erect up to two fixed signs on the exterior of the building or property subject to compliance and any other limits in the city code including the city's sign ordinance.

Sec. 8-424. – Storage of Product.

Lower-potency hemp edibles, other than lower-potency hemp edibles that are intended to be consumed as a beverage, must be displayed behind a checkout counter where the public is not permitted or in a locked case. All lower-potency hemp edibles that are not displayed must be stored in a secure area.

Secs. 8-425 – 8-430. Reserved.

DIVISION 4. – TEMPORARY CANNABIS EVENTS.

Sec. 8-431. – Permit Required.

A temporary cannabis event permit is required to be issued and approved by the city prior to holding a temporary cannabis event.

Sec. 8-432. – Event Registration and Application Fee.

An event registration permit fee shall be charged to applicants for temporary cannabis events. Subject to applicable law, fees for temporary cannabis events under this

article shall be in the amount(s) duly established by ordinance of the city council from time to time.

Sec. 8-433. – Application.

The city shall require an application for temporary cannabis event permits. The application shall be submitted to the city clerk. If the city clerk or the city clerk's designee determines that a submitted application is incomplete, the city clerk shall return the application to the applicant with a notice of deficiencies.

(a) An applicant for a temporary cannabis event permit shall fill out an application form, as provided by the city. This form shall include, but is not limited to the following contents:

- (1) Full name of the property owner and applicant;
- (2) Address, email address, and telephone number of the applicant;
- (3) If the applicant is a corporation or any other type of business organization, the application shall also contain the names, addresses and respective percentage ownership interest of all of the owners of the corporation or business organization, provided however that if the number of owners exceeds ten persons only the ten owners having the largest percentage of ownership shall be listed;
- (4) Any other information reasonably necessary to make a determination as to whether a permit should be issued; and

(b) The applicant shall include with the form:

- (1) The application fee as required in section 8-432;
- (2) A copy of the OCM cannabis event license application, submitted pursuant to M.S.A. § 342.39, subd. 2.
- (3) A depiction of any premises for which the applicant seeks approval from the city to designate as an area for on-site consumption of adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination thereof. The city reserves the right to deny any application for on-site consumption at a temporary cannabis event with or without denial of the application for the temporary cannabis event in its entirety.
- (4) A certificate of insurance evidencing a valid liability policy providing minimum coverage of \$1,000,000.00 combined single limit per occurrence, which certificate(s) must state that no cancellation of such policy may be effective except upon 30 days' written notice to the city..

(c) Once an application is considered complete, the city clerk shall inform the applicant as such, process the application fees, and forward the application to city council for approval or denial.

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

Sec. 8-434. – Locations Prohibited.

Temporary cannabis events shall not be held:

(a) On any property located within a residential district.

(b) On public property.

(c) On any property that does not comply with the buffer requirements set forth in Section 8-388 and the Willmar Zoning Ordinance with respect to buffer requirements for cannabis businesses.

Sec. 8-435. – Operating Hours of Events.

Temporary cannabis events shall only be held between the hours of 10:00 a.m. and 10:00 p.m. If a temporary cannabis event is held indoors, the event, if approved by the city, may be permitted to operate until 12:00 a.m., provided the cannabis event organizer complies with the city's noise regulations.

Sec. 8-436. – On-Site Consumption.

On-site consumption of cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination of those items shall not be permitted at temporary cannabis events.

Sec. 8-437. – Basis for Denial.

A request for a temporary cannabis event permit that does not meet the requirements of this article shall be denied. The city shall notify the applicant of the standards not met and basis for denial.

Secs. 8-438 —8-450. Reserved.

Section 2. RENUMBERING OF EXISTING MUNICIPAL CODE, CHAPTER 8, LICENSES, PERMITS AND BUSINESS REGULATIONS, ARTICLE XI, SUSPENSION OR REVOCATION OF PERMIT OR LICENSES. Chapter 8 of the Willmar Municipal Code is hereby amended by renumbering existing Article XI, Suspension or Revocation of Permit or License, as Article XII. Sections 8-351 and 8-352 under existing Article XI, renumbered as

Article II pursuant to this Ordinance shall be renumbered to Sections 8-451 and 8-452, respectively, and all internal references shall be amended accordingly.

Section 3. AMENDMENT OF MUNICIPAL CODE SECTION 8-334. Chapter 8, Article X, of the Willmar Municipal Code is hereby amended to read as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

Sec. 8-334. – Immediate suspension of license.

Notwithstanding anything to the contrary in this chapter, the issuing authority or his or her designee may immediately suspend a license, if the licensee, or any person working on behalf of the licensee, is determined to be conducting business in an unlawful manner, any manner that constitutes a substantial hazard to the health, safety or general welfare of the public, or after repeated complaints received regarding unlawful conduct of the business practices or method of solicitation. The licensee will be given notice of the immediate suspension on site. The suspension will take place immediately. The licensee may request a hearing before the city council to review such suspension pursuant to section 8-3452.

Section 4. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this ____ day of _____, 20__.

ATTEST:

Verna Larsen, City Clerk

Doug Reese, Mayor

VOTE: ____ SHULDES ____ O'BRIEN ____ DAVIS ____ ASMUS
 ____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____



City Council Action Request

Council Meeting Date:	February 3, 2025	Agenda Item Number:	9.B.
Agenda Section:	Public Hearing:	Originating Department:	Administration
Resolution:	No	Prepared By:	Kyle Box, City Operations Director
Ordinance:	Yes	Presented By:	Kyle Box, City Operations Director, Christopher Corbett, Planning and Development Director
Item:	Ordinance amending Willmar Zoning Ordinance No. 1060		

RECOMMENDED ACTION:

1. Adopt the Ordinance Amending Ordinance No. 1060
2. Publish the Ordinance by Summary

OVERVIEW:

The Willmar Zoning Ordinance exists within Ordinance No. 1060. These specific amendments will amend Ordinance No. 1060, Section 2 Rules and Definitions, Section 3 General Provisions, and Section 6, Zoning Districts and District Regulations. These amendments are in direct response to any future Adult-Use Cannabis zoning related activities, including but not limited to Cannabis microbusinesses, Cannabis mezzo businesses, Cannabis cultivators, Cannabis manufacturers, Cannabis retailers, Cannabis wholesalers, Cannabis transporters, Cannabis testing facilities, cannabis delivery, and Tetrahydrocannabinol (THC).

BUDGETARY/FISCAL ISSUES:

NA

ALTERNATIVES TO CONSIDER:

None Recommended

ATTACHMENTS:

1. Cannabis Ordinance Amending the Zoning Code Summary Publication

ORDINANCE NO. _____

AN ORDINANCE AMENDING NO. 1060 KNOWN AS THE WILLMAR ZONING ORDINANCE BY AMENDING SECTION 2: RULES AND DEFINITIONS; SECTION 3: GENERAL PROVISIONS; SECTION 6. ZONING DISTRICTS AND DISTRICT REGULATIONS BY ADDING CANNABIS AND HEMP BUSINESS REGULATIONS

The City Council of City of Willmar does ordain as follows:

Section 1. AMENDMENT OF ORDINANCE 1060, SECTION 2. Ordinance 1060, Section 2 is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

SECTION 2: RULES AND DEFINITIONS

* * * *

- B. DEFINITIONS. The following is a list of commonly used terms in this Ordinance and their definitions. Definitions pertaining to signs are found in Section 5 of this Ordinance.

* * * *

127. Cannabis business. Any one of the following businesses licensed by the Minnesota Office of Cannabis Management and defined under Minnesota Statutes, Chapter 342, as the same may be amended from time to time: cannabis mezzobusiness, cannabis microbusiness, cannabis cultivator, cannabis manufacturer, cannabis retailer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis event organizer, cannabis delivery service, and medical cannabis combination businesses. This definition shall not include hemp businesses.
128. Cannabis retail business. A business licensed by the Minnesota Office of Cannabis Management to sell cannabis product to consumers. This shall include cannabis retailers and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, and medical combination businesses operating a retail location. This shall not include lower-potency hemp edible retailers.
129. Non-retail cannabis business. A business licensed by the Minnesota Office of Cannabis Management that does not sell cannabis products direct to consumers. This shall include the non-retail locations of both cannabis microbusinesses and cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers,

cannabis wholesalers, cannabis transporters, cannabis testing facilities, and cannabis delivery businesses. Lower-potency hemp edible manufacturers shall be considered non-retail cannabis businesses for the purposes of this Ordinance.

129. Hemp businesses. Any one of the following businesses licensed by the Minnesota Office of Cannabis Management and defined under Minnesota Statutes, Chapter 342, as the same may be amended from time to time: lower-potency hemp edible manufacturer and lower-potency hemp edible retailer.

130. Lower-potency hemp edible retailer. A business licensed by the Minnesota Office of Cannabis Management to acquire, possess, transfer, sell, dispense, or distribute lower-potency hemp edible products and related supplies and products.

Section 2. AMENDMENT OF ORDINANCE 1060, SECTION 3. Ordinance 1060, Section 3 is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

SECTION 3: GENERAL PROVISIONS

V. CANNABIS AND HEMP

1. Buffer Requirements. The City of Willmar shall prohibit the operation of a cannabis business within:
 - (a) 1,000 feet of a school.
 - (b) 500 feet of a day care.
 - (c) 500 feet of a residential treatment facility.
 - (d) 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
2. Pursuant to Minnesota Statutes, Section 462.357 subd. 1e, nothing in this Section 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 established in this Section.
3. Minnesota Office of Cannabis Management will license the follow types of cannabis and hemp businesses:

- (a) *Cannabis microbusinesses.* A cannabis business licensed by the Minnesota Office of Cannabis Management that can grow, make, sell, and buy cannabis (including plants and seedlings) and lower-potency hemp products. They can also have on-site lounges where customers can use cannabis.
- (b) *Cannabis mezzobusinesses.* A cannabis business licensed by the Minnesota Office of Cannabis Management that can grow, make, sell, and buy cannabis (including plants and seedlings) and lower-potency hemp products. This license type is initially available in limited quantities, and licensees will be selected through a vetted lottery.
- (c) *Cannabis cultivators.* A cannabis business licensed by the Minnesota Office of Cannabis Management that can grow cannabis plants from seed to maturity. Cultivators are allowed to harvest, package, label, and transport fully grown cannabis plants to manufacturers. They can also package, label, and transport seedlings. This license type is initially available in limited quantities, and licensees will be selected through a vetted lottery.
- (d) *Cannabis manufacturers.* A cannabis business licensed by the Minnesota Office of Cannabis Management that can process raw cannabis plants into various products, such as edibles, concentrates, wax, oils, and tinctures. Manufacturers can buy cannabis flowers, cannabis products, and lower-potency hemp products from other cannabis businesses. They turn these materials into cannabis products, then package and sell them to other cannabis businesses. This license type is available in limited quantities, and licensees will be selected through a vetted lottery.
- (e) *Cannabis retailers.* A cannabis business licensed by the Minnesota Office of Cannabis Management that can sell packaged cannabis products to the public and medical patients. They can buy cannabis (including plants and seedlings) and lower-potency hemp products from other cannabis businesses and sell them to customers. This license type is available in limited quantities, and licensees will be selected through a vetted lottery. A cannabis retailer may operate up to five retail locations; however, no person, cooperative, or business may hold a license to own or operate more than one cannabis retail business in one city and three retail businesses in one county.
- (f) *Cannabis wholesalers.* A cannabis business licensed by the Minnesota Office of Cannabis Management that can buy cannabis, cannabis products, and lower-potency hemp products from

cannabis businesses and then sell them to other cannabis business.

- (g) Cannabis transporters. A cannabis business licensed by the Minnesota Office of Cannabis Management are businesses that move cannabis, cannabis products, and lower-potency hemp products between businesses.
- (h) Cannabis testing facilities. A cannabis business licensed by the Minnesota Office of Cannabis Management that can receive cannabis, cannabis products, and lower-potency hemp products from manufacturers and cultivators to test. They ensure these products meet safety standards.
- (i) Cannabis delivery businesses. A cannabis business licensed by the Minnesota Office of Cannabis Management to provide for the purchase of cannabis and lower-potency hemp products from specific cannabis businesses to sell and deliver those products directly to consumers.
- (j) Lower-potency hemp edible manufacturer. A hemp business licensed by the Minnesota Office of Cannabis Management that can purchase hemp plant parts, hemp concentrate, and artificially derived cannabinoids, make hemp concentrate, manufacture artificially derived cannabinoids, manufacture lower-potency hemp edibles for public consumption, package and label lower-potency hemp edibles for sale to customers, and sell these items to cannabis and hemp businesses.
- (k) Lower-potency hemp edible retailer. A hemp business licensed by the Minnesota Office of Cannabis Management that can sell lower-potency hemp edibles to the public.

Section 3. AMENDMENT OF ORDINANCE 1060, SECTION 6. Ordinance 1060, Section 6 is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

SECTION 6. ZONING DISTRICTS AND DISTRICT REGULATIONS

* * * *

I. GB. GENERAL BUSINESS DISTRICT.

- 1. Permitted Uses. Only the following uses shall be permitted outright:

* * * *

jj. Lower-potency hemp edible retailers.

* * * *

3. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

* * * *

g. Cannabis retail businesses.

h. Non-retail cannabis and hemp businesses.

* * * *

J. CB. CENTRAL BUSINESS DISTRICT.

1. Permitted Uses. Only the following uses shall be permitted outright:

* * * *

jj. Lower-potency hemp edible retailers.

* * * *

3. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

* * * *

f. Cannabis retail businesses.

g. Non-retail cannabis and hemp businesses.

* * * *

L. I-1. LIMITED INDUSTRY DISTRICT.

1. Permitted Uses. The following uses shall be permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

* * * *

u. Lower-potency hemp edible retailers.

2. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

g. Non-retail cannabis and hemp businesses.

* * * *

M. I-2. GENERAL INDUSTRY DISTRICT.

1. Permitted Uses. The following uses shall be permitted provided plans are submitted to and approved by the Zoning Administrator and the Planning Commission, subject to such conditions as they may attach thereto:

* * * *

z. Lower-potency hemp edible retailers.

2. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

* * * *

k. Non-retail cannabis and hemp businesses.

R. I-2. GB-2. GENERAL BUSINESS DISTRICT-2.

1. Permitted Uses. Only the following uses shall be permitted outright:

* * * *

gggg) Lower-potency hemp edible retailers.

* * * *

3. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

* * * *

e. Cannabis retail businesses.

f. Non-retail cannabis and hemp businesses.

* * * *

T. GB-3. GENERAL BUSINESS DISTRICT-3.

* * * *

4. Permitted Uses. Only the following uses shall be permitted outright:

* * * *

pp. Lower-potency hemp edible retailers.

* * * *

6. Conditional Uses. The following uses are permitted upon the granting of a conditional use permit by the Planning Commission, subject to such conditions as they may attach thereto:

* * * *

n. Cannabis retail businesses.

o. Non-retail cannabis and hemp businesses.

np. Uses not listed on Section 6.T.1, 2 or 3 may be permitted according to Zoning Department approval and granting of a conditional use permit by the Planning Commission.

Section 4. EFFECTIVE DATE. This Ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this ____ day of _____, 20__.

ATTEST:

Vernae Larsen, City Clerk

Doug Reese, Mayor

VOTE: ____ SHULDES ____ GILBERTSON ____ DAVIS ____ GARDNER
 ____ FAGERLIE ____ ASK ____ BUTTERFIELD ____ NELSEN

This Ordinance introduced by Council Member: _____

This Ordinance introduced on: _____

This Ordinance published on: _____

This Ordinance given a hearing on: _____

This Ordinance adopted on: _____

This Ordinance published on: _____

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. ____

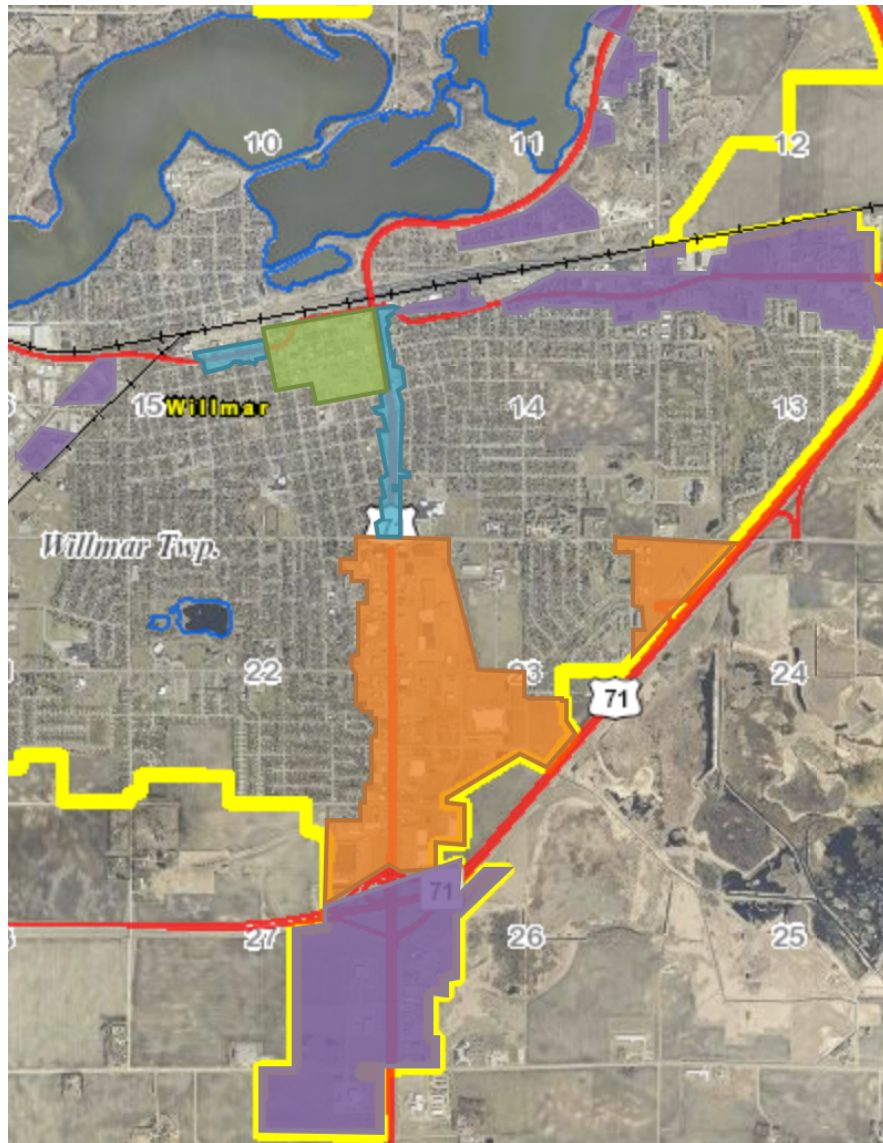
**AN ORDINANCE AMENDING NO. 1060 KNOWN AS THE WILLMAR ZONING
ORDINANCE BY AMENDING SECTION 2: RULES AND DEFINITIONS; SECTION 3:
GENERAL PROVISIONS; SECTION 6. ZONING DISTRICTS AND DISTRICT
REGULATIONS**

Summary: Ordinance No. ____ amends the City's Zoning Ordinance by amending Section 2: Rules and Definitions; Section 3: General Provisions; Section 6. Zoning Districts and District Regulations by adding cannabis businesses and hemp businesses to the list of uses in certain districts that require a conditional use permit, that are permitted with plan review, or that are permitted.

The complete text of Ordinance No. ____ may be obtained at no charge at City Hall (333 6th Street Southwest, Willmar, MN 56201), or from the City's website at www.willmarmn.gov.

Cannabis Zoning Map

Green – Central **Blue** – GB1 **Orange** – GB2 **Purple** – GB3





City Council Action Request

Council Meeting Date:	February 3, 2025	Agenda Item Number:	10.A.
Agenda Section:	Regular Business	Originating Department:	Administration
Resolution:	No	Prepared By:	Kyle Box, City Operations Director
Ordinance:	No	Presented By:	Leslie Valiant, City Administrator
Item:	Consider the hiring of Alissa Gambrel as the City of Willmar Human Resource Director		

RECOMMENDED ACTION:

Approval of the hiring of Alissa Gambrel, Human Resources Director

OVERVIEW:

The City of Willmar previously accepted the retirement resignation of past Human Resource Director LuAnn Sietsema. The City received and reviewed applicants for the position. The interview panel consisted of Council member Davis, City Administrator Valiant, and City Operations Director Box. After the conclusion of the applicant review and interview process, the panel recommends that the City Council approve the hiring of Alissa Gambrel as Human Resource Director for the City of Willmar.

BUDGETARY/FISCAL ISSUES:

Pay Grade: KL

Salary Range: \$94,182 - \$126,922

The salary and benefits for this position are within the City's 2025 budget.

ALTERNATIVES TO CONSIDER:

None Recommended

ATTACHMENTS:

None



City Council Action Request

Council Meeting Date:	February 3, 2025	Agenda Item Number:	10.B.
Agenda Section:	Regular Business	Originating Department:	Administration
Resolution:	No	Prepared By:	
Ordinance:	No	Presented By:	
Item:	Review of the City Council Open Forum Policy		

RECOMMENDED ACTION:

OVERVIEW:

Council member Ask asked that the Council review the Open Forum Policy at the January 21, 2025, Council meeting. The July 19, 2000, Council meeting was the first open forum to allow members of the public to address the City Council at the beginning of all regular meetings. This is not something the city is required to do, and in fact, many cities do not allow for public comment at every meeting, such as the City of Willmar. In order to balance the value that the Council recognizes in hearing from the public with the need for the Council to have sufficient time to get through its agenda and conduct public business, the City Council has previously established parameters that all speakers in the Open Forum must respect. At the August 2, 2021, City Council meeting, the following procedure was adopted for the Open Forum Protocol.

Open Forum Rules:

1. Members of the public who wish to speak at the Open Forum must sign up with the City Clerk before the meeting and indicate whether they reside inside or outside the City.
2. The total amount of time for the Open Forum in any council meeting is limited to 15 minutes.
3. Comments by any one speaker must not exceed three minutes.
4. In order to allow other subjects to be considered, no more than three individuals may speak as a group to the same topic in any Open Forum, with a total time allotted to that topic by all speakers in the group limited to five minutes.
5. Comments must be limited to issues that are not already on the agenda for the meeting at which the comments will be made.
6. Comments must not concern negotiated items such as bids for services or equipment, agreements with the City, franchise terms, labor contracts, or lawsuits
7. Candidates for public office must not use the Open Forum to make political comments.
8. The Council's policy is to listen to everyone who speaks in the Open Forum, but the Council will not respond in substance to comments made in the Open Forum or engage in a discussion with the speaker.

If appropriate, given the nature of the comment, City staff will follow up with the speaker, and the issue could come back to the Council as an agenda item at a future meeting.

BUDGETARY/FISCAL ISSUES:

NA

ALTERNATIVES TO CONSIDER:

Amend the Open Forum Policy

ATTACHMENTS:

None