

**REGULAR MEETING – MONTICELLO CITY COUNCIL**  
**Monday, August 22, 2022 – 6:30 p.m.**  
**Mississippi Room, Monticello Community Center**

Present: Lloyd Hilgart, Jim Davidson, Bill Fair, Charlotte Gabler and Sam Murdoff  
Absent: None.

**1. General Business**

**A. Call to Order & Pledge of Allegiance**

Mayor Hilgart called the meeting to order at 6:30 p.m.

**B. Approval of Agenda**

**Councilmember Gabler moved to approve the agenda. Councilmember Murdoff seconded. Motion carried unanimously.**

**C. Approval of Meeting Minutes**

- Regular Meeting Minutes from August 8, 2022

**Councilmember Gabler moved approval of the minutes. Councilmember Davidson seconded the motion. Motion carried unanimously.**

**D. Citizen Comments**

None.

**E. Public Service Announcements**

Haley Foster, Communications Coordinator, gave an update on the following items:

- Labor Day Hours
- Updated MCC Hours
- Xcel Day of Service
- Famers Market

**F. Council Liaison Updates**

- **EDA** – Councilmember Davidson gave an update on the August 10, 2022 meeting. They discussed closing of land sale for Block 52 and the 2023 EDA tax levy.
- **MOAA** – Angela Schumann, Community Development Director, gave a brief update and noted that the group considered two items. These first

item was an amendment to ordinance for Laestadian Church regarding special event elements. The second item was in regard to solar.

**G. Department Updates**

- **Downtown Projects Update** – Rachel Leonard, City Administrator, provided a brief update of the downtown projects.

**2. Consent Agenda:**

**Councilmember Murdoff moved approval of the consent agenda. Councilmember Fair seconded the item. Motion carried unanimously.**

- A. Consideration of approving the payment of bills. **Action taken: Approved the bill and purchase card registers for a total of \$2,428,404.87.**
- B. Consideration of approving new hires and departures for City departments. **Action taken: Approved hires for the DMV and MCC and departures for Parks and MCC.**
- C. Consideration of approving the sale/disposal of surplus city property for the Parks and Recreation Department. **Action taken: No report this cycle.**
- D. Consideration of adopting Resolution 2022-93 accepting a donation of a historical map. **Action taken: Resolution accepting the donation was approved.**
- E. Consideration of adopting Resolution 2022-96 approving State of Minnesota Department of Public Safety, Bureau of Criminal Apprehension Joint Powers Agreements with the City of Monticello on behalf of its City Attorney. **Action taken: Adopted Resolution 2022-96 approving the joint powers agreements.**
- F. Consideration of adopting Resolution 2022-90 approving a Business Subsidy Agreement contained within a Contract for Private Development between the City of Monticello Economic Development Authority (EDA) and Block 52 Holdings, LLC related to the Block 52 Redevelopment proposal. **Action taken: Adopted Resolution 2022-90 approving a Business Subsidy Agreement between EDA and Block 52 Holdings, LLC.**
- G. Consideration of adopting Resolution 2022-91 approving a Business Subsidy Agreement contained within a Contract for Private Development between the City of Monticello Economic Development Authority (EDA) and Willi Hahn Corporation dba Wiha Tools. **Action taken: Adopted Resolution 2022-90 approving a Business Subsidy Agreement between EDA and Willi Hahn Corporation dba Wiha Tools.**

- H. Consideration of adopting Resolution 2022-89 approving a modification of TIF Plan budget for TIF District 1-45 to reflect adjustments in developer and EDA Increment distribution. **Action taken: Adopted Resolution 2022-89 approving a modification for TIF District 1-45 TIF Plan budget.**
- I. Consideration of approving a Right of Entry for Buchholz Construction and/or Block 52 Holdings, LLC on City owned parcels in Block 52 for purposed of site security and staging and storing construction equipment and supplies-materials related to the Block 52 development. **Action taken: Approved the Right of Entry for Buchholz Construction.**
- J. Consideration of approving Amendment to Planned Unit Development for the addition of a paint booth as an Accessory Structure in the Camping World Planned Unit Development. Applicant: Camping World. **Action taken: Approved amendment for Camping World Planned Unit Development.**
- K. Consideration of approving an amendment to Conditional Use Permit for Planned Unit Development for a Clinic/Medical Services Use (Commercial Occupational Therapy Establishment) in the B-4, Regional Business District, including cross access for parking. Applicant: M&M Home Contractors obo Sunny Days Therapy. **Action taken: Approved amendment to M& M Home Contractors obo Sunny Days Therapy Conditional Use Permit.**
- L. Consideration of adopting Resolution 2022-92 approving an update to the Mississippi River Trail (US Bicycle Route 45) route for Monticello **Action taken: Adopted Resolution 2022-92 approving the update to the Mississippi River Trail route.**

3. **Public Hearings:**

4. **Regular Agenda:**

- A. Consideration of Interim Ordinance 783 declaring a moratorium on the sale, testing, distribution, and/or manufacturing of products with hemp-derived THC (Tetrahydrocannabinol), and a prohibition on the acceptance of any applications for such sale, distribution, or manufacture. Applicant: City of Monticello

Angela Schumann presented the item and noted that it was tabled from the August 8, 2022 City Council meeting. Staff recommended an interim ordinance to allow the City time to develop clear policy related to THC. This would include licensing and enforcement.

Mayor Hilgart invited a member of the public to speak:

Mathew Kent, 215 Locust Street, address the Council and requested that the City ban the sale of THC. Mr. Kent presented data of the damages that THC can cause.

There was discussion held by the City Council. None of the Councilmembers expressed support to establish a moratorium regarding the sales of THC. Mayor Hilgart commenced the discussion and noted that he would support an ordinance that would limit the sale of THC to a licensed “smoke shop”. These establishments are prepared for the sale of such items. They are licensed by the County and patrons must be 21 years of age to enter. Councilmember Gabler agreed that it should not be banned but allowed with restrictions.

Councilmembers all expressed agreement allowing THC sales in smoke shops. Angela Schumann noted that Wright County licenses these shops, regulates and enforces, and conducts compliance checks. Rachel Leonard added, that although Wright County licenses, it would be important to staff to have the businesses register with the City in order to properly enforce the ordinance.

Councilmember Gabler questioned the enforcement of those under 21 having the product. Councilmember Murdoff stated that there is a lot of misunderstanding of the statute and hemp has already been allowed since 2018.

The Council discussed manufacturing and wholesale distribution and whether it was possible to adopt a moratorium on these items. Steve Grittman, NAC, noted that the City Council could approve a moratorium and then draft a zoning ordinance regulating manufacturing and wholesale distribution. Councilmember Davidson noted that he would support a moratorium on wholesale manufacturing and distribution. He added that this does not imply he is against these processes; however, he would like staff to have time to prepare an ordinance.

Rachel Leonard noted that the purpose of the moratorium is not to prevent the sale of THC, but to give staff time to study and understand how the product fits into the Monticello community.

**Councilmember Gabler moved to direct staff to create ordinance allowing the sale of THC in designated defined smoke shops, registration required with the City (including non-conforming businesses) including the sale of edible and non-edible products. Councilmember Davidson seconded the motion. Motion carried unanimously.**

**Councilmember Gabler moved to approve a moratorium (interim ordinance) on THC wholesale manufacturing and distribution with staff to include findings**

and language drafted in the original ordinance specific to wholesale manufacturing and distribution . Councilmember Fair seconded the motion. Motion carried 4-1; Councilmember Murdoff voted against. Councilmember Murdoff does not support a moratorium.

- B. Consideration of denying an amendment to the Affordable Self-Storage PUD and StorageLink Monticello PUD for the addition of “Storage Boxes” as an allowable outdoor storage accessory use and approving an amendment to the Affordable Self-Storage PUD and StorageLink Monticello PUD for the addition of “Storage Boxes” as an allowable outdoor display accessory use. Applicant: City of Monticello

Angela Schumann gave a brief overview of the amendment. Staff and Planning Commission recommended denial to allow storage boxes as an accessory use within the two PUDs as such containers are inconsistent with the intent of the original PUD approval. Staff and Planning Commission also recommended to allow storage boxes as a minimal use by an outdoor display accessory use.

There was minimal discussion among City Council.

**Councilmember Davidson moved to deny the amendment to the Affordable Self-Storage PUD and StorageLink Monticello PUD to allow the addition of “Storage Boxes” as an allowable Outdoor Storage Accessory Use based on findings in Resolution PC-2022-041. Councilmember Fair seconded the motion. Motion carried unanimously.**

**Councilmember Davidson moved approval of an amendment to the Affordable Self-Storage PUD and StorageLink Monticello PUD for the addition of “Storage Boxes” as an Allowable Outdoor Display Accessory Use based on findings in Resolution 2022-94. Ordinance 784 was adopted.**

- C. Consideration of approving a request for proposals for a Community Sign Guide at an estimated cost of \$15,000

Angela Schumann gave a brief overview. The comprehensive sign guide is the first step in preparation for the addition and replacement of public signs. Staff would release an RFP outlining the scope of work which includes the preparation of design templates for individual sign types and preparation of plans and specifications for each individual sign.

**Councilmember Davidson moved approval. Councilmember Murdoff seconded the motion. Motion carried unanimously.**

## 5. **Adjournment:**

The meeting was adjourned at 8:17 p.m.

Recorder: Jennifer Schreiber \_\_\_\_\_

Approved:

Attest: \_\_\_\_\_

City Administrator

DRAFT