



**CITY OF ANNANDALE
COUNCIL MEETING AGENDA**

Meeting #14
Special Meeting
City Council Chambers

September 1, 2023
11:00 A.M.

Mayor: Shelly Jonas
Councilmember's: Matthew Wuollet
Corey Czycalla
Tina Honsey
JT Grundy

For those who would like to view or listen to the public meeting:

Online: <https://us02web.zoom.us/j/82307824482?pwd=RWpyZFc0ZTZRSW9WcmtYdktFcldZUT09>

Webinar ID: 823 0782 4482

Passcode: 467380

- 1. CALL TO ORDER/ROLL CALL/ADOPT AGENDA**
- 2. NEW BUSINESS**
 - A. Ordinance Amending Zoning Ordinance
 - B. Relocation Agreement
- 10. MAYOR/COUNCIL REPORTS**
- 11. ADJOURNMENT**



City Council Agenda

September 1, 2023

Agenda Section: New Business
Report From: Kelly Hinnenkamp, City Administrator

Agenda No. 2A
Agenda Item: Ordinance Amending Zoning Ordinance

Core Strategy:

- | | |
|--|--|
| <input type="checkbox"/> Inspire Community Engagement | <input type="checkbox"/> Provide Proactive Leadership |
| <input type="checkbox"/> Increase Operational Effectiveness | <input checked="" type="checkbox"/> Ensure Safe/Well Kept Community |
| <input type="checkbox"/> Enhance Local Business Environment | <input type="checkbox"/> Other: Click or tap here to enter text. |
| <input checked="" type="checkbox"/> Develop/Manage Strong Parks/Trails | |

Background

Effective July 1, 2022, the Minnesota State Legislature made it legal to sell certain consumables infused with tetrahydrocannabinol (THC). In response, the City adopted a moratorium on this and related uses to allow for a study on the issue and to prepare ordinances related to this new use of property. The moratorium ends on August 31, 2023.

During the moratorium, the Council adopted Ordinance 402 on March 13, 2023. This ordinance provided a definition of THC product retail establishments and allowed sales only in the C-2 Central Business Fringe District.

An ordinance amendment is now proposed to limit the proximity of THC retail sales to youth-oriented facilities. This ordinance amendment would only apply to the 2022 legislation on THC products and not the retail sales of recreational cannabis. Retail sales of recreational cannabis cannot occur until the State of Minnesota Office of Cannabis Management is established and able to issue licenses. It is believed that the timeline for establishing this office will be January 2025.

ZONING AMENDMENT The proposed amendment would restrict retail sales establishments 1,000 feet from a school or 500 feet from a day care, residential treatment facility, or parks.

Recommended Action

Motion to approve Ordinance as presented.

Attachments:

- Ordinance Amending Zoning Ordinance

ORDINANCE NO. ____

AN ORDINANCE AMENDING PERMITTED USES IN THE C-2 DISTRICT

The Council of the City of Annandale, Minnesota does hereby ordain:

Section 1. Zoning Ordinance Section 150.04, Definitions, is hereby amended to include the following definition:

Day Care Home: A licensed day care facility located within a residential dwelling unit serving 12 or fewer persons.

Day Care Center: A service provided to the public in which children of school or preschool age are cared for during established business hours, and which does not qualify as a home day care.

Section 2. Zoning Ordinance Section 150.32, Central Business – Fringe District, Permitted Uses, Number 9 is amended to read as follows:

9. THC Product Retail Establishment, that the business premises is not located within 1,000 feet of a school, or within 500 feet of a day care center, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.

Section 3. This ordinance shall go into effect upon passage and publication.

Adopted this ____ day of _____, 2023.

ATTEST:

Shelly Jonas, Mayor

Kelly Hinnenkamp, City Administrator/Clerk



City Council Agenda

September 1, 2023

Agenda Section: New Business

Agenda No. 2B

Report From: Kelly Hinnenkamp, City Administrator

Agenda Item: Relocation Agreement

Core Strategy:

- | | |
|---|--|
| <input type="checkbox"/> Inspire Community Engagement | <input type="checkbox"/> Provide Proactive Leadership |
| <input type="checkbox"/> Increase Operational Effectiveness | <input type="checkbox"/> Ensure Safe/Well Kept Community |
| <input type="checkbox"/> Enhance Local Business Environment | <input checked="" type="checkbox"/> Other: Compliance |
| <input type="checkbox"/> Develop/Manage Strong Parks/Trails | |

Background

The City purchased the property at 74 Oak Avenue North in downtown Annandale for the purpose of redevelopment. The City has worked with relocating the four tenants who resided at the property when the City purchased it in July of 2022. To date, three of the four tenants have been relocated and staff has secured options for the relocation of the final tenant.

Attached is a relocation agreement. If approved, the agreement will require the tenant to relocate from his apartment at 74 Oak Avenue North within 35 days. City staff has been working with the tenant to obtain another unit in Annandale as of October 1st. Any funds requested to secure this unit and any other outstanding payments owed to the City will be deducted from the relocation amount.

Recommended Action

Motion to approve the agreement as presented.

Attachments:

- Agreement

**AGREEMENT
FOR RELOCATON BENEFITS**

THIS AGREEMENT is made as of the ____ day of August, 2023 by Brandon Criner (“Tenant”) and the City of Annandale, a Minnesota municipal corporation (“City”).

RECITALS

WHEREAS, the City purchased the residential apartment building located at 74 Oak Avenue, Annandale, Minnesota (the “Property”) in June of 2022.

WHEREAS, Tenant was a tenant in the Property, Unit 3, in excess of ninety days preceding the City’s purchase of the Property.

WHEREAS, Minnesota Statute § 117.52 provides for relocation assistance, services, payments and other benefits as described in the Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. § § 4601-4655, including, but not limited to:

1. Moving expenses;
2. Payments allowed under 42 U.S.C. § 4623 for the reasonable cost of finding a comparable replacement dwelling.

WHEREAS, Tenant and City desire to resolve all relocation assistance, services, payments and benefits, for which Tenant may be eligible under Minnesota Statute § 117.52 and 42 U.S.C. § § 4601-4655.

NOW, THEREFORE, The following, the parties individually and collectively agree as follows:

1. Tenant shall peacefully vacate the Property no later than 4:00 p.m. on the 35th day following the date this Agreement is signed.
2. City shall pay Tenant the sum of \$6,500 upon Tenant vacating the Property.
3. Tenant agrees that his occupancy of the unit is “as is where is; with all faults” and that the City will not be making any repairs on the Property. Tenant waives all right to have the City make any repairs to the unit.
4. Tenant agrees that any personal property of Tenant that remains in the Property after he has vacated is to be considered abandoned and may be disposed of immediately by the City. Tenant waives any right to require the City to store the personal property and/or dispose of the personal property by sale or otherwise.
5. Tenant agrees that the sum of \$6,500 is fair and adequate compensation for relocation assistance, services, payments and benefits to which he is entitled.

6. Tenant further agrees that City shall not be liable to Tenant and hereby forever releases and discharges the City from any claim, cause of action, legal or equitable, or liability arising out of his right to relocation assistance, services, payments and benefits.

7. This Agreement includes all of the terms agreed upon between City and Tenant. This Agreement may not be modified except in writing signed by the parties.

Tenant has had adequate time to review this Agreement, understands the terms stated herein and by signing below, Tenant acknowledges that he has executed this Agreement voluntarily.

This Agreement shall be effective as of the date set forth above.

Tenant:

Brandon Criner

STATE OF MINNESOTA)
) ss.
COUNTY OF WRIGHT)

This instrument was acknowledged before me on the _____ day of August, 2023, by Brandon Criner, Tenant herein

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF WRIGHT)

This instrument was acknowledged before me on the _____ day of August, 2023, by Shelly Jonas, the Mayor, and Kelly Hinnenkamp, the City Administrator of the City of Annandale, a Minnesota municipal corporation, on behalf of said City

Notary Public