

**Agenda**  
**Courtland City Council**  
**Thursday, June 1, 2023 7:00pm**  
**Courtland City Hall**  
**329 Main Street**

1. Call to Order
2. Roll Call-Attendance
3. Additions/Approval of the Agenda
4. Approval of Minutes- Regular CC
5. Presentation and Payment of Bills
6. Visitors

7. Reports

- A. Public Utilities
- B. Mayor and Council
- C. Streets Committee
- D. Planning Commission
- E. City Clerk

8. Unfinished Business

9. New Business

- New Firefighter Hire
- Fire Department Liquor License
- Swany's 2023-2024 Liquor License Renewal
- Crow Bar & Grill 2023-2024 Liquor License Renewal
- Ordinance 23-102 Amending Part 2 of Chapter VII(Mobile Food Units)
- Resolution 23-102 Publication of Ordinance 23-102 by Title and Summary
- Old Hwy 14 Turnback Preliminary Engineering Analysis proposal

10. Adjournment

**Mission of the City of Courtland**

**We envision Courtland as a city with managed growth which offers a high quality of life for individuals, families and businesses at an affordable cost.**

City Council Minutes

Regular Meeting

May 4, 2023

Members Present: Mayor Al Poehler  
Council Member Pam Rodewald  
Council Member Justin Kraus  
Council Member Paul Bode  
Council Member Ralph Bents

Members Absent:

Others Present: Julie Holm Dave Ubel Mark Fiemeyer Karen Fluegge

The regular city council meeting was called to order by Mayor Al Poehler at 7:00 pm on May 4, 2023 in the Council chambers in City Hall.

**Rodewald made a motion to approve the agenda. Bents seconded the motion. The motion carried with all in favor.**

**Rodewald made a motion to approve April 6, 2023 Special Council minutes. Kraus seconded the motion. Motion carried with all in favor.**

**Kraus made a motion to approve April 6, 2023 regular Council minutes. Bode seconded the motion. Motion carried with all in favor.**

**Rodewald made a motion to approve monthly bills. Bents seconded the motion. Motion carried with all in favor.**

Check#	Vendor	Date	\$AMT	Description
EFT	IRS	13-Apr-23	\$831.08	federal payroll taxes
EFT	MN DEPT OF REVENUE	13-Apr-23	\$149.00	mn payroll taxes
EFT	PERA	13-Apr-23	\$523.23	PERA contributions
EFT	MICROSOFT	19-Apr-23	\$8.65	office 365 subscription
EFT	MN DEPT OF REVENUE	20-Apr-23	\$438.00	2023 1st qtr sales tax
EFT	MN UI FUND	21-Apr-23	\$28.21	2023 1st qtr UI
EFT	IRS	26-Apr-23	\$852.94	federal payroll tax
EFT	MN DEPT OF REVENUE	26-Apr-23	\$154.00	mn payroll taxes
EFT	PERA	26-Apr-23	\$535.64	PERA contributions
22217	POSTMASTER	05-Apr-23	\$666.00	utility billing and general postage
22218	Holm, Julie	06-Apr-23	\$875.87	Payroll 3/19-4/1/23
22219	Ubel, David	06-Apr-23	\$1,391.08	Payroll 3/19-4/1/23
22220	Voges, Jessie	06-Apr-23	\$553.37	Payroll 3/19-4/1/23
22221	A.R.R. CONSTRUCTION LLC	06-Apr-23	\$2,463.70	collin drive drainage
22222	AUTO VALUE	06-Apr-23	\$46.76	fire dept maintenance
22224	Holm, Julie	20-Apr-23	\$982.07	Payroll 4/2-4/15/23
22225	Ubel, David	20-Apr-23	\$1,391.08	Payroll 4/2-4/15/23
22226	Voges, Jessie	20-Apr-23	\$553.37	Payroll 4/2-4/15/23
22227	ALLINA HEALTH	19-Apr-23	\$135.20	krohn firefighter physical
22228	BOLTON & MENK, INC	19-Apr-23	\$709.00	general engineering services
22229	CITY OF COURTLAND	19-Apr-23	\$327.77	fire hall, comm center, main shed, city office utilites
22230	CITY OF NEW ULM	19-Apr-23	\$7,716.24	flow to new ulm
22231	CLIFTONLARSONALLEN	19-Apr-23	\$4,200.00	audit services
22232	COMCAST, INC	19-Apr-23	\$91.37	main st office internet
22233	COURTLAND MART	19-Apr-23	\$645.23	gas
22234	G & S MANUFACTURING	19-Apr-23	\$1,200.00	fire hall drying rack
22235	MN LIFE INS COMPANY	19-Apr-23	\$10.00	dave life ins – mar, apr

22236	NICOLLET COUNTY ATTORNEY	19-Apr-23	\$213.75	co attorney fees dangerous dog incident
22237	RIVERBEND BUSINESS PRODUCTS	19-Apr-23	\$1,566.60	utility billing envelopes
22238	XCEL ENERGY	19-Apr-23	\$2,215.51	office,firehall,wtrtwr,park,lifts,wtrplt,mainshed,st lights
22239	Void	VOID	VOID	VOID
22240	ABELS ELECTRIC	03-May-23	\$328.87	water plant repairs
22241	BOLTON & MENK, INC	03-May-23	\$646.00	bidding assistance sewer televising project
22242	CLEARWAY COMMUNITY SOLAR LLC	03-May-23	\$1,543.46	solar subscription
22243	COMCAST, INC	03-May-23	\$93.37	community center, fire hall internet
22244	DAKOTA SUPPLY GROUP	03-May-23	\$163.45	valve box lid grabber, curb stop key
22245	GOPHER STATE ONE-CALL	03-May-23	\$16.20	12 tickets
22246	LOFFLER	03-May-23	\$72.34	mfp maintenance 4/24-5/23/23, color copies
22247	LUEPKE OIL & TRUCKING LLC	03-May-23	\$122.06	gas
22248	NICOLLET COUNTY	03-May-23	\$32.00	main st office prop, solid waste fee
22249	Nuvera	03-May-23	\$514.86	office,firehall,lifts,wells,wtr twr,wtr plnt internet
22250	POWDER WERKS SANDBLASTING, LLC	03-May-23	\$300.00	paint fire department drying racks
22251	RUNNINGS SUPPLY, INC.	03-May-23	\$119.25	shop & fire hall maintenance supplies
22252	Holm, Julie	04-May-23	\$918.65	Payroll 4/16-4/29/23
22253	Ubel, David	04-May-23	\$2,020.57	Payroll 4/16-4/29/23
22254	Voges, Jessie	04-May-23	\$553.37	Payroll 4/16-4/29/23
			\$38,919.17	

Council Reports: NONE

Mayor Report: Attended meeting with Seth Greenwood from Nicollet County along with our engineer Joe Duncan and consulting firm Stonebrooke regarding turn back of Highway 14. Nicollet County has begun a study evaluating the highway from CSAH 24(4<sup>th</sup> Street) East to existing CSAH 25 and what work would be required when the state turns it to the County. Since the county has been through this process previously, they feel it is beneficial to spend the money up front and be prepared to negotiate agreement when the state contacts them regarding the turn back. Mayor Poehler would like to join the study and have western portion that will be turned to the City also evaluated, by making this a joint effort costs should be less than the city retaining a firm on its own.

Planning Commission Notes: Clerk Holm provided draft of proposed ordinance on mobile food units to gather comments for public hearing at next planning commission meeting on May 18<sup>th</sup>.

Clerk Report: Clerk reports participating in city wide garage sales selling nine office chairs and one desk for total of \$190, the cost of ad was \$10. Clerk has a complaint from shed owner on Collin Drive as to being charged higher base fee for water than residential. The county lists them as residential non-homestead, the designated area is industrial. Council discusses how these classifications are determined at the county. Council is in agreement, the area is industrial with warehouses allowed regardless of use of business or personal storage. Industrial areas are charged higher base rate fee and tax. Clerk reports the office will be closed Monday May 29<sup>th</sup> for the Memorial Day holiday.

Clerk Holm has also provided some FYI information (Facebook post) for council regarding The Crow Bar & Grill holding Classic Car & Bike night beginning Friday May 5<sup>th</sup>. City was not made aware of this event and has no regulations as they have not asked for street to be blocked. Their post did ask people to be respectful to not block driveways or other business parking.

Clerk Holm provided FYI note regarding House and Senate passing Adult Use Cannabis Bill. The bill is assigned to conference committee. Clerk reminds council of passing moratorium ordinance on THC sales. Nicollet County is working on ordinance for stricter control of THC sales based on last year's bill that passed.

Public Utilities: Dave asks for guidance on resident that was given shut off notice and then paid only a portion and are still past due. The ordinance is they are to make arrangements for partial payments with council or they will be shut off. The ordinance also states mailing the notices, Clerk had mail returned as he was not picking up mail from box. Notices were put on door. Council directs clerk to follow procedures and if no payment or only partial, water will be shut off. Chief Ubel has received a request for in town resident to do a controlled burn on CRP acres. The area is small, size of the council chambers and would take 5-10 minutes and total of an hour. Council has mixed agreement on allowing, but are okay with notice to neighbors.

Dave has questions regarding water drainage design on sheds along Highway 14 east of Dayton Freight Lines terminal. The design provided when the permits were applied for is not how it is now. Council directs Dave to remind them to follow the design provided previously.

Dave reports sewer televising will begin in a few weeks, Councilmember Rodewald requests notice should go out the residents to be made aware.

**Rodewald made a motion to adjourn. Kraus seconded the motion. Motion carried with all in favor.**

Meeting adjourned 8:10 pm

A signed written copy of the minutes is on file in the office of the city clerk.

Respectfully submitted,

Signed: \_\_\_\_\_  
Al Poehler, Mayor

Attest: \_\_\_\_\_  
Julie Holm, City Clerk

Check#	Vendor	Date	\$AMT	description
EFT	MICROSOFT	08-May-23	\$8.86	office 365 subscription
EFT	IRS	12-May-23	\$1,206.39	federal payroll taxes
EFT	MN DEPT OF REVENUE	12-May-23	\$220.00	mn payroll taxes
EFT	PERA	12-May-23	\$535.64	PERA contributions
EFT	CITY OF COURTLAND	24-May-23	\$8,000.00	transfer lions donation to 4MFund Savings park equipment
EFT	IRS	26-May-23	\$862.64	federal payroll taxes
EFT	MN DEPT OF REVENUE	26-May-23	\$156.00	mn payroll taxes
EFT	PERA	26-May-23	\$541.15	PERA contributions
22255	COURI & RUPPE, P.L.L.P	10-May-23	\$625.00	legal services for fire department joint powers agreement
22256	Holm, Julie	18-May-23	\$946.77	Payroll 4/30-5/13/23
22258	Voges, Jessie	18-May-23	\$553.37	Payroll 4/30-5/13/23
22272	Ubel, David	18-May-23	\$1,391.08	Payroll 4/30-5/13/23
22259	CITY OF COURTLAND	18-May-23	\$296.08	fire hall, comm center, main shed, city office utilities
22260	CITY OF NEW ULM	18-May-23	\$7,708.99	flow fees to new ulm
22261	COMCAST, INC	18-May-23	\$91.37	main street office internet
22262	COURTLAND MART	18-May-23	\$781.13	gas
22263	DAKOTA SUPPLY GROUP	18-May-23	\$1,027.49	water valve shut off key, tracer wire lids, hydrant flange packages
22264	DAVE UBEL	18-May-23	\$45.00	landfill fee to dispose of desks
22265	HAWKINS,INC	18-May-23	\$455.53	water plant treatment supplies
22266	LMCIT	18-May-23	\$6,584.00	2023-2024 WC Insurance Premium
22267	MN LIFE INS COMPANY	18-May-23	\$5.00	dave life insurance premium
22268	PROKORE INSPECTIONS, LLC	18-May-23	\$462.00	building permit remittance - April
22269	RIVER VALLEY LAWN CARE	18-May-23	\$324.70	crabgrass and fertilizer spraying parks & fire station
22270	UNITED NATURAL GAS	18-May-23	\$906.82	main shed, firehall,wtr plant,cityoffice natural gas
22271	XCEL ENERGY	18-May-23	\$1,505.98	office,firehall,wtrtwr,park,lifts,wtrplt,mainshed,st lights
22273	Holm, Julie	01-Jun-23	\$918.65	Payroll 5/14-5/27/23
22274	Ubel, David	01-Jun-23	\$1,391.08	Payroll 5/14-5/27/23
22275	Voges, Jessie	01-Jun-23	\$553.37	Payroll 5/14-5/27/23
22276	BADGER METER	01-Jun-23	\$115.08	beacon web program support meter reading 386 units apr_may
22277	BOLTON & MENK, INC	01-Jun-23	\$602.00	Hwy 14 Turnback Meeting, sewer televising contract administration
22278	CLEARWAY COMMUNITY SOLAR LLC	01-Jun-23	\$1,945.76	solar subscription
22279	CLIFTONLARSONALLEN	01-Jun-23	\$2,730.00	audit services
22280	COMCAST, INC	01-Jun-23	\$93.37	comm center, fire hall internet
22281	HAWKINS,INC	01-Jun-23	\$404.04	water plant supplies
22282	LOFFLER	01-Jun-23	\$61.92	mfp maintenance 5/24-6/23/23, color copies
22283	RUNNINGS SUPPLY, INC.	01-Jun-23	\$116.72	gas can replacement spout, city maintenance supplies
			\$44,172.98	



Minnesota Department of Public Safety  
 Alcohol and Gambling Enforcement Division  
 445 Minnesota Street, Suite 1600, St. Paul, MN 55101  
 651-201-7507 Fax 651-297-5259 TTY 651-282-6555  
**APPLICATION AND PERMIT FOR A 1 DAY  
 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization	Date organized	Tax exempt number
Courtland Fire Department	1920	27-1365167

Address	City	State	Zip Code
213 4th Street	Courtland	MN	56021

Name of person making application	Business phone	Home phone
Randy Mathiowetz		

Date(s) of event	Type of organization	<input type="checkbox"/> Microdistillery	<input type="checkbox"/> Small Brewer
August 19-20, 2023	<input type="checkbox"/> Club	<input type="checkbox"/> Charitable	<input type="checkbox"/> Religious
	<input type="checkbox"/> Religious	<input checked="" type="checkbox"/> Other non-profit	

Organization officer's name	City	State	Zip Code
Tim Portner	Courtland	MN	56021

Organization officer's name	City	State	Zip Code
John Stadick	Courtland	MN	56021

Organization officer's name	City	State	Zip Code
Dave Ubel	Courtland	MN	56021

Location where permit will be used. If an outdoor area, describe.  
 Inside Fire Hall and out front in fenced enclosure.

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.  
 N/A

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.  
 Minnesota Joint Underwriting Association - \$310,000

**APPROVAL**

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City of Courtland
City or County approving the license
25.00
Fee Amount
Date Fee Paid

Date Approved
August 19-20, 2023
Permit Date
ctlclerk@comcast.net
City or County E-mail Address
507-354-7055
City or County Phone Number
Julie Holm
Please Print Name of City Clerk or County Official

*Julie Holm*  
 Signature City Clerk or County Official

**CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.**

**ONE SUBMISSION PER EMAIL, APPLICATION ONLY.  
 PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY  
 PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY  
 CITY/COUNTY TO [AGE.TEMPORARYAPPLICATION@STATE.MN.US](mailto:AGE.TEMPORARYAPPLICATION@STATE.MN.US)**



**Minnesota Department of Public Safety**  
**Alcohol & Gambling Enforcement Division**  
 445 Minnesota Street, 1600  
 St Paul , Minnesota 55101  
 651-201-7507

**RENEWAL OF LIQUOR , WINE, CLUB OR 3.2% LICENSES**

No license will be approve or released until the \$20 Retailer ID Card fee is received by Alcohol and Gambling Enforcement

Licensee: Please verify your license information contained below. Make corrections if necessary and sign. City Clerk/County Auditor should submit this signed renewal with completed license and licensee liquor liability for the new license period. City Clerk/County Auditor are also required by M.S. 340A.404 S.3 to report any license cancellation.

**License Code:** CMBS                              **License Period Ending:** 6/30/2023                              **Iden:**  
**Issuing Authority:** Courtland  
**Licensee Name:** Fluegge Inc.  
**Trade Name:** Swany's Pub  
**Address:** 221 Main St  
                             Courtland, MN 56021  
**Business Phone:** 5073592537  
**License Fees:**    **Off Sale:** \$100.00                      **On Sale:** \$1,650.00                      **Sunday:** \$200.00

**By signing this renewal application, applicant certifies that there has been no change in ownership on the above named licensee. For changes in ownership, the licensee named above, or for new licensees, full applications should be used. See back of this application for further information needed to complete this renewal.**

**Applicant's signature on this renewal confirms the following: Failure to report any of the following may result in civil penalties.**

1. Licensee confirms it has no interest whatsoever, directly or indirectly in any other liquor establishments in Minnesota. If so, give details on back of this application.
2. Licensee confirms that it has never had a liquor license rejected by any city/township/county in the state of Minnesota. If ever rejected, please give details on the back of this renewal, then sign below.
3. Licensee confirms that for the past five years it has not had a liquor license revoked for any liquor law violation (state or local). If a revocation has occurred, please give details on the back of this renewal, then sign below.
4. Licensee confirms that during the past five years it or its employees have not been cited for any civil or criminal liquor law violations. If violations have occurred, please give details on back of this renewal, then sign below.
5. Licensee confirms that during the past license year, a summons has not been issued under the Liquor Liability Law (Dram Shop) MS 340A.802. If yes, attach a copy of the summons, then sign below.
6. Licensee confirms that Workers Compensation insurance will be kept in effect during the license period.Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued.

**Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued. \$100,000 in cash or securities or \$310,000 surety bond may be submitted in lieu of liquor liability.(3.2 liquor licenses are exempt if sales are less than \$25,000 at on sale, or \$50,000 at off sale).**

\_\_\_\_\_  
 Licensee Signature    DOB    SSN    Date  
 (Signature certifies all above information to be correct and license has been approved by city/county.)

\_\_\_\_\_  
 City Clerk/Auditor Signature    Date  
 (Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)

\_\_\_\_\_  
 County Attorney Signature    Date  
 County Board issued licenses only(Signature certifies licensee is eligible for license).

\_\_\_\_\_  
 Police/Sheriff Signature    Date  
 Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.



**Minnesota Department of Public Safety  
Alcohol & Gambling Enforcement Division  
445 Minnesota Street, 1600  
St Paul , Minnesota 55101  
651-201-7507**

**RENEWAL OF LIQUOR , WINE, CLUB OR 3.2% LICENSES**

No license will be approve or released until the \$20 Retailer ID Card fee is received by Alcohol and Gambling Enforcement

Licensee: Please verify your license information contained below. Make corrections if necessary and sign. City Clerk/County Auditor should submit this signed renewal with completed license and licensee liquor liability for the new license period. City Clerk/County Auditor are also required by M.S. 340A.404 S.3 to report any license cancellation.

<b>License Code:</b>	CMBS	<b>License Period Ending:</b>	6/30/2023	<b>Iden:</b>		
<b>Issuing Authority:</b>	Courtland					
<b>Licensee Name:</b>	The Crow Bar & Grill Inc.					
<b>Trade Name:</b>	The Crow Bar & Grill Inc.					
<b>Address:</b>	308 Main Street					
	Courtland, MN 56021					
<b>Business Phone:</b>	507-359-4227					
<b>License Fees:</b>	<b>Off Sale:</b>	\$100.00	<b>On Sale:</b>	\$1,650.00	<b>Sunday:</b>	\$200.00

By signing this renewal application, applicant certifies that there has been no change in ownership on the above named licensee. For changes in ownership, the licensee named above, or for new licensees, full applications should be used. See back of this application for further information needed to complete this renewal.

**Applicant's signature on this renewal confirms the following: Failure to report any of the following may result in civil penalties.**

1. Licensee confirms it has no interest whatsoever, directly or indirectly in any other liquor establishments in Minnesota. If so, give details on back of this application.
2. Licensee confirms that it has never had a liquor license rejected by any city/township/county in the state of Minnesota. If ever rejected, please give details on the back of this renewal, then sign below.
3. Licensee confirms that for the past five years it has not had a liquor license revoked for any liquor law violation (state or local). If a revocation has occurred, please give details on the back of this renewal, then sign below.
4. Licensee confirms that during the past five years it or its employees have not been cited for any civil or criminal liquor law violations. If violations have occurred, please give details on back of this renewal, then sign below.
5. Licensee confirms that during the past license year, a summons has not been issued under the Liquor Liability Law (Dram Shop) MS 340A.802. If yes, attach a copy of the summons, then sign below.
6. Licensee confirms that Workers Compensation insurance will be kept in effect during the license period. Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued.

Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued. \$100,000 in cash or securities or \$310,000 surety bond may be submitted in lieu of liquor liability.(3.2 liquor licenses are exempt if sales are less than \$25,000 at on sale, or \$50,000 at off sale).

_____ Licensee Signature			_____ DOB		_____ SSN		_____ Date	
(Signature certifies all above information to be correct and license has been approved by city/county.)								

_____ City Clerk/Auditor Signature								_____ Date	
(Signature certifies that renewal of a liquor, wine or club license has been approved by the city/county as stated above.)									

_____ County Attorney Signature								_____ Date	
County Board issued licenses only(Signature certifies licensee is eligible for license).									

_____ Police/Sheriff Signature								_____ Date	
Signature certifies licensee or associates have been checked for any state/local liquor law violations (criminal/civil) during the past five years. Report violations on back, then sign here.									



ORDINANCE 23-102  
CITY OF COURTLAND  
NICOLLET COUNTY, MINNESOTA

AN ORDINANCE AMENDING PART 2 OF CHAPTER VII  
OF THE CITY CODE OF THE CITY OF COURTLAND

**702.01 : SUBDIVISION 7: MOBILE FOOD/NON ALCOHOLIC BEVERAGE UNIT.**

(A) *Purpose.* The purpose of this section is to establish standards to ensure that mobile food units/vendors as defined herein are appropriately located, licensed and inspected, do not impede vehicular access, traffic flow or circulation, or create public safety hazards.

(B) *General regulations.*

(1) *Definitions.* For the purposes of this section, the following definitions shall apply:

**MOBILE FOOD/NA Beverage UNIT** and **MOBILE FOOD UNIT VENDOR.** Any self-propelled vehicle or fully contained trailer, licensed by the State of Minnesota to operate on public city streets and roadways, which vends food or NA drink (either pre-packaged or prepared in the unit) at retail for immediate consumption by the customer, and who are licensed by the State of Minnesota Department of Agriculture and/or Department of Health and/or the Brown-Nicollet County Environmental Health Department, and the City of Courtland as a mobile food unit.

**VEND** or **VENDING.** The process of the transfer of a food product from the unit operator to a customer. Vending begins when the unit initially stops in a location at which customers can access the unit and continues until the unit leaves that location.

(2) *Applicability.* Notwithstanding any contrary provision of any city ordinance, regulation, or rule, mobile food units/vendors shall be licensed and located as provided in this section:

(a) *Licenses required.* Within the City of Courtland, no person shall vend from a mobile food unit without first having obtained a license to do so from the city.

(b) *Fees.* The fee for an annual license shall be established from time-to-time by the City Council and shall entitle the operator to vend from one such unit for 1 year from the date on which the license is issued. The license shall be displayed on or within the unit, visible from the outside of the unit, whenever the unit is vending.

(c) *Other licenses required.* Applicants must provide evidence of current licensing of the unit by the Minnesota Department of Agriculture, the Minnesota Department of Health and/or Brown-Nicollet Environmental Health as appropriate.

(d) *Insurance.* Applicants must provide evidence of liability insurance in which the city is named coinsured which shall provide a limit of coverage as established from time-to-time by the City Council for both bodily injury and for property damage. Written notice of cancellation of such insurance must be given to the city not less than 30 days prior to actual cancellation.

(e) *Restrictions on vending activity.*

1. Mobile food units/vendors are prohibited from vending activity within 500 feet of the nearest property line of any business in the city holding a food-service license issued by the Brown-Nicollet County Environmental Health Department.

2. Mobile food units/vendors are prohibited from vending activities within 500 feet of a community event for which the city has issued a special event permit, unless they are specifically authorized by the event sponsor to participate in the event. The terms of the special event permit shall apply.

3. 4. Mobile food units/vendors are allowed to vend on public city streets between the hours of 5 a.m. and 8:00 p.m. on all days of the week in B-1, B-2, I-1, I-2 zoning districts if they are 500 feet from the nearest property line of any business in the city holding a food- service license issued by the Brown-Nicollet County Environmental Health Department. If the permanent business with the food-service license within 500 feet has comparable hours and product a permit Mobile food units/vendors are allowed to vend on private property between the hours of 5:00 a.m. and 8:00 p.m. on all days of the week in the B-1, B-2, I-1, I-2 zoning districts B-1, B-2, I-1, I-2 zoning districts if they are 500 feet from the nearest property line of any business in the city holding a food- service license issued by the Brown-Nicollet County Environmental Health Department and if permission has been granted by the landowner to vend. Mobile food units/vendors shall collect and remit all applicable licenses, fees, and taxes of the City of Courtland, Nicollet County, and the State of Minnesota.

(f) *Exemptions on restrictions.*

1. Business owners holding a food-service license with the Brown-Nicollet County Environmental Health Department may operate a mobile food unit owned by the business owner on their property, within 500 feet of another food-service license holding establishment in Courtland, for 50 days each year.

2. Breweries and wineries licensed by the Minnesota Department of Public Safety are exempt from locating a food truck within 500 feet of a business holding a food-service license issued by the Brown-Nicollet County Environmental Health Department.

3. Mobile food units which are vending at an event hosted by the city are allowed to operate as authorized by the organizers/managers of the event, at the location of, and for the duration of the event. Participation at an event hosted by the city does not apply to toward the cumulative 50 day exemption authorized in 702.01 SBDV7 (B) (2) (f) (1) above.

4. Special events permits approved by the city for business owners within 500 feet of another food-service license holding establishment in Courtland apply toward the cumulative 50 day exemption authorized in 702.01 SBDV7(B)(2)(f)(1).

(g) *Location or placement.*

1. On public city streets, no unit shall occupy more than 2 parking spaces.

2. The unit shall vend only from the side of the vehicle away from moving traffic and pedestrian walkways of no less than 6 feet shall be maintained on the service side of the unit.

3. In no case shall a unit vend while occupying a traffic lane, parked on a sidewalk, parked on a pedestrian crossing location, or in any location which obstructs or impedes vehicle or pedestrian traffic.

4. The unit shall not vend to any person standing in the traveled portion of any public roadway.

5. On public city streets, no unit shall vend within 60 feet of the intersection of 2 or more public streets, nor within 30 feet of a driveway which enters onto a public city street.

6. There shall be no overnight parking of food trucks on the public right-of-way.

7. No unit shall vend while the unit is in motion.

8. Connection of the unit to public utilities is not permitted.

(h) *Dimensions.* No mobile food unit shall exceed 40 feet in length (overall length for a self-propelled vehicle; trailer length including the towing vehicle for self-contained trailers) or 10 feet in height.

(i) *Signs and appurtenances.*

1. Mobile food units/vendors shall not employ or utilize any signs that are not attached directly to the vehicle/trailer. Signs may not project above the unit, nor more than 6 inches from the

side of the unit. No flashing, strobing or intermittent lighting is allowed.

2. No external seating shall be provided or utilized except as may be provided by the owner, manager, or agent of any private property on which the unit may be properly located.

3. Any generator used by the unit must be self-contained within or on the unit, screened from view, and operate at no more than 70 decibels.

4. While vending, the operator may not call attention to the unit by crying out, blowing a horn, ringing a bell, or playing music or other sounds discernible beyond the unit. Amplified sound is not permitted outside of the unit.

5. Waste receptacle(s) must be provided by the unit operator and the vending site must be cleaned of all litter and garbage generated by the unit and customers before the unit leaves the location.

(C) *Enforcement.* Any violation of this section, including but not limited to the vending operation of a mobile food unit within the city without a license issued pursuant to this section, shall be a misdemeanor punishable by up to a \$1,000 fine and/or 90 days in jail.

### **SUBDIVISION 8 VIOLATION.**

Every person violates a section, division, subsection or provision of this chapter when he or she performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions thereof.

This Ordinance shall be in full force and take effect from and after its passage, approval and publication.

Passed by the City Council of the City of Courtland, Minnesota on the 1<sup>st</sup> day of June 2023

Signed: \_\_\_\_\_  
Al Poehler, Mayor

Attest: \_\_\_\_\_  
Julie Holm, City Clerk

## **RESOLUTION NO. 23-102**

### **A RESOLUTION APPROVING PUBLICATION OF ORDINANCE 23-102 BY TITLE AND SUMMARY**

**WHEREAS**, on June 1, 2023, the City Council of the City of Courtland adopted Ordinance 23-102 which amends Part 2 “Offenses” of the Courtland Code of Ordinances Chapter VII; and

**WHEREAS**, Minnesota Statutes §412.191, subd.4 allows publication by title and summary in the case of lengthy ordinances upon a vote of 4/5 of the city council; and

**WHEREAS**, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

#### **NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF COURTLAND:**

1. The City Council of the City of Courtland has adopted Ordinance 23-102, which amends Part 2 “Offenses” of the Courtland Code of Ordinances Chapter VII. The ordinance is relating to regulations of Mobile Food/Non Alcoholic Beverage Units in the City of Courtland with the purpose to promote the public health, safety, and general welfare by minimizing these losses and disruptions.
2. The City Clerk is directed to publish this resolution in lieu of publication of the entire ordinance.
3. The City Clerk is directed to post a copy of the entire text of Ordinance 23-102 on the City website for a period of not less than thirty (30) days. In addition, a copy of Ordinance 23-102 is available upon request, or for inspection by any person during regular office hours at Courtland City Hall.

**Whereupon, said Resolution is hereby declared passed on this 1<sup>st</sup> day of June, 2023.**

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Al Poehler, Mayor

ATTEST:

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Julie Holm, City Clerk Treasurer



Real People. Real Solutions.

1960 Premier Drive  
Mankato, MN 56001-5900

Ph: (507) 625-4171  
Fax: (507) 625-4177  
Bolton-Menk.com

May 19, 2023

Honorable Mayor Poehler & City Council  
City of Courtland  
PO Box 21  
Courtland, MN 56021

RE: Old Hwy 14 Turnback  
Preliminary Engineering Analysis

Mayor Poehler & Council:

Thank you for the opportunity to submit this scope of work and fee proposal related to the Old Hwy 14 turnback process. We have reviewed the scope Nicollet County has engaged and the below is intended to be similar as well as complimentary to that work. I am prepared to review this as desired to provide clarity to move forward in preparation of anticipated turnback discussions with MnDOT.

In the near-term, the expectation is MnDOT will initiate discussions for the turnback of Old Hwy 14 west of 4<sup>th</sup> Street (CSAH 24) to the City of Courtland and east of 4<sup>th</sup> Street (CSAH 24) to Nicollet County. The segment west of 4<sup>th</sup> Street (CSAH 24) will become a City street that will terminate at or just west of Zieske Road. Old Hwy 14 west of this intersection is expected to be obliterated.

The City recognizes the benefit of preliminary engineering analysis to properly position themselves to propose appropriate improvements and support turnback funding negotiations. This work is largely similar to a preliminary engineering report that typically addresses:

- Existing Conditions
- Proposed Conditions
- Cost Estimates for Proposed Improvements
- Appropriate Methods of Funding
- Options for Implementation

The existing pavement section is poor, which is currently masked by a recent overlay. With the significant hauling that is occurring related to the construction project, a full reconstruction should be pursued. With this, options for modifying the typical section can be evaluated, along with turn lane needs. Underground utilities must also be considered, including future needs of the sanitary, watermain and storm sewer systems. Walk from Red Shoe Drive to Fiemeyer Drive was addressed in 2012 as part of a cooperative agreement with MnDOT. With the potential to modify the typical section and the potential need to update for ADA, walk replacement along the corridor is likely. Finally, our work should coordinate with Nicollet County's process to incorporate objectives and goals as appropriate, as well as capture the benefits of a unified approach during negotiations with MnDOT.

The following tasks are proposed:

Task 1 – Project Management / Agency Coordination

- Process coordination with City and County
- Schedule management
- Meetings as required in Courtland, St Peter (Nicollet County) or Mankato (MnDOT)

Task 2 –Municipal and Private Utilities

- Confirm existing conditions and evaluate need(s) for replacement. Obtain private utility mapping to determine potential for impact(s)

Task 3 – Processing and Coordinating Survey Needs, Right of Way Coordination

- Confirm in place R/W information
- Coordinate and incorporate information obtained by Nicollet County

Task 4 – Corridor Analysis

- Review existing corridor conditions and geometrics; obtain crash data
- Obtain current and future traffic levels/projections; coordinate with Nicollet County
- Develop typical section options to address anticipated future traffic levels, including turn lane need(s)
- Evaluate walk and pedestrian crossing needs

Task 6 – Preliminary Engineering

- Horizontal Concept Layout based on traffic recommendations (vertical not included at this time)
- Facilitate and attend a community based public meeting to solicit public comments/input that may impact final design options
- ADA field review to determine compliance and needed replacements
- Project cost estimating (Construction, Engineering, R/W) for use in coordination with MnDOT and Nicollet County
- Identify potential wetland impacts/costs from desktop resources (formal delineation to be completed later, as necessary)

Task 7 – Drainage Design

- A new drainage system is anticipated so preliminary drainage design will be needed to develop costs and justification

The work described above is proposed at an Hourly, Not-to-Exceed amount of \$47,500. Future work that is not proposed at this time includes:

- Geotechnical/Soils Information Gathering
- Construction Plans and Contract Documents
- Final Plans Submittal, Review and Bidding
- Project Permitting
- Construction-Related Assistance (Staking, Project Representation, Contract Administration)

Name: Old Hwy 14 Turnback

Date: May 19, 2023

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In April, Nicollet County initiated a similar scope of work for their portion of the turnback. It would be advantageous for the City to track their segment of the turnback on a similar schedule. Please contact me to review this proposal at your earliest convenience.

Sincerely,

**Bolton & Menk, Inc.**

A handwritten signature in blue ink that reads "D. Joseph Duncan II". The signature is written in a cursive style with a small "II" at the end.

**D. Joseph Duncan II, P.E.**

City Engineer