

**Agenda for Public Hearings
City of Clear Lake
Monday June 5, 2023**

7:00 PM: Call Public Hearing to Order

TO FOLLOW: **The Purpose of the public hearing is to continue to review and possibly approve proposed Ordinance #908 which will regulate lawful gambling within the City of Clear Lake to prevent its commercialization, and to ensure the integrity of operations and to provide for the use of net profits only for lawful purposes.**

TO FOLLOW: Public Participation

Adjournment

CITY OF CLEAR LAKE
SHERBURNE COUNTY, MINNESOTA
ORDINANCE No. 908

**AN ORDINANCE AUTHORIZING AND REGULATING THE CONDUCT
OF LAWFUL GAMBLING**

The City Council for the City of Clear Lake hereby ordains:

Section 1: Ordinance 908 relating to regulation of gambling shall read as follows:

Section 908.01: **ADOPTION OF STATE LAW BY REFERENCE.** The provisions of Minn. Stat. ch. 349, as they may be amended from time to time, with reference to the definition of terms, conditions of operation, provisions relating to sales, and all other matters pertaining to lawful gambling are hereby adopted by reference and are made a part of this ordinance as if set out in full. It is the intention of the Council that all future amendments of Minn. Stat. ch. 349, are hereby adopted by reference or referenced as if they had been in existence at the time this ordinance was adopted.

Section 908.02: **PURPOSE.** The purpose of this ordinance is to regulate lawful gambling within the City of Clear Lake to prevent its commercialization, to ensure the integrity of operations, and to provide for the use of net profits only for lawful purposes.

Section 908.03: **DEFINITIONS.** In addition to the definitions contained in Minn. Stat. § 349.12, as it may be amended from time to time, the following terms are defined for purposes of this ordinance:

BOARD, as used in this ordinance, means the State of Minnesota Gambling Control Board.

CITY means the City of Clear Lake.

COUNCIL means the City Council of the City of Clear Lake.

ORGANIZATION, as used in this ordinance, a fraternal, religious, veterans or other nonprofit entity which has been in existence for at least three years, has at least 15 active voting members and is not in existence solely for the purpose of conducting gambling.

PREMISES PERMIT, as used in this ordinance, means a permit granted by the Board for each premises where lawful gambling is to be conducted.

TRADE AREA, as used in this ordinance, means the City of Clear Lake and Clear Lake Township.

Section 908.04: **LAWFUL GAMBLING PERMITTED.** Lawful gambling is permitted within the city provided it is conducted in accordance with Minn. Stat. §§ 609.75-.763, inclusive, as they may be amended from time to time; Minn. Stat. §§ 349.11-.23, inclusive, as they may be amended from time to time; and this ordinance.

Section 908.05: **COUNCIL APPROVAL.** Lawful gambling authorized by Minn. Stat. §§ 349.11-.23, inclusive, as they may be amended from time to time, shall not be conducted unless approved by the Council, subject to the provisions of this ordinance and state law. Excluded or exempt gambling activities as authorized by Minn. Stat. § 349.166, as it may be amended from time to time, shall be exempt from Council approval.

Section 908.06: **APPLICATION AND LOCAL APPROVAL OF PREMISES PERMITS.**

- A. Any organization seeking to obtain a premises permit from the Board shall file with the city clerk an executed, complete duplicate application, together with all exhibits and documents accompanying the application as will be filed with the Board.
- B. Organizations applying for a state-issued premises permit shall pay the city an application fee as set forth in the City's fee schedule.
- C. Upon receipt of an application for issuance of a premises permit, the city clerk shall transmit the application and investigation form to the county sheriff for review and recommendations.
- D. The applicant shall be notified of the date on which the Council will consider the recommendation.
- E. The Council shall by resolution approve or disapprove the application within 60 days of receipt of the application.

Section 908.07: **RESTRICTIONS ON ISSUANCE OF A PREMISES PERMIT.** The Council reserves the right to deny an application for issuance or renewal of a premises permit for any of the following reasons:

- A. Violation by the gambling organization of any state law, state rule or city ordinance relating to gambling in the last three years.
- B. The organization has not been in existence for at least three consecutive years prior to the date of application.
- C. The organization has fewer than 15 active voting members.

D. The applicant failed to pay the investigation fee.

Section 908.08: ORGANIZATIONS AND PREMISES ELIGIBLE.

- A. No premises will be approved unless the organization meets the definition of an organization as set forth in Section 908.03.
- B. Only upon demonstration that no other organizations from within the trade area show an interest in a lawful gambling premises permit in Clear Lake shall outside organizations be given an opportunity to hold a premises permit within the City.
- C. If more than one organization within the trade area applies for a premises permit for the same location, priority shall be given first to the applicant with the least number of approved premises permits within the city and second to the applicant who submitted its application first.

Section 908.09: NOTIFICATION OF MATERIAL CHANGES TO APPLICATION. An organization holding a state-issued premises permit shall notify the city within ten days in writing whenever any material change is made in the information submitted on the application.

Section 908.10: EXPENDITURES BY GAMBLING ORGANIZATIONS.

- A. Each organization licensed to conduct gambling within the city shall expend 50% of its lawful purpose expenditures on lawful purposes conducted within the city's trade area.
- B. This section applies only to lawful purpose expenditures of gross profits derived from gambling conducted at a premises within the city's jurisdiction.
- C. An organization that conducts gambling on fewer than five days in a calendar year is exempt from the requirements of this section.

Section 908.11: RECORDS AND REPORTING.

- A. Organizations licensed by the Board conducting lawful gambling shall file with the city clerk one copy of all records and reports required to be filed with the Board, pursuant to Minn. Stat. ch. 349, as it may be amended from time to time, and rules adopted thereto, as they may be amended from time to time. The records and reports shall be filed on or before the day they are required to be filed with the Board.
- B. Organizations licensed by the Board shall file a report with the city proving compliance with the trade area spending requirements imposed by Section 908.10. Such report shall be made on a form prescribed by the city and shall be submitted annually.

Section 908.12: **HOURS OF OPERATION.** Lawful gambling shall not be conducted between 2:00 a.m. and 8 a.m. on any day of the week.

Section 908.13: **PENALTY.** Any person who violates any provision of this ordinance; Minn. Stat. §§ 609.75-609.763, inclusive, as they may be amended from time to time; or Minn. Stat. §§ 349.11-349.21, as they may be amended from time to time; or any rules promulgated under those sections, as they may be amended from time to time, shall be guilty of a misdemeanor and subject to a fine of not more than \$1,000 or imprisonment for a term not to exceed 90 days, or both, plus in either case the costs of prosecution. In addition, violations shall be reported to the Board and recommendation shall be made for suspension, revocation, or cancellation of an organization's license.

Section 2: Effective Date. This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance.

ADOPTED by the City Council of the City of Clear Lake this ____ day of _____, 2023.

CITY OF CLEAR LAKE

Tim Goenner
Acting Mayor

Attest:

Kari Koren
City Clerk

**Agenda for Public Hearing
City of Clear Lake
Monday June 5, 2023 at 7:00 pm**

7:00 PM: Call Public Hearing to Order

TO FOLLOW: Property located at 8101 State St. is requesting a 39.4ft variance along State St and a 7ft variance along Moorhouse Ave for right of way purposes.

TO FOLLOW: Public Participation

No discussion from Council – you will need to adjourn this meeting and discuss at the regular council meeting.

Adjournment of Public Hearing

CITY OF CLEAR LAKE	Contact Kari Koren, Clerk-Treasurer P.O. Box 298 Clear Lake, MN 55319 TEL 320-743-3111 FAX 320-743-4307 E-MAIL cityofclearlake@frontiernet.net
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CHECK ITEM(S) REQUESTED:

<input checked="" type="checkbox"/>	VARIANCE	<input type="checkbox"/>	CONDITIONAL USE
<input type="checkbox"/>	REZONE	<input type="checkbox"/>	SUBDIVISION REVIEW
<input type="checkbox"/>	TEXT AMENDMENT	<input type="checkbox"/>	OTHER _____

APPLICANT INFORMATION

NAME Derek Kent

ADDRESS 8101 State St.

CITY, STATE, ZIP Clear Lake, MN

TELEPHONE 763-443-7861

PROPERTY INFORMATION

ADDRESS OF PARCEL 8101 State St.

PROPERTY ID# 70-018-1001

LEGAL DESCRIPTION See a. Attachment

CURRENT ZONING DISTRICT 1-1

PLEASE DESCRIBE THE REASON FOR YOUR REQUEST: VARIE. Variance on State St in order to construct new addition. Variance in driveway 39.4' on State St. Variance

SIGNATURE [Signature] DATE 5-18-2023

ADMINISTRATIVE

FEE OF \$ 800 PAID _____ CITY COUNCIL ACTION

PUBLIC HEARING SCHEDULED FOR June 5th YES

_____ NOTICE SENT TO NEWSPAPER _____ YES, WITH ATTACHED CONDITIONS

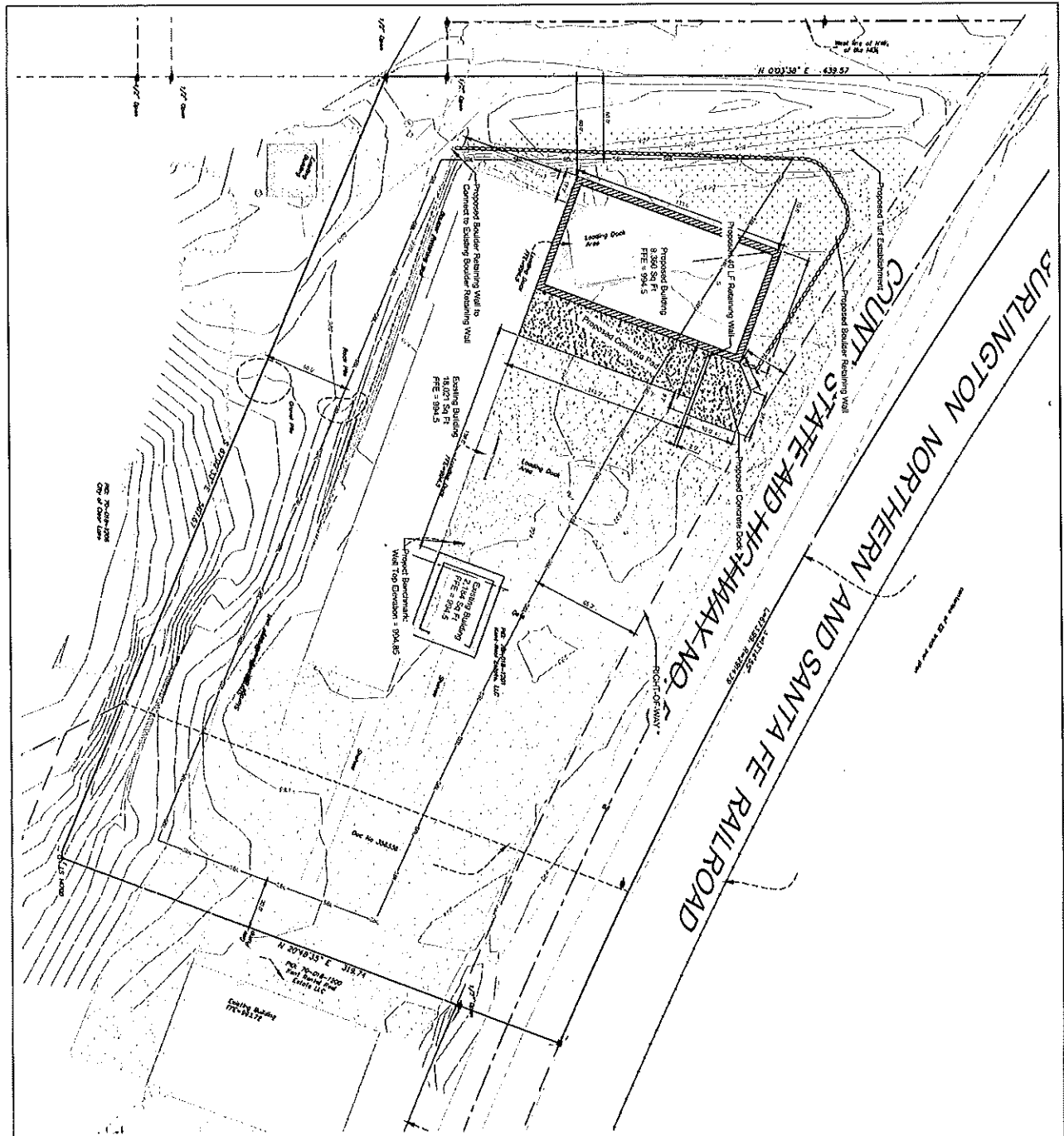
DATE OF PUBLICATION _____

NOTICE SENT TO ADJACENT PROPERTIES Starts NO

_____ FINDINGS OF FACT PERFORMED

NOTATIONS:

REASON FOR DENIAL IF APPLICABLE:



LEGEND:

- PROPOSED SHADED ASPHALT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED TURF ESTABLISHMENT
- PROPOSED DECK
- PROPOSED CAST AND CURED - 8oz. SLICKON

PROPOSED SIGN

NORTH

SCALE 1" = 30'

- SITE PLAN NOTES:**
1. EXISTING BUILDING FOUNDATIONS ARE SHOWN TO FACE OF CURB. ALL OTHER DIMENSIONS ARE SHOWN TO FACE OF CURB.
 2. ALL CONCRETE SLABS, SIDEWALKS AND ACCESSIBLE HANDICAPPED PARKING SPACES TO CONFORM TO CURRENT ADA REQUIREMENTS.
 3. CONSTRUCTION SHALL BE IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL REQUIREMENTS.
 4. CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CITY, COUNTY AND STATE REGULATIONS.
 5. SITE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PLANS.
 6. LANDSCAPING AND TREE ESTABLISHMENT FOR LANDSCAPE PLANNING SPECIFICATIONS.

SITE PLAN INFORMATION:

PROJECT NAME: BOGART, PEDERSON & ASSOCIATES, INC.

DATE: 02-18-2010

DESIGNER: EAL, M.V.

DRAWN BY: GAA, M.V.

CHECKED BY: CJD

DWG FILE: 111.6315

FILE NO.: 111.6315

CALL 414 HOBBS STREET, DEERING, MN 55005-1100
GOPHER STATE ONE CALL
 1-800-455-4547
 1-800-455-4547

<p>C2</p>	<p>Derek Kent Building Addition 8101 State St. Clear Lake, MN 55308 City of Clear Lake, Sherburne County, MN</p>	<p>BOGART, PEDERSON & ASSOCIATES, INC. LAND SURVEYING CIVIL ENGINEERING ENVIRONMENTAL SERVICES 10714 13TH STREET, DEERING, MN 55005-1100 TEL: 763.292.7000 FAX: 763.292.7000</p>	<p>NOT FOR CONSTRUCTION</p>	<p>DATE: 02-18-2010</p> <p>DESIGNER: EAL, M.V.</p> <p>DRAWN BY: GAA, M.V.</p> <p>CHECKED BY: CJD</p> <p>DWG FILE: 111.6315</p> <p>FILE NO.: 111.6315</p>	<p>REV NO. DATE DESCRIPTION</p>
	<p>SITE PLAN</p>				

Summary

Parcel ID 70-018-1201
 Primary Parcel n/a
 Parcel Type RE
 Property Address 8101 STATE ST, CLEAR LAKE MN
 Plat n/a
 Sec-Twp-Rng Sec.18 T34N R29W

Legal Description
 PART OF THE NW 1-4 OF THE NE 1-4 SECT 18 D ESC AS FOLLOWS: COMM AT THE NW COR OF THE NW 1-4 OF THE NE 1-4; THENCE S, ASSUMED BEARING, ON THE W LINE OF SAID NW 1-4 OF THE NE 1-4 59.94 FT TO THE SWLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD FOR THE PT OF BEG OF THE LAND TO BE DESC; THENCE CONT S ON SAID W LINE 438.41 FT; THE NCE S 67 DEG 06 MIN 12 SEC E 407.67 FT; THENCE N 20 DEG 48 MIN 35 SEC E 322.81 FT TO SAID SWLY RIGHT-OF-WAY LINE; THENCE NWLY ON SAID RIGHT-OF-WAY LINE 573 FT, MORE OR LESS, TO THE PT OF BEG. SUBJ TO THE RIGHT OF WAY OF HWY 55 OVER THE NELY PART THEREO & PT OF THE NW 1-4 OF NE 1-4 DES:COM AT THE NW CORNER OF NW 1-4 OF NE 1-4, THENCE S ASSUMED BEARING ON THE W LINE OF NW 1-4 OF NE 1-4 A DIS OF 498.35 FT, THENCE S 67 DEG 06 MIN 12 SEC E A DIS OF 407.67 FT; THENCE N 20 DEG 48 MIN 35 SEC E A DIS OF 322.81 FT TO SWLY R OF W LINE OF RR THE POB TRACT TO BE DES; THENCE S 20 DEG 48 MIN 35 SEC W A DIS OF 322.81 FT; THENCE S 67 DEG 06 MIN 12 SEC E A DIS OF 100 FT; THENCE N 20 DEG 48 MIN 35 SEC E TO THE SWLY R OF W LINE OF RR; THENCE NWLY ALONG R OF W TO PT OF BEG. SUBJECT TO R OF W HWY 55 & ALL EASEMENTS OF RECORD.
 (Note: Legal descriptions here are for tax purposes only. Do not use them for recording purposes.)

Last Recording Deeded Acres
 A 956623 Date: 05/10/2023
 4.60
Tax District CLEAR LAKE CITY
Status N/A
Appraiser DRS
School District 742 - ST. CLOUD



Homestead Application

Homestead Application

Sales

Document	Sale Date	Sale Price	Adj Price	eCRV
A 842047	07/2017	\$490,000	\$490,000	<u>686011</u>
	01/1993	\$0	\$0	

Valuation

	2023 Assessment	2022 Assessment	2021 Assessment	2020 Assessment
Estimated Land Value	\$132,400	\$132,400	\$132,400	\$132,400
Estimated Building Value	\$462,500	\$447,300	\$378,400	\$365,700
Total Estimated Value	\$594,900	\$579,700	\$510,800	\$498,100
Classification	Industrial Preferred	Industrial Preferred	Industrial Preferred	Industrial Preferred
Occupancy	NON-HOMESTEAD	NON-HOMESTEAD	NON-HOMESTEAD	NON-HOMESTEAD

Tax History

	2023 Payable	2022 Payable	2021 Payable
Taxable Value	\$579,700	\$510,800	\$498,100
Net Tax	\$15,790.00	\$15,672.00	\$16,172.00
Special Assessments	\$0.00	\$0.00	\$0.00
Principle Balance of Spec. Assessments			
Total Payable	\$15,790.00	\$15,672.00	\$16,172.00
Penalty Due	\$0.00	\$0.00	\$0.00
Cost Due & Fees	\$0.00	\$0.00	\$0.00
Interest Due	\$0.00	\$0.00	\$0.00
Total Unpaid	\$7,895.00	\$0.00	\$0.00

Pay Taxes Online

[Click here for General Information & Payment Options](#)

For totals and payment information for past due taxes contact Auditor/Treasurer: 763-765-4352

Tax Statements

Tax Statement 2023

Tax Statement 2022

Tax Statement 2021

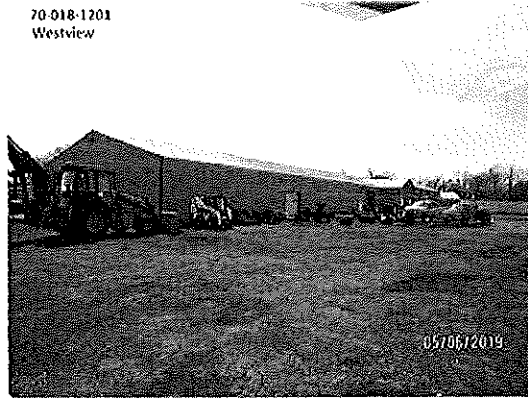
The above tax statement links take approximately 20 seconds to generate and download and will open in a popup. If they do not open, please disable

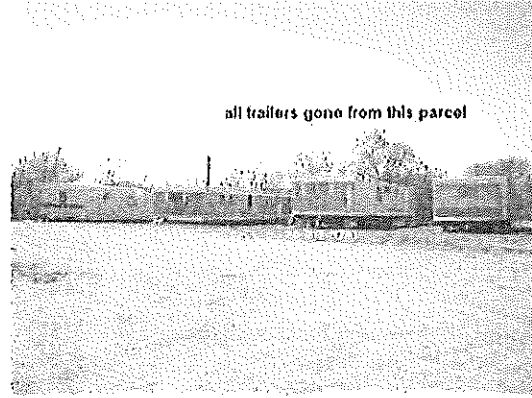
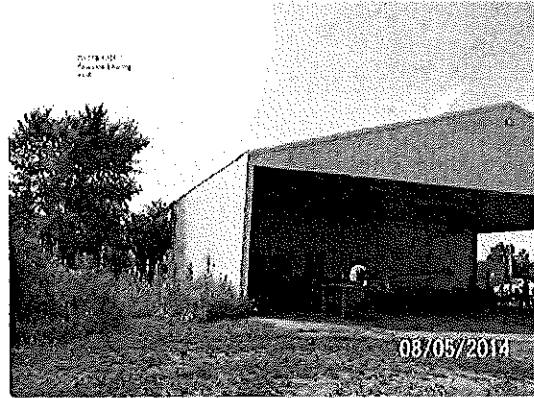
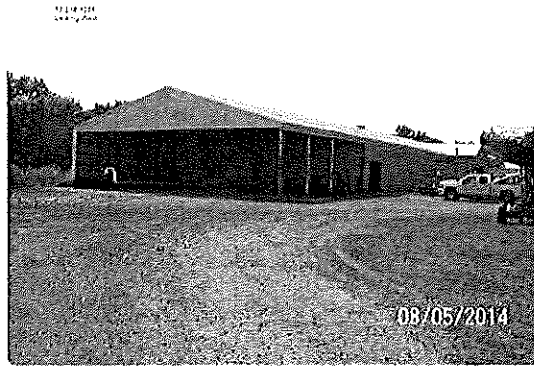
your pop-up blocker.

If you are having difficulties obtaining a PDF copy of your Tax Statement(s) please check the following:

- Your Pop-Up blocker is disabled or set to allow popups from this website.
- Your PDF reader software is fully installed and up-to-date.
- Access to port #10090* is allowed by your firewall. You may need to contact your IT Department for access from within a business environment.

Photos





No data available for the following modules: Residential, Other Buildings, Unpaid Tax.

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Version 3.1.9

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AGENDA
CITY COUNCIL MEETING
June 5, 2023
Council Meeting - 7:00 P.M.

Following Public Hearings

Stand for The Pledge of Allegiance

To follow: Agenda Approval (motion required)

To follow: Consent Agenda Approval (motion required)

- **Meeting Minutes – May, 2023**
- **Account payables/receivables/EFT's – May 2023**
- **Resolution # 23-07**

To follow: Sherriff's Monthly Report

To follow: 1. Public Hearing #1 Gambling Ordinance- (motion required)

To follow: 2. Public Hearing #2 Variance Requests- (motion required)

To follow: 3. Kopetka's High Water Usage - (motion required)

To follow: 4. Amendment to Interim Use Permit – Solar Farm (motion required)

To follow: Employee Report – Public Works Director Dustin Luning

Public participation -

Council reports:

Nuisance

Fire department

Water & sewer

Community development

Clerk

- **Hunter Lake Bluffs Portable Toilet**
- **Move July Meeting/Special Meeting**

Mayor

New business

Old business

Adjournment

**CONSENT
AGENDA
ITEMS**

**City of Clear Lake
Council Meeting
May 1, 2023**

Council Members: Tim Goenner, Karen White, Kristin Brandt, Stefany Janish and Chad Nelson

Members Absent: None

Guests: Patriot Newspaper Reporter Mark Kolbinger, and City Resident Ron Juenemann

City Staff: Clerk Kari Koren and Public Works Director Dustin Luhning

Mayor Goenner called the Council meeting at 7:00P.M.

Agenda Approval

- **Motion made by Nelson, seconded by White to approve the May 1st Council meeting Agenda with no changes. Motion was approved by majority vote of all members present.**

Consent Agenda Items Approval

- Mayor Goenner requested a motion for the approval of the consent agenda items.
Motion made by Janish, seconded by Brandt to approve the following May 1st Council meeting consent agenda items.
 - **Minutes from the April 2023 Council Meetings**
 - **April 2023 accounts receivables/expenditures and EFT's**
 - **First Quarter Finance Report****Motion was approved by majority vote of all members present.**

ELT Properties Final Plat

- **Motion made White, seconded by Nelson to approve the final plat for ELT Properties contingent upon MNDOT's approval. Motion approved by majority vote of all members present.**

Employee Report – Public Works Director Dustin Luhning

- Luhning requested approval to purchase a new skid loader. This purchase was part of the 2023 budget. Member White questioned what attachments are included, per Luhning the purchase does include the bucket. **Motion made by Brandt, seconded by White to purchase the new skid loader in the amount of \$64,571.17. Motion approved by majority vote of all members present.**

Clerk

- Clerk Koren notified the council that the Out Lot F located in the Hunter Lake Bluffs Development is now owned by the city. Clerk Koren requested discussion from the council on whether to have the developer remove their sign or to leave it. After much discussion it was decided to revisit this discussion once this phase is completed and all of the lots are built on.

Mayor

- Mayor Goenner advised the he is unable to make it to thIS years cleanup day event and if any one is interested in helping, please let him know.

Adjournment

- **Motion made by Brandt, seconded by Nelson to adjourn the Council Meeting at 7:11 P.M. Motion was approved by majority vote of all members present.**

Tim Goenner, Mayor

Kari Koren, City Clerk

**CITY OF CLEAR LAKE, MINNESOTA
RESOLUTION #23-07**

State of Minnesota
County of Sherburne
City of Clear Lake

RESOLUTION ADOPTING LIEN FOR UNPAID CHARGES

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed liens for unpaid charges for municipal fees and utilities; and

WHEREAS, the amounts of bad debt have been minimized through diligent collection efforts by staff.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
CLEAR LAKE, MINNESOTA:**

1. Such proposed lien for unpaid charges, a copy of which is hereby attached as Exhibit 1 and made a part hereof, is hereby accepted and shall constitute the liens against the lands named herein.
2. Such lien shall be payable over a period of one year on or before the first Monday in January.
3. The owner of the property so assessed may, at any time prior to certification of the lien to the County Auditor, pay the whole of the lien on such property, including the certification fee as establishing in the current fee schedule. The taxpayer may at any time thereafter, pay to the City Clerk or County Auditor, the entire amount of the lien remaining unpaid, including all penalties and fees included in the assessment.
4. The City Clerk shall forthwith transmit a certified copy of this lien role to the County Auditor to be extended on the proper tax lists of the county and such liens shall be collected and paid over in the same manner as property taxes.

Adopted by the Council on this 5th day of June, 2023

Mayor

Attested:

City Clerk

STATE OF MINNESOTA

)

) ss. Authenticating Certificate

COUNTY OF SHERBURNE)

I, the undersigned, being duly qualified City Clerk of the City of Clear Lake, certify that the attached Resolution of the City Council adopting a lien for unpaid charges under the City Code, is a true copy of the original, of which is on file at the City of Clear Lake.

Dated this 5th day of June, 2023

Seal

City Clerk, City of Clear Lake

CITY OF CLEAR LAKE

05/11/23 9:43 AM

Certify Detail

Page 1

Account 02-0000065-00-5 Serv Address 7988 CHURCH STREE Bill Name BRENDA L. WILE
PARCEL # 70-018-2131

Type	Chrg	Charge Name	Pen	Certify Amount	Cur Amt	Balance
1	2	SEWER	No	\$620.00	\$110.00	\$840.00
1	2	SEWER	Yes	\$25.00	\$5.00	\$35.00
				<hr/>	<hr/>	<hr/>
				\$645.00	\$115.00	\$875.00

Checks for Month

100 SHERBURNE STATE BANK

Since MAY 2023

Begin Balance \$362,454.49

CHECK	Vendor Name	Check Date	Check Amt	Source	Comment	Balance
Deposit	33-23WS	5/1/2023	-\$6,304.66	33-23WS	UB Receipt Serv 1 WATER	\$368,759.15
Deposit	CC43.11	5/2/2023	-\$176.23	CC43.11	UB Receipt Serv 1 WATER	\$368,935.38
Deposit	CC43.12	5/2/2023	-\$215.00	CC43.12	UB Receipt Serv 1 WATER	\$369,150.38
Deposit	CC43.1715	5/2/2023	-\$454.25	CC43.1715	UB Receipt Serv 1 WATER	\$369,604.63
Deposit	CC43.1314	5/2/2023	-\$479.00	CC43.1314	UB Receipt Serv 1 WATER	\$370,083.63
Deposit	20230502UB0	5/2/2023	\$0.00	20230502UB0	UB Receipt Serv 1 WATER	\$370,083.63
Deposit	CC43.1819202122232	5/2/2023	-\$716.25	CC43.181920212	UB Receipt Serv 1 WATER	\$370,799.88
Deposit	CC43.1620	5/2/2023	-\$233.64	CC43.1620	UB Receipt Serv 1 WATER	\$371,033.52
Deposit	CC43.25262728	5/3/2023	-\$618.92	CC43.25262728	UB Receipt Serv 1 WATER	\$371,652.44
Deposit	CC43.29	5/4/2023	-\$123.61	CC43.29	UB Receipt Serv 1 WATER	\$371,776.05
Deposit	CC43.303133	5/8/2023	-\$821.07	CC43.303133	UB Receipt Serv 1 WATER	\$372,597.12
Deposit	CC43.32	5/8/2023	-\$300.94	CC43.32	UB Receipt Serv 1 WATER	\$372,898.06
Deposit	CC43.3536	5/8/2023	-\$245.57	CC43.3536	UB Receipt Serv 1 WATER	\$373,143.63
Deposit	CC43.34	5/8/2023	-\$137.02	CC43.34	UB Receipt Serv 1 WATER	\$373,280.65
Deposit	CC43.3738	5/8/2023	-\$431.97	CC43.3738	UB Receipt Serv 1 WATER	\$373,712.62
Deposit	CC43.39	5/8/2023	-\$327.09	CC43.39	UB Receipt Serv 1 WATER	\$374,039.71
Deposit	34-23WS	5/8/2023	-\$3,759.85	34-23WS	UB Receipt Serv 1 WATER	\$377,799.56
Deposit	CC43.40	5/10/2023	-\$111.67	CC43.40	UB Receipt Serv 1 WATER	\$377,911.23
Deposit	CC43.4142	5/10/2023	-\$833.14	CC43.4142	UB Receipt Serv 2 SEWER	\$378,744.37
Deposit	EFT 472	5/11/2023	-\$2,500.00	EFT 472	FD DNR MATCHING GRA	\$381,244.37
Deposit	EFT 473	5/11/2023	-\$783.33	EFT 473	COURT FEES & FIRE TR	\$382,027.70
Deposit	CC43.4344	5/11/2023	-\$720.19	CC43.4344	UB Receipt Serv 1 WATER	\$382,747.89
Deposit	CC43.4546	5/15/2023	-\$367.60	CC43.4546	UB Receipt Serv 1 WATER	\$383,115.49
Deposit	CC43.4748	5/16/2023	-\$568.91	CC43.4748	UB Receipt Serv 1 WATER	\$383,684.40
Deposit	35-23WS	5/16/2023	-\$6,463.07	35-23WS	UB Receipt Serv 1 WATER	\$390,147.47
Deposit	36-23	5/16/2023	-\$44,545.84	36-23	PARK DEDICATION	\$434,693.31
Deposit	CC43.51	5/18/2023	-\$146.68	CC43.51	UB Receipt Serv 1 WATER	\$434,839.99
Deposit	CC43.4950	5/18/2023	-\$420.44	CC43.4950	UB Receipt Serv 1 WATER	\$435,260.43
Deposit	CC43.52	5/22/2023	-\$131.23	CC43.52	UB Receipt Serv 1 WATER	\$435,391.66
Deposit	CC43.54	5/22/2023	-\$262.68	CC43.54	UB Receipt Serv 1 WATER	\$435,654.34
Deposit	CC43.56	5/22/2023	-\$66.31	CC43.56	UB UR Receipt Group 01 C	\$435,720.65
Deposit	37-23WS	5/23/2023	-\$5,638.73	37-23WS	UB Receipt Serv 1 WATER	\$441,359.38
Deposit	CC43.53.	5/24/2023	-\$96.41	CC43.53.	UB Receipt Serv 1 WATER	\$441,455.79
Deposit	CC43.55	5/24/2023	-\$600.00	CC43.55	UB Receipt Serv 1 WATER	\$442,055.79
Deposit	CC43.57	5/24/2023	-\$89.38	CC43.57	UB Receipt Serv 1 WATER	\$442,145.17
Deposit	CC43.58	5/30/2023	-\$106.08	CC43.58	UB Receipt Serv 1 WATER	\$442,251.25
Deposit	CC43.59	5/30/2023	-\$108.20	CC43.59	UB Receipt Serv 1 WATER	\$442,359.45
Deposit	CC43.61	5/30/2023	-\$124.97	CC43.61	UB Receipt Serv 1 WATER	\$442,484.42
Deposit	CC43.63	5/30/2023	-\$139.14	CC43.63	UB Receipt Serv 1 WATER	\$442,623.56
Deposit	38-23WS	5/31/2023	-\$7,852.84	38-23WS	UB Receipt Serv 1 WATER	\$450,476.40
Deposit	40-23	5/31/2023	-\$32,329.95	40-23	NEW HOME PERMIT	\$482,806.35
Deposit	CC43.606268	5/31/2023	-\$449.13	CC43.606268	UB Receipt Serv 1 WATER	\$483,255.48
Deposit	CC43.64656667	5/31/2023	-\$589.24	CC43.64656667	UB Receipt Serv 1 WATER	\$483,844.72
001620E	HEALTH PARTNERS	5/11/2023	\$210.03	EFT 1620	DENTAL	\$483,634.69
001621E	MN DEPT OF REVENUE	5/11/2023	\$393.20	PAYEFTS51123	PAY WITH HOLDING	\$483,241.49
001622E	MN DEPT OF REVENUE	5/11/2023	\$50.91	PAYEFTS51123	PAY WITH HOLDING	\$483,190.58
001623E	INTERNAL REVENUE SERVI	5/11/2023	\$1,813.80	PAYEFTS51123	PAY WITH HOLDING	\$481,376.78
001624E	INTERNAL REVENUE SERVI	5/11/2023	\$243.40	PAYEFTS51123	PAY WITH HOLDING	\$481,133.38
001625E	PERA	5/11/2023	\$989.18	PAYEFTS51123	PAY WITH HOLDING	\$480,144.20
001626E	PERA	5/11/2023	\$166.82	PAYEFTS51123	PAY WITH HOLDING	\$479,977.38
001627E	WEX BANK	5/16/2023	\$669.60	EFT 1627	FD FUEL	\$479,307.78
001628E	MN DEPT OF REVENUE	5/24/2023	\$346.01	PAYEFTS52423	PAY WITH HOLDINGS	\$478,961.77
001629E	INTERNAL REVENUE SERVI	5/24/2023	\$1,603.56	PAYEFTS52423	PAY WITH HOLDING	\$477,358.21
001630E	PERA	5/24/2023	\$871.32	PAYEFTS52423	PAY WITH HOLDING	\$476,486.89
027784	ALLSPEC SERVICES, LLC	5/10/2023	\$8,912.15	5823VEND	BLDG. INSPECTION	\$467,574.74
027785	AMERICAN DOOR WORKS	5/10/2023	\$855.66	5823VEND	MAINT. BLDG	\$466,719.08
027786	AT&T MOBILITY	5/10/2023	\$112.14	5823VEND	FD IPADS	\$466,606.94
027787	AUTHORITY, SEWER, CLEA	5/10/2023	\$11,021.36	5823VEND	MARCH SEWER USAGE	\$455,585.58

Checks for Month

100 SHERBURNE STATE BANK

Since MAY 2023

Begin Balance \$362,454.49

CHECK	Vendor Name	Check Date	Check Amt	Source	Comment	Balance
027788	BANYON DATA SYSTEMS	5/10/2023	\$1,235.00	5823VEND	ANNUAL PAYROLL SUPP	\$454,350.58
027789	BERGANKDV, LTD	5/10/2023	\$6,385.00	5823VEND	FINAL AUDIT	\$447,965.58
027790	CARD SERVICES / COBORN	5/10/2023	\$250.69	5823VEND	EMR TRNG. FOOD	\$447,714.89
027791	CLEARWATER PARTS CITY	5/10/2023	\$116.95	5823VEND	R-16 FUSE/BULB	\$447,597.94
027792	ELECTRIC PUMP	5/10/2023	\$718.00	5823VEND	SERVICE CALL	\$446,879.94
027793	GOPHER STATE ONE-CALL,	5/10/2023	\$22.95	5823VEND	LOCATES	\$446,856.99
027794	HOME DEPOT	5/10/2023	\$169.84	5823VEND	CLEANING - TOILET	\$446,687.15
027795	HSA BANK	5/10/2023	\$7.50	5823VEND	HEALTH SAVINGS	\$446,679.65
027796	LEAGUE OF MINN. CITIES IN	5/10/2023	\$3,888.00	5823VEND	WORKERS COMP INS.	\$442,791.65
027797	LUNSER, MATTHEW	5/10/2023	\$728.21	5823VEND	REIMBURSEMENT FOR T	\$442,063.44
027798	MENARDS	5/10/2023	\$121.50	5823VEND	LETTERS, GLOVES, GAR	\$441,941.94
027799	MINNESOTA RURAL WATER	5/10/2023	\$420.00	5823VEND	ANNUAL DUES	\$441,521.94
027800	RATWIK, ROSZAK & MALON	5/10/2023	\$866.50	5823VEND	LEGAL FEES	\$440,655.44
027801	SAMS CLUB MC/SYNCB	5/10/2023	\$4,029.69	5823VEND	CC CHARGES	\$436,625.75
027802	SHERBURNE COUNTY ATTO	5/10/2023	\$16.66	5823VEND	PROSECUTION FEES	\$436,609.09
027803	ST. CLOUD FLORAL	5/10/2023	\$256.00	5823VEND	FUNERAL FLOWERS CLF	\$436,353.09
027804	STANTEC	5/10/2023	\$1,610.00	5823VEND	ENGINEERING FEES	\$434,743.09
027805	WASTE MANAGEMENT OF	5/10/2023	\$201.00	5823VEND	REFUSE REMOVAL	\$434,542.09
027806	WELLS FARGO BUSINESS C	5/10/2023	\$2,790.70	5823VEND	CC CHARGES	\$431,751.39
027807	X-CEL ENERGY, INC.	5/10/2023	\$2,704.54	5823VEND	UTILITIES	\$429,046.85
027808	KOREN, KARI	5/11/2023	\$1,747.45	PAY20230110.00		\$427,299.40
027809	LANDWEHR, MATTHEW	5/11/2023	\$1,025.05	PAY20230110.00		\$426,274.35
027810	LUHNING, DUSTIN, J	5/11/2023	\$1,929.71	PAY20230110.00		\$424,344.64
027811	MARKLOWITZ, NOAH	5/11/2023	\$825.51	PAY20230110.00		\$423,519.13
027812	LUHNING, DUSTIN, J	5/11/2023	\$911.00	PAY20230110.01		\$422,608.13
027813	BRIGGS LAKE GENERAL ST	5/22/2023	\$229.49	52223VEND	STATION 2 CHARGES	\$422,378.64
027814	FRONTIER	5/22/2023	\$987.30	52223VEND	PHONES	\$421,391.34
027815	METRO SALES INC.	5/22/2023	\$50.90	52223VEND	COPIER RENTALS	\$421,340.44
027816	PALMER TOWNSHIP	5/22/2023	\$420.02	52223VEND	STATION 2 UTILITIES	\$420,920.42
027817	QUILL CORPORATION	5/22/2023	\$209.97	52223VEND	COPIER PAPER	\$420,710.45
027818	RALPHIES CLEAR LAKE	5/22/2023	\$314.61	52223VEND	FUEL CHARGES	\$420,395.84
027819	SHARETECH	5/22/2023	\$137.50	52223VEND	SERVER UPDATES	\$420,258.34
027820	STANTEC	5/22/2023	\$32,840.75	52223VEND	PARKSIDE	\$387,417.59
027821	X-CEL ENERGY, INC.	5/22/2023	\$1,778.45	52223VEND	WELL 3	\$385,639.14
027822	KOREN, KARI	5/24/2023	\$1,741.22	PAY20230111.00		\$383,897.92
027823	LANDWEHR, MATTHEW	5/24/2023	\$1,023.92	PAY20230111.00		\$382,874.00
027824	LUHNING, DUSTIN, J	5/24/2023	\$1,901.31	PAY20230111.00		\$380,972.69
027825	MARKLOWITZ, NOAH	5/24/2023	\$873.45	PAY20230111.00		\$380,099.24
	Deposits	\$121,390.23				
	Checks	-\$103,745.48		\$17,644.75		

FILTER: ((([Act Year]='2023' and [period] in (5))) and ((true)) and [Cash Act]='100')

Bill History

01-00000168-00-4 KOPETKA, CLINTON & HOLLY 8023 TRAPPERS RIDGE DRIVE CLEAR LAKE MN 55319

Type	Charge	Amount	Date	Prev Read	Prev Read Date	Curr Read	Curr Read Date	Usage	Bill Per	Year
For 01-00000168-00-4 8023 TRAPPERS RIDGE DRIVE										
Calculation Number 243										
Prev Bal		\$7.60							1	2023
Receipt		\$55.00	1/19/2023						1	2023
Service	WATER	\$36.30	2/1/2023	66676	1/3/2023	70629	2/1/2023	3953	1	2023
Service	SEWER	\$107.38	2/1/2023					3953	1	2023
Surcharge	MDS TEST FE	\$1.55	2/1/2023						1	2023
Cur Charges		\$145.23	2/1/2023						1	2023
Total		\$97.83	2/1/2023						1	2023
Calculation Number 243										
Calculation Number 244										
Prev Bal		\$97.83							2	2023
Receipt		\$155.00	2/21/2023						2	2023
Service	WATER	\$32.59	3/1/2023	70629	2/1/2023	74003	3/1/2023	3374	2	2023
Service	SEWER	\$99.71	3/1/2023					3374	2	2023
Surcharge	MDS TEST FE	\$1.55	3/1/2023						2	2023
Cur Charges		\$133.85	3/1/2023						2	2023
Total		\$76.68	3/1/2023						2	2023
Calculation Number 244										
Calculation Number 245										
Prev Bal		\$76.68							3	2023
Receipt		\$155.00	3/20/2023						3	2023
Service	WATER	\$70.62	4/3/2023	74003	3/1/2023	83318	4/3/2023	9315	3	2023
Service	SEWER	\$178.42	4/3/2023					9315	3	2023
Surcharge	MDS TEST FE	\$1.55	4/3/2023						3	2023
Cur Charges		\$250.59	4/3/2023						3	2023
Total		\$172.27	4/3/2023						3	2023
Calculation Number 245										
Calculation Number 246										
Prev Bal		\$172.27							4	2023
Receipt		\$155.00	4/18/2023						4	2023
Late Fee	WATER	\$5.00	5/1/2023						4	2023
Late Fee	SEWER	\$5.00	5/1/2023						4	2023
Service	WATER	\$119.64	5/1/2023	83318	4/3/2023	100293	5/1/2023	16975	4	2023
Service	SEWER	\$279.92	5/1/2023					16975	4	2023
Surcharge	MDS TEST FE	\$1.55	5/1/2023						4	2023
Cur Charges		\$401.11	5/1/2023						4	2023
Total		\$428.38	5/1/2023						4	2023
Calculation Number 246										
Calculation Number 247										
Prev Bal		\$428.38							5	2023
Receipt		\$155.00	5/23/2023						5	2023
Adjustment	SEWER	-\$10.00	5/8/2023						5	2023
Late Fee	WATER	\$5.00	6/1/2023						5	2023
Late Fee	SEWER	\$5.00	6/1/2023						5	2023
Service	WATER	\$68.32	6/1/2023	100293	5/1/2023	109250	6/1/2023	8957	5	2023
Service	SEWER	\$173.68	6/1/2023					8957	5	2023
Surcharge	MDS TEST FE	\$1.55	6/1/2023						5	2023
Cur Charges		\$243.55	6/1/2023						5	2023
Total		\$516.93	6/1/2023						5	2023
Calculation Number 247										
For 01-00000168-00-4 8023 TRAPPERS RIDGE DRIVE										

FILTER: ((full Account number) = "010000016800") and ((([calculation number] = 247) or ([calculation number] = 246) or ([calculation number] = 245) or ([calculation number] = 244) or ([calculation number] = 243))

CITY OF CLEAR LAKE, MINNESOTA

AMENDMENT TO INTERIM USE PERMIT

Pursuant to a motion approved by the Clear Lake City Council on June 5, 2023, the Interim Use Permit previously approved by the City Council and recorded with the Sherburne County Recorder's Office as Document Number _____ is hereby amended as follows:

Paragraph 4(b) is hereby repealed and replaced with the following:

One row of coniferous trees around the solar array site, 16 feet apart as measured from trunk to trunk, is required, as shown on application plans, except where said trees abut neighboring parcels identified as PID 70-018-2206, 70-018-2210 and 71-18-2245, in which case there shall be a second row of said trees planted 16 feet apart and staggered with the first row. All trees that perish must be replaced within one year.

All other terms of the original Interim Use Permit remain unchanged.

[Signatures are on the following page.]

City of Clear Lake

Tim Goenner, Mayor

Attest:

Kari Koren, City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF SHERBURNE)

This instrument was acknowledged before me on ____ day of _____, 2023, by Tim Goenner and Kari Koren, as the Mayor and Clerk Treasurer, respectively, of the City of Clear Lake.

Notary Public

Date

This instrument drafted by:

Ratwik, Roszak, & Maloney, P.A.
444 Cedar Street, Suite 2100
St. Paul, MN 55101
(612) 339-0060
(JL)

City of Clear Lake

From: Joseph J. Langel <jjl@ratwiklaw.com>
Sent: Wednesday, May 24, 2023 3:33 PM
To: City of Clear Lake
Subject: RE: TNOG IUP

Hi Kari,

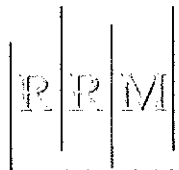
I agree that 5' between tree trunks is very close for trees and may ultimately result in die-off. Furthermore, screening has to take into account natural growth over time; an immediate screen is not possible as a practical matter. The trees need to grow into a screen.

The IUP refers to trees being "five feet apart" "as shown in the application plans." It's not clear whether "five feet" refers to distance between trunks or between the trees at some degree of maturity. Normally, it refers to distance between trunks. The plans do not show them that close; they are 16' apart (which, trunk to trunk, is not all that far apart either depending on the species).

There are two options: (1) this goes back to Council for clarification or amendment; or (2) the applicant plants according to the plan (16' apart) under the theory that five feet apart is between trees, not trunk to trunk. Given that the second one is not clearly supported by the IUP language, the first option is preferred.

If you want proposed amendment language before the Council meeting, let me know.

Joe



Ratwik, Roszak & Maloney, P.A.

Joseph J. Langel

Ratwik, Roszak & Maloney, P.A.

444 Cedar St., Suite 2100

St. Paul, MN 55101-1865

Ph: 612-339-0060 | Fax: 612-339-0038

Web: www.ratwiklaw.com

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From: City of Clear Lake <cityofclearlake@frontiernet.net>
Sent: Thursday, May 18, 2023 12:44 PM
To: Joseph J. Langel <jjl@ratwiklaw.com>
Subject: FW: TNOG IUP

HELPI I am not sure what can be done.

Kari

From: Jose Tavares <jtavares@newenergyequity.com>

Sent: Wednesday, May 17, 2023 9:41 AM

To: Brian Keenan <briank@newenergyequity.com>; City of Clear Lake <cityofclearlake@frontiernet.net>; Mike Kampmeyer <mikek@newenergyequity.com>

Cc: Kevin Corcoran <kcorcoran@newenergyequity.com>

Subject: RE: TNOG IUP

Hi Kari,

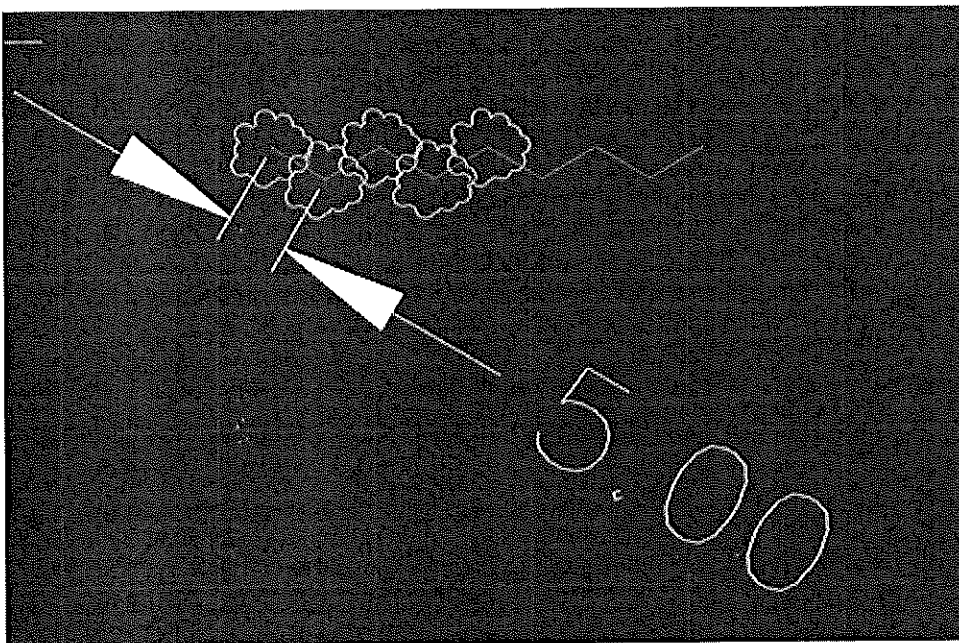
I'd like to address this screening issue. This is what the CUP mentions regarding the tree spacing:

- b. One row of coniferous trees around the solar array site, five feet apart, is required, as shown on application plans, except where said trees abut neighboring parcels identified as PID 70-018-2206, 70-018-2210 and 71-18-2245, in which case there shall be a second row of said trees planted five feet apart and staggered with the first row. All trees that perish must be replaced within one year.

Per the CUP condition it looks like all trees will be 5 feet apart.

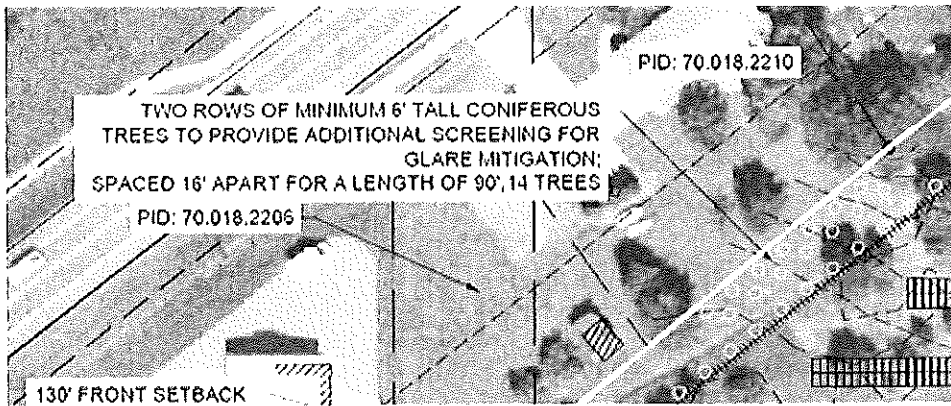
Our concern is planting the coniferous trees (that grow large and spread) that close together is not recommendation by Landscape Architects and will potentially affect survival rates exponentially as they crowd each other out. I can understand the screening behind the houses but it's the 5' spacing that could be problematic. Not sure where this tree spacing specification was derived from, but the landscape experts are telling us to avoid it.

Even if they are staggered, because the CUP says they need to be 5' apart. This is how it would look like. (See screenshot below)



Please see screenshot from a previous email below.

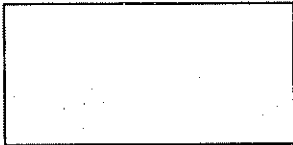
Could we do the one row 16' apart off center around the project like in the site plan and add 2 rows staggered 16' apart (No gap, 14 trees) instead of setting ourselves up to fail? (See attached proposed site plan)



Please communicate with the city attorney to know how to proceed on this.

Additionally, could you please confirm that you receive this email? I just want to make sure that you receive it.

Thank you,



JOSE TAVARES (HE/HIM)
PROJECT MANAGER AND ENGINEER
NABCEP CERTIFIED | PV-080322-013742
O: 443-391-8760 | C: 667-352-2489

NEW ENERGY EQUITY LLC | newenergyequity.com |

From: Brian Keenan <briank@newenergyequity.com>

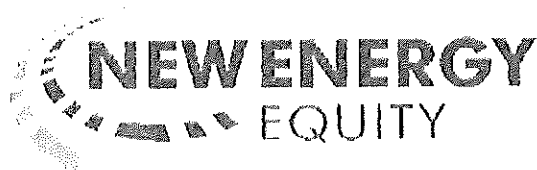
Sent: Monday, February 13, 2023 11:07 AM

To: City of Clear Lake <cityofclearlake@frontiernet.net>; Mike Kampmeyer <mikek@newenergyequity.com>; Jose Tavares <jtavares@newenergyequity.com>

Subject: Re: IUP

Planting the second row 10' on center would make them 5' apart given the normal diameter of the trees themselves. That should also comply with the official council motion.

Thank you,



BRIAN KEENAN

Sr Project Developer

C: 612-469-3356

AN ALLETE COMPANY NEW ENERGY EQUITY LLC | newenergyequity.com |



We are pleased to announce that we have joined New Energy Equity. Effective July 21, 2022 onward, you can reach me at briank@newenergyequity.com