



# Osseo City Council

## AGENDA

**WORK SESSION**  
**Monday, February 26, 2024**  
**6:00 p.m., Council Chambers**

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MAYOR DUANE POPPE    COUNCILMEMBERS: JULIANA HULTSTROM, ASHLEE MUELLER, MARK SCHULZ, ALICIA VICKERMAN

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1. **Call to Order**
2. **Roll Call** (quorum is 3)
3. **Approval of Agenda** (requires unanimous additions)
4. **Discussion Items**
  - A. Community Center and Gateway Sign Policy Review
  - B. Discuss Charitable Gambling City-Administered Fund
5. **Adjournment**



## City of Osseo City Council Work Session Meeting Item

**Agenda Item:** Community Center and Gateway Sign Policy Review

**Meeting Date:** February 26, 2024  
**Prepared by:** Riley Grams, City Administrator

**Attachments:** Osseo Community Center Policy  
 Osseo Community Center Waiver Request Form  
 Osseo Gateway Sign Policy  
 Osseo Gateway Sign Waiver Request Form

**Background:**

Recently, the Osseo City Council requested a review of the current Community Center and Gateway Sign policies, which are attached in your packet.

**Community Center Policy**

Through the application and reservation process for the Osseo Community Center, applicants have the ability to request a waiver of the reservation fees for the Community Center. This is done through a separate form which is also attached in your packet. All waivers are to be approved by the Osseo City Council, and upon receiving a waiver request, Staff processes the request and puts it on the next available Council agenda for review and approval or denial. Below is an overview of a total amount of Community Center fees that have been approved for waiver by the City Council in 2023:

Osseo Lions monthly meetings

The Lions receive the weekday non-profit rate of \$25 for each meeting (50% off the Osseo based nonprofit rate for a half day (4 hours) rental)

12 meetings at \$25 each is a total of \$300 waived by the City Council in 2023.

Osseo Lions Halloween event

The Lions receive the weekend non-profit rate of \$75 for this event (50% off the Osseo based nonprofit rate on weekends for a half day (6 hours) rental)

A total of \$75 was waived by the City Council in 2023.

American Red Cross Quarterly Blood Drives

The Red Cross conducts quarterly blood drives in the Community Center and receives the weekday other nonprofit rate of \$150 for a half day (4 hours) rental.

4 quarterly meetings at \$150 each is a total of \$600 waived by the City Council in 2023.

Note: The Red Cross does pay for the room set up fee, which is \$50 for each event, as they ask City Staff to set up the room based on their needs before each blood drive event.

### Osseo 150<sup>th</sup> Celebration meeting

The local Osseo 150<sup>th</sup> Celebration group requested a Community Center waiver for their meeting held in October 2023. They received the resident weekday rate for use of both Room A and Room B of \$100. A total of \$100 was waived by the City Council in 2023.

The waiver of Community Center rental fees listed above DOES NOT include waivers from Special Event Permits as approved by the City Council. These would include a Community Center waiver for the annual Intermarque Spring Car Show event, the annual Osseo Night to Unite event, the annual Osseo Lions Roar event, and the annual Osseo Minidazzle event. Additionally, most recently the Snake Discovery group has been an attraction during one of the August Movie & Music in the Park events. Sometimes those August dates are very hot, and as a backup, they request an indoor location in the event that the weather is too hot. Typically, we do not have Community Center reservations on Tuesday evenings, so this has not been an issue to date. Staff typically coordinates with the Snake Discovery owner and makes a call based on the weather conditions that day.

For 2023, the City Council approved a Community Center waiver total of \$1,075. If you include the Special Event Permit Community Center waivers, that would be an additional \$600 in waived Community Center rental fees (for a total of \$1,675). For reference, the City collected a total of \$20,030.00 for all other Community Center rental fees for 2023.

### Other Community Center Policy Items

Since we are currently reviewing the Community Center policy, Staff would like to propose a few minor edits as well.

The first is to include a cancellation fee of some sort. While it is rare, there have been times where a renter has cancelled their event and requested a full refund. This involves staff time as we need to track down information from the renter in order to set them up in our finance system, and time spent to issue and mail a check. Additionally, if a renter cancels their reservation close to the reservation date, many times that time block will go unrented since reservations are usually booked well in advance of the event/meeting date. Staff recommends adding language to allow for a \$50 cancellation fee (that is, if the event is cancelled by the renter and not the City) which would cover Staff time to process the finance information and issue and mail a check.

Second, Staff recommends that language be included to specify cleaning charges should the City need to clean up after a renter. The current policy does describe the process by which a renter will be charged for City cleanup after an event and deducted from the received damage deposit. However, it does not describe how much should be charged for City cleanup. City Staff recommends an escalating scale based on the amount of Staff time required to clean up after an event. Damages and cleanup are always documented in an email including pictures. The suggested scale is:

- \$50 for one hour
- \$50 for the second hour
- \$70 for the third hour
- \$70 for the fourth hour
- \$90 for each additional hour beyond 4 hours

The Council should discuss the Community Center policy and direct Staff with policy language changes/additions. Staff will work with City Attorney Tietjen to develop updated policy language and come back to the Council with final policy edit approvals.

### Gateway Sign Policy

Gateway Sign applicants also have the ability to request a waiver of Gateway Sign fees from the City by using the attached Gateway Sign Waiver Request Form. This form is submitted, along with a Gateway Sign application, and forwarded to the City Council for review and approval or denial. Please see the bottom of page 2 of the attached

Gateway Sign policy titled Fees, which outlines the process to request a Gateway Sign fee waiver. Below is an overview of a total amount of Gateway Sign fees that have been approved for waiver by the City Council in 2023:

Osseo/Maple Grove American Legion Riders

The Legion Riders held five omelet breakfast events in 2023 which included one Gateway Sign for the week leading up to the event. A total of \$500 was waived by the City Council in 2023 for these events.

American Legion Auxiliary

The American Legion Auxiliary held a steak fry fundraising event in 2023 and requested a waiver of three weeks of Gateway Signs leading up to the event.

A total of \$300 was waived by the City Council in 2023 for this event.

Osseo Lions

The Lions held a pancake breakfast event, a steak fry event, and the annual Lunch with Santa event (the day after Minidazzle) in 2023. The Lunch with Santa sign is usually up for two weeks prior to the event.

For these events, a total of \$400 was waived by the City Council in 2023.

Benedictine Living

The Osseo based location of the Benedictine Living Center was hosting a fundraising event for a renovation project of their location in 2023. This included four weeks of waived signs leading up to the event.

A total of \$400 was waived by the City Council in 2023 for this event. Note that this is more of a one-off type of event versus a reoccurring event.

Yellow Tree Theatre

Osseo based Yellow Tree Theatre requested a waiver of a Gateway Sign for upcoming shows/events at their location. They requested a one-week waiver for a show in July (\$100) and requested a three-week waiver for a show in December (\$300). Ultimately the Council waived 50% of the December request.

A total of \$250 was waived by the City Council in 2023 for these events.

Girl Scouts

The Osseo area Girl Scouts held a kickoff meeting in August and requested a one-week waiver for a Gateway Sign.

A total of \$100 was waived by the City Council in 2023 for this event.

Hennepin County Library

The Hennepin County Library requested a total of five weeks of Gateway Signs to advertise their new Osseo Library Schedule and self-service system.

A total of \$500 was waived by the City Council in 2023 for this. Note that this is also more of a one-off type of event versus a reoccurring event.

The waiver of Gateway Sign fees listed above DOES NOT include waivers from Special Event Permits as approved by the City Council. These would include Gateway Signs for the following events:

- Fire Department Easter Egg Hunt (usually 2 weeks before the event)
- Intermarque Car Show (usually 2-3 weeks before the event)
- Osseo Night to Unite Event (usually 2-3 weeks before the event)
- Osseo Lions Roar and 5K Race (usually 2 weeks before the event)
- Osseo Lions Halloween Event (usually 2 weeks before the event)
- Osseo Minidazzle (usually 2 weeks before the event)

Additionally, Staff use the Gateway Sign throughout the year to advertise for the wide range of City-sponsored events. This includes the following:

- Osseo Trolley

- City Clean Up Day
- Citywide Garage Sale Day
- Youth Sports Classes
- Osseo Movies and Music in the Park Series
- Osseo Farmers Market

For 2023, the City Council approved a Gateway Sign waiver total of \$2,050. If you include the Special Event Permit Gateway Sign waivers, that would be an additional \$1,200 in waived Gateway Sign fees (for a total of \$3,250). This does not include Staff created Gateway Signs advertising for City sponsored events. For reference, the City collected a total of \$17,585.22 for all other Gateway Sign fees for 2023.

The Council should discuss the Gateway Sign policy and direct Staff with policy language changes/additions. Staff will work with City Attorney Tietjen to develop updated policy language and come back to the Council with final policy edit approvals.

**Recommendation/Action Requested:**

Staff recommends the City Council discuss the items and direct Staff accordingly.

# CITY OF OSSEO

## COMMUNITY CENTER RENTAL AGREEMENT



### A. GENERAL PROVISIONS

1. The City has a Community Center (Community Rooms A and B) intended to serve the general public by providing a facility conducive to public business. Since public funds made these facilities possible, the public is encouraged to use these spaces under the guidelines set forth herein. (The Council Chambers and Fire and Police Department Meeting Rooms are generally not available for use for public gatherings and are made available only upon special consent of the City Administrator and/or the Fire/Police Chief.) The following guidelines are official City Policy designed to promote orderly and appropriate use of these public facilities.
2. Designated portions of the Community Center shall be generally available for use by area civic, charitable or non-profit organizations, and for public and private meetings. They may also be used, subject to availability, for private parties and exhibitions. They shall not be used for any activity not consistent with the general purpose of the building or these policies.
3. Individuals or organizations desiring to use the Community Center must complete an application and submit it to the City. The application shall be submitted at least two weeks prior to the reservation date. The request will be reviewed in light of these guidelines and the availability of the facilities. For organizations using the facilities regularly/on an ongoing basis during the year, the application shall be completed quarterly (for weekly or bi-weekly events) or annually (for monthly events).
4. The City representative in charge of reservations shall advise the applicant of the status of his or her request as soon as possible. Usage requests are not approved until the City representative has so advised the applicant and the applicant's fees and deposits are received.
5. The City Council may adopt special rules and regulations pertaining to the specific uses of the Community Center, and such rules and regulations shall be effective upon adoption. The Council shall also adopt a fee schedule for the rental of the Community Center. The general policies, rules and regulations, and the fee schedule shall be available to the public and a copy given to all rental applicants.
6. Any meeting coming within the purview of the Minnesota "Open Meeting Law" shall conform to all requirements of the Open Meeting Law.
7. The City shall not be liable for any loss, damage, injury, or illness incurred by any user of the facility.
8. The applicant consents to police entry into the facility and video monitoring of applicant's use of the facility at any time. No warrant or probable cause shall be required for police entry and search of the facility. The applicant waives any claim to have a reasonable expectation of privacy in applicant's use of the facility.

### B. AVAILABILITY AND PRIORITY

1. The Community Center shall, in general, be available from 7:30 a.m. to 12:00 a.m. (midnight). Music and serving of food or beverages shall end at 10:00 pm and the building completely vacated by 12:00 a.m. (midnight).
  - a. Community Room A is reserved by the Senior Citizens Center and NOT available on Tuesdays and Thursdays from 11:30 a.m. to 5 p.m.
  - b. Individual room rentals are allowed during regular weekday business hours only; individual rooms are not available for rental on weekends.
  - c. On holidays and weekends, beginning at 11:30 am on Fridays and through 12:00 am (midnight) on Sundays, the entire Community Center (both rooms A & B) must be rented. It will not be possible to rent separate rooms because the Community Center partition will be retracted over the weekend.

2. The City Council, Economic Development Authority, City boards and commissions, or other organizations recognized by the City shall have priority in the use of the Community Center. Groups or organizations that receive permission for regularly scheduled meetings shall have second priority.
3. Routine use (weekly or bi-weekly) is allowed only with specific approval by the City Council or its designee.
4. Requests for use or rental of the Community Center will be handled on a first-come, first-served basis, subject to designated priorities.
5. For advance facility bookings, reservations may be accepted by City staff up to 12 months in advance. Advance bookings beyond 12 months will be approved by the City Council or its designee.
6. The City reserves the right to cancel any reserved meeting or event, without any cost to the City, if it becomes necessary in an emergency to schedule a special governmental-associated meeting or event.

#### C. APPLICATION PROCEDURES

1. Application forms may be obtained from the City offices during regular business hours, requested by mail, or are online.
2. Application forms shall be fully completed by the applicant and returned to the City at least two weeks prior to the requested date. Reservations shall not be complete until the City representative has informed the applicant of her or his status. The rental fee and deposits must accompany the signed application and rental agreement. The individual applying for the reservation shall be considered the applicant. **Proof of non-profit, tax-exempt status must be provided at application time.**
3. Major credit card information must be provided at the time of application, this information will be held until the damage deposit has been returned, it will then be destroyed. This card will be charged to cover any cleanup expenses which exceed the deposit.
4. The applicant shall contact the City offices in advance to arrange for pick up an access key for entrance into the Community Center. **Please note: City Hall has limited Friday hours and closes at 11:30 a.m.**

#### D. AVAILABLE FACILITIES

1. Activity must be confined to the room(s) rented. The lobby area is not available for meeting use or for play
2. **EQUIPMENT AVAILABLE FOR USE IN THE OSSEO COMMUNITY CENTER** (Equipment may be room-specific; not all tables and chairs will be available if only one room is reserved)
  - a. 12 (48") round tables (each table seats a maximum of 6 people)
  - b. 8 (30"x72") rectangle tables for seating or serving (each table seats a maximum of 6 people)
  - c. 140 chairs
3. **Community Room A:** Typically contains 12 round tables with 4 chairs each. Standing Capacity 175.
4. **Community Room B:** Typically contains two rectangular tables with seating arranged in a "classroom" format. Standing Capacity 120.
5. **Kitchen** (for access to serving window and sink): The kitchen is **not** a licensed commercial kitchen nor can it be used as such. Preparation and storage of food within the kitchen is NOT permissible. Kitchen use is only available with rental which includes Community Room A.
6. **Patio:** Patio use is only available with rental which includes Community Room B.
7. **Boerboom Park & Bandshell:** These facilities are located across Central Avenue from the Community Center. They may be reserved under a separate policy.

## E. CONDUCT

1. Activity must be confined to the room(s) rented. The lobby and hallway areas are not available for meeting use or for play.
2. Osseo Community Center and City Hall are smoke free facilities. Smoking is prohibited in all areas.
3. All beverages (alcohol or not) may be served and consumed in the Community Center rooms and outside patio areas only. No beverages are allowed in the Community Center hallway/lobby area or in neighboring Boerboom Park or in any other outside areas.
4. Do not open windows or prop open outside doors. The heating and air conditioning system will not work efficiently if outside air is allowed to enter the building.
5. No gambling of any kind shall be allowed except lawful "bingo" games sponsored by licensed local non-profit organizations.
6. No alcohol shall be allowed in the Community Center EXCEPT for an event that is through an Osseo Approved Caterer licensed to serve alcohol.
7. It is the responsibility of the applicant to clean up anything relating to their use of the community center, including dispensing of beverages or serving of food. The applicant must wipe down all tables, counters, and ledges and clean up the outdoor patio area, if used.
  - a. Applicant must provide own cleaning supplies.
  - b. At the City's discretion, if cleaning has not been properly completed the deposit fee will not be returned.
  - c. Upon completion of the event, the Community Center shall be cleaned as follows:
    - i. Any equipment, supplies, or special items brought by the applicant shall be removed.
    - ii. All paper, garbage, trash, debris, etc., shall be collected and disposed of properly. Garbage shall be bagged and removed from the premises.
    - iii. Coffee grounds shall be placed in the garbage, not in sinks.
    - iv. All items on the counter shall be returned to an orderly condition and all counter tops shall be cleaned. Sinks shall be rinsed and all spills shall be cleaned.
    - v. Tables and chairs shall be wiped off to remove all food and spills.
    - vi. Tables and chairs shall be returned to their proper location.
    - vii. All floors shall be swept and mopped where necessary. Carpets shall be vacuumed if necessary (there is a vacuum in the Community Room A closet). Applicant must provide own cleaning supplies.
    - viii. Exterior doors will be programmed to be unlocked during the meeting or event. Applicant should verify that these doors are locked at the end of the event and light switches turned off.
    - ix. Access keys shall be returned to the City offices the next business day or deposited in city drop boxes at the rear of City Hall.
    - x. Bathrooms must be cleared of paper debris from the counters and floors.
8. The hours of use designated on the application form shall be adhered to. Hours of use must include set-up and clean-up time.

## F. DECORATIONS AND SIGNAGE

1. No open flame candles may be used.
2. No rice, birdseed, or confetti shall be used.
3. No decorations, banners, signs, etc., shall be attached to any walls. No tape or tacks shall be used.

## G. FOOD AND CATERING



1. Food and beverages may be served. The applicant is responsible for obtaining any necessary food and beverage licenses. Whether or not food is served, the premises must be cleaned up pursuant to the Community Center policy.
2. The kitchen in Community Room A is not a licensed commercial kitchen and cannot be used as such. Preparation and storage of food within the kitchen is NOT allowed.
3. The applicant is responsible for furnishing all serving needs (plates, silverware, utensils, serving dishes, etc.) Applicant shall provide containers for leftovers.
4. All food, beverages, and serving needs must be removed immediately following an event.
5. All garbage must be removed from the premises and disposed of by applicant.
6. Red beverages are prohibited; this includes punches and red juices but excludes red wine and wine coolers served by an approved Temporary Alcohol Catering Permit holder.
7. All Caterers must be licensed by the state of Minnesota and must provide a copy of their current Catering license to the City at least two weeks prior to the event date. If an Approved Caterer is serving alcohol, all rules and regulations per the Agreement for Catering Service must be followed.

#### H. ALCOHOL

1. No alcoholic beverages shall be allowed in the Community Center EXCEPT for an event that contracts with an alcohol caterer and submits a Temporary Alcohol Catering Permit application.
2. The Temporary Alcohol Catering Permit application and \$50 fee must be submitted with the Community Center Rental Application.
3. Any event at which alcohol is served to 50 or more attendees requires hiring the Osseo Police Department to provide security at all times that alcohol is being served in the Community Center.
  - a. The Osseo Police Department must be contracted for a minimum of 3 hours; see current City of Osseo fee schedule for contract rates.
  - b. The applicant will cover all fees associated with the security measures.
4. Events with alcohol service require a damage deposit of \$350.

#### I. LIABILITY

1. Neither the City of Osseo nor any of its employees or agents shall be liable in any manner for any claims, injuries, or damages of whatever nature incurred by any person using the Community Center due to the negligence or action of any party other than the City of Osseo, its employees, or agents.
2. The person signing the application is deemed to be the representative of the group or organization using the Community Center and shall be responsible for compliance with all rules and regulations pertaining to the use of the Center.

#### J. INSURANCE AND INDEMNIFICATION

1. The City reserves the right to require the renter of the Community Center to carry general liability insurance and name the City as an additional insured for any rental and for any reason. If insurance is required, the City will notify the renter in writing. Within two weeks after notification from the City, the renter must submit proof of insurance to the City. Failure to obtain the required insurance may result in the cancellation of the reservation.
5. On behalf of the below named organization, group, or individual, the undersigned does hereby request that the Osseo Community Center (facility) be reserved for its use for the dates and purpose as stated in the

application. On behalf of the below named organization, group, or individual, I agree to all of the stated terms and conditions together with all other written rules and policies adopted by the City which govern the use of the Osseo Community Center.

6. The undersigned is familiar with the Community Center and that the facility is in good and clean condition, that it is safe to be used for the purposes set forth above, and that the undersigned will not allow any activity to be conducted during the time which it uses the facility which will or could lead to damage to personal property or personal injury to any person whatsoever.
7. The undersigned agrees that it shall be totally responsible for all loss or damage or claims made by any person or any party that concerns use of the facility during the time the undersigned is using the Community Center. The City shall not be responsible for any loss or damage or claims made by any person or party, it being understood that the sole and complete responsibility for use of the premises lies with the undersigned in case such claims are made. The undersigned, for himself or herself and on behalf of the organization or group the undersigned agrees to defend, indemnify and hold harmless the City, its officers, council members, employees, and agents from and against any and all claims, liabilities, damages, injuries, illness or other loss, including attorneys' fees, arising out of or related to the use of the facility by the undersigned or the organization or group the undersigned represents. If the undersigned does not defend, indemnify, and hold the City harmless pursuant to the provisions of this Agreement, then the City may institute an action against the undersigned and all persons using the premises for recovery of all expenses and costs incurred by the City due to the failure to defend, indemnify, and hold the City harmless pursuant to the provisions of this paragraph.
8. The undersigned further agrees that if the signature of the undersigned is for and on behalf of an organization or group, that the organization or group has expressly authorized the undersigned to make this agreement on behalf of the organization or group and that the organization or group shall be bound by the undersigned's signature. The City may request that the undersigned furnish a certified copy of the resolution of the organization or association authorizing the undersigned to apply for use of the Community Center if, in its discretion, it determines necessary. Alternatively, the City may require all members of the organization or association or all of its officers or directors or members as it shall determine to sign this Agreement or an addendum to this Agreement to further document this request and agreement to use the facility in the manner provided herein. If the organization or association requesting use of the facility is not incorporated, by signing this request and Agreement, the undersigned understands and agrees that all organization members or members of the group are or could be liable for use of the facility and that all members bear responsibility legally if the facility is not used properly and is not used in accordance with the terms of this request and agreement.
9. The undersigned understands and agrees that the use of the Community Center is subject to the payment of all fees and deposits as required by the City and that the undersigned will be responsible for the payment of all such fees and deposits as required when due.
10. The rental fee and all deposits, payable to the City of Osseo, shall accompany this application. The undersigned understands this application/request is subject to approval by the City. If the request is approved, this request shall become a binding agreement between the undersigned and the City of Osseo. If this request is not approved, all fees and deposits shall be refunded.

**K. RESERVATIONS AND FEES**

<b>RENTAL FEES (ONE HALF DAY = UP TO 4 HOURS WEEKDAY/6 HOURS WEEKEND)</b>	
Residents, Osseo Businesses, <i>Osseo-Based Nonprofits*</i>	\$50 per one half day for either Community Room A or B (weekdays only); \$100 per one half day for use of <u>both</u> Room A and Room B.
Non-Residents, Other Businesses, <i>Other Nonprofits*</i>	\$150 per one half day for Community Room A or B (weekdays only); \$300 per one half day for use of <u>both</u> Room A and Room B.

*\*Non-Profit Organizations*

*50% discount from either resident or non-resident rate, based on organization's physical address. \*Legal proof of non-profit, tax-exempt status required.*

1. **RENTAL FEE** The rental fee and all deposits must accompany the signed application (recurring events pay quarterly in advance). The rental fee and deposits will be returned if the room becomes unavailable and the reservation is cancelled by the City of Osseo. No physical use of the facility shall be allowed under any circumstances unless all fees and deposits have been paid in full.
2. **DAMAGE AND CLEANUP DEPOSIT** In addition to the rental fee, a damage and cleanup deposit of \$250 shall be required. For events with alcohol service the deposit will be \$350. This shall be refunded within three weeks after the event, subject to any deductions.
  - a. Examples of causes that would result in withholding return of damage deposit include: if any damage to the facility or contents is done, if items owned by the facility are broken or lost, if the facility is not left clean and tidy, if the fire alarm system is activated unnecessarily, if the facility is not vacated at the time indicated on the application, and/or if all tables and chairs are not returned to their proper locations.
  - b. If applicant's use of the facility results in any public employee being required to respond to the facility for any cause attributable to applicant's use of the facility, and if the City incurs overtime wage expense for that employee's response, then the cost of such overtime wage expense shall be deducted from the applicant's deposit.
  - c. The applicant shall be responsible for any and all expenses that exceed the deposit.
  - d. City Staff will make efforts to inform the applicant by phone and email before charging the provided credit card information for cleanup costs which exceed the deposit.
  - e. The amount taken from the damage deposit will be determined by a calculation based on the amount of time required for the cleanup.
3. **SET UP FEE** If the applicant requests the City to set up tables and chairs for the meeting or event, a charge of \$50 per room will be required.
4. **ACCESS KEY** The charge for a lost access key is \$25.
5. **CLEANING** After use of the facility it shall be cleaned as provided by the general rules and regulations pertaining to the use and rental of the Community Center adopted by the City Council and attached in the CONDUCT section of this policy.
  - a. Applicant must provide own cleaning supplies.
  - b. If clean-up work is not satisfactorily completed, the City shall have the facility cleaned and the undersigned agrees to pay for the charges of this cleanup.
6. **SPECIAL CONSIDERATION FOR REDUCED FEES** The City Council may set special fees or vary or waive fees for special conditions or circumstances, where the applicant has performed a commensurate service to the City. To request reduced fees, contact City staff.
7. **THE TEMPORARY ALCOHOL CATERING PERMIT** is an additional \$50.00. This permit is required for any event applying to serve alcohol.
8. The person signing the application must be 18 years or older, is deemed to be the representative of the group or organization using the Community Center, and shall be responsible for compliance with all rules and regulations pertaining to the use of the Center.
9. There shall be no subletting or assignment of reservations.
  - a. A resident of Osseo cannot reserve the facility for non-residents.
10. Failure to conform to any policies or rules for use of the Community Center shall be cause for forfeiture of future use privileges, as well as forfeiture of any deposits.



# APPLICATION FOR USE & RENTAL OF THE OSSEO COMMUNITY CENTER

Information provided to the City of Osseo may be considered public data pursuant to data practices law and the City will comply with all applicable laws if the information is subject to a data request.

Applicant/Contact Person: \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Phone # (Day and Evening) \_\_\_\_\_  
 Organization/Business if different from Applicant: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_

Room(s) Desired: Room A \_\_\_\_\_ Room B \_\_\_\_\_ Both \_\_\_\_\_

Use:  Weekday  Weekend Date(s) of: \_\_\_\_\_

Time of Use: From: \_\_\_\_\_ am/pm to: \_\_\_\_\_ am/pm

Total Number of Hours Community Center will be used (include set-up & take-down): \_\_\_\_\_

Purpose of Meeting/Event: \_\_\_\_\_

Number of Participants: \_\_\_\_\_

Fee charged or donations solicited from participants? Yes \_\_\_\_\_ No \_\_\_\_\_ If so, how much: \_\_\_\_\_

Will food or refreshments be served? Yes \_\_\_\_\_ No \_\_\_\_\_ What type: \_\_\_\_\_

Will alcohol be served? Yes \_\_\_\_\_ No \_\_\_\_\_ What type: \_\_\_\_\_

Caterer's Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone#: \_\_\_\_\_

**I HAVE READ AND AGREE TO THE CONDITIONS OF THE ATTACHED CONTRACT. I UNDERSTAND THAT THE CITY OF OSSEO MAY CANCEL ANY RESERVED MEETING OR EVENT.**

Date: \_\_\_\_\_ Name of individual, organization, group, or Approved Caterer \_\_\_\_\_

Email: \_\_\_\_\_ Signature of applicant \_\_\_\_\_

\*\*\*\*\*

This application approved/rejected by: Date \_\_\_\_\_ By \_\_\_\_\_

Rental & event fees for event received on: Date \_\_\_\_\_ Amount \_\_\_\_\_ Check# \_\_\_\_\_

Damage and cleanup deposit received on: Date \_\_\_\_\_ Amount \_\_\_\_\_ Check# \_\_\_\_\_

Caterer's permit application received on: Date \_\_\_\_\_ Amount \_\_\_\_\_ Check# \_\_\_\_\_

Deposit(s) returned to applicant on: Date \_\_\_\_\_ Amount \_\_\_\_\_ Check # \_\_\_\_\_

**Major Credit Card Form**

To be held in the event damages exceed damage deposit.

Cardholder Name (as shown on card): \_\_\_\_\_

Card Number: \_\_\_\_\_

Expiration Date (mm/yy): \_\_\_\_\_

Card Holder Zip Code (from credit card billing address): \_\_\_\_\_

I, \_\_\_\_\_, authorize the City of Osseo to charge my credit card for damages exceeding the damage deposit. I understand that my information will be destroyed following this payment, or the return of my security deposit, following my rental.

\_\_\_\_\_

\_\_\_\_\_

**Customer Signature**

**Date**

**Please return this application to Osseo City Hall, 415 Central Avenue, Osseo, MN 55369**

# CITY OF OSSEO COMMUNITY CENTER



APPLICATION FOR SPECIAL CONSIDERATION FOR (MARK ONE):

\_\_\_\_\_ Rental Fee Waiver      \_\_\_\_\_ Weekly Use      \_\_\_\_\_ Bi-Weekly Use

*Applications for fee waivers and regular weekly or bi-weekly meetings must be reviewed by the City Council. Fee waivers cover rental fees only; the applicant is still required to provide a rental deposit. The Council meets on the second & fourth Monday of each month; requests must be received by the Wednesday before a meeting to be considered. Submit questions and return your application **WITH A COVER LETTER** to Osseo City Hall, 415 Central Avenue, Osseo, MN 55369 or fax at 763-425-2624 or via email at [cityhall@ci.osseo.mn.us](mailto:cityhall@ci.osseo.mn.us).*

Name of Applicant:					
Address:					
Name of Contact Person: (if different than applicant)					
Contact Phone: (daytime)		Email address:			
Special Consideration Requested	Rental Fee Waiver	Weekly/Bi-Weekly Use/Event			
Description of event or purpose for which City facilities will be used:					
Desired date(s)/days of month					
Desired time(s)					
<b>COMMUNITY BENEFITS</b>					
How many Osseo residents will benefit from your event? How will they benefit?					
<b>NEED:</b>					
Why is it necessary to hold this event at a City facility?					
<i>If request is for a Fee Waiver:</i> Explain why paying the fee would be a hardship.					
Are you willing to provide commensurate services in lieu of the rental fee? If so, what type?					
<b>I declare under the penalties of perjury that this application for special consideration has been examined by me and to the best of my knowledge and belief is true, correct and complete.</b>					
Signature:					
Date of application:					
<b>STAFF USE ONLY</b>					
Est. total value of waiver (\$):		City Council Review date:		Approved date:	

## **GATEWAY SIGN POLICY CITY OF OSSEO**

**Intent:** The City of Osseo (“City”) has constructed the Gateway Sign as a method to disseminate information of general public interest to residents of the City as well as the general public. This policy (“Policy”) aims to outline the use of the sign and how to submit an application to display a message.

**Purpose:** The Gateway Sign was constructed with funds from both the Hennepin County Business District Initiative and the Osseo EDA. These funds were dedicated to the Gateway Sign in anticipation of the positive impact that it would have on economic development activity within the City. The Gateway Sign was generally designed to:

1. Provide information about the City of Osseo;
2. Provide information about city-sponsored events;
3. Provide information about businesses and commercial events located within the City; and
4. Provide information about governmental agencies or elected or appointed officials serving the residents of Osseo.

**Rights:** The City retains the right to update this Policy at any time in the future without notice. Further, the City may edit any messages being displayed on the Gateway Sign in any manner deemed necessary (e.g., clarity, length, etc.). Finally, display of any message on the Gateway Sign is subject to space availability and at the sole discretion of the City. This Policy does not create a public forum for public discourse or expressive activity, nor does it provide a general forum for commercial advertisement on the Gateway Sign.

**Permitted Messaging:** In recognition of the purpose of the Gateway Sign, the City has determined that the following types of messages may be displayed on the Gateway Sign:

1. City messages (e.g., meeting information, city-sponsored events, snow emergencies, etc.);
2. Business, government agency, and public institution messages if such messages meet the requirements of this Policy, subject to space availability, application, and approval.

Campaign messages, position statements, or other expressive activity are not types of permitted messaging.

**Who May Post Messages:** Any entity that has its principal place of business or address within the City of Osseo, or any governmental agency or elected or appointed official serving the residents of Osseo, is eligible to submit an application for a message to be displayed on the

Gateway Sign, subject to space availability and at the sole discretion of the City. Examples include Osseo businesses, schools, community groups, government representatives, etc.

**Allowable Messages:** The following is a list of messages that are allowed to be displayed on the Gateway Sign. This list is not exhaustive, but the City retains sole discretion to determine whether any type of message not included in this list complies with the spirit of this Policy:

1. Messages identifying the name and location of businesses, commercial properties, and public institutions within the City;
2. Events taking place within the City, such as concerts, car shows, or other events open to the public; and
3. Limited-time sales and promotions occurring within the City and open to the public.
4. Announcements from governmental agencies or elected or appointed officials serving the residents of Osseo.

**Message Application Process:** Any entity wishing to submit a message to be displayed on the Gateway Sign must fill out an application on a form approved by the City. All applications must include the message that is proposed to be displayed on the Gateway Sign, along with the duration for such display (e.g., one week or less). City staff will not accept incomplete applications. The deadline to submit an application for display the following week beginning on Monday at noon (or later, at applicant's request) is the preceding Thursday at 7:30 a.m. Approved signs will be displayed for approximately seven days per application (or fewer, if applicant requests start time later than Monday at noon).

**Application Review:** City staff will be solely responsible for reviewing applications submitted pursuant to this Policy and determining whether such applications satisfy the requirements herein. Any decision made by City staff under this Policy may be appealed to the City Council upon written notice of the applicant's intent to appeal. Written notice must be provided to the City Administrator within 10 days of the time upon which the administrative decision being appealed is made.

**Fees:** An application fee as established by the current City Fee Schedule will be included with every message application. Messages displayed by the City (e.g., notice of a city council meeting or City event) or for public safety purposes (e.g., amber alert, snow emergency) will not be assessed a fee. All other messages are subject to the message application fee. The City will return the application fee for messages that are not displayed. For messages that are approved and displayed, the fee is non-refundable. The City Council may set special fees or waive fees for special conditions or circumstances, including where the applicant or event has performed or will perform a commensurate service to the City. To request reduced or waived fees, contact City staff. Any request to reduce or waive fees must be approved by the City Council.



**Messaging Priority:** City staff will give messages the following priority:

1. Emergency notifications and other messages pertaining to the health and safety of the public will have the first priority on the sign and will supersede any regularly-scheduled messages on the sign;
2. City-sponsored messages or other messages of general public interest; and
3. Commercial messages will be displayed in the order in which they were received, where possible. All commercial messages will be on a “first-come, first-served” basis. If the number of applications exceeds the number of available message slots, City staff will notify any outstanding applicants to determine whether the applicant wishes to display their message at another time. The City also reserves the right to give preference to those entities that have not utilized the Gateway Sign in the prior thirty days.

**Administrative Procedures:** City staff will be responsible for creating and posting all messages on the Gateway Sign. In order to manage administrative burden, City staff will only change the messages on the Gateway Sign once per week, except that emergency or City-sponsored messages can be changed as the City determines is appropriate or necessary. Each message that is approved on the Gateway Sign will be displayed beginning at (or after, at applicant’s request) approximately noon on Monday until approximately noon the following Monday (or before, at applicant’s request).

Approved by the Osseo City Council on April 9, 2018.

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Mayor Duane Poppe

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City Administrator Riley Grams

# OSSEO GATEWAY SIGN



## APPLICATION FOR MESSAGE FEE WAIVER:

The City of Osseo has constructed the Gateway Sign as a method to disseminate information of general public interest. Information is posted to the Gateway Sign in accordance with the Gateway Sign Policy.

Applications for fee waivers must be reviewed by the City Council. The Council meets on the second & fourth Monday of each month; requests must be received by the Wednesday before a meeting to be considered. Submit questions and return your application **WITH A GATEWAY SIGN APPLICATION** to Osseo City Hall, 415 Central Avenue, Osseo, MN 55369 or fax at 763-425-1111 or via email at [cityhall@ci.osseo.mn.us](mailto:cityhall@ci.osseo.mn.us) AND [kbroden@ci.osseo.mn.us](mailto:kbroden@ci.osseo.mn.us)

Name of Applicant:			
Address:			
Name of Contact Person: (if different than applicant)			
Contact Phone: (daytime)		Email address:	
Description of event or purpose for which Gateway Sign message will be used:			
Desired date(s)	<i>Specify on Gateway Sign Application &amp; attach application to this request</i>		
<b>COMMUNITY BENEFITS</b>			
How will the Osseo business community benefit from your event?			
<b>NEED:</b>			
Why is it necessary to promote this event using the Gateway Sign?			
Explain why paying the fee would be a hardship.			
Are you willing to provide commensurate services in lieu of the message fee? If so, what type?			
<b>I declare under the penalties of perjury that this application for special consideration has been examined by me and to the best of my knowledge and belief is true, correct and complete.</b>			
Signature:			
Date of application:			
<b>STAFF USE ONLY</b>			
Est. total value of waiver (\$):		City Council Review date:	Approved date:



## City of Osseo City Council Work Session Meeting Item

**Agenda Item:** Discuss Charitable Gambling City-Administered Fund

**Meeting Date:** February 26, 2024  
**Prepared by:** Riley Grams, City Administrator

**Attachments:** Model LMC CAF Ordinance Language  
 City of Andover 2022 Report

**Background:**

Several Councilmembers have requested information on a City-Administered Fund which would require lawful charitable gambling organizations to contribute no more than 10% of collected charitable gambling proceeds to the City (commonly called a City-Administered Fund – CAF). Here is a high-level overview:

- The CAF must be a separate fund and must be established by Ordinance. Attached is the League of MN Cities model ordinance for reference (section 15 includes language for adopting a CAF).
- The amount contributed must be no more than 10% of each organization’s net profits (which is gross profits minus allowable expenses plus paid in taxes). In the [FY2023 Annual Report](#) the four organizations that are listed as being in Osseo seem to have a total net profit of \$1,267,355.00, meaning the amount collected each year could be up to \$126,734.00. However, please note that the reported numbers are by organization, not by location, meaning the amounts could be much less if one of the organizations has a location in Maple Grove.
- Here is a general calculation:

	Net Receipts	Allowable Expenses	Taxes, etc.	Net Profits	10% of Net Profits
OMG Am Legion	\$935,493.00	\$344,159.00	\$317,484.00	\$273,850.00	<b>\$27,385.00</b>
OFDRA	\$747,771.00	\$382,158.00	\$239,893.00	\$125,720.00	<b>\$12,572.00</b>
Osseo Lions	\$957,643.00	\$475,542.00	\$321,776.00	\$160,325.00	<b>\$16,032.50</b>
OMGA Hockey	\$3,250,382.00	\$1,352,273.00	\$1,190,649.00	\$707,460.00	<b>\$70,746.00</b>
					<b>\$126,735.50</b>

- The City must submit a report to the Lawful Gambling Board annually. Attached in the packet is the form the City of Andover submitted in 2022 as an example (Andover has a similar amount of lawful gambling as Osseo).

CAF dollars may then only be used by the City for specific purposes. This includes Police, Fire, and other emergency or public safety related services, equipment, and training (excluding pension obligations). The funds can also be used for charitable contributions, as outlined below:

Lawful Purpose Expenditures Code Summary		
This one-page chart lists the lawful purpose expenditures that are allowed, and the codes to use when reporting these expenditures. Refer to the code information for restrictions not noted in this chart.		
CODE	CODE	CODE
<b>1</b> To and by 501(c)(3) organizations or 501(c)(4) festival organizations.	<b>11</b> To and by a nonprofit organization which is a church or a body of communicants.	
<b>2</b> Relieving the effects of poverty, homelessness, or disability.	<b>12</b> Water quality testing for public waters, provided that the MPCA has approved the project.	<b>19</b> Recognizing humanitarian service demonstrated through volunteerism or philanthropy.
<b>3</b> Program for education, prevention, or treatment of problem gambling.	<b>13</b> - Wildlife management project that benefits the public-at-large, provided that the DNR has approved the project. - Costs related to grooming and maintaining snowmobile or all-terrain vehicle trails that are grant-in-aid trails, or other trails open to public use, provided that DNR has approved the project. - Supplies and materials for safety training and education programs coordinated by the DNR.	
<b>4</b> Funding a public or private nonprofit education institution registered with or accredited by Minnesota or any other state.		
<b>5</b> Scholarships.		
<b>6</b> - Recognition of military service (open to the public). - Active military personnel in need.		
<b>7</b> Activities and facilities benefiting youth under age 21.	<b>14</b> Conducting nutritional programs, food shelves, and congregate dining programs primarily for persons who are age 62 or older or disabled.	
	<b>15</b> To community arts organizations or expenditures to fund arts programs in the community.	
<b>10</b> - Contributions to the United States, state of Minnesota, or any of its subdivisions or agencies or instrumentalities (except a direct contribution to a law enforcement or prosecutorial agency). - A fund administered and regulated by a city or county (for lawful purposes).		

Staff reviewed the 2023 donations from the Osseo/Maple Grove American Legion, the Osseo Lions Club, the Osseo Maple Grove Hockey Association, and the Osseo Fire Department Relief Association and found the following:

**American Legion**

Police - \$6,000  
 Music and Movies in the Park - \$10,000  
 Minidazzle - \$1,000  
**TOTAL - \$17,000**

**Osseo Lions Club**

Beautification - \$3,000  
 Night to Unite - \$1,500  
 Music and Movies in the Park - \$5,500  
**TOTAL - \$10,000**

**Osseo Maple Grove Hockey Association**

Music and Movies in the Park - \$5,000  
**TOTAL - \$5,000**

**Osseo Fire Dept Relief Association**

Night to Unite - \$1,000  
 Fire Equipment - \$102,500  
 Music and Movies in the Park - \$2,000  
**TOTAL - \$105,500**

The Council should consider the information regarding a City-Administered Fund and direct Staff on the next steps. If the direction is to implement a CAF, Staff will work with the City Attorney to draft ordinance language and come back to a future Council meeting for approval.

**Recommendation/Action Requested:**

Staff recommends the City Council discuss the item and direct Staff accordingly.

# Regulating Lawful Gambling, LMC Model Ordinance

League staff thoughtfully develops models for your city's consideration. Models should be customized as appropriate for an individual city's circumstances in consultation with the city's attorney. Helpful background information on this model may be found in the Information Memo "[Lawful Gambling](#)".



**This icon marks places where the city must customize the model. They offer additional provisions, optional language, or comments for your consideration. The icon, and language you do not wish to include, should be deleted from this model before use. Make other changes, as needed, to customize the model for your city.**

**ORDINANCE NO. \_\_\_\_\_**

## **AN ORDINANCE AUTHORIZING AND REGULATING THE CONDUCT OF LAWFUL GAMBLING WITHIN THE CITY OF \_\_\_\_\_, MINNESOTA**

**The City Council of \_\_\_\_\_, Minnesota ordains:**

### **SECTION 1. 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 2. CITY MAY BE MORE RESTRICTIVE THAN STATE LAW**

The Council is authorized by the provisions of Minn. Stat. § 349.213, as it may be amended from time to time, to impose, and has imposed in this ordinance, additional restrictions on gambling within its limits beyond those contained in Minn. Stat. ch. 349, as it may be amended from time to time.

### **SECTION 3. PURPOSE**

The purpose of this ordinance is to regulate lawful gambling within the City of \_\_\_\_\_, to prevent its commercialization, to ensure the integrity of operations, and to provide for the use of net profits only for lawful purposes.

### **SECTION 4. 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*, as used in this ordinance, means the City of \_\_\_\_\_.

*COUNCIL*, as used in this ordinance, means the City Council of the City of \_\_\_\_\_.

*LICENSED ORGANIZATION*, as used in this ordinance, means an organization licensed by the Board.

*LOCAL PERMIT*, as used in this ordinance, means a permit issued by the city.

*TRADE AREA*, as used in this ordinance, means \_\_\_\_\_



*The city must define the boundaries of its trade area by ordinance pursuant to Minn. Stat. § 349.213, subd. 1(g). The city's trade area must include each city and township contiguous to the defining city.*

## **SECTION 5. APPLICABILITY**

This ordinance shall be construed to regulate all forms of lawful gambling within the city except bingo conducted within a nursing home or a senior citizen housing project or by a senior citizen organization if the prizes for a single bingo game do not exceed \$10, total prizes awarded at a single bingo occasion do not exceed \$200, only members of the organization, residents of the nursing home or housing project, and their guests, are allowed to play in a bingo game, no compensation is paid for any persons who conduct the bingo, and a manager is appointed to supervise the bingo.



*The city should be aware of cross-reference problems in Minn. Stat. § 349.166 that make it a little unclear whether cities can regulate excluded lawful gambling. Cities should consult the city attorney for an opinion on this issue.*

## **SECTION 6. LAWFUL GAMBLING PROHIBITED**

No person or organization shall conduct lawful gambling within the City of \_\_\_\_\_



*This section should be adopted **only** if the city wishes to completely prohibit lawful gambling. If the city adopts this section, it should also adopt Sections 19-21, and omit Sections 7-18.*

## **SECTION 7. 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 8. 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.

## **SECTION 9. APPLICATION AND LOCAL APPROVAL OF PREMISES PERMITS**

**Subd. 1.** 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.

**Subd. 2.** Upon receipt of an application for issuance of a premises permit, the city clerk shall transmit the application to the chief of police for review and recommendation.



*Some cities do not have their own police services. Under these circumstances, the county sheriff may be willing to investigate for a fee. In that case, the ordinance should state that the clerk shall transmit the application to the county sheriff, as well as replace “chief of police” with “county sheriff” throughout the body of the ordinance.*

**Subd. 3.** The chief of police shall investigate the matter and make the review and recommendation to the City Council as soon as possible, but in no event later than 45 days following receipt of the notification by the city.

**Subd. 4.** Organizations applying for a state-issued premises permit shall pay the city a \$\_\_\_\_\_ investigation fee. This fee shall be refunded if the application is withdrawn before the investigation is commenced. If approved by the City Council and the Board, a licensed organization will be responsible for an annual investigative fee for conducting lawful gambling within the city.



*The fee may not exceed \$100 for third and fourth class cities; \$250 for cities of the second class; \$500 for first class cities. Minn. Stat. § 349.16, subd. 8. A city may not charge an investigation fee if it levies a gambling tax. Minn. Stat. § 349.213, subd. 3.*

**Subd. 5.** The applicant shall be notified in writing of the date on which the Council will consider the recommendation.

**Subd. 6.** The Council shall receive the police chief’s report and consider the application within 45 days of the date the application was submitted to the city clerk.

**Subd. 7.** The Council shall by resolution approve or disapprove the application within 60 days of receipt of the application.



*Under Minn. Stat. § 349.213, subd. 2, the resolution must have been adopted within 90 days of the date of the application for the new or renewed permit to the Board. However, because the application for a state-issued premises permit includes an acknowledgement of local approval within its application materials, it is the responsibility of the applicant (and not the city) to meet those statutory requirements. The model ordinance requires Council action in 60 days to ensure that the resolution will be passed in a timely manner, but is not specifically required by law.*



**Subd. 8.** The Council shall deny an application for issuance or renewal of a premises permit for any of the following reasons:



*These are sample conditions that other cities have adopted. Cities may want to adopt more, fewer, or different conditions depending on their circumstances.*

(i) Violation by the gambling organization of any state statute, state rule, or city ordinance relating to gambling within the last three (3) years.



- (ii) Violation by the on-sale establishment or organization leasing its premises for gambling of any state statute, state rule, or city ordinance relating to the operation of the establishment, including, but not limited to, laws relating to alcoholic beverages, gambling, controlled substances, suppression of vice, and protection of public safety within the last three (3) years.
- (iii) Lawful gambling would be conducted at premises other than those for which an on-sale liquor license has been issued.
- (iv) Lawful gambling would be conducted at more than \_\_ premises within the city.  
 *Cities may use this provision to limit the number of premises where lawful gambling may be conducted.*
- (v) An organization would be permitted to conduct lawful gambling activities at more than one (1) premises in the city.
- (vi) More than one licensed organization would be permitted to conduct lawful gambling activities at one (1) premises.
- (vii) Failure of the applicant to pay the investigation fee provided by Subdivision 4 within the prescribed time limit.  
 *The city should **not** make this a condition if it does not charge an investigation fee.*
- (viii) Operation of gambling at the site would be detrimental to health, safety, and welfare of the community.

Otherwise, the Council shall pass a resolution approving the application.

## **SECTION 10. LOCAL PERMITS**

**Subd. 1.** No organization shall conduct lawful gambling excluded or exempted from state licensure requirements by Minn. Stat. § 349.166, as it may be amended from time to time, without a valid local permit. This section shall not apply to lawful gambling exempted from local regulation by Section 5 of this ordinance.

**Subd. 2.** Applications for issuance or renewal of a local permit shall be on a form prescribed by the city. The application shall contain the following information:

- (i) Name and address of the organization requesting the permit.

- (ii) Name and address of the officers and person accounting for receipts, expenses, and profits for the event.
- (iii) Dates of gambling occasion for which permit is requested.
- (iv) Address of premises where event will occur.
- (v) Copy of rental or leasing arrangement, if any, connected with the event, including rent to be charged to the organization.
- (vi) Estimated value of prizes to be awarded.

**Subd. 3.** The fee for a local permit shall be \$100. The fee shall be submitted with the application for a local permit. This fee shall be refunded if the application is withdrawn before the investigation is commenced.



*The local permit fee is authorized by Minn. Stat. § 349.213. The fee for a permit may not exceed \$100.*

**Subd. 4.** Upon receipt of an application for issuance or renewal of a local permit, the city clerk shall transmit the notification to the chief of police for review and recommendation.

**Subd. 5.** The chief of police shall investigate the matter and make review and recommendation to the City Council as soon as possible, but in no event later than 45 days following receipt of the notification by the city.

**Subd. 6.** The applicant shall be notified in writing of the date on which the Council will consider the recommendation.

**Subd. 7.** The Council shall receive the public safety department's report and consider the application within 45 days of the date the application was submitted to the city clerk.

**Subd. 8.** The Council shall deny an application for issuance or renewal of a premises permit for any of the following reasons:



*These are sample conditions that other cities have adopted. Cities may want to adopt more, fewer, or different conditions depending on their circumstances.*

- (i) Violation by the gambling organization of any state statute, state rule, or city ordinance relating to gambling within the last three (3) years.
- (ii) Violation by the on-sale establishment, or organization leasing its premises for gambling, of any state statute, state rule, or city ordinance relating to the operation of the

establishment, including, but not limited to, laws relating to the operation of the establishment, laws relating to alcoholic beverages, gambling, controlled substances, suppression of vice, and protection of public safety within the last three (3) years.

- (iii) The organization has not been in existence for at least three (3) consecutive years prior to the date of application.
- (iv) The organization does not have at least thirteen (13) active and voting members.
- (v) Exempted or excluded lawful gambling will not take place at a premises the organization owns or rents.
- (vi) Exempted or excluded lawful gambling will not be limited to a premises for which an on-sale liquor license has been issued.
- (vii) Exempted or excluded lawful gambling will occur at more than \_\_\_\_ premises within the city.
- (viii) An organization will have a permit to conduct exempted or excluded lawful gambling activities on more than one (1) premises in the city.
- (ix) More than one licensed, qualified organization will be conducting exempted or excluded lawful gambling activities at any one (1) premises.
- (x) Failure of the applicant to pay the permit fee provided by subdivision 3 within the prescribed time limit.
- (xi) Operation of gambling at the site would be detrimental to health, safety, and welfare of the community.

Otherwise the Council shall approve the application.

**Subd. 9.** Local permits shall be valid for one (1) year after the date of issuance unless suspended or revoked.

## **SECTION 11. REVOCATION AND SUSPENSION OF LOCAL PERMIT**

**Subd. 1.** A local permit may be revoked or temporarily suspended for a violation by the gambling organization of any state statute, state rule, or city ordinance relating to gambling.

**Subd. 2.** A license shall not be revoked or suspended until written notice and an opportunity for a hearing have first been given to the permitted person. The notice shall be personally served or

sent by certified or registered mail. If the person refuses to accept notice, notice of the violation shall be served by posting it on the premises. Notice shall state the provision reasonably believed to be violated and shall also state that the permitted person may demand a hearing on the matter, in which case the permit will not be suspended until after the hearing is held. If the permitted person requests a hearing, the Council shall hold a hearing on the matter at least one week after the date on which the request is made. If, as a result of the hearing, the Council finds that an ordinance violation exists, then the Council may suspend or revoke the permit.

## **SECTION 12. LICENSE AND PERMIT DISPLAY**

All permits issued under state law or this ordinance shall be prominently displayed during the permit year at the premises where gambling is conducted.

## **SECTION 13. NOTIFICATION OF MATERIAL CHANGES TO APPLICATION**

An organization holding a state-issued premises permit or a local permit shall notify the city within ten (10) days in writing whenever any material change is made in the information submitted on the application.

## **SECTION 14. LOCAL GAMBLING TAX**

**Subd. 1.** A local gambling tax of \_\_\_\_\_percent per year is imposed on the gross receipts of a licensed organization from all lawful gambling less prizes actually paid out by the organization.



*The tax may be imposed only in the amount necessary to cover the costs incurred by the city to regulate lawful gambling. Three percent (3%) is the maximum gambling tax a city may impose. A city may not charge an investigation fee if it levies a gambling tax. If a city imposes a lawful gambling tax it must file annually, by March 15, a report, with the Board showing (1) the amount of revenue produced by the tax during the preceding year, and (2) the use of proceeds of the tax. The report must be on a form prescribed by the Board. Minn. Stat. § 349.213, subd. 3.*

**Subd. 2.** The tax shall be paid by the organization on a monthly basis and shall be reported on a copy of the monthly gambling activity summary and tax return filed with the Minnesota Department of Revenue. The report shall be an exact duplicate of the report filed with the Department, without deletions or additions, and must contain the signatures of organization officials as required on the report form.

**Subd. 3.** The tax return and payment of the tax due must be postmarked, or, if hand-delivered, received in the office of the city clerk, on or before the last business day of the month following the month for which the report is made.

**Subd. 4.** An incomplete tax return will not be considered timely filed unless corrected and returned by the due date for filing.

**Subd. 5.** Interest shall be charged at a rate of eight percent (8%) on all overdue taxes owed by the organization under this Section.

## **SECTION 15. CONTRIBUTION OF NET PROFITS TO FUND ADMINISTERED BY CITY**

**Subd. 1.** Each organization licensed to conduct lawful gambling within the city pursuant to Minn. Stat. § 349.16, as it may be amended from time to time, shall contribute ten percent (10%) of its net profits derived from lawful gambling in the city to a fund administered and regulated by the city without cost to the fund. The city shall disburse the funds for charitable contributions as defined by Minn. Stat. § 349.12, subd. 7a, as it may be amended from time to time.



*Under Minn. Stat. § 349.213, cities may require organizations conducting lawful gambling within the city to contribute ten percent (10%) of their net profits derived from lawful gambling to a fund administered and regulated by the city. The city may disburse the funds for lawful purposes. Lawful purposes for which these funds may be expended are listed in Minn. Stat. § 349.12, subd. 25. Cities may also expend these funds for police, fire, and other emergency or public safety-related services, equipment, and training, excluding pension obligations. A city making expenditures authorized under this paragraph must by March 15 of each year file a report with the Board, on a form the Board prescribes, that lists all such revenues collected and expenditures for the previous calendar year. Minn. Stat. § 349.213, subd. 1(f)(2). Cities must also acknowledge the financial contributions of organizations conducting lawful gambling to the community and to the recipients of the funds when administering a fund under Minn. Stat. § 349.213.*

**Subd. 2.** Payment under this section shall be made on the last day of each month.

**Subd. 3.** The city's use of such funds shall be determined at the time of adoption of the city's annual budget or when the budget is amended.

## **SECTION 16. DESIGNATED TRADE AREA**

**Subd. 1.** Each organization licensed to conduct gambling within the city shall expend one hundred percent (100%) of its lawful purpose expenditures on lawful purposes conducted within the city's trade area.



*A city may require that a licensed organization conducting lawful gambling within its jurisdiction expend all or a portion of its expenditures for lawful purposes conducted or located within the city's trade area. The percentage that the city requires to be spent within the trade area must be specified in the ordinance defining the trade area. Minn. Stat. § 349.213, subd. 1(g).*

**Subd. 2.** This section applies only to lawful purpose expenditures of gross profits derived from gambling conducted at a premises within the city's jurisdiction.

## **SECTION 17. RECORDS AND REPORTING**

**Subd. 1.** Organizations 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 pursuant 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.

**Subd. 2.** Organizations licensed by the Board shall file a report with the city proving compliance with the trade area spending requirements imposed by Section 16. Such report shall be made on a form prescribed by the city and shall be submitted annually.

**SECTION 18. HOURS OF OPERATION**

Lawful gambling shall not be conducted between 1 a.m. and 8 a.m. on any day of the week.



*Cities may regulate hours and days of operation pursuant to Minn. Stat. § 349.213. A city with a 2 a.m. closing time for on-sale liquor stores could use 2 a.m. instead of 1 a.m.*

**SECTION 19. 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 20. SEVERABILITY**

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

**SECTION 21. EFFECTIVE DATE**

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Passed by the City Council of \_\_\_\_\_, Minnesota this \_\_\_\_\_ day of Month, Year.

\_\_\_\_\_  
Mayor

Attested:

\_\_\_\_\_  
City Clerk



**LG510 City or County Annual Report, 10% Lawful Gambling Contribution Fund**

**10% Lawful Gambling Contribution Fund Allowance**

Minnesota Statutes, Section 349.213, Subdivision 1, Paragraph (f)(2), allows a city or county to require (by ordinance) an organization to contribute up to 10% per year of net profits to a fund that the city or county administers.

**For purposes of the 10% contribution, net profits are gross profits less amounts expended for that site's allowable expenses and portion of lawful gambling taxes.**

- \* The 10% contribution requirement may only be applied to net profits derived from lawful gambling conducted at premises within the city or county's jurisdiction.
- \* A city or county may request from an organization a copy of the site's LG100A showing that site's net profit.
- \* Organizations must make 10% fund checks payable to the city or county requiring the funds, and not to any other payee.
- \* A licensed organization that contributes to the 10% fund may not be a beneficiary of that fund.
- \* A required contribution is different from a voluntary contribution to units of government (under lawful purpose Code A10) for government programs and projects, and cities or counties are not required to report voluntary contributions to the Board.

**City or County Information**

City or County Name (may not be township): City of Andover This report is for calendar year 20 22  
 Address: 1685 Crosstown Blvd NW City: Andover, MN Zip: 55304

**Financial Information, 10% Lawful Gambling Contribution Fund**

1. **Contribution rate** ..... 1. 10%  
 • Up to 10% per year of net profits (may not exceed 10%; may not be a variable rate).
2. **Fund balance as of December 31 of previous calendar year** ..... 2. \$ 212,095.91  
 • If none or negative, enter 0.
3. **Interest earned, if any, on fund balance for the calendar year** ..... 3. \$ 1,487.00
4. **Contributions received from licensed organizations for the 10% contribution fund:**  
 • Use separate line for each site in your jurisdiction; use additional sheets if necessary.  
 • You may use one total for "Amount Contributed" per organization, rather than per site.  
 • Checks for contributions to the 10% fund **must be written to the city or county** and deposited in a fund administered by the city or county before the city or county may make expenditures from this fund.  
 • Do not include amounts received for a local gambling regulatory tax or an investigation fee, or any voluntary contributions made to a city or county by an organization (see LG555).

Name of Licensed Organization	Organization License #	Site/Premises Name	Amount Contributed
Andover High School Football Assoc.	36655	Beefs/AndLns/Acap	\$ 52,633.33
Andover Huskies Youth Hockey Assoc.	35843	WillMcCoy/Pappys	\$ 59,283.78



- Enter total amount contributed on Line 4    \$ 111,917.11    4. \$ 111,917.11
5. **Total required contributions and interest (add Lines 2, 3, and 4)** ..... 5. \$ 325,500.02
6. **From Page 2, enter total of expenditures the city or county made from its 10% fund** ..... 6. \$ 75,543.00  
 (Note: The Line 6 amount may not exceed the amount of Line 5.)
7. **Year-end balance on December 31** (Line 5 minus Line 6; enter 0 if negative balance) ..... 7. \$ 249,957.02






City or County Name: City of Andover

**\* Use the codes listed below to describe expenditures from the 10% lawful gambling contribution fund.**

- A1 To a 501(c)(3) organization or a 501(c)(4) festival organization.
- A2 To relieve effects of poverty, homelessness, or disability.
- A3 Program for education, prevention, or treatment of problem gambling.
- A4 To a public or private nonprofit school.
- A5 To a scholarship fund.
- A6 For recognition of military service (open to the public) or support for active military personnel and their immediate family members in need.
- A7 Activities and facilities for youth.
- A10 Expenditures for police, fire, and other emergency or public safety-related services, equipment, and training. Not allowed: Contribution to pension or retirement fund.
- A11 To a church.
- A12 With Minnesota Pollution Control Agency (PCA) approval, citizen monitoring of surface water quality by individuals. Requires submission of data to PCA.
- A13 With DNR approval, wildlife management projects or activities that benefit the public-at-large; grooming or maintaining snowmobile or all-terrain vehicle trails, or other trails open to public use; supplies and materials for DNR-coordinated safety training and education programs.
- A14 For nutritional programs, food shelves, and congregate dining programs primarily for persons age 62 or older or disabled.
- A15 For community arts organizations, or sponsorship of community arts programs.
- A19 For humanitarian service, recognizing volunteerism or philanthropy.

**City or County Acknowledgment**

- 1. I am the official responsible for the financial reporting of the city's or county's 10% lawful gambling contribution fund under Minn. Stat. § 349.213, subd. 1.
- 2. I affirm that the contributions received were deposited into a fund administered by the city or county.
- 3. I am aware of the restrictions under Minnesota law on expenditures from this fund and affirm that the expenditures meet the definition of charitable contributions as defined in Minn. Stat. § 349.12, subd. 7a, or are for police, fire, and other emergency or public safety-related services, equipment, and training, excluding pension obligations, are accounted for in a manner consistent with generally accepted accounting principles, and that the city or county does not retain control of funds once they are expended from the city's or county's account.
- 4. I have reviewed this report and affirm that the revenues, expenditures, and the fund balance reflect all contributions received and expenditures from the 10% contribution fund, and is a true, correct, and complete report.

	City Administrator	03/03/2023
Signature of City or County Official	Title	Date
James Dickinson	763-755-5100	j.dickinson@andovermn.gov
Print Name	Phone Number	Email Address

**By March 15 each year email, fax, or mail the LG510 to:**

<p><b>Minnesota Gambling Control Board</b>  <b>Attention: City Reports</b>  <b>1711 West County Road B, Suite 300 South</b>  <b>Roseville, MN 55113</b></p>	<p><b>Email: gbcrcity.reports@state.mn.us</b>  <b>Fax: 651-639-4032</b>  <b>Questions? Call 651-539-1900</b></p>
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The information on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities. This form will be made available in alternative format upon request.

**10% Contribution by Organization  
City of Andover  
2022**

Organization	Date	Amount
Andover High School Football Assoc.	1/26/2022	5,206.77
Andover Huskies Youth Hockey Assoc.	1/26/2022	1,892.78
Andover High School Football Assoc.	2/28/2022	5,438.13
Andover Huskies Youth Hockey Assoc.	2/28/2022	6,661.97
Andover High School Football Assoc.	3/31/2022	6,070.39
Andover Huskies Youth Hockey Assoc.	3/31/2022	3,925.51
Andover High School Football Assoc.	4/28/2022	7,812.76
Andover Huskies Youth Hockey Assoc.	4/28/2022	8,694.19
Andover High School Football Assoc.	5/26/2022	4,951.36
Andover Huskies Youth Hockey Assoc.	5/27/2022	6,401.94
Andover High School Football Assoc.	6/29/2022	1,184.05
Andover Huskies Youth Hockey Assoc.	6/29/2022	2,501.52
Andover High School Football Assoc.	7/27/2022	2,211.25
Andover Huskies Youth Hockey Assoc.	7/27/2022	3,631.67
Andover High School Football Assoc.	8/30/2022	4,260.34
Andover Huskies Youth Hockey Assoc.	8/30/2022	6,027.53
Andover High School Football Assoc.	9/29/2022	3,606.13
Andover Huskies Youth Hockey Assoc.	9/29/2022	8,217.49
Andover High School Football Assoc.	10/28/2022	2,484.79
Andover Huskies Youth Hockey Assoc.	10/28/2022	2,054.41
Andover High School Football Assoc.	11/29/2022	5,221.60
Andover Huskies Youth Hockey Assoc.	11/29/2022	5,260.78
Andover High School Football Assoc.	12/29/2022	4,185.76
Andover Huskies Youth Hockey Assoc.	12/29/2022	4,013.99
		<b>111,917.11</b>

<b>Summary</b>		
Andover Football Total Contribution		52,633.33
AHYHA Total Contribution		59,283.78
		<b>111,917.11</b>