



Mayor: Ryan Voss  
Precinct 1 Councilor: Sue Olson  
Precinct 2 Councilor: Mark Hueser  
Precinct 3 Councilor: Paul Lemke  
Precinct 4 Councilor: Cory Neid  
At-Large Councilor: Yodee Rivera

## **GLENCOE CITY COUNCIL MEETING AGENDA**

**August 21, 2023 – 7:00pm**

**City Center Ballroom**

- 1. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- 2. APPROVE THE AGENDA**
- 3. CONSENT AGENDA**
  - A. Approve City Council Minutes of August 7, 2023
  - B. Approve Liquor Licenses: Casey's on 10<sup>th</sup> St, Casey's on 13<sup>th</sup> St, Glencoe Days (Security Bank)
  - C. Special Event - Security Bank and Trust Block Party – August 29, 2023 – close 11<sup>th</sup> Street between Greeley Avenue and Hennepin Avenue
- 4. PUBLIC COMMENT (agenda items only)**
- 5. PUBLIC HEARINGS**
  - A. Reset Public Hearing on Alley Vacation of the East/West Alley in Lot 3, Block 40, Town of Franklin – City Administrator
  - B. 7:00 PM - Public Hearing and Second Reading of the Ordinance 621 imposing a Moratorium on the Operation of a Cannabis Business in the City of Glencoe – City Attorney
  - C. 7:00 PM - Public Hearing and Second Reading of Ordinance 622 prohibiting the use of Cannabis in Public Places or on Public Property - City Attorney
- 6. BIDS AND QUOTES**
  - A. Request for Additional Compensation due to Haul Route change – 2023 Pavement Project – Gary Harms, GMH Asphalt
  - B. Sealcoat and Crack Repair Quotes – PW Director Voigt
- 7. REQUESTS TO BE HEARD**
  - A. Coalition of Greater MN Cities Legislative Update – Darrin Lee, CGMC
  - B. Planning and Industrial Commission recommendation:
    1. Approve GSC Condominium Plat for former Bus Garage located at 1203 12th Street East – Ryan Voss, RDV Companies.
    2. Approve rezoning request for proposed Residential use of property zoned B-1 at 2020 9th Street East – Jon Halbert, representing Bill Halbert.
    3. Approve Variance Request of Ella Hanson, 1511 15th Street East to build a front yard deck to encroach on the 30-foot front yard setback. Deck would reduce setback from 30-feet to 20-feet.

- C. Police Department Requests – Police Chief Padilla
  - 1. Public Assembly and First Amendment Activity Policy
  - 2. New Hire Uniform Allowance
  - 3. Wage Incentive using Public Safety State Aid Funds

**8. ITEMS FOR DISCUSSION**

- A. Oscar Olson Park Comprehensive Plan – Park Board Recommendation

**9. ROUTINE BUSINESS**

- A. Project Updates
- B. Economic Development
- C. Public Input
- D. Reports
- E. City Bills
- F. Close City Council Meeting to review Pending Litigation - City of Glencoe and International Union of Operating Engineers, Local 49, BMS Case No. 24PCE0137

**10. ADJOURNMENT**

Attendees: Ryan Voss, Sue Olson, Cory Neid, Mark Hueser, Paul Lemke, Yodee Rivera

City Staff: City Administrator Mark Larson, City Attorney Mark Ostlund, Deputy Clerk Kelly Hayes, Public Works Director Jamie Voigt, Public Works Director Mark Lemen, Finance Director Todd Trippel, Officer Brianna Korson

Others: Lowell Anderson, Rich Glennie, Al Robeck, Karin Ramige, Myranda VanDamme, Brian O'Donnell

**1. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

Meeting was called to order at 7:00pm with all members present.

**2. ADMINISTER OATH OF OFFICE TO YODEE RIVERA, COUNCILOR AT-LARGE** – City Attorney Mark Ostlund  
Yodee Rivera was sworn in as the At-Large Councilor.

**3. APPROVE THE AGENDA**

*Motion: Lemke, seconded by Neid to approve the revised agenda. All in favor, motion carried.*

**4. CONSENT AGENDA**

A. Approve City Council Minutes of July 17, 2023

*Motion: Olson, seconded by Neid to approve the consent agenda. All in favor, motion carried.*

**5. PUBLIC COMMENT (agenda items only) - none**

**6. PUBLIC HEARINGS**

A. Resolution 2023-22 - Set Public Hearing for the Vacation of Technology Drive and Technology Lane Request of Miller Manufacturing for September 5 at 7:00 PM – City Administrator

*Motion: Neid, seconded by Hueser to adopt Resolution 2023-22 to Set a Public Hearing for the Vacation of Technology Drive and Technology Lane Request of Miller Manufacturing for September 5 at 7:00pm. All in favor, motion carried.*

**7. BIDS AND QUOTES**

A. Request of GMH Asphalt for Additional Costs due to Road Construction on Highway 41 in Chaska – Gary Harms, GMH Asphalt

City Administrator Larson recommends tabling the Request of GMH Asphalt since the owner, Gary Harms, is not in attendance to explain the request. Harms told Larson that he would be at the meeting.

*Motion: Lemke, seconded by Neid to table until the next meeting. All in favor, motion carried.*

B. Possible Paving of 11<sup>th</sup> Street CSAH 3 by Street Maintenance and Seneca Housing with a 1-inch Overlay  
Resident Lyle Grenke said that he lives on this road and he is guessing between now and October 1 when Seneca's corn pack is completed, there will probably be 1,000 Seneca trucks filled with sweet corn being driven on this street. He noted that if a two-inch overlay instead of a 1-inch overlay, the street will last longer. Councilor Mark Hueser believes we should stick with the 1-inch overlay since the County may take over this portion of the street because of the turnback.

*Motion: Lemke, seconded by Hueser to approve the 1-inch overlay and to invite the County to go in with us. All in favor, motion carried.*

**8. REQUESTS TO BE HEARD**

A. Resolution 2023 – 23 for MNDot Grant for Airport Tiling in 2022 – City Administrator

*Motion: Hueser, seconded by Neid to approve Resolution 2023 – 23 for MNDot Grant for Airport Tiling in 2022. All in favor, motion carried.*

B. Scoreboard Replacement Proposal – Glencoe Brewers Baseball Association

Glencoe Brewers representative, Brian O'Donnell, spoke regarding the need for a replacement. The total cost is around \$73,000. Insurance is paying \$35,000, Security Bank \$20,000, thus leaving \$18,000. The Brewers are going to speak to the Lion's Club at their next meeting.

*Motion: Hueser, seconded by Neid to approve purchasing the scoreboard. All in favor, motion carried.*

- C. Awning Grant Request – 1112 Hennepin Avenue North – Wes Olson, Owner  
City Attorney recommended that Sue Olson abstain from this vote since she is co-owner of 1112 Hennepin Ave N.

*Motion: Lemke, seconded by Hueser to approve the awning grant request. Vote was 3-1-1 with Olson abstaining and Neid voting against. Motion carried.*

- ~~D. Oscar Olson Park Planning Study Presentation – Brody Bratsch, SEH~~
- ~~E. Public Assembly and First Amendment Activity Policy – Tony Padilla, Police Chief~~

- F. Third Reading of Ordinance 619 Short Term Rental Ordinance – City Attorney

*Motion: Lemke, seconded by Rivera to approve the Third Reading of Ordinance 619 Short Term Rental Ordinance. All in favor, motion carried.*

- G. First Reading of an Interim Ordinance imposing a Moratorium on the Operation of a Cannabis Business in the City of Glencoe

*Motion: Hueser, seconded by Neid to approve First Reading of an Interim Ordinance 621 imposing a Moratorium on the Operation of a Cannabis Business in the City of Glencoe and holding a public hearing on August 21, 2023. All in favor, motion carried.*

- H. Emergency Ordinance 622 Prohibiting The Use Of Cannabis In Public Spaces Or On Public Property

*Motion: Olson, seconded by Hueser to adopted the Emergency Ordinance 622 Prohibiting The Use Of Cannabis In Public Spaces Or On Public Property. All in favor, motion carried.*

- I. Appoint City Center Coordinator / Administrative Assistant – City Administrator

*Motion: Olson, seconded by Rivera to appoint Myranda VanDamme as City Center Coordinator / Administrative Assistant. All in favor, motion carried.*

- J. Food Shelf Request For Dumpster On City Parking Lot

*Motion: Neid, seconded by Hueser to approve the Food Shelf Request For Dumpster On City Parking Lot. All in favor, motion carried.*

## 9. ITEMS FOR DISCUSSION

- A. Review of Pond Sonar Study and recommendation – Mark Lemen, Public Works Director  
Public Works Director for Water/Wastewater gave an update on the pond study. No action required.
- B. 2024 Budget Update – August 14, 2023 Workshop  
Notification of the 2024 Budget Workshop. No action required.
- C. Pedestrian Bridge update on Accessibility – City Administrator  
Received notification from MNDot that the pedestrian bridge has been selected to update including ramps.

## 10. ROUTINE BUSINESS

- A. Project Updates  
2023 Street Improvement Project is moving at great pace, they are ahead of project dates. New lighting for the downtown area. Neid asked if there will be any crack sealing this year. Larson said that we do not have funding available. If they do any crack sealing this year, it would be on 10<sup>th</sup> Street.
- B. Economic Development  
Mayor Voss asked for an update regarding Bit49. City Attorney Ostlund noted that Bit49 has until August 13, 2023, to submit a plan. He received a call from Bit49 and they said that they would have a plan by the deadline on how to remediate.
- C. Public Input



- D. Reports
- E. City Bills

*Motion: Olson, seconded by Hueser to pay city bills. All in favor, motion carried.*

#### **11. ADJOURNMENT**

*Motion: Lemke, seconded by Neid to adjourn at 8:19pm. All in favor, motion carried.*

#### **VOTING RESULTS**

Resolution 2023-22 - Set Public Hearing for the Vacation of Technology Drive and Technology Lane Request of Miller Manufacturing for September 5 at 7:00 PM. Hueser / Neid - Vote 5 – 0, motion carried.

YES Rivera

YES Olson

YES Hueser

YES Lemke

YES Neid

Resolution 2023 – 23 for MNDot Grant for Airport Tiling in 2022. Neid / Hueser - Vote 5 – 0, motion carried.

YES Rivera

YES Olson

YES Hueser

YES Lemke

YES Neid

Third Reading of Ordinance 619 Short Term Rental Ordinance. Lemke / Rivera Vote 5 – 0, motion carried.

YES Rivera

YES Olson

YES Hueser

YES Lemke

YES Neid

Emergency Ordinance 622 Prohibiting The Use Of Cannabis In Public Spaces Or On Public Property. Olson / Hueser Vote - 5 – 0, motion carried.

YES Rivera

YES Olson

YES Hueser

YES Lemke

YES Neid



City of Glencoe  
Special Event Application  
1107 11<sup>th</sup> Street East, Suite 107  
Glencoe, MN 55336  
320-864-5586  
info@ci.glencoe.mn.us

Event name: SBTC Block Party Location: Street and Bank Parking Lot  
Date(s) of the event: Tuesday, August 29th, 2023 Time(s) of event: 4:30 - 8:00  
Group name or organization: Security Bank Contact Name: Rachel Schuette  
Address: 735 11th Street East City: Glencoe, MN Zip: 55336  
Email: rachels@security-banks.com Phone: (320) 864-2040, Cell: (320) 492-0592  
Type of organization: For Profit ☒ Non-Profit ☐ Charity ☐  
Location requested: City Parking Lot ☐ City Park ☐ Street Closure ☒  
Estimated number of participants expected to attend the event: 1,000  
Event Description: Customer appreciation meal - Tent, live music, smoked ribs, soft serve ice cream.

Assistance Requested: Close down 11th Street block in front of the bank & Alley behind bank  
Provide city picnic tables and garbage cans

8 - Picnic Tables, 8 - Garbage Cans (drop at grassy area Mon, Aug 28 & pick up Wed, Aug 30)

Street Closure Request - Describe the name and sections of the streets for requested closure.

11th Street, between Hennepin and Greeley

Alley behind bank and Ameriprise building, that runs from Hennepin to Greeley

Date/Time for beginning of street closure: Tuesday, August 29th, 3:30 PM

Date/Time for reopening of streets: Tuesday, August 29th, 10:00 PM

**NOTE:** Events using public streets and parking lots must submit a map with precise locations.

Map sent via email to Mark Larson on 08-16-2023

See back side for guidelines and agreement.

Updated: 5.20.2022

## Special Event Guidelines

Special events include walk/runs, tournaments, concerts or gatherings of 50 participants or more in the City of Glencoe. Special Event Applications must be submitted at least 30 calendar days prior the event. Below is a list of additional items that may be required for your event, please review carefully.

**Certificate of Liability Insurance:** The City of Glencoe, at its discretion, may require the applicant to obtain a certificate of Liability Insurance. If required, applicants must provide a minimum of \$1,000,000 of general liability coverage for each occurrence and shall name the City of Glencoe as an additional insured. Based on special event activities, some events may be required to obtain additional coverage. If you don't have private insurance or your organization does not have insurance, you may obtain insurance through the League of MN Cities Tenant User Liability Insurance Program (TULIP). Information on TULIP is located online at: [www.lmc.org](http://www.lmc.org)

**Alcohol:** If alcohol is sold or provided, the event must have proper licensing through State of MN and City of Glencoe. Liquor Liability Insurance is required for events that sell or provide alcohol.

**Security:** If the Chief of Police determines security is needed for the event, the organizer will be charged \$100/hour per officer.

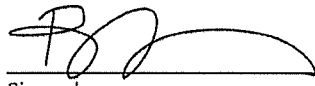
**Street Closures:** If a street closure occurs along residential streets, reasonable efforts must be made to alert all property owners along the street of the proposed closure. Failure to notify property owners in street closure areas or gain approval of street closures will result in revocation of permit.

**Garbage:** Organizers may be required to provide garbage containers and removal depending on the size of the event and the number of participants.

**Sanitary Restrooms:** Organizers may be required to provide sanitary restrooms depending on the size of the event and the number of participants.

**Directional Markers:** No paint or chalk paint should be used as directional markers on the trail systems in the parks or on the sidewalks and streets. Suggestions for directional markers include cones, sidewalk chalk, small signs or volunteers. Renter will be charged a fee if paint or permanent marks are placed on the trail system, sidewalks or streets. If you need cones or other materials from the Street Department, please make sure to include these items in the assistance requested section.

**Contract Agreement:** The renter will abide by all rules governed in City Ordinances and all City of Glencoe policies. The renter also understands that failure to abide by these rules and regulations could result in additional fees or denial of facility use.



Signature

08-16-2023

Date

### City Staff Use Only

Date Received: \_\_\_\_\_

#### **Public Works Director Street/Parks Recommendation:**

Approve ☒ Deny ☐

Comments: City staff will set up barricades and cones for Street + Alley closure. Owner responsible to remove and set next to curb when event ends.

#### **Chief of Police Recommendation:** Approve ☐ Deny ☐

Comments: \_\_\_\_\_

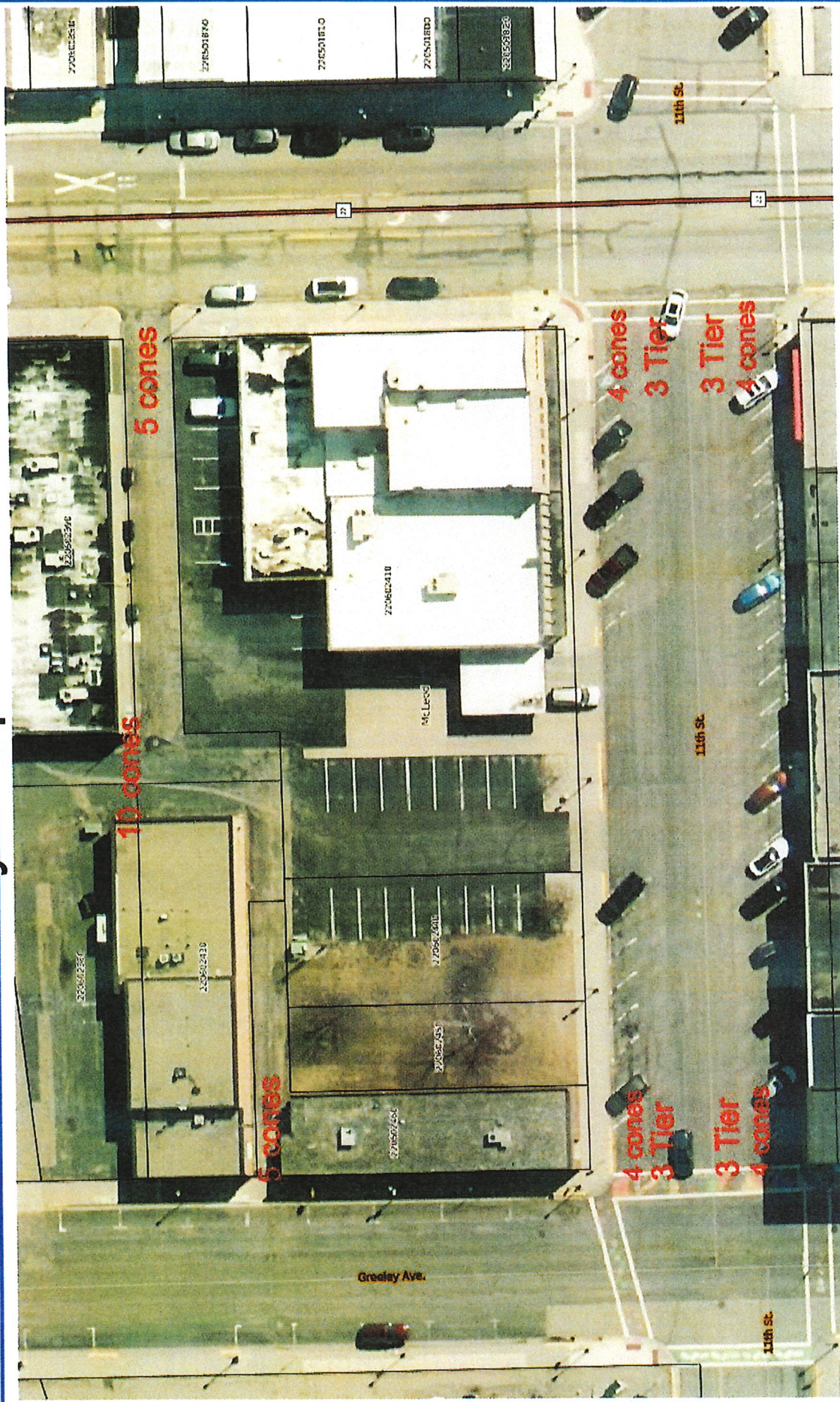
**City Council:** Approve ☐ Deny ☐

Date: \_\_\_\_\_

Updated: 5.20.2022



# SBTC Block Party Map



Disclaimer: McLeod County does not warrant or guarantee the accuracy of the data. The data is meant for reference purposes only and should not be used for official decisions. If you have questions regarding the data presented in this map, please contact the McLeod County GIS Department.

*This information is to be used for reference purposes only.*





SMALL CITY  BIG FUTURE

City of Glencoe ♦ 1107 11<sup>th</sup> Street East, Suite 107 ♦ Glencoe, Minnesota 55336  
Phone: (320) 864-5586 Website: [www.glencoe.mn.org](http://www.glencoe.mn.org) Email: [info@ci.glencoe.mn.us](mailto:info@ci.glencoe.mn.us)

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To: Mayor and City Council

From: Mark D. Larson, City Administrator

Date: August 17, 2023

Re: Item 5A – Vacation of Alley

Item 5A – It is recommended to reset the Public Hearing on the Vacation of the Alley in Lot 3, Block 40 Town of Franklin to the next City Council meeting at 7:00 PM. I need not get the notice sent out and we have not heard back from all the utilities.

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# Alley Vacation - Wolter Request



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To: Mayor and City Council

From: Mark D. Larson, City Administrator

Date: August 17, 2023

Re: Item 5B – Public Hearing and Second Reading of Ordinance 621

Item 5B – At Approximately 7:00 PM, the City Council will hold a public hearing on Ordinance 621 regarding a moratorium on the Operation of a Cannabis Business in the City of Glencoe.

It is recommended to approve the second reading.

**Mayor:** Ryan Voss      **City Administrator:** Mark D. Larson

**Councillors:** At-Large Yodee Rivera, Precinct 1 Sue Olson, Precinct 2 Mark Hueser, Precinct 3 Paul Lemke, Precinct 4 Cory Neid

# ORDINANCE 621

## AN INTERIM ORDINANCE AUTHORIZING A STUDY AND IMPOSING A MORATORIUM ON THE OPERATION OF CANNABIS BUSINESSES IN THE CITY

The City Council of the City of Glencoe, McLeod County, State of Minnesota, does hereby ordain:

### SECTION 1. BACKGROUND.

- A. The Minnesota Legislature recently enacted, and the Governor signed, 2023 Minnesota Session Laws, Chapter 63 — H.F. No. 100 ("Act"), which is comprehensive legislation relating to Cannabis including, but not limited to, the establishment of the Office of Cannabis Management ("OCM"); legalizing and limiting the possession and use of cannabis and certain hemp products by adults; providing for the licensing, inspection, and regulation of Cannabis Businesses and hemp businesses; taxing the sale of cannabis flower, cannabis products, and certain hemp products; establishing grant and loan programs; amending criminal penalties; providing for expungement of certain convictions and providing for the temporary regulation of certain edible cannabinoid products.
- B. The Act requires that on or before October 1, 2023, every person or entity selling edible cannabinoid products to consumers must register with the commissioner in a form and manner established by the commissioner. After October 1, 2023, the sale of edible cannabinoid products by a person or entity that is not registered is prohibited.
- C. With respect to Cannabis Businesses, which, under the Act, does not include lower-potency hemp edible manufacturer or lower-potency hemp edible retailer, the Act provides local units of government certain authority related to Cannabis Businesses, including the authority to (1) require local registration of certain Cannabis Businesses operating retail establishments, (2) adopt reasonable restrictions on the time, place, and manner of the operation of Cannabis Businesses, provided that such restrictions do not prohibit the establishment or operation of a Cannabis Businesses, (3) limit the number of certain Cannabis Businesses based on the population of the community, and (4) prohibit the operation of a Cannabis Businesses within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.
- D. The Act requires the OCM, which will be established effective July 1, 2023, to work with local governments to develop model ordinances for reasonable restrictions on the time, place, and manner of the operation of Cannabis Businesses. The Act also requires the OCM to establish additional rules and regulations relating to the operation of Cannabis Businesses. The City will benefit from reviewing and analyzing the OCM's model ordinances, rules and regulations before making any decisions related to the regulation of Cannabis Businesses in the City.
- E. Section 342.02 et. seq. established by the Act directs the OCM to make rules, establish policy and exercise its regulatory authority over both the cannabis industry, as well as the lower potency hemp products and the hemp consumer products.
- F. Section 342.06 established by the Act requires to OCM to create and approve product categories of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for retail sale.
- G. Section 342.06 established by the Act requires the OCM to establish limits on the total THC allowed of cannabis flower, in cannabis products, and in hemp-derived consumer products and prohibits

approval of certain forms of cannabis product, lower-potency hemp edible, or hemp-derived consumer product.

- H. Section 342.07 established by the Act requires the OCM to establish certification, testing, and labeling requirements for the methods used to grow new cannabis plants or hemp plants, including but not limited to growth from seed, clone, cutting, or tissue culture.
- I. Section 342.07 established by the Act requires the OCM to establish best practices for: (1) the cultivation and preparation of cannabis plants; and (2) the use of pesticides, fertilizers, soil amendments, and plant amendments in relation to growing cannabis plants.
- J. Section 342.07 established by the Act requires the OCM to regulate businesses that manufacture, process, sell, handle, or store an edible cannabis product or lower-potency hemp edible and will require, for most of those businesses to obtain an edible cannabinoid product handler endorsement.
- K. Section 342.08 established by the Act requires the OCM to provide regulations establishing energy standards, disposal of waste and addressing odor.
- L. The Act amended Minnesota Statutes §340A.412, subd. 14 to allow, effective the day after the final enactment of the bill (the governor's signature), exclusive liquor stores to sell edible cannabinoid products as that term is defined in current statute, 151.72, subd. 1.
- M. Section 342.13 established by the Act contains a provision that allows for a City Council that plans to conduct studies that has held or is considering adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of a cannabis business, to hold a hearing on and adopt an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the health, safety, and welfare of its citizens until January 1, 2025. This provision only relates to the Cannabis Businesses, which does not include having the ability to study the lower potency hemp business or hemp consumer products, even though the newly created OCM will be issuing licenses related to the lower potency hemp products, as well as engaging in rule making related to both the lower potency hemp products and the hemp consumer products.
- N. Given the uncertainty regarding the model ordinances to be developed by the OCM and the broad scope of the changes to Minnesota law brought about by the Act, the City desires to adopt an interim ordinance for the purpose of protecting the planning process and the health, safety, and welfare of its citizens and to conduct a study for the purpose of considering the adoption or amendment of reasonable restrictions on the time, place and manner of the operation of Cannabis Businesses as well as the other regulations local units of government may adopt under the Act.
- O. On August 7, 2023, the City Council held a properly noticed public hearing regarding the consideration and adoption of an interim ordinance prohibiting the operation of Cannabis Businesses within the City for up to one year.

## SECTION 2. DEFINITIONS.

For purposes of this Ordinance, the following terms shall have the meaning given them in this section.

- (a) "Act" means 2023 Minnesota Session Laws, Chapter 63 (H.F. No. 100).
- (b) "Cannabis Business" has the meaning given the term in Minnesota Statutes, section 342.01, subdivision 14.

- (c) "City" means the City of Glencoe, Minnesota.
- (d) "Edible Cannabinoid Product" has the meaning given the term in Minnesota Statutes, section 151.72, subdivision I(f).
- (e) "OCM" means the Office of Cannabis Management, established as set forth in Minnesota Statutes, section 342.02, subd. I.
- (f) "Ordinance" means this interim ordinance, which is adopted pursuant to Minnesota Statutes, section 462 and 342.13(e).

### SECTION 3. FINDINGS.

- A. The City Council finds there is a need to study (i) Cannabis Businesses and (ii) the impact of those businesses, as related to allowed land uses and zoning, in order to assess the necessity for and efficacy of regulation and restrictions in order to protect the public health, safety, and welfares of its residents.
- B. The study will allow the City Council to determine the appropriate changes, if any, that it should make to the City Code, including any necessary zoning changes.
- C. The time will allow for any state agency rulemaking related to licensing Cannabis Businesses; and to create its model ordinances which will further aid the Council in studying and considering restrictions on the operation of Cannabis Businesses and any changes to the City's current provisions related to THC Specialty Providers, identified as Lower Potency Hemp Businesses in the Act.
- D. The City Council therefore finds that there is a need to adopt a city-wide moratorium on Cannabis Businesses while City staff studies the issue.
- E. The City Council finds that ordinance 353 of the City Code remains in effect until otherwise preempted by the Act.

### SECTION 4. MORATORIUM.

- A. Moratorium. A moratorium is hereby imposed regarding the operation of a Cannabis Business within the City. During the term of this Ordinance, no business, person, or entity may establish or operate a Cannabis Business within the jurisdictional boundaries of the City. The City shall not accept, process, or act on any application, site plan, building permit, zoning request, or other approval, including any requested confirmation, certification, approval, or other request from the OCM or other governmental entity requesting City review of any application or proposal for a business proposing to engage in the operation of a Cannabis Business.
- B. This moratorium does not apply to the selling, testing, manufacturing, or distributing of products related to the Medical Cannabis Program as administered by the Minnesota Department of Health, provided that such activity is done in accordance with the regulations and laws of Minnesota regarding Medical Cannabis.

### SECTION 5. STUDY.

The City Council hereby authorizes and directs the City Administer to have City staff conduct a study regarding the adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of Cannabis Businesses, as well as the other potential local regulations allowed under the Act, and report to the City Council on the potential regulation of Cannabis Businesses. The study must include a



review of the model ordinances the OCM is directed to draft under Minnesota Statutes, section 342.13(d), an analysis of potential setback regulations allowed under Minnesota Statutes, section 342.13(c), and such other matters as staff may determine are relevant to the City Council's consideration of this matter. The report shall include the City staff's recommendations on whether the City Council should adopt regulations and, if so, the recommended types of regulations.

#### SECTION 6. ENFORCEMENT.

The City may enforce this Ordinance by mandamus, injunctive relief, or other appropriate civil remedy in any court of competent jurisdiction. The City Council hereby authorizes the City Administrator, in consultation with the City Attorney, to initiate any legal action deemed necessary to secure compliance with this Ordinance. A violation of this Ordinance is also subject to the City's general penalty in City Code and may result in the City reporting the violation to the OCM if relevant to OCM licensing. During the term of the moratorium, it is a violation of this Ordinance for any business, person, or entity to establish or operate a Cannabis Business within the City.

#### SECTION 7. TERM.

Unless earlier rescinded by the City Council, this Ordinance shall become effective on the effective date and after adoption and publication and shall remain in effect until January 1, 2025. This Ordinance may be repealed earlier upon the effective date of an ordinance adopting or amending reasonable restrictions on the time, place and manner of the operation of a Cannabis Business within the City or by resolution of the City Council terminating this Ordinance prior to the expiration date.

#### SECTION 8. EFFECTIVE DATE.

This Ordinance shall be in full force and effect on August 9, 2023, and after its passage and publication according to law.

#### SECTION 9. SEVERABILITY.

Every section, provision, and part of this Ordinance is declared severable from every other section, provision, and part thereof. If any section, provision, or part of this Ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this Ordinance.

Passed and adopted by the City Council of the City of Glencoe this 7th day of August, 2023.

By: \_\_\_\_\_  
Ryan Voss, Mayor

Attest: \_\_\_\_\_  
Mark Larson, City Administrator



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City of Glencoe ♦ 1107 11<sup>th</sup> Street East, Suite 107 ♦ Glencoe, Minnesota 55336  
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**Councilors:** At-Large Yodee Rivera, Precinct 1 Sue Olson, Precinct 2 Mark Hueser, Precinct 3 Paul Lemke, Precinct 4 Cory Neid



City of Glencoe ♦ 1107 11<sup>th</sup> Street East, Suite 107 ♦ Glencoe, Minnesota 55336  
Phone: (320) 864-5586 Website: [www.glencoe.mn.org](http://www.glencoe.mn.org) Email: [info@ci.glencoe.mn.us](mailto:info@ci.glencoe.mn.us)

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To: Mayor and City Council

From: Mark D. Larson, City Administrator

Date: August 17, 2023

Re: Item 5C – Public Hearing and Second Reading of Ordinance 622

Item 5C – At Approximately 7:00 PM, the City Council will hold a public hearing on Ordinance 622 prohibiting the use of Cannabis in Public Places and on Public Property.

Although the City Council approved an emergency ordinance at the last City Council meeting, the Council still needs 3 readings to make it permanent.

It is recommended to approve the second reading.

**Mayor:** Ryan Voss      **City Administrator:** Mark D. Larson

**Councilors:** At-Large Yodee Rivera, Precinct 1 Sue Olson, Precinct 2 Mark Hueser, Precinct 3 Paul Lemke, Precinct 4 Cory Neid

# ORDINANCE 622

## AN EMERGENCY ORDINANCE PROHIBITING USE OF CANNABIS IN PUBLIC SPACES OR ON PUBLIC PROPERTY

**WHEREAS**, The Minnesota Legislature recently enacted, and the Governor signed, 2023 Minnesota Session Laws, Chapter 63 – H.F. No. 100 (“Act”), which is comprehensive legislation relating to Cannabis including, but not limited to, legalizing and limiting the possession and use of cannabis and certain hemp products by adults effective August 1, 2023.

**WHEREAS**, Pursuant to Minn. Stat. section 144.417, subd. 4, the City has legal authority to adopt an ordinance regulating public use of cannabis and desires to pass such an ordinance.

**WHEREAS**, the Act was passed only months prior to the referenced August 1, 2023 effective date, and accordingly, the short time frame to pass this ordinance prior to the Act’s effective date has necessitated passing this ordinance on an emergency basis pursuant to City Charter Chapter 3.03 to ensure the immediate preservation of the public peace, health, morals, safety and welfare (“Emergency”).

**NOW, THEREFORE**, the City Council of the City of Glencoe, McLeod County, State of Minnesota, ordains:

1. The City Council does hereby find by unanimous vote of all five council members that the Emergency (as referenced herein) is proper and adequate under the City Charter to pass this ordinance on an Emergency basis under City Charter Section 3.03.
2. Section 787 of the Glencoe City Code shall read as follows:

### **787.01** Definitions

A. Public Place: shall include all areas contained within the City corporate boundaries, except the following:

- i. Private residence, including the curtilage and yard; and
- ii. Private property not generally accessible by the public, unless a person is explicitly prohibited from consuming cannabis flower, cannabis product, lower-potency hemp edibles or hemp-derived consumer products on the property by the owner of the property;

And

- iii. The premises of an establishment or event licensed to permit on-site



consumption of cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products.

- B. Public Property: shall include all property, real or personal, that is owned, managed, or otherwise controlled by the City, including but not limited to:
- i. City buildings and all the land thereon;
  - ii. Parks;
  - iii. Pathways and trails
  - iv. City rights-of-way consisting of both the traveled portion and any abutting boulevard, sidewalk, or trail.
  - v. Any city personal property, including motor vehicles, city equipment, and the like.

- C. Cannabis Flower, Cannabis Product, Lower Potency Hemp Edibles and Hemp- Derived Consumer Product shall have the meanings as defined in Minn. Stat. 342.01 (enacted under Minnesota Laws 2023).

**787.02** It is unlawful to use in any form Cannabis Flower, Cannabis Products, Lower-Potency Hemp Edibles or Hemp-Derived Consumer Products in any Public Place(s) within the corporate limits of the City or upon any Public Property.

**787.03** Violation of this Section is a petty misdemeanor as defined by Minnesota law. This Section may be enforced by the City of Glencoe's Administrative Penalty ordinance.

3. SUMMARY PUBLICATION. Pursuant to Minn. Stat. 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance: The City is prohibiting the use of Cannabis Flower, Cannabis Products, Lower-Potency Hemp Edibles or Hemp-Derived Consumer Products in any Public Place(s) within the corporate limits of the City or upon any Public Property. A violation of this Section is a petty misdemeanor.
4. EFFECTIVE DATE. This ordinance shall be given prompt and general publicity and it should be filed promptly by the City Administrator.

Approved and passed on this 7<sup>th</sup> day of August 7, 2023

\_\_\_\_\_  
Ryan Voss, Mayor

ATTEST: \_\_\_\_\_  
Mark Larson, City Administrator



SMALL CITY  BIG FUTURE

City of Glencoe ♦ 1107 11<sup>th</sup> Street East, Suite 107 ♦ Glencoe, Minnesota 55336  
Phone: (320) 864-5586 Website: [www.glencoe.mn.org](http://www.glencoe.mn.org) Email: [info@ci.glencoe.mn.us](mailto:info@ci.glencoe.mn.us)

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left blank to separate  
agenda items.**

**Mayor:** Ryan Voss    **City Administrator:** Mark D. Larson

**Councillors:** At-Large Yodee Rivera, Precinct 1 Sue Olson, Precinct 2 Mark Hueser, Precinct 3 Paul Lemke, Precinct 4 Cory Neid



SMALL CITY & BIG FUTURE

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---

To: Mayor and City Council

From: Mark D. Larson, City Administrator

Date: August 17, 2023

Re: Item 6A – Request for Additional compensation by GMH Asphalt

Item 6A - Gary Harms with GMH Asphalt has indicated that he will be attending to request the additional compensation due to Highway 41 shut down in Chaska requiring him to adjust his haul route.

I have attached an email from City Attorney Ostlund with his legal advise on how to handle this request.

I was contacted by another bidder on the Glencoe 2023 Pavement Project and they indicated that they will not be very happy if the City approves the request, as something like detours is all part of doing business.

**Mayor:** Ryan Voss      **City Administrator:** Mark D. Larson

**Councillors:** At-Large Yodee Rivera, Precinct 1 Sue Olson, Precinct 2 Mark Hueser, Precinct 3 Paul Lemke, Precinct 4 Cory Neid

## Mark Larson

---

**From:** Mark W. Ostlund <mwo@priorlakelaw.com>  
**Sent:** Wednesday, August 16, 2023 3:26 PM  
**To:** Mark Larson  
**Cc:** Jamie Voigt; Mark Lemen; Brody Bratsch; Justin Black; John Rodeberg  
**Subject:** RE: GMH Contracting  
**Attachments:** Re: Glencoe 2023 Pavement Project

Mark:

Understood.

I will just reiterate the counsel communicated on August 4<sup>th</sup> (see attached).

GMH is asking for a change proposal to adjust all bituminous tons by \$2.75 in the contract. Here is the applicable contractual language (provided by SEH):

### SC-13.03 Unit Price Work

Delete Paragraph 13.03.E in its entirety and insert the following in its place:

**E. The unit price of an item of Unit Price Work shall be subject to re-evaluation and adjustment under the following conditions:**

1. if the extended price of a particular item of Unit Price Work amounts to 50 percent or more of the Contract Price (based on estimated quantities at the time of Contract formation) and the variation in the quantity of that particular item of Unit Price Work performed by Contractor differs by more than 50 percent from the estimated quantity of such item indicated in the Agreement; and
2. if there is no corresponding adjustment with respect to any other item of Work; and
3. if Contractor believes that Contractor has incurred additional expense as a result thereof; Contractor may submit a Change Proposal, or if Owner believes that the quantity variation entitles Owner to an adjustment in the unit price, Owner may make a claim, seeking an adjustment in the Contract Price.

According to the language above, the City and Contractor must re-evaluate and adjust a Unit Price if the unit price in question amounts to 50% or more of the Contract Price and the variation in quantity differs by more than 50% of the estimated quantity. It is my understanding that the \$2.75 increase to the Unit Price for bituminous does not constitute 50% or more of the Contract price and the adjustment does not amount to 50% of the estimated quantify under the Contract.

For that reason, the City is under no obligation to grant this change proposal. Granting change proposals on a permissive basis puts the City in a difficult position. The City's policy really needs to be (and I assume this has been the case) that any contractual changes which dictate the Contract Price need to be mandated under the contract, and that is not the case here. Otherwise, Contractors can strong arm the City into inflating the Contract Price.

Mark W. Ostlund  
Partner  
Huemoeller, Gontarek & Cheskis, PLC  
16670 Franklin Trail; Ste. 210  
Prior Lake MN 55372  
[651-261-6159](tel:651-261-6159) (cell)  
[952-447-2131](tel:952-447-2131) (office)  
[952-447-5628](tel:952-447-5628) (fax)  
[mwo@priorlakelaw.com](mailto:mwo@priorlakelaw.com)





7/12/2023

To: Mark, City of Glencoe - 2023 Street Rehabilitation

RE: Extra trucking cost due to detour rerouting

Mark,

Please see proposed traffic control plans dated 3/2/22 off plan set TC2. Highlighted in yellow please note that all traffic was to be fully open to traffic within 45 days. This shutdown was to be started in May of 2023 and be completed in early July. During the course of time, after the bid date, different scenarios for closures were implemented. This is confirmed by Matt Clark, City engineer for the city of Chaska. (See June 28<sup>th</sup> email). The implementation of closing 41 to 5 ton traffic only resulted in extra ordinary detours for truck traffic. New detour changes were implemented 3/27/23, 4/28/23 and 5/1/23. GMH had no knowledge of these internal changes as did many others making their livelihood in the trucking industry. Due to the above detours, the project is now set in place to highway 41 in downtown Chaska closed until 11/1/23. This date is well beyond the time given to GMH to complete the Glencoe project. GMH purchases its bituminous from Martin Marietta asphalt plant in Chaska. GMH is a high volume contractor with Martin Marietta and therefore receives large discounts to compete with outside competition. These discounts were passed onto the Glencoe project as bid. Trucking from the plant in Chaska was to go through Chaska north on 41 to HWY 212 and straight to Glencoe. With the onslaught of the 41 closure, GMH now must spend additional hours of trucking detouring southwest to Jordan to CO Rd 9, to Co Rd 50, to Co Rd 40, then to hwy 212. This round trip is taking an additional 22 minutes per load and costing GMH as additional 2.75 per ton in expense (\$135 truck cost/hr / 18 ton avg. per load / 60 min/hr x 22 mins). GMH gave a very competitive bid for the Glencoe Project and is asking for the City's help, as this would severely cut into the profitability to GMH. We are therefor requesting a change order increase of \$2.75 per ton added to all bituminous tons occurring on the project. We are only looking to cover the trucking costs. No markup is included in the \$2.75 per ton. GMH had no knowledge that 41 was to be closed after July 1<sup>st</sup> of the year as of the date of the Glencoe bid. We have also reached out to the City of Victoria and Waconia, where we also have projects, and they have agreed to work with us as well. We hope the City of Glencoe understands our dilemma and will in turn grant us this request.

Thank you in advance for your consideration.

Gary Harms

GMH Asphalt Corporation

## Mark Larson

---

**From:** Brody Bratsch <bbratsch@sehinc.com>  
**Sent:** Monday, July 24, 2023 12:10 PM  
**To:** Mark Larson; John Rodeberg  
**Subject:** RE: GMH Request for additional Hauling costs

Plan quantity for tons of paving is 20,360.

\$2.75 per ton would be \$55,990.

Brody Bratsch, PE (MN)  
Project Engineer  
Short Elliott Hendrickson, Inc. (SEH®)  
320.223.8418 cell

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100% Employee Owned

-----Original Message-----

From: Mark Larson <mlarson@ci.glencoe.mn.us>  
Sent: Monday, July 24, 2023 12:03 PM  
To: John Rodeberg <jrodeberg@sehinc.com>; Brody Bratsch <bbratsch@sehinc.com>  
Subject: GMH Request for additional Hauling costs

Here is the Request from Gary Harms that I received last week.

He had some supporting documents that really didn't say much, so I did not include.

What would the total dollar amount be of the additional costs?

Mark D. Larson  
City Administrator

1107 11th Street East, Suite 107  
City of Glencoe, MN 55336  
320-864-6500 Direct Line  
320-510-0350 Cell phone  
mlarson@ci.glencoe.mn.us

-----Original Message-----

From: cityhall@nutelecom.net <cityhall@nutelecom.net>  
Sent: Monday, July 24, 2023 12:04 PM  
To: Mark Larson <mlarson@ci.glencoe.mn.us>  
Subject: Message from "RNP5838796C178E"

This E-mail was sent from "RNP5838796C178E" (IM C4500).

Scan Date: 07.24.2023 12:04:05 (-0500)  
Queries to: cityhall@nutelecom.net



## Gary Harms

---

**From:** Matt Clark <MClark@chaskamn.gov>  
**Sent:** Wednesday, June 28, 2023 2:50 PM  
**To:** Gary Harms  
**Subject:** Re: [EXTERNAL]5 ton weight restriction

Gary – The City recognizes that TH 41 river crossing and CSAH 61 are key links to the southwest metro regional freight network and the closures. There is no question, with the closures that were put in place this spring that will continue until this fall have impacted both regional and local commerce. While we look forward to the safety and mobility improvements to the state and county highway through downtown, the City also recognizes the regional detours have been played a role with construction projects. The closure date in downtown shown on the attached exhibit are listed below for reference.

Stage 2 A Closure Date – **March 27**

Stage 2B Closure Date – **April 28**

Stage 3A Closure Date – **May 1**

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---

**From:** Matt Clark <MClark@chaskamn.gov>  
**Sent:** Wednesday, June 28, 2023 2:48:43 PM  
**To:** Gary Harms <gary@gmhasphalt.com>  
**Subject:** Re: [EXTERNAL]5 ton weight restriction

Gary – The recognizes that TH 41 river crossing and CSAH 61 are key links to the southwest metro regional freight network . There is no question, with the closures policy in place this spring and will continue until the fall have impacted both regional and local commerce. While we look forward to the safety and mobility improvements to the state and county highway through downtown, the City also recognizes the regional detours have been played a role with construction projects. The closure date in downtown shown on the attached exhibit are listed below for reference.

Stage 2 A Closure Date – **March 27**

Stage 2B Closure Date – **April 28**

Stage 3A Closure Date – **May 1**

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---

**From:** Matt Clark  
**Sent:** Wednesday, June 28, 2023 2:21:50 PM  
**To:** Gary Harms <gary@gmhasphalt.com>  
**Subject:** RE: [EXTERNAL]5 ton weight restriction

## Erica Johnson

---

**From:** Jason Kusske <jason@kusskeconstruction.com>  
**Sent:** Wednesday, July 19, 2023 10:55 AM  
**To:** Brandon Butorac  
**Cc:** Erica Johnson  
**Subject:** RE: Stieger Lake Ln/ 2023 Prices

Brandon

This is approved but only for the Bavaria Rd trail and Green Crest at this time. If 41 is still closed when it comes time to pave Stieger Lake Lane we will add the \$ 3.50 to those unit prices as well

Thanks

## Jason Kusske

jason@kusskeconstruction.com

582 Bavaria Lane  
Chaska, MN 55318  
612-282-0954 Mobile  
952-448-3321 Office

[www.kusskeconstruction.com](http://www.kusskeconstruction.com)



**From:** Brandon Butorac <brandon@gmhasphalt.com>  
**Sent:** Wednesday, July 19, 2023 8:07 AM  
**To:** Jason Kusske <jason@kusskeconstruction.com>  
**Cc:** Erica Johnson <erica@gmhasphalt.com>  
**Subject:** RE: Stieger Lake Ln/ 2023 Prices

Jason,

Please see added unit price per line item for additional \$3.50/TN trucking cost.

Stieger Lake Ln  
35. \$3.50/TN  
36. \$3.50/TN  
87. \$0.59/SY

Green Crest Sidewalk  
8. \$1.29/SY  
13. \$0.59/SY

Bavaria Road Trail

13. \$3.50/TN  
14. \$3.50/TN  
18. \$0.04/SF  
19. \$0.07/SF

Thank you,

Brandon Butorac  
Vice President  
GMH ASPHALT CORP.  
Phone: 952-442-5288  
Fax: 952-442-5656  
Cell: 612-366-4244  
[www.gmhasphalt.com](http://www.gmhasphalt.com)



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Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of the company.

**From:** Jason Kusske <[jason@kusskeconstruction.com](mailto:jason@kusskeconstruction.com)>  
**Sent:** Wednesday, July 19, 2023 7:09 AM  
**To:** Brandon Butorac <[brandon@gmhasphalt.com](mailto:brandon@gmhasphalt.com)>  
**Subject:** RE: Stieger Lake Ln/ 2023 Prices

Brandon

Can you line item the adds with the amounts so I can send her a breakdown? Just for the trucking add

Thanks

**Jason Kusske**  
[jason@kusskeconstruction.com](mailto:jason@kusskeconstruction.com)

582 Bavaria Lane  
Chaska, MN 55318  
612-282-0954 Mobile  
952-448-3321 Office

[www.kusskeconstruction.com](http://www.kusskeconstruction.com)



# STAGING AND TRAFFIC CONTROL PLAN

## NOTES & GUIDELINES

### PROJECT STAGING NOTES

1. THE CONTRACTOR SHALL FOLLOW THE MOST RECENT VERSION OF THE "TEMPORARY TRAFFIC CONTROL ZONE LAYOUT FIELD MANUAL" FOR ANY SHORT TERM LANE AND/OR SHOULDER CLOSURES OR OTHER TRAFFIC CONTROL MEASURES. THE CONTRACTOR SHALL SUBMIT THIS PLAN NECESSARY TO COMPLETE THE WORK IN ADVANCE OF THE START OF THE PROJECT. THE CONTRACTOR SHALL SUBMIT THE PLAN TO THE ENGINEER FOR REVIEW AND APPROVAL. THE CONTRACTOR SHALL MAINTAIN THE "TEMPORARY TRAFFIC CONTROL ZONE LAYOUT FIELD MANUAL" FOR THE DURATION OF THE PROJECT. THE CONTRACTOR SHALL MAINTAIN THE "TEMPORARY TRAFFIC CONTROL ZONE LAYOUT FIELD MANUAL" FOR THE DURATION OF THE PROJECT. THE CONTRACTOR SHALL MAINTAIN THE "TEMPORARY TRAFFIC CONTROL ZONE LAYOUT FIELD MANUAL" FOR THE DURATION OF THE PROJECT.
2. THE CONTRACTOR SHALL MAINTAIN PEDESTRIAN ACCESS TO BUSINESSES AT ALL TIMES DURING CONSTRUCTION BY USING ALTERNATE PEDESTRIAN ROUTES AND TEMPORARY PEDESTRIAN ACCESS ROUTES. SEE THE PLANS AND STANDARD PLANS FOR DETAILS.
3. PEDESTRIAN AND VEHICLE ACCESS ACROSS TH 41 SHALL BE MAINTAINED AT EITHER CSAH 61 OR 4TH STREET AT ALL TIMES TO ALL FACILITIES BEFORE WORK MAY BEGIN ON THE OTHER INTERSECTION.
4. THE CONTRACTOR SHALL MAINTAIN A SUPPLY OF A MINIMUM OF 20 DRUM BARRELS, 12 STOP SIGNS, 4 LED ENHANCED W11-2 SIGNS AND 20 TYPE III BARRICADES AT ALL TIMES. TYPE III BARRICADES SHALL BE AFFIXED WITH "LOCAL TRAFFIC ONLY" SIGNS. THIS WORK IS INCLUDED IN THE LUMP SUM TRAFFIC CONTROL BID ITEM.

### ALTERNATE PEDESTRIAN ROUTE

1. WHEN CROSSWALKS, SIDEWALKS OR OTHER PEDESTRIAN FACILITIES ARE BLOCKED, CLOSED OR RELOCATED, TEMPORARY FACILITIES SHALL INCLUDE ACCESSIBILITY FEATURES CONSISTENT WITH THE FEATURES PRESENT IN THE EXISTING PEDESTRIAN FACILITY.
2. REFER TO THE LUMP SUM TEMPORARY PEDESTRIAN ACCESS ROUTE (TPAR) WEB SITE FOR STANDARDS, GUIDANCE AND OPTIONS WHEN BLOCKING, CLOSING, OR RELOCATING PEDESTRIAN FACILITIES.
3. TWO ADJACENT INTERSECTIONS ALONG TH 41 SHALL NOT BE CLOSED TO PEDESTRIAN AT THE SAME TIME. THIS IS REQUIRED TO FACILITATE PEDESTRIAN MOVEMENTS. SHOULD THE NEED TO LIMIT THE LENGTH OF DETOUR ROUTES, ACCESS TO ALL PEDESTRIAN FACILITIES SHOULD BE MAINTAINED AT ALL TIMES UNLESS ACTIVE CONSTRUCTION ACTIVITIES ARE BEING PERFORMED WITHIN CLOSE PROXIMITY OF THE ACCESS AND IT IS PREVIOUSLY APPROVED BY THE ENGINEER.
4. REFER TO THE LUMP SUM TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS FIELD MANUAL FOR DETAILS OF TYPICAL ADA PEDESTRIAN DEVICES.
5. DETAILS ON CROSSWALK CLOSURES, PEDESTRIAN DETOURS, AND SIDEWALK BY-PASSES.
6. FOR ADDITIONAL STANDARDS, GUIDANCE, AND OPTIONS FOR DESIGNING TEMPORARY PEDESTRIAN ACCESS ROUTES, REFER TO THE LUMP SUM TPAR WEB SITE.

### STAGE 1

1. STAGE 1 SHALL BE COMPLETED IN YEAR 1 OF CONSTRUCTION (2022).
2. STAGE 1 REGIONAL AND PEDESTRIAN DETOUR ROUTES SHALL BE UTILIZED DURING YEAR 1 OF CONSTRUCTION.
3. CSAH 61, BETWEEN WALNUT ST. AND THE EASTERN PROJECT LIMITS, SHALL BE CONSTRUCTED UNDER TRAFFIC DURING STAGE 1B. TWO-WAY TRAFFIC SHALL BE MAINTAINED AT ALL TIMES. ACCESS SHALL BE MAINTAINED AT THE YELLOW BRICK RD. AND WALNUT ST. INTERSECTIONS AT ALL TIMES. ANY ROAD CLOSURES MUST BE COORDINATED WITH AND APPROVED BY THE ENGINEER. SEE SPECIAL PROVISIONS.
4. THE EXISTING TRAFFIC SIGNAL AT CSAH 61 AND WALNUT ST. SHALL BE REMOVED AND REPLACED DURING STAGE 1. A TEMPORARY THREE-WAY STOP SHALL BE IMPLEMENTED WHEN AN OPERATIONAL SIGNAL SYSTEM IS NOT IN PLACE. AN OPERATIONAL SIGNAL SYSTEM SHALL BE OPERATIONAL DURING THE WINTER SHUT DOWN.
5. THE CONTRACTOR SHALL ENSURE THAT ACCESS FROM CSAH 61 IS PROVIDED AT ALL TIMES TO CHASERS BEVERAGE CENTER AND DOLGE VITA WINE DURING STAGE 1.
6. STAGE 1A MAY OCCUR CONCURRENTLY WITH STAGE 1B.

### STAGE 2

1. STAGE 2 SHALL BE COMPLETED IN YEAR 2 OF CONSTRUCTION (2023).
2. STAGE 2 DETOUR ROUTES SHALL BE UTILIZED IN YEAR 2 OF CONSTRUCTION. YEAR 2 PEDESTRIAN DETOUR AND BUSINESS ACCESS STONAGE SHALL BE IMPLEMENTED AS NOTED IN THE PLANS.
3. STAGE 2A MAY OCCUR SIMULTANEOUSLY WITH STAGE 2B AND SHALL BE COMPLETED WITH THE AREA FULLY OPEN TO TRAFFIC WITHIN 45 CALENDAR DAYS OF CLOSING THE TH 41 AND CSAH 61 INTERSECTION AND THE AN RIVER BRIDGE TO TRAFFIC.
4. CROSSINGS OF TH 41 SHALL BE PROVIDED AT CSAH 61 AND 4TH ST AT ALL TIMES. WHEN CONSTRUCTION REQUIRES THE CLOSURE OF THE 4TH ST INTERSECTION, 2ND ST SHALL BE OPENED AS AN ALTERNATE CROSSING OF TH 41.
5. TH 41 SHALL REMAIN CLOSED TO TRAFFIC BETWEEN CSAH 61 AND 1ST STREET UNTIL ALL MAJOR WORK INCLUDED IN STAGE 2B IS COMPLETE, AS APPROVED BY THE ENGINEER.
6. PARKING SHALL BE RESTRICTED DURING STAGE 2 ON PINE STREET AND WALNUT STREET BETWEEN CSAH 61 AND 1ST ST ON BOTH SIDES OF THE ROAD. PARKING SHALL ALSO BE RESTRICTED ON THE SOUTH SIDE OF 1ST ST OF TH 41, BETWEEN PINE ST AND WALNUT ST. AND ON THE NORTH SIDE BETWEEN TH 41 AND APPROX. 100 FEET E. OF TH 41.
7. PARKING LOTS INCLUDED IN STAGE 1 SHALL BE COMPLETE AND OPEN TO TRAFFIC PRIOR TO ANY CLOSURES OF TH 41 FOR STAGE 2 WORK UNLESS APPROVED BY THE ENGINEER.

### STAGE 2 (CONTINUED)

8. DURING STAGE 2A, TRAFFIC CONTROL DEVICES AT THE 1ST ST AND TH 41 INTERSECTION SHALL RESTRICT TRAFFIC FROM PROCEEDING WESTBOUND (RESTRICTED MOVEMENTS) AND THE NORTH LEG OF THE INTERSECTION SHALL BE FULLY CLOSED TO TRAFFIC. 1ST ST SHALL BE CLOSED TO WESTBOUND TRAFFIC APPROX. 100 FEET E. OF TH 41.
9. THE CONTRACTOR SHALL MAINTAIN ACCESS AT ALL TIMES UNLESS OTHERWISE ARRANGED AND APPROVED BY THE PROPERTY OWNER AND AUTHORIZED BY THE ENGINEER AT THE FOLLOWING LOCATIONS FOR DELIVERIES:
  - 112 5TH ST E. SHALL MAINTAIN VEHICLE ACCESS TO PARKING LOT FROM ALLEY AT ALL TIMES.
  - 115 4TH ST E. SHALL MAINTAIN VEHICLE ACCESS AT ALL TIMES TO THE PARKING LOT ON THE ALLEY.
  - 115 4TH ST E. SHALL MAINTAIN VEHICLE ACCESS AT ALL TIMES FOR DELIVERIES.
  - 222 CHESTNUT ST N. SHALL MAINTAIN VEHICLE ACCESS FOR DELIVERIES.
  - 218 CHESTNUT ST N. SHALL MAINTAIN VEHICLE ACCESS FOR DELIVERIES.
  - 214 CHESTNUT ST N. SHALL MAINTAIN VEHICLE ACCESS FOR DELIVERIES.
  - 212 CHESTNUT ST N. SHALL MAINTAIN VEHICLE ACCESS FOR DELIVERIES.
  - 208 CHESTNUT ST N. SHALL MAINTAIN VEHICLE ACCESS FOR DELIVERIES.
  - 206 CHESTNUT ST N. SHALL MAINTAIN VEHICLE ACCESS FOR DELIVERIES.
  - 200 CHESTNUT ST N. SHALL MAINTAIN VEHICLE ACCESS FOR DELIVERIES.
  - 103 2ND ST W. SHALL MAINTAIN VEHICLE ACCESS AT ALL TIMES TO THE PARKING LOT FROM THE TH 41.
  - 101 2ND ST W. SHALL MAINTAIN VEHICLE ACCESS AT ALL TIMES TO THE DRIVEWAY FROM THE TH 41.
  - 103 CHESTNUT ST N. SHALL MAINTAIN VEHICLE ACCESS AT ALL TIMES TO THE DRIVEWAY FROM THE TH 41.



**BOLTON & MENK**  
77221 HUNTER AVENUE  
MINNEAPOLIS, MN 55425  
Phone: (612) 800-0509  
Email: bmenk@boltonmenk.com  
www.boltonmenk.com

NO.	DATE	REVISION

STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
MICHAEL S. LARSON  
03-03-2022

DESIGNED BY  
MICHAEL S. LARSON  
CHECKED BY  
MICHAEL S. LARSON  
DATE  
03-03-2022

STAGING & TRAFFIC CONTROL PLAN

SHEET  
TC2  
OF  
TC31



**BOLTON  
& MENK**

12224 NICOLLET AVENUE  
BURNSVILLE, MINNESOTA 55337  
Phone: (952) 890-0509  
Email: Burns@burns@burns-mn.com  
www.burns-mn.com

DATE	BY	REMARKS

BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A GAY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Michael S. Larson*

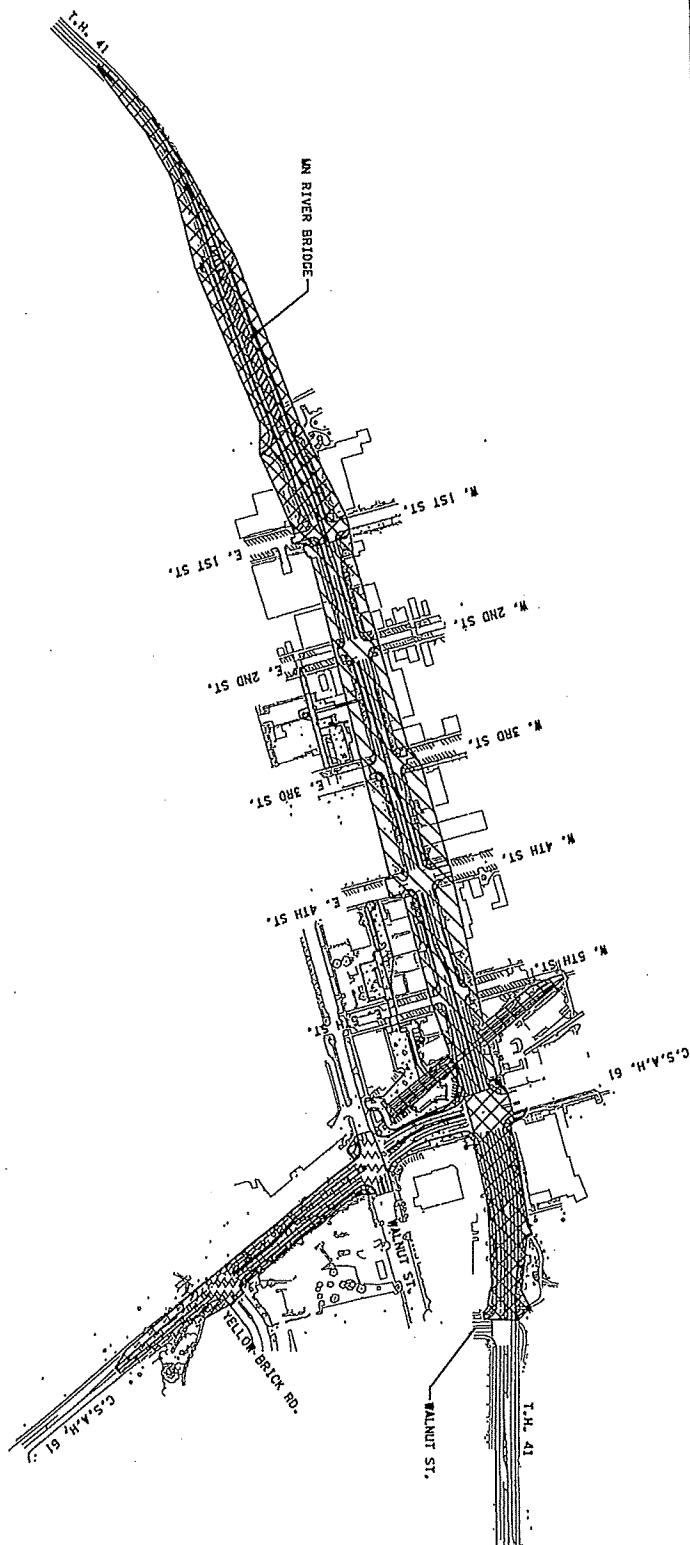
MICHAEL S. LARSON  
 Lic. No. 58850 DATE 03-02-2022





MSL	
DRUM	
ABM	
DECD	
MSL	

STAGING & TRAFFIC CONTROL PLAN

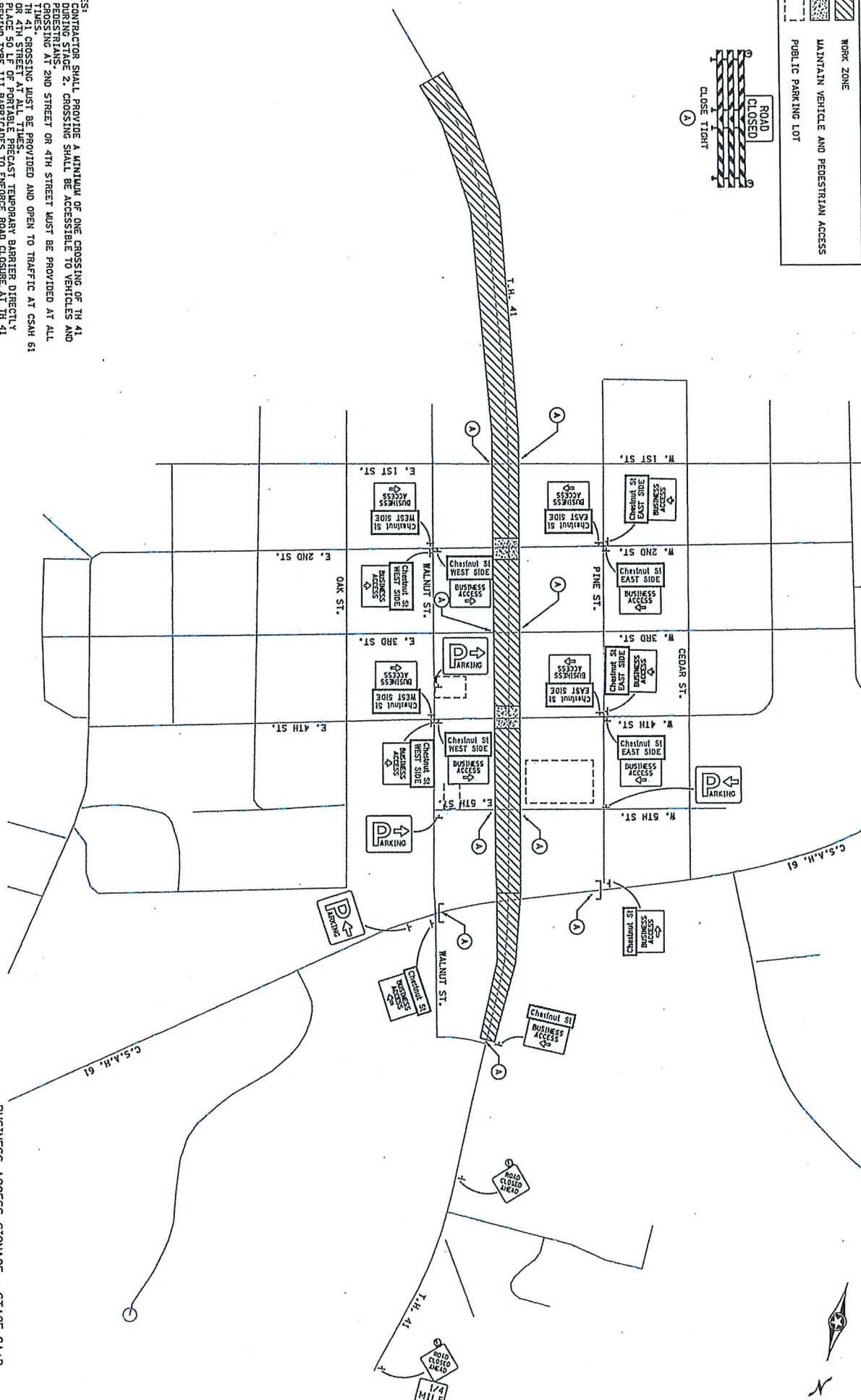
SHEET  
TCH  
or  
TCH

## STAGING OVERVIEW

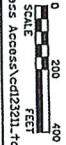


LEGEND	
	STAGE 1A
	STAGE 1B
	STAGE 2A
	STAGE 2B

S.P. 196-010-018, S.P. 196-020-014, S.P. 010-661-008	SHE
T.H. 41 & C.S.A.H. 61 IMPROVEMENTS	TC33
STAGING & TRAFFIC CONTROL PLAN	OF
	TC3



- NOTES:
1. CONTRACTOR SHALL PROVIDE A MINIMUM OF ONE CROSSING OF TH 41 DURING STAGE 2. CROSSING SHALL BE ACCESSIBLE TO VEHICLES AND PEDESTRIANS.
  2. CROSSING AT 2ND STREET OR 4TH STREET MUST BE PROVIDED AT ALL TIMES.
  3. LOCATION OF PORTABLE PRECAST TEMPORARY BARRIER DIRECTLY BEHIND TYPE III BARRICADES TO ENFORCE ROAD CLOSURE AT TH 41 AND CSAH 61.



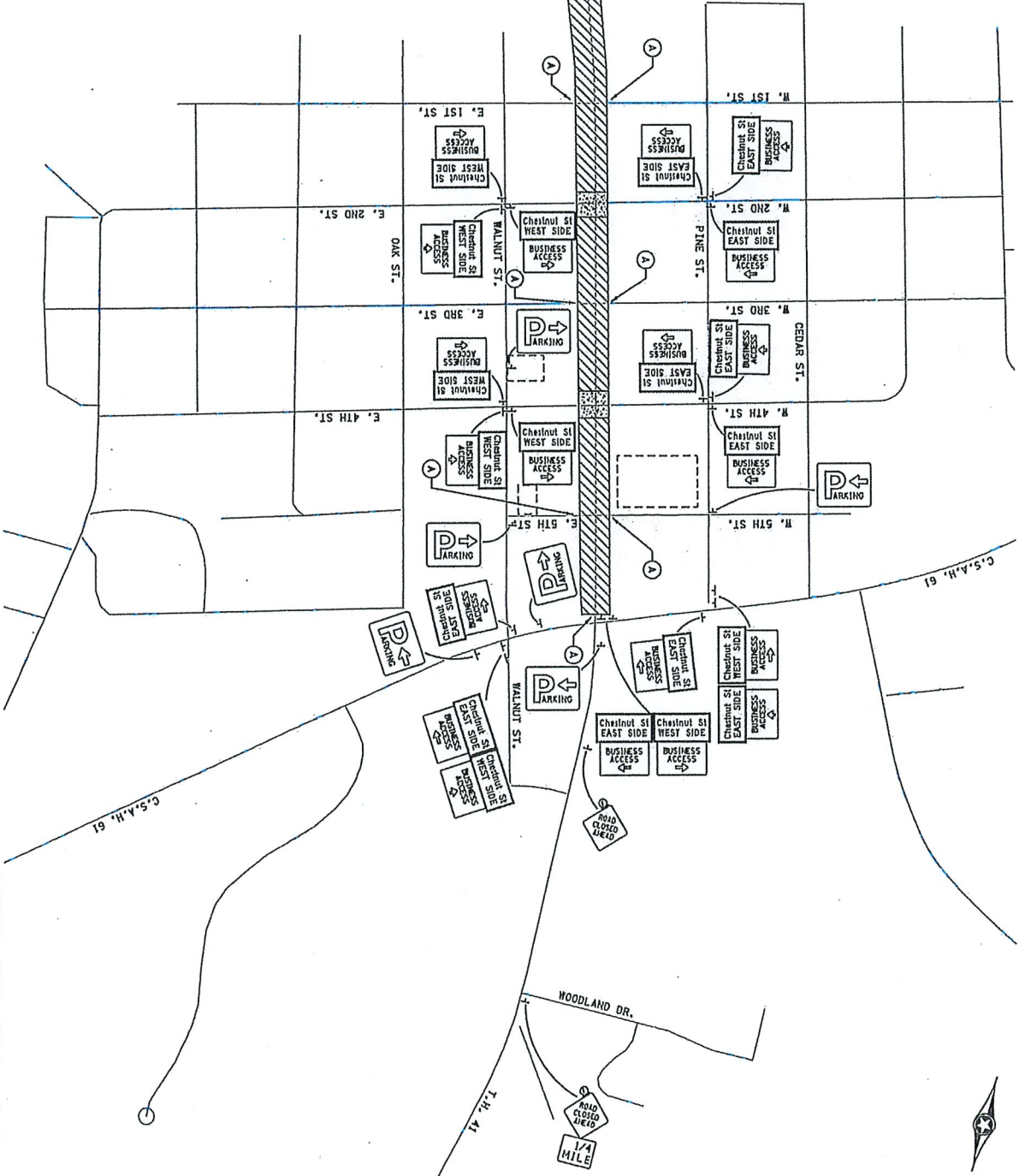
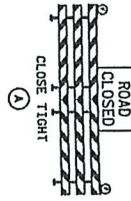
13234 HINCHLEY AVENUE  
BIRMINGHAM, ALABAMA 35247  
Phone: (205) 890-0909  
Email: info@boltonmenk.com  
www.boltonmenk.com

REV	DATE	DESCRIPTION
1	07-05-2022	ISSUED FOR PERMITTING
2	07-05-2022	ISSUED FOR PERMITTING
3	07-05-2022	ISSUED FOR PERMITTING
4	07-05-2022	ISSUED FOR PERMITTING
5	07-05-2022	ISSUED FOR PERMITTING
6	07-05-2022	ISSUED FOR PERMITTING
7	07-05-2022	ISSUED FOR PERMITTING
8	07-05-2022	ISSUED FOR PERMITTING
9	07-05-2022	ISSUED FOR PERMITTING
10	07-05-2022	ISSUED FOR PERMITTING

PROJECT: STAGING & TRAFFIC CONTROL PLAN - STAGE 2B	DATE: 07-05-2022	BY: MICHAEL S. LARSON
PROJECT: STAGING & TRAFFIC CONTROL PLAN - STAGE 2B	DATE: 07-05-2022	BY: MICHAEL S. LARSON
PROJECT: STAGING & TRAFFIC CONTROL PLAN - STAGE 2B	DATE: 07-05-2022	BY: MICHAEL S. LARSON
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PROJECT: STAGING & TRAFFIC CONTROL PLAN - STAGE 2B	DATE: 07-05-2022	BY: MICHAEL S. LARSON

**LEGEND**

- WORK ZONE
- MAINTAIN VEHICLE AND PEDESTRIAN ACCESS
- PUBLIC PARKING LOT





SMALL CITY  BIG FUTURE

City of Glencoe ♦ 1107 11<sup>th</sup> Street East, Suite 107 ♦ Glencoe, Minnesota 55336  
Phone: (320) 864-5586 Website: [www.glencoe.mn.org](http://www.glencoe.mn.org) Email: [info@ci.glencoe.mn.us](mailto:info@ci.glencoe.mn.us)

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left blank to separate  
agenda items.**





City of Glencoe ♦ 1107 11<sup>th</sup> Street East, Suite 107 ♦ Glencoe, Minnesota 55336  
Phone: (320) 864-5586 Website: [www.glencoe.mn.org](http://www.glencoe.mn.org) Email: [info@ci.glencoe.mn.us](mailto:info@ci.glencoe.mn.us)

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TO: Mayor Voss and City Council  
FROM: Mark D. Larson, City Administrator  
DATE: August 21, 2023  
RE: Item 6B - 2023 Sealcoat and Crack repair quotes.

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Item 6B - PW Director Voigt has received quotes for Sealcoat of 10<sup>th</sup> Street and Crack Repair of the 2020 Street Project, 2021 Street Project Area, 2021 10<sup>th</sup> Street Project, 2022 Street Project. We also are including crack repair on some other streets that are labeled on the map as 2023 project area.

We received a quote from Bargaen, Incorporated for Replay Sealcoat and Crack Repair on 10<sup>th</sup> Street. Replay is a clear seal coat material that is only provided by Bargaen. We have used this product in the past and have been very satisfied with the results. Replay is the sealcoat that the City of Hutchinson uses. The major advantage of using Reply on 10<sup>th</sup> Street is that the City would not have to repaint the Stripes on the street. The cost to stripe 10<sup>th</sup> Street in 2021 was about \$20,000.00.

The Cost for 10<sup>th</sup> Street with Crack repair and Replay is \$62,113.00. It is recommended to approve Bargaen's quote.

PW Director Voigt is recommending Crack Repair on the streets listed. The quote from Bargaen is \$49,634.65, which includes a 5% discount for including 10<sup>th</sup> Street.

We also received an **estimate** from Bertram Asphalt Company of Paynesville to complete all of the crack repair including 10<sup>th</sup> Street for \$52,500.00. Although this estimate is lower than Bargaen's quote, in the past, Bertram has had a subcontractor MP do their work. Typically, their estimate is by the pound and the actual cost may be higher. We have not been happy with the work done by MP.

# BARGEN

INCORPORATED

606 County Road 1  
Phone (507) 427-2924  
Mountain Lake, MN 56159

August 10, 2023

City of Glencoe  
Attn: Jamie Voigt  
1107 – 11<sup>th</sup> Street E.  
Glencoe, MN 55336

Jamie,

Thank you for the opportunity to explain the asphalt pavement maintenance services our firm offers and to provide you with a quote. I am confident that you will find the services beneficial for your roads. I would like to explain the procedures our service crew uses.

#### Asphalt Rubber Crack Repair

Our service crew will:

- A. rout out cracks 1" wide by 1" deep for cracks that are 40 feet apart and closer
- B. rout out cracks 1 1/4" wide by 1" deep for cracks that are 45 – 80 feet apart
- C. if the cracks are wider, they will be routed accordingly
- D. the cracks will then be cleaned with high volume blowers
- E. as a second cleaning procedure, a heatlance will be used to clean out any remaining debris and/or moisture
- F. cracks will be filled three-quarters to full
- G. after a cooling period, the cracks are filled a second time using a banding applicator
- H. this does not include any alleged areas
- I. the debris will be blown to the side of the curb/road, where it will be the Customers' responsibility to sweep up

#### Sealant Material

The sealant that we will use meets and exceeds the Minnesota State Spec. #3723.2 and Iowa ASTM-D6690 type II & III Spec. with the following modifications:

- 100% elongation at -20°F

#### Blow and Go procedure (Re-Seal or Clean and Seal)

The existing cracks will be cleaned of debris and/or moisture using a heatlance. We will then fill the cracks with rubberized sealant, installing an overbanding safety seal.

Recently OSHA implemented new exposure levels for the Respirable Crystalline Silica law. We as a company are taking this serious and we want to protect our workers as well as avoid any fines that might be incurred by not following OSHA regulations.

The OSHA standard (29 CFR 1926.1153) requires employers to limit worker exposures to respirable crystalline silica and to take other steps to protect workers. In keeping with the spirit of the law, we are doing everything we can to reduce our employee's exposure to Silica. This includes working towards a solution to suppress the dust at the point of creation, as well as using a Vacuum sweeper truck with a water system in the holding tank to suck the debris from the cracks.

Crack seal all  
colors on Map.  
cost 18 done w/10<sup>th</sup>  
st  
\$49,634.65

Building a Better World for All of Us®



sehinc.com





**Project Prices** - Our price includes all materials, applicable taxes and labor to complete the project as explained.

**Please note:** The Customer is responsible for notifying the public that we will be working in your area.  
Pavement maintenance can be extremely dusty and dirty work and we strongly encourage the public to keep  
Their Personal property at a strong distance away from our work zone. This will avoid any possible concerns for  
dust, debris or damage. A recommended distance would be 75 – 150 feet away from the work zone. An  
Insurance Certificate is available upon request.

**Crack Repair using both methods of Rout & Seal and Blow & Go.**

Crack repair on the other streets per the map, not including 10<sup>th</sup> Street.

**Price is \$52,247.00** \*There will be a 5% discount for doing the full amount of crack repair. The  
discount will show when invoicing the crack repair.

The price stated above is what we need to complete the project. If there are any Bid Bonds, or Payment and/or  
Performance Bonds needed for this project that cost will need to be ADDED to the prices listed above.

**TERMS:** Owner agrees that all payments required under this Contract shall be due and payable within 30 days of date of invoice.  
Owner further agrees that Bargaen Inc. may charge interest at the annual rate of eighteen percent (18%), unless a lesser  
percentage is required by law on any sum due under this Contract which is not paid within 30 days of invoice date. If payments  
are not made when due, interest, costs incidental to collection and attorney's fees (if any attorney is retained for collection) shall  
be added to the unpaid balance. Bargaen Inc. reserves the right, without penalty from Owner, to stop work on the project if  
Owner does not make payments to Bargaen Inc. when due.

This Proposal/Contract may be withdrawn by Bargaen Inc. if not accepted within 20 days, or at anytime, subject to increases  
related to material prices as noted above.

**Acceptance of proposal** – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are  
authorized to do the work as specified. This proposal may be withdrawn if not accepted within 20 days.


Date of acceptance \_\_\_\_\_ PO # \_\_\_\_\_ (if applicable)

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Thank you for the opportunity to provide you with information on the asphalt pavement maintenance needs  
in your community. I am confident that you will find the products used and the workmanship of our crew of  
the highest quality. I look forward to working with you in the near future.

Sincerely,

  
Jerry Van Dyke  
BARGEN, INC.  
JVD/lh

Project for City of Glencoe – Crack Repair

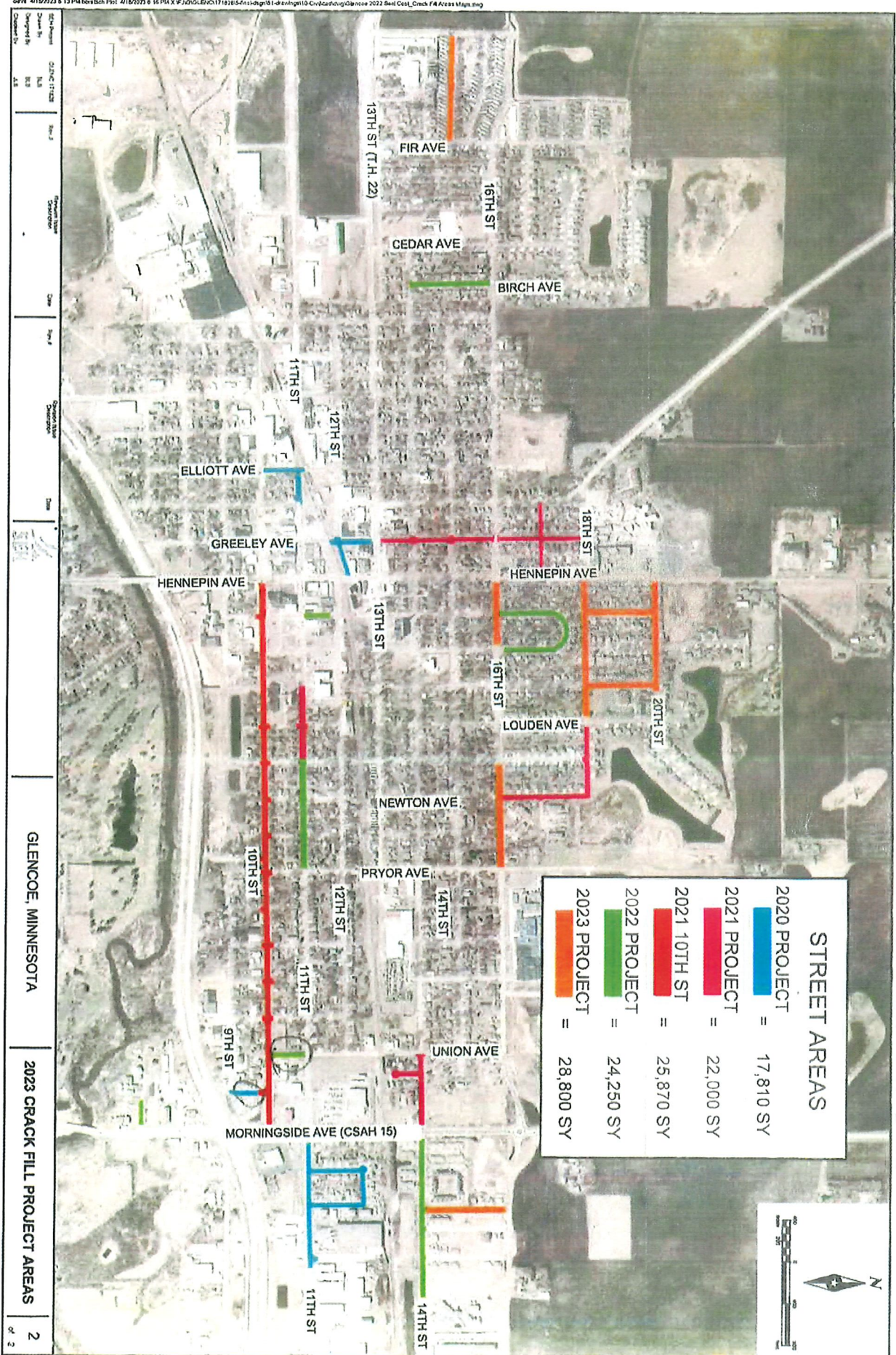
## Our Mission

Bargaen, Inc. is committed to excellence and, because of this, we take pride in our team of professional craftsmen. Our primary purpose is to provide knowledgeable recommendations, quality workmanship and exceptional service. Our goal is satisfied customers who have received the most value for their investment.

Website: [www.bargeninc.com](http://www.bargeninc.com)

Email: [bargen@bargeninc.com](mailto:bargen@bargeninc.com)







# BARGEN

INCORPORATED

606 County Road 1  
Phone (507) 427-2924  
Mountain Lake, MN 56159

August 10, 2023

City of Glencoe  
Attn: Jamie Voigt  
1107 - 11<sup>th</sup> Street E.  
Glencoe, MN 55336

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10<sup>th</sup> St

Total w/crack & Replay

\$62,113.00

Building a Better World for All of Us®



sehinc.com



**RePlay Procedure (clear seal coat)**

We will clean the area in preparation for the Seal Coat. The RePlay Agricultural Oil Seal and Preservation Agent will be spray applied in one coat. RePlay is designed to extend the life of new and existing asphalt surfaces. **(Note: will cure in less than 3 hours)**

**Project Prices** - Our price includes all materials, applicable taxes and labor to complete the project as explained.

**Please note:** The Customer is responsible for notifying the public that we will be working in your area. Pavement maintenance can be extremely dusty and dirty work and we strongly encourage the public to keep their personal property at a strong distance away from our work zone. This will avoid any possible concerns for dust, debris or damage. A recommended distance would be 75 – 150 feet away from the work zone. An Insurance Certificate is available upon request.

10<sup>th</sup> Street Crack repair (rout & seal) \$7,786.00

10th Street RePlay from Morning Side to Hennepin – RePlay price is \$54,327.00

**The price stated above is what we need to complete the project. If there are any Bid Bonds, or Payment and/or Performance Bonds needed for this project that cost will need to be ADDED to the prices listed above.**

**TERMS:** Owner agrees that all payments required under this Contract shall be due and payable within 30 days of date of invoice. Owner further agrees that Bargaen Inc. may charge interest at the annual rate of eighteen percent (18%), unless a lesser percentage is required by law on any sum due under this Contract which is not paid within 30 days of invoice date. If payments are not made when due, interest, costs incidental to collection and attorney's fees (if any attorney is retained for collection) shall be added to the unpaid balance. Bargaen Inc. reserves the right, without penalty from Owner, to stop work on the project if Owner does not make payments to Bargaen Inc. when due.

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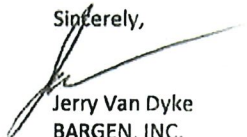
**Acceptance of proposal** – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. **This proposal may be withdrawn if not accepted within 20 days.**

Date of acceptance \_\_\_\_\_ PO # \_\_\_\_\_ (if applicable)

Signature \_\_\_\_\_ Signature \_\_\_\_\_

Thank you for the opportunity to provide you with information on the asphalt pavement maintenance needs in your community. I am confident that you will find the products used and the workmanship of our crew of the highest quality. I look forward to working with you in the near future.

Sincerely,



Jerry Van Dyke  
BARGEN, INC.  
JVD/Ih

Project for City of Glencoe – Crack Repair and RePlay on 10<sup>th</sup> Street

**Our Mission**

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Website: [www.bargeninc.com](http://www.bargeninc.com)  
Email: [bargen@bargeninc.com](mailto:bargen@bargeninc.com)



Bertram Asphalt Company  
P.O. Box 162  
Paynesville, MN 56362

Cell: 320-292-1311  
Email: [bertramasphalt@gmail.com](mailto:bertramasphalt@gmail.com)

## Proposal

Company Name: Glencoe (city of)  
Billing Address: 1107 11<sup>th</sup> Street East Suite 107  
Glencoe, MN 55336  
Contact Person: Jamie Voigt (Public Works Director)  
Cell: 320-510-0369  
Office: 320-864-5491

Date: May 27<sup>th</sup>, 2023

Email: [jvoigt@ci.glencoe.mn.us](mailto:jvoigt@ci.glencoe.mn.us)

Project Address: **Streets for the city of Glencoe as per attached map**

**We hereby submit specifications and quotations for the following:**

**Description of work to be performed**

	Unit	Qty.	Price
<b>Crack Sealing:</b>	<b>price is per pound</b>		<b>\$2.10 per pound</b>
Clean singular cracks that are 1/4" – 1.5" wide and not in alligatored areas.			
Blow cracks clean with high volume compressed air.			
Cracks will be filled and an overband put on all in one fill with a Double Wall Jacketed Oil Injector Melter.			
Failed cracks that have been previously sealed will be blown clean with high volume air and resealed.			
Cracks that are on previously chip sealed roads will be blown clean with high volume air and resealed.			
<b>We seal the cracks with a rubberized crack sealer that meets MN Dot Specs and we apply the material according to MN Dot Specs.</b>			
Product will be applied to manufacturers specifications.			
Single ply paper barrier or detach will be put on as a bond breaker on hot material when necessary.			
Alligator cracking, hairline cracking, block cracking, or cracks wider than 1.5" are not included unless otherwise specified.			

**Note: Sweeping of the asphalt is not included. Some dirt may be present when completed.**

**Note: Weeds on the asphalt surface should be sprayed or removed by others 2 weeks prior to sealing.**

**Note: This estimate is figured on putting down at least 23,000 pounds of rubberized crack seal material.**

**Note: It is estimated that it will take about 25,000 pounds of crack seal material to do this project.**

**Re-stripe NOT included.**

**Note: Fuel surcharge of 1% of contract price for every \$0.25 increase at pump price over \$5.00 for diesel fuel.**

Escalation Clause: This contract has been based on material costs at current market rates. Due to uncertain market conditions that are beyond our control and in the event of future material price increases the responsible party agrees to pay for the escalations of material without a change order. This paragraph applies only to materials.

Exclusions: Bonds, permits, fees, surveying, staking, engineering, testing, soil corrections, sub grade corrections, shouldering or turf restoration, Irrigation systems, damage to irrigation systems, location or relocation of underground lines, cables, or utilities, rock excavation, dewatering, traffic control, utility or structural sheeting, repair, or adjustments, underpinning, buried debris, drain tile, footing insulation or waterproofing, separation fabrics, geotextile fabric removal, disposal, or installation, vapor barriers, drainage layers, class V base materials other than listed above, hazardous materials, removal of contaminated soils, haul road or crane road construction, erosion control other than listed above, gas, mechanical, electrical, or electrical excavation, lighting, curb, concrete, site fence, evening, night or weekend work, winter conditions.

**We propose to furnish material and labor, complete in accordance with the above specifications, for the price of \$2.10 per pound:**

**Estimated Total on 25,000 pounds: \$52,500.00**

**Note: See Bertram Asphalt Company Warranty Terms, Qualifications, and Construction Specifications.**

By signing this contract, you are agreeing to the Bertram Asphalt Company Warranty Terms, Qualifications, and Construction Specifications.

Payment terms are net 10 days. Unpaid balances will accrue a late fee of 10% per month until paid in full and shall be charged on any balance 30 days past due.

Note: this proposal may be withdrawn if not accepted within 3 days. Any alteration or deviation from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. The owner/ general contractor, by acceptance of this proposal, agrees to pay all cost of collections, including reasonable attorney's fees incurred, in order to recover any amounts due or to become due herein. All agreements are contingent upon strikes, accidents, weather or other delays beyond our control. Contractor to carry proper insurance including Workers Compensation.

Authorized Signature: \_\_\_\_\_

Bill Bertram

Acceptance of Proposal: The above prices, specifications, conditions, and attached warranty qualifications are satisfactory and are hereby accepted.  
You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_

Signature: \_\_\_\_\_

Please take note: Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions. Under Minnesota law you have the right to pay persons who supplied labor and materials for the improvement directly and deduct the amount from the contract price, or withhold the amounts due them from us until 120 days after completion of the improvement unless we give you a lien waiver signed by persons who supplied any labor or materials for the improvement and who gave you timely notice.



