



AGENDA CITY COUNCIL WORK SESSION

March 24, 2025 - 6:00 PM

Lakeville City Hall, Marion Conference Room

Members of the public can participate in person at Lakeville City Hall, Marion Conference Room. Members of the public may join the meeting via [Teams Meeting](#), Meeting ID: 276 485 596 886 or by calling Toll Number 1-323-433-2142; Conference ID: 432 130 403#. The mayor will allow for public comments and questions at the appropriate time.

The City Council is provided background information for agenda items in advance by staff and appointed commissions, committees, and boards. Decisions are based on this information, as well as City policy, practices, input from constituents, and a council member's personal judgment.

1. Call to order, moment of silence and flag pledge

2. Citizen Comments

3. Discussion Items

30 minutes a. Heritage Liquor Store Study

Tana Wold

20 minutes b. Fourth Quarter 2024 Preliminary General Fund
Financial Report

Julie Stahl

20 minutes c. Social Host Ordinance

Jim Puncochar

30 minutes d. Leash Law Discussion

Jim Puncochar

4. Items for Future Discussion

5. Committee/ City Administrator Updates

6. Adjourn



Date: 3/24/2025

Heritage Liquor Store Study

Proposed Action

No formal action is required. Information is for discussion purposes only.

Overview

The current lease for our Heritage Liquor store is set to expire in June 2027. To ensure an informed decision regarding our future location strategy, we allocated resources in our budget to engage an external firm for a comprehensive market study. The study was commissioned to assess the suitability of our current location and, if necessary, identify alternative locations in coordination with our other three stores. Additionally, the study placed significant emphasis on market dynamics, industry trends, and a comparative analysis of the advantages and disadvantages of ownership versus leasing.

In July 2024, we engaged the Shenehon Company to conduct this study. Over the past several months, we have worked closely with the Liquor Committee to review and prepare a final draft of the study for consideration by the City Council.

Robert Strachota and Jackson Wiberg from the Shenehon Company will be available at the work session to discuss the study and present the findings.

Supporting Information

None

Financial Impact: \$n/a Budgeted: No Source: Envision Lakeville Community Values: Good Value for Public Service Report Completed by: Tana Wold, Liquor Operations Director



Date: 3/24/2025

Fourth Quarter 2024 Preliminary General Fund Financial Report

Proposed Action

No formal action required. Information is for discussion purposes only.

Overview

The attached financial report and analysis offers readers a narrative overview of the financial activities of the City's General Fund for fiscal year 2024 (preliminary only - audit not complete).

Supporting Information

1. 2024 4Qtr Financial Report
2. 2024 4Qtr Financial Report Analysis

Financial Impact: \$ Budgeted: Yes Source: General Fund Envision Lakeville Community Values: Good Value for Public Service Report Completed by: Julie Stahl, Finance Director

General Fund
Summary Statement of Revenues, Expenditures and Changes in Fund Balances
For the Twelve Month Period Ended December 31, 2024

						Comparative		
	2024	2024	12/31/2024	Variance from	Actual	12/31/2023	Variance from	
	Adopted	Amended	Actual	Amended Budget	Percent	Actual	2023 Actual	
	Budget	Budget		Positive (Neg)			Positive (Negative)	
Revenues								
General property taxes	\$ 29,821,150	\$ 29,821,150	\$ 29,513,138	\$ (308,012)	99.0%	\$ 26,701,304	\$ 2,811,834	110.5%
Licenses and permits	3,263,360	2,962,810	3,200,704	237,894	108.0%	3,489,815	(289,111)	91.7%
Intergovernmental	1,596,841	2,023,734	1,882,970	(140,764)	93.0%	3,739,685	(1,856,715)	50.4%
Charges for services	3,095,470	3,238,420	3,807,646	569,226	117.6%	3,293,972	513,674	115.6%
Court fines	240,000	240,000	222,790	(17,210)	92.8%	238,097	(15,307)	93.6%
Investment income	311,190	611,190	611,190	-	100.0%	349,769	261,421	174.7%
Miscellaneous	48,124	106,484	165,560	59,076	155.5%	217,762	(52,202)	76.0%
Total revenues	38,376,135	39,003,788	39,403,998	400,210	101.0%	38,030,404	1,373,594	103.6%
Expenditures								
Mayor and Council	138,400	131,457	101,012	30,445	76.8%	125,323	24,311	80.6%
Committees and Commissions	135,989	135,989	138,192	(2,203)	101.6%	132,694	(5,498)	104.1%
City Administration	647,060	574,094	571,896	2,198	99.6%	592,838	20,942	96.5%
City Clerk	359,100	414,338	414,819	(481)	100.1%	197,360	(217,459)	210.2%
Legal Counsel	87,000	97,000	99,102	(2,102)	102.2%	74,170	(24,932)	133.6%
Community and Econ. Development	1,205,148	1,217,588	1,057,935	159,653	86.9%	1,176,719	118,784	89.9%
Inspections	2,013,354	2,022,239	1,864,969	157,270	92.2%	1,904,395	39,426	97.9%
General Government Facilities	731,407	625,598	600,509	25,089	96.0%	575,087	(25,422)	104.4%
Finance	1,375,778	1,357,531	1,238,775	118,756	91.3%	1,055,442	(183,333)	117.4%
Information Systems	1,063,469	890,578	767,636	122,943	86.2%	720,397	(47,239)	106.6%
Human Resources	944,856	932,107	764,355	167,752	82.0%	664,244	(100,111)	115.1%
Insurance	250,000	250,000	250,000	-	100.0%	250,000	-	100.0%
Police	15,580,253	15,734,243	15,793,353	(59,110)	100.4%	14,540,155	(1,253,198)	108.6%
Fire	3,519,424	3,652,731	3,647,440	5,291	99.9%	2,892,792	(754,648)	126.1%
Engineering	1,206,320	983,805	815,856	167,949	82.9%	767,475	(48,381)	106.3%
Forestry	597,159	597,159	601,873	(4,714)	100.8%	543,397	(58,476)	110.8%
Construction Services	622,584	622,584	407,092	215,492	65.4%	587,436	180,344	69.3%
Streets	4,461,925	4,340,712	3,764,799	575,913	86.7%	4,023,230	258,431	93.6%
Parks	3,734,783	3,757,266	3,733,961	23,305	99.4%	3,386,961	(347,000)	110.2%
Recreation	1,056,799	1,105,169	1,103,849	1,320	99.9%	890,163	(213,686)	124.0%
Arts Center	984,762	1,130,781	1,219,877	(89,096)	107.9%	1,090,195	(129,682)	111.9%
Other	250,000	-	-	-	0.0%	-	-	0.0%
Total expenditures	40,965,570	40,572,969	38,957,300	1,615,670	96.0%	36,190,473	(2,766,827)	107.6%
Excess (deficiency) of revenues over expenditures	(2,589,435)	(1,569,181)	446,699	2,015,880		1,839,931	(1,393,233)	
Other financing sources (uses)								
Transfer from other funds	1,276,571	226,998	226,998	-	100.0%	681,999	(455,001)	33.3%
Transfer to other funds	(215,000)	(215,000)	(215,000)	-	100.0%	(2,353,880)	2,138,880	9.1%
Total other financing sources (uses)	1,061,571	11,998	11,998	-		(1,671,881)	1,683,879	-0.7%
Net change in fund balance	(1,527,864)	(1,557,183)	458,697	2,015,880		168,050	290,647	
Beginning fund balance	21,669,326	22,372,997	22,372,997	-		22,007,407	365,590	
Committed	(20,000)	-	-					
Ending fund balance	\$ 20,121,462	\$ 20,815,814	\$ 22,831,694	\$ 2,015,880		\$ 22,175,457	\$ 656,237	
Adj fund bal, Dec 31 (net of restricted)	\$ 20,121,462	\$ 20,144,363	\$ 22,695,996			\$ 22,039,759		
Net change in fund balance %	(7.1%)	(7.0%)	2.1%			0.8%		
Ratio: Fund balance to CY expends	49.1%	49.6%						
Ratio: Fund balance to NY expends	46.7%	47.2%						
Expense Summary:								
Personnel services	30,700,340	30,236,710	29,603,911	632,799	97.9%	26,691,291	(2,912,620)	110.9%
Commodities	2,371,189	2,357,018	2,120,805	236,213	90.0%	2,349,668	228,863	90.3%
Other charges and services	7,822,296	7,897,496	7,140,656	756,841	90.4%	7,020,570	(120,086)	101.7%
Capital outlay	71,745	81,745	91,928	(10,183)	112.5%	128,944	37,016	71.3%
	40,965,570	40,572,969	38,957,300	1,615,670	96.0%	36,190,473	(2,766,827)	107.6%



FINANCIAL HIGHLIGHTS:

The following financial report and analysis offers readers a narrative overview of the financial activities of the City for year ended December 31, 2024. This report only covers the General Fund. ***Readers should take note that this information is preliminary as the City's annual audit has not been completed and some amounts may be estimated as the final audit work is still being completed.*** The readers are encouraged to consider the information presented here in conjunction with the unaudited financial statements attached to this report, the adopted budget and the five-year Capital Improvement Plan.

❖ General Fund - Revenues

Total revenues are \$400,000 higher than amended budget estimates and \$1.3 million higher than the prior year.

❖ Property tax revenues.

- General property taxes were lower than budget estimates by \$308,000 or 0.9%. All delinquent taxes are recorded in the General Fund and other funds receive 100% of their current levy. Tax payments from Dakota County were received in June, July, December, with the final settlement received in January 2025.

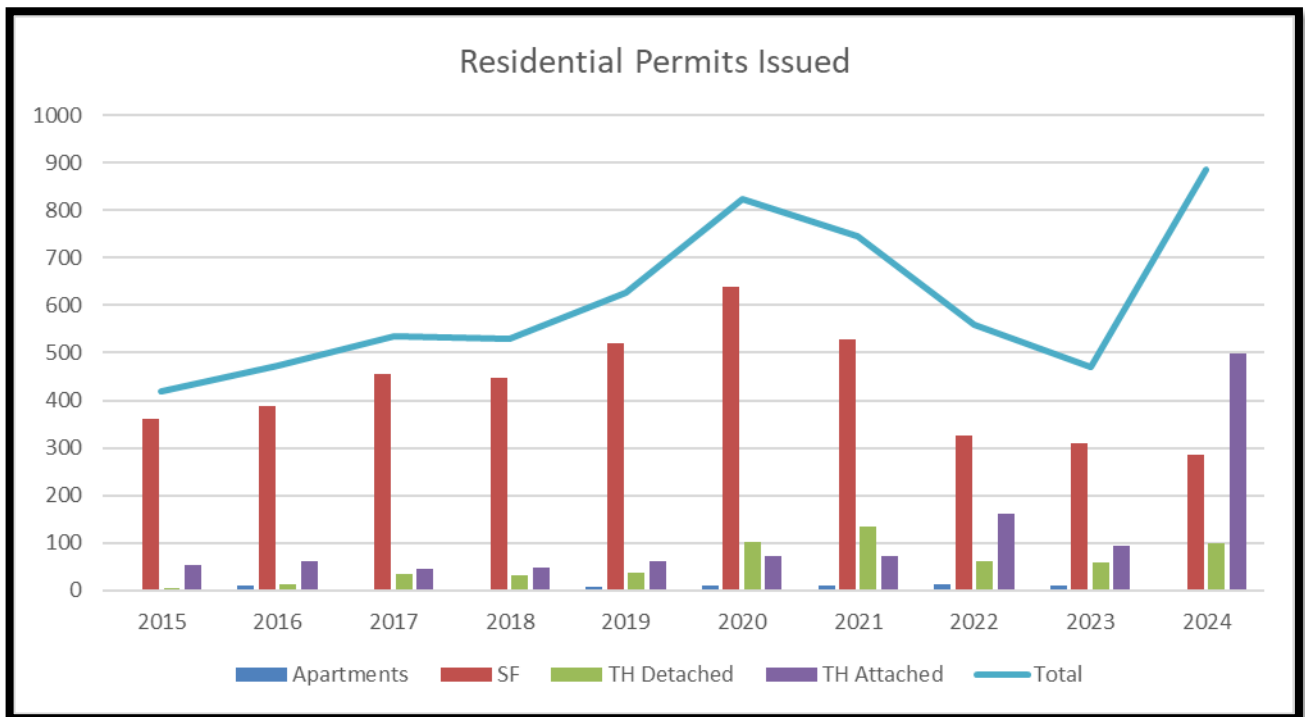
❖ Licenses and Permits.

- Licenses and Permit revenues were higher than the amended budget by \$238,000. Overall permit revenue decreased \$289,000 over the prior year. The following chart shows the 2024 actual number of building permits as well as a comparison of the 2024 budget to actual.

Permit Type	YTD 4th Quarter 2023	2024 Adopted Budget	YTD 4th Quarter 2024
Single Family	309	300	285
Townhome	152	140	149
Apartments (Units)	9 (252 units)	2 (243 units)	1 (89 units)
Commercial	8	4	5
Industrial	2	2	1

❖ *Historical Building Permits*

- As shown in the chart below building permits for single family had record breaking years in 2019, 2020 and 2021. Permits are trending to a steady growth as seen in years past. The mix of permit types is changing to include a mix of townhomes and apartment complexes.



❖ *Intergovernmental –*

- Intergovernmental revenues are lower than amended budget estimates by \$141,000. Police state aid revenues (\$797,000) were \$155,000 higher than the original budget. Fire State Aid (\$682,000) exceeded the original budget by \$106,000. Revenues for public safety programs such as traffic safety, protective vest replacement grants, police cadet grant and firefighter training grants continue to be strong.
- Intergovernmental revenues are lower than the prior year by \$1.8 million. This is primarily due to the prior year the City received \$3.15 million in one-time Public Safety Aid funding and \$1.85 million of this aid was reflected in the General Fund – the remainder was reflected in the Building Fund.

❖ *Charges for Services*

- General government services* exceed amended budget estimates by \$4,000 but remains lower than the previous year. The increase is primarily driven by \$265,000 in fiscal agent fees from Dakota 911 and Lakeville Arenas, accounting for most of the variance between the budget and prior-year comparison.

- *Public Safety* revenues are \$27,000 below budget estimates. While security services have increased slightly compared to the same period in 2023, SRO contributions have declined due to changes in SRO officer staffing. The current fire contract with Eureka Township expires at the end of 2024. City staff are actively working on a renewal, updating fees to align with state formula guidance and account for the addition of full-time firefighters. The 2024 fee of \$51,825 was billed in June.
 - *Public works* revenues for engineering-related services in connection with developer construction administration, inspection, and GIS have exceeded the amended budget by \$479,000 and the prior year by \$318,000. This increase aligns with the current level of developmental activity.
 - *Parks and Recreation* revenues are over budget estimates by \$110,000 and up \$320,000 from the prior year. This growth is primarily driven by higher rental activity at the newly renovated John Hennen Antlers Park Pavilion and the first full year of operations at the Fine Arts building.
- ❖ *Court Fines* –
- Revenues from court fines total \$222,000, falling \$15,000 below both budget estimates and the prior year. Court fine revenues, along with the membership fees paid to Dakota 911, are both impacted by the number of CAD calls. Moderate increases are anticipated.
- ❖ *Investment Revenue and Miscellaneous* –
- Investment income is \$611,000 driven by improved market conditions at the end of 2024. Investments are typically held until maturity; any temporary market value are expected to be recovered in future periods.

❖ **General Fund - Expenditures**

Total expenditures are approximately \$1.6 million below budget, representing a 4% reduction from the 2024 budget, but remain \$2.7 million higher than the prior period. General Fund staff overhead allocations for Communications and Enterprise funds are now shown as expenditure reductions within the various General Fund departments rather than Transfers-In.

- ❖ *Personnel*. Personnel services of \$29 million, coming in \$630,000 (2%) below amended budget estimates. However, compared to 2023, personnel costs increase by \$2.9 million due to the addition of new staff in 2024, including two police officers, six full-time firefighters, and three street and utility maintenance personnel. The increase was partially offset with savings that resulted from employee vacancies.
- ❖ *Motor Fuels*. Motor fuels are \$74,000 below budget and \$62,000 lower than in 2023, reflecting ongoing fuel price fluctuations. The City does have a contract for fuel prices in place to mitigate some of the price increases.
- ❖ *Street Chemicals*. Salt purchases for 2024 are \$22,000 lower than the same period in 2023 and \$75,000 below budget. Any purchases made at the end of the 2024-2025 winter season will be

stored at the central maintenance facility for use in late fall if needed. Current salt storage is at capacity and staff does not anticipate needing to replenish any reserves in 2025.

- ❖ *Utilities.* Electric costs are \$7,000 lower than for the same period in 2023, driven by energy-saving lighting improvements. However, natural gas costs have increased by \$29,000 compared to the same period last year.
- ❖ *Mayor and Council.* Expenditures are lower than the same period in 2023 due to changes in League of Minnesota Cities membership cycle, which now aligns with the City's calendar year.
- ❖ *City Administration.* Expenditures are lower than prior year due to the completion of the community survey and update to the Envision Lakeville report in 2023.
- ❖ *City Clerk.* Expenditures have increased compared to the prior year due to the costs associated with conducting elections in the current year. This aligns with typical budgetary patterns, as election-related expenses often lead to higher expenditures in election years.
- ❖ *Legal.* Legal fees remain somewhat within budget estimates but are higher compared to the same period in 2023.
- ❖ *Community and Economic Development.* Expenditures are \$160,000 under budget and \$119,000 lower than the previous year. Starting in 2024, the Community and Economic Development and Planning departments were consolidated.
- ❖ *Inspections.* Salaries are lower than budget and the previous year due to the retirement of the Building Official and transition between Building Officials.
- ❖ *General Government Facilities.* Salaries have increased compared to the same period in 2023 but are expected to remain within budget due to the filling of vacancies. Commodities and other charges and services are currently under the budget but are anticipated to align with the amended 2024 budget.
- ❖ *Finance Department.* Personnel costs are lower than budget but higher than the same period in 2023 due to employee vacancies. Commodities are below the prior year and within budget, as temporary staff required equipment to support the ERP implementation in 2023. Other charges and services are higher than in 2023 but are expected to remain under the 2024 amended budget, as internal staff are managing ERP costs instead of using a consultant.
- ❖ *Information Technology.* The timing of annual maintenance agreements can impact year-over-year expense comparisons. However, expenditures are currently below budget estimates due to project delays or incomplete projects.
- ❖ *Human Resources.* Personnel costs are at 89% of the budget and higher than the same period in 2023 due to transition costs associated with the retirement of the HR Manager in the first quarter of 2024 and the Payroll Technician in the fourth quarter of 2024. Professional fees are lower than the prior year, as ERP-related transition costs in early 2023 included upgrading NEOGOV and initiating the setup of the UKG time and attendance software.

- ❖ *Police.* Personnel services are over budget in the current year due to multiple employee retirements. Additionally, overtime costs are significantly higher than in most years due to the City's support of another local agency (City of Burnsville) during a high-profile incident. Salaries have increased by \$1 million compared to the previous year, reflecting new staff additions approved in the 2024 budget.
- ❖ *Fire.* Personnel services are higher than the budget and the previous year due to the addition of six full-time firefighters at the end of the second quarter. Firefighter pay is variable, dependent on call volume, and will continue to fluctuate as the department transitions to a hybrid model incorporating both full-time and paid-on-call staff. Commodities are lower than prior year, reflecting the acquisition of wireless headsets (14) and a chest compression device in the first quarter of 2023.
- ❖ *Engineering/GIS.* Personnel services are currently at 90% of budget estimates, primarily due to employee vacancies and ongoing transitions as the department works to fill these positions.
- ❖ *Forestry.* Personnel services are within budget estimates but are higher than the previous year due to new staff progressing through steps. Other charges and services fluctuate based on the number of ash trees removed from City properties.
- ❖ *Construction Services.* Personnel services are below budget at 65% due to employee vacancies.
- ❖ *Streets.* Personnel services are under budget and lower than the prior year, primarily due to reduced overtime costs from fewer snow events and personnel transitions related to retirements. Commodity expenses are also lower than the previous year, as fewer chemicals were purchased at the end of the 2024/2025 winter season. All unused chemicals have been stored for fall use, and salt storage is currently at capacity.
- ❖ *Parks.* Personnel services are slightly over budget due to the retirement and transition of Park and Recreation directors. However, overall expenditures remain within budget at 99%.
- ❖ *Recreation and Arts Center.* Recreation expenses are within budget in the fourth quarter but are exceeding the prior year by \$214,000. Arts Center expenses are exceeding the prior year due to added costs associated with the Art Board Grant awarded in 2023 and employee transitions in the first quarter. Overall expenditures are higher than the budget estimates and the previous year, driven by the first full year of operations for the Fine Arts building.



Date: 3/24/2025

Social Host Ordinance

Proposed Action

No formal action required. Information is for discussion purposes only.

Overview

One of the discussion topics at the council retreat earlier this year was a potential change related to our Social Host ordinance. City ordinance (5-7) is in place to discourage underage possession and consumption of alcohol, even within the confines of a private residence. The ordinance is designed to hold persons criminally responsible who host events or gatherings where persons underage possess or consume alcohol, whether the person hosting the event or gathering supplied the alcohol or not.

The current ordinance is specific to the consumption and possession of alcohol. Given changes to state law as it relates to cannabis, consideration could be given to incorporating this into the existing social host ordinance, as both alcohol and cannabis can be consumed legally by persons of a certain age. The definition of cannabis, as proposed in an updated ordinance, is as follows:

CANNABIS: Intoxicating cannabinoids, including those artificially derived, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or edible cannabinoid products, as those terms are defined in Minn. Stat. 342.01, as it may be amended.

We do not commonly use the social host ordinance from an enforcement standpoint. Still, it's a good tool to have to hold persons responsible who may provide a space for underage individuals to consume illicit chemicals.

Our City Attorney did review the current ordinance, and provided a draft of what a new ordinance could look like with the addition of cannabis.

Supporting Information

1. Work Session - Social Host

Financial Impact: \$ Budgeted: No Source: Envision Lakeville Community Values: Safety Throughout the Community Report Completed by: Brad Paulson, Chief of Police



City of Lakeville
Positioned to Thrive

To: Lakeville City Council
Subject: Social Host Ordinance
Date: March 24, 2025

Mayor and Council,

One of the discussion topics at your retreat earlier this year was a potential change related to our Social Host ordinance. Our ordinance (5-7) is in place to discourage underage possession and consumption of alcohol, even within the confines of a private residence. The ordinance is designed to hold persons criminally responsible who host events or gatherings where persons underage possess or consume alcohol whether the person hosting the event or gathering supplied the alcohol or not.

The current ordinance is specific to the consumption and possession of alcohol. Given changes to state law as it relates to cannabis, consideration could be given to incorporating this into the existing social host ordinance as both alcohol and cannabis can be consumed legally by persons of a certain age. The definition of cannabis, as proposed in an updated ordinance is as follows:

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We do not commonly use the social host ordinance from an enforcement standpoint, but it's a good tool to have to hold persons responsible who may provide a space for underage individuals to consume illicit chemicals.

Our City Attorney did review the current ordinance, and provided a draft of what a new ordinance could look like with the addition of cannabis.

Attachments:

x Current City Ordinance 5-7

x Draft Ordinance with Suggested Edits (as reviewed by City Attorney)

CHAPTER 7

SOCIAL HOSTS

SECTION:

5-7-1: Purpose And Findings

5-7-2: Definitions

5-7-3: Prohibited Acts

5-7-4: Exceptions

5-7-1: PURPOSE AND FINDINGS:

The city council intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons criminally responsible who host events or gatherings where persons under twenty one (21) years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol. The city council finds:

A. Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of twenty one (21) are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.

B. Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol related traffic collisions.

C. Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present, and condone the activity, and in some circumstances provide the alcohol.

D. Even though giving or furnishing alcohol to an underage person is a crime, it is difficult to prove, and an ordinance is necessary to help further combat underage consumption.

E. A deterrent effect will be created by holding a person criminally responsible for hosting an event or gathering where underage possession or consumption occurs. (Ord. 836, sec. 1, 4-7-2008)

5-7-2: DEFINITIONS:

For purposes of this chapter, the following terms have the following meanings:

ALCOHOL: Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin, or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.

ALCOHOLIC BEVERAGE: Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, liquor, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

EVENT OR GATHERING: Any group of three (3) or more persons who have assembled or gathered together for a social occasion or other activity.

HOST OR ALLOW: To aid, conduct, entertain, organize, supervise, control, or permit a gathering or event.

PARENT: Any person having legal custody of a juvenile:

- A. As a natural, adoptive parent, or stepparent;
- B. As a legal guardian; or
- C. As a person to whom legal custody has been given by order of the court.

PERSON: Any individual, partnership, copartnership, corporation, or any association of one or more individuals. A person does not include any city, county, or state agency.

RESIDENCE, PREMISES OR PUBLIC OR PRIVATE PROPERTY: Any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park, or any other place of assembly, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented, or used with or without permission or compensation.

UNDERAGE PERSON: Any individual under twenty one (21) years of age. (Ord. 836, sec. 1, 4-7-2008)

5-7-3: PROHIBITED ACTS:

- A. It is unlawful for any person(s) to:
 - 1. Host or allow an event or gathering at any residence, premises, or on any other private or public property where alcohol or alcoholic beverages are present when the person knows that an underage person will or does: a) consume any alcohol or alcoholic beverage; or b) possess any alcohol or alcoholic beverage with the intent to consume it and the person fails to take reasonable steps to prevent possession or consumption by the underage person(s).
- B. A person is criminally responsible for violating subsection A of this section if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise procures another to commit the prohibited act.
- C. A person who hosts an event or gathering does not have to be present at the event or gathering to be criminally responsible. (Ord. 836, sec. 1, 4-7-2008)

5-7-4: EXCEPTIONS:

- A. This chapter does not apply to conduct solely between an underage person and his or her parents while present in the parent's household.
- B. This chapter does not apply to legally protected religious observances.
- C. This chapter does not apply to retail intoxicating liquor or 3.2 percent malt liquor licensees, municipal liquor stores, or bottle club permit holders who are regulated by Minnesota statutes section 340A.503 subdivision 1(a)(1).
- D. This chapter does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment. (Ord. 836, sec. 1, 4-7-2008)

DRAFT

ORDINANCE NO. ____

**CITY OF LAKEVILLE
COUNTY OF DAKOTA, MINNESOTA**

**AN ORDINANCE AMENDING TITLE 5, CHAPTER 7 OF THE LAKEVILLE CITY
CODE CONCERNING THE FURNISHING OF ALCOHOL OR CANNABIS TO
UNDERAGE PERSONS BY SOCIAL HOSTS**

THE CITY COUNCIL OF THE CITY OF LAKEVILLE, MINNESOTA ORDAINS:

SECTION 1. Section 5-7-1 of the Lakeville City Code is hereby amended to add the following underlined language and delete the ~~striketrough~~ language as follows:

The city council intends to discourage underage possession and consumption of alcohol and cannabis, even if done within the confines of a private residence, and intends to hold persons criminally responsible who host events or gatherings where persons under twenty one (21) years of age possess or consume alcohol or cannabis regardless of whether the person hosting the event or gathering supplied the alcohol or cannabis. The city council finds:

A. Events and gatherings held on private or public property where alcohol or cannabis is possessed or consumed by persons under the age of twenty one (21) are harmful to those persons and constitute a ~~potential~~ threat to public health requiring prevention or abatement.

B. Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol or cannabis consumption, such as alcohol or cannabis overdoes or alcohol or cannabis related traffic collisions.

~~C. Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present, and condone the activity, and in some circumstances provide the alcohol.~~

~~D. Even though giving or furnishing alcohol is a crime, it is difficult to prove, and an ordinance is necessary to help further combat underage consumption.~~

~~E~~C. A deterrent effect will be created by holding a person criminally responsible for hosting an event or gathering where underage possession or consumption of alcohol or cannabis occurs.

SECTION 2. Section 5-7-2 of the Lakeville City Code is hereby amended to add the following definition:

CANNABIS: Intoxicating cannabinoids, including those artificially derived, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or edible cannabinoid products, as those terms are defined in Minn. Stat. § 342.01, as it may be amended.

SECTION 3. Section 5-7-3(A)(1) of the Lakeville City Code is hereby amended to add the following underlined language and delete the ~~striketrough~~ language as follows:

1. Host or allow an event or gathering at any residence, premises, or on any other private or public property where alcohol, ~~or~~ alcoholic beverage, or cannabis are present when the person knows than an underage person will or does: a) consume any alcohol, ~~or~~ alcoholic beverage, or cannabis; or b) possess any alcohol, ~~or~~ alcoholic beverage, or cannabis with the intent to consume it and the person fails to take reasonable steps to prevent possession or consumption by the underage person(s).

SECTION 4. Section 5-7-4(D) of the Lakeville City Code is hereby amended to add the following underlined language and delete the ~~striketrough~~ language as follows:

D. This chapter does not apply to situations where underage persons are lawfully in possession of alcohol, ~~or~~ alcoholic beverage, or cannabis during the course and scope of employment.

SECTION 5. Section 5-7-4 of the Lakeville City Code is hereby amended to add subsections E, F and G to read as follows:

E. This chapter does not apply to a person's cannabis use or possession for that person's medical procedures or treatment authorized by a physician for a qualifying medical condition, as defined in Minnesota Statutes, Section 342.01, subd. 63.

F. This chapter does not apply to a person acting as an agent of a cannabis microbusiness, cannabis mezzobusiness, cannabis retailer, medical cannabis combination business, or lower-potency hempy edible retailer who sells or otherwise transfers cannabis to a person under 21 years of age if the person complies with Minnesota Statutes, Section 342.27, subdivision 4 and any other applicable state rules promulgated under Minnesota Statutes, Chapter 342.

G. Law enforcement activities supervised by a law enforcement agency.

SECTION 6. Effective Date. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED by the City Council of the City of Lakeville, Minnesota this ____ day of _____, 2025.

CITY OF LAKEVILLE

BY: _____
Luke Hellier, Mayor

ATTEST:

Ann Orlofsky, City Clerk



Date: 3/24/2025

Leash Law Discussion

Proposed Action

No formal action required. Information is for discussion purposes only.

Overview

One of the topics discussed during the council retreat earlier this year was the city's "leash law" pertaining to the control of dogs in our community. Staff routinely receives citizen feedback or recommendations to review our current ordinance as it relates to controlling dogs in public areas. City ordinance (5-1-9) currently states that dogs must be controlled by a leash not exceeding 25 ft. in length unless a dog has passed a suitable training program and is under voice control of the handler, except when a pedestrian approaches within 100 ft. Some residents have requested that the ordinance be amended to require dogs to be leashed at all times while in public areas to minimize chances of conflict with other dogs or pedestrians.

Challenges with Current Ordinance:

- As with other misdemeanor offenses, generally any violation must be witnessed by an officer/community service officer to be enforced by citation. Many times, if a complaint comes in the situation has changed by the time the officer has arrived, or the dog/ dog owner are no longer in the area.
- The ordinance specifically lists a dog off leash must have passed the "canine good citizen test certification program or its approved equivalent". There are numerous training programs out there in which obedience is taught in a variety of ways, making it difficult to determine which training would qualify as adequate under this language.
- The ordinance states a dog must be brought under "close control" when a pedestrian is within 100 ft. This is defined as no more than 6 ft. from handler and dog is restrained so as not to come into physical contact with any person not of a dog handler's party except with that person's consent.

Potential Modifications to Consider:

- We could look to eliminate the "off-leash" component altogether, which would remove any discretion as to suitable training programs allowing dogs to be under voice control. This would require all dogs to be on a leash, not exceeding 25 ft. while in public places. We would make exceptions for city dog parks. This would simplify the current ordinance, however there would still be some enforcement challenges as any violations would still need to be witnessed by our staff to be enforceable by citation.

- Some have inquired about adding an electronic collar component, as that technology and training is more prevalent than when the ordinance was last updated. As it stands now, we generally treat an e-collar as being under voice control, as it relates to the ordinance. Some dog owners have spent significant money and resources on training to be able to enjoy time in public with their dogs off leash and an update to the ordinance requiring a leash may not be well received by this group. In addition, some dog owners specifically use large open public spaces to allow their dogs to run off leash while under voice or e-collar control (i.e. frisbee/ball chasing, etc.).
- Another consideration would be to delegate certain city parks or areas as "on-leash only" where public shouldn't have concern for dogs running off leash but there would still be other city parks and areas where that may be allowed. This, however, can add layers to an ordinance and get confusing to the public when there are different rules for different parks in town.

In summary, one of the most frequent complaints we get with our current ordinance is from pedestrians that are approached by an off-leash dog while using city parks and trails. Even if the dog is friendly, the pedestrian does not always know this as the dog is approaching. There is a certain comfort level to seeing a dog under control of a leash rather than voice control. Our goal is to receive Council input on some direction from here as to any appetite to change current ordinance and what types of changes you'd like to consider researching further.

Supporting Information

1. Work Session Leash Law

Financial Impact: \$ Budgeted: No Source: Envision Lakeville Community Values: Safety Throughout the Community Report Completed by: Brad Paulson, Chief of Police



To: Lakeville City Council
Subject: Leash Law Discussion
Date: March 24, 2025

Mayor and Council,

One of the topics you discussed during your retreat earlier this year was our “leash law” pertaining to the control of dogs in our community. We, and likely you, receive citizen feedback or recommendations to review our current ordinance as it relates to controlling dogs in public areas. Our ordinance (5-1-9) currently states that dogs must be controlled by a leash not exceeding 25 ft. in length unless a dog has passed a suitable training program and is under voice control of the handler, except when a pedestrian approaches within 100 ft., at which time the dog must be immediately recalled and brought under close control until the pedestrian retreats by 100 ft. Some residents have requested that the ordinance be amended to require dogs to be leashed at all times while in public areas to minimize chances of conflict with other dogs or pedestrians.

Challenges with Current Ordinance:

- As with other misdemeanor offenses, generally any violation must be witnessed by an officer/community service officer to be enforced by citation. Many times, if a complaint comes in the situation has changed by the time the officer has arrived, or the dog/dog owner are no longer in the area.
- The ordinance specifically lists a dog off leash must have passed the “canine good citizen test certification program or its approved equivalent”. There are numerous training programs out there in which obedience is taught in a variety of ways, making it difficult to determine which training would qualify as adequate under this language.
- The ordinance states a dog must be brought under “close control” when a pedestrian is within 100 ft. This is defined as no more than 6 ft. from handler and dog is restrained so as not to come into physical contact with any person not of a dog handler’s party except with that person’s consent.



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In summary, one of the most frequent complaints we get with our current ordinance is from pedestrians that are approached by an off-leash dog while using city parks and trails. Even if the dog is friendly, the pedestrian does not always know this as the dog is approaching. There is a certain comfort level to seeing a dog under control of a leash rather than voice control. Our goal is to receive Council input on some direction from here as to any appetite to change current ordinance and what types of changes you’d like to consider researching further.

Attachments: City Ordinance 5-1-9 (A)

5-1-9: CONTROL OF DOGS:

A. Restraint Of Dogs:

1. No person shall permit a dog owned by him or her or under his or her care to be at large within the City. (Ord. 680, sec. 3, 11-20-2000, eff. 6-1-2001)

2. No person shall permit a dog owned by him or her or under his or her care to be in a City park or on a City street, trail, or sidewalk unless controlled by a leash not exceeding twenty five feet (25') in length, except dogs that have passed the canine good citizen test certification program or its approved equivalent are permitted to be under voice control of a dog handler, except when a pedestrian approaches within one hundred feet (100'), at which time the dog must be immediately recalled and brought under close control until the pedestrian retreats by one hundred feet (100'). The canine good citizen test certification, or an approved equal, must be kept current. (Ord. 680, sec. 3, 11-20-2000, eff. 6-1-2001; amd. Ord. 1012, 6-17-2019)

3. In dog exercise and training areas designated by the City, dogs must be under voice control when not under close control and must comply with the rules for use of the area. (Ord. 1012, 6-17-2019)

4. In Ritter Farm park, all dogs, including dogs that have passed the canine good citizen test certification program, must be under close control. (Ord. 680, sec. 3, 11-20-2000, eff. 6-1-2001)