

Watertown City Council

June 11, 2019

Agenda Item: Immaculate Conception Church Fall Festival**Request for Action:** Adopt Resolution #2019-82, Approving Temporary 3.2 Liquor License and Resolution #2019-83, Approving Charitable Gambling Permit**Department:** City Clerk/Treasurer**Background:**

In support of their annual fall festival to be held on September 15, 2019, Immaculate Conception Church has submitted an application for a Temporary 3.2% Malt Beverage license as well as a charitable gambling permit.

The Church has completed all application forms, payment, and met the additional requirements for insurance and site information for the Temporary 3.2% license.

The Church intends to offer bingo and raffle as permitted by the State of Minnesota for lawful charitable gambling. The City only needs to provide permission for this activity as the license is issued by the State.

Staff recommends approval of Resolution #2019-82 and 2019-83.

Recommendation:

Staff recommends approval of Resolution #2019-82, approving application for Minnesota lawful gambling, and Resolution #2019-83, approving application for temporary on-sale non-intoxicating (3.2 beer) malt liquor license

Attachments:

Resolution #2019-82

Resolution #2019-83

Application for Temporary License

Application for Exempt Permit (Gambling)

**CITY OF WATERTOWN
RESOLUTION NO. 2019-82**

**RESOLUTION APPROVING
APPLICATION FOR MINNESOTA LAWFUL GAMBLING**

WHEREAS, the City of Watertown (the “City”) acknowledges that Immaculate Conception Catholic Church is required to apply for an Exempt Permit from the Minnesota Gambling Control Board for a raffle and Bingo games during its annual Fall Festival; and

WHEREAS, Immaculate Conception Catholic Church is required to receive the approval of the City before making application to the Minnesota Gambling Control Board,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Watertown, Minnesota, hereby approves the Minnesota Lawful Gambling LG220 Application for Exempt Permit for Immaculate Conception Catholic Church for its Fall Festival Sunday, Sept. 15, 2019.

Adopted by the City Council of the City of Watertown this 11th day of June, 2019.

Steve Washburn, Mayor

ATTEST: _____
Lynn Tschudi, Clerk/Treasurer

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: Immaculate Conception Church of Watertown Previous Gambling Permit Number: _____

Minnesota Tax ID Number, if any: 4238934 Federal Employer ID Number (FEIN), if any: _____

Mailing Address: 109 Angel Avenue

City: Watertown State: MN Zip: 55388 County: Carver

Name of Chief Executive Officer (CEO): Father James Devorak

CEO Daytime Phone: (952) 955-1458 CEO Email: _____
(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): karen.marie.clark1@gmail.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- A current calendar year Certificate of Good Standing**
Don't have a copy? Obtain this certificate from:
MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103
Secretary of State website, phone numbers:
www.sos.state.mn.us
651-296-2803, or toll free 1-877-551-6767
- IRS income tax exemption (501(c)) letter in your organization's name**
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
If your organization falls under a parent organization, attach copies of both of the following:
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Immaculate Conception Church of Watertown

Physical Address (do not use P.O. box): 109 Angel Avenue NW

Check one:
 City: Watertown Zip: 55388 County: Carver
 Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): Sunday, September 15th, 2019

Check each type of gambling activity that your organization will conduct:

Bingo Paddlewheels Pull-Tabs Tipboards Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

**CITY APPROVAL
for a gambling premises
located within city limits**

The application is acknowledged with no waiting period.

The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).

The application is denied.

Print City Name: Watertown

Signature of City Personnel: _____

Title: _____ Date: _____

The city or county must sign before submitting application to the Gambling Control Board.

**COUNTY APPROVAL
for a gambling premises
located in a township**

The application is acknowledged with no waiting period.

The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.

The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)
On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: Rev James Devorak Date: 5-7-2019
(Signature must be CEO's signature; designee may not sign)

Print Name: Rev James Devorak

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:
A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

_____ a copy of your proof of nonprofit status; and

_____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?
Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

Certificate of Coverage

Date: 6/4/2019

Certificate Holder

Archdiocese of Saint Paul and Minneapolis
 Chancery Office
 777 Forest Street
 St. Paul, MN 55106

This Certificate is issued as a matter of information only and confers no rights upon the holder of this certificate. This certificate does not amend, extend or alter the coverage afforded below.

Company Affording Coverage

THE CATHOLIC MUTUAL RELIEF
 SOCIETY OF AMERICA
 10843 OLD MILL RD
 OMAHA, NE 68154

Covered Location

Immaculate Conception Catholic Church
 109 Angel Avenue Northwest
 P.O. Box 548
 Watertown, MN 56096

Coverages

This is to certify that the coverages listed below have been issued to the certificate holder named above for the certificate indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded described herein is subject to all the terms, exclusions and conditions of such coverage. Limits shown may have been reduced by paid claims.

Type of Coverage	Certificate Number	Coverage Effective Date	Coverage Expiration Date	Limits	
Property				Real & Personal Property	
D. General Liability <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Claims Made	8589	7/1/2019	7/1/2020	Each Occurrence	500,000
				General Aggregate	
				Products-Comp/OP Agg	
				Personal & Adv Injury	
				Fire Damage (Any one fire)	
				Med Exp (Any one person)	
Excess Liability	8589	7/1/2019	7/1/2020	Each Occurrence	500,000
				Annual Aggregate	
Other				Each Occurrence	
				Claims Made	
				Annual Aggregate	
				Limit/Coverage	

Description of Operations/Locations/Vehicles/Special Items (the following language supersedes any other language in this endorsement or the Certificate in conflict with this language)

Coverage is verified with regard to Covered Location's Fall Festival to be held on parish grounds, September 15, 2019.

Includes Liquor Liability

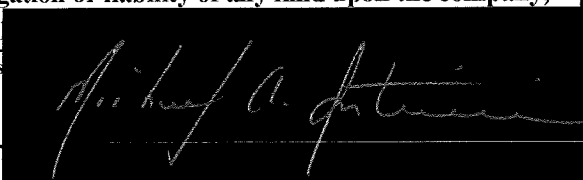
Holder of Certificate

City of Watertown
 309 Lewis Avenue South
 P.O. Box 279
 Watertown, MN 55388

Cancellation

Should any of the above described coverages be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the holder of certificate named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or re

Authorized Repres



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CINCINNATI OH 45999-0038

In reply refer to: 0248144558
May 16, 2019 LTR 4163C 0
41-0960703 000000 00

00015858
BODC: TE

IMMACULATE CONCEPTION CHURCH
109 ANGEL AVE NW
WATERTOWN MN 55388

Employer identification number: 41-0960703

Dear Taxpayer:

We're responding to your May 07, 2019, request for information about your tax-exempt status. We have no record that you are recognized as exempt from federal income tax under Internal Revenue Code (IRC) Section 501(a).

If you'd like to apply for exemption, submit one of the following completed forms, along with the applicable user fee:

- Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code
- Form 1023-EZ, Streamlined Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code
- Form 1024, Application for Recognition of Exemption Under Section 501(a)
- Form 1024-A, Application for Recognition of Exemption Under Section 501(c)(4) of the Internal Revenue Code

Organizations intending to operate under IRC Section 501(c)(4) should also submit Form 8976, Notice of Intent to Operate Under Section 501(c)(4). Visit our website at www.irs.gov/eo or review Publication, 557, Tax-Exempt Status for Your Organization, for information about tax-exempt organizations and applying for tax-exempt status. You can get a copy of Publication 557 at www.irs.gov/forms-pubs or by calling our toll free number for forms, 800-829-3676 (800-TAX-FORM). If you're affiliated with a state, regional or national organization, you may want to contact them to determine if they hold a group exemption ruling in which you are included.

Churches, integrated auxiliaries, or conventions or associations of churches that meet the qualifications for exemption are automatically considered tax exempt under IRC Section 501(c)(3) and may choose not to apply for formal recognition of such status. We don't issue determination letters in this instance. See Publication 1828, Tax Guide for Churches and Religious Organizations, Publication 557, and our website, www.irs.gov/eo, for the organizational and operational requirements if you believe you meet these requirements.

If you have questions, call 877-829-5500 between 8 a.m. and 5 p.m., local time, Monday through Friday (Alaska and Hawaii follow Pacific

**CITY OF WATERTOWN
RESOLUTION NO. 2019-83**

**RESOLUTION APPROVING
APPLICATION FOR TEMPORARY
ON-SALE NON-INTOXICATING (3.2 BEER) MALT LIQUOR LICENSE**

WHEREAS, the City of Watertown (the “City”) acknowledges that Immaculate Conception Catholic Church is required to apply for a temporary on-sale non-intoxicating malt liquor license to sell 3.2 beer at its annual Fall Festival Sunday, Sept. 15, 2019 under the provisions of Watertown Code – Chapter 6; and

WHEREAS, Immaculate Conception Catholic Church has supplied the City with the appropriate Certificate of Coverage for Liquor Liability through the Archdiocese of St. Paul and Minneapolis, and

WHEREAS, Immaculate Conception Catholic Church has provided the required information for the application,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Watertown, Minnesota, hereby approves the On-Sale Non-Intoxicating Malt Liquor License (3.2 beer) for Immaculate Conception Catholic Church for its Fall Festival Sunday, Sept. 15, 2019.

Adopted by the City Council of the City of Watertown this 11th day of June, 2019.

Steve Washburn, Mayor

ATTEST: _____
Lynn Tschudi, Clerk/Treasurer

CITY OF WATERTOWN
Temporary Intoxicating Liquor License

The undersigned hereby makes application for an On-Sale Intoxicating Malt Liquor Temporary License, under the provisions of Watertown Code - Chapter 6 and submit the following facts in support thereof:

Name of Non-Profit Organization Immaculate Conception Church of Watertown
Local Address (P.O. Box and Street Address) 109 Angel Avenue
Name of Person in Organization to Contact _____

Please list the events and locations of each event for which the On-Sale Intoxicating Malt Liquor Temporary License will be needed:

<u>Date</u>	<u>Event</u>	<u>Location</u>
<u>9-15-19</u>	<u>Fall Festival</u>	<u>109 Angel Avenue</u>
_____	_____	_____
_____	_____	_____

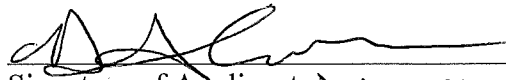
Approximately how many total days of events will be held for which the On-Sale Intoxicating Malt Liquor Temporary License will be required: 1

Provide a Certificate of Insurance which includes liquor liability coverage for the event.

The Fee for the Temporary On-Sale Intoxicating Malt Liquor License is \$200 for multiple days up to 4 days, or \$50 for one day.

1 day \$50
 Multiple days \$200

5-30-19
Date


Signature of Applicant DeAnna Clemens, Administrative Assistant

Filed this _____ day of _____, _____.

City Official

License granted _____
Expires _____