

**CITY OF MILACA
COUNCIL MINUTES**
April 20, 2023

Mayor Dillan called the Work Session to order at 6:05 p.m.

Following council members were present: Mayor Dave Dillan, Councilors: Laurie Gahm, Lindsee Larsen, Ken Muller and Norris Johnson.

Others present: City Manager Tammy Pfaff, Assistant City Clerk Deloris Katke, Communications Specialist Mary Mickelson

Mayor Dillan asked for comments from each councilmember on their views/opinions on the proposed chicken ordinance.

Councilmember Muller stated that cities like Sartell and St. Cloud have chicken ordinances but they have received several complaints about the ammonia smell and homeowners not cleaning up. Muller further stated that the city is trying to keep properties clean so why would we add to that problem?

Councilmember Larsen stated she would like to keep the chickens in an Agriculture zone not residential as it would just be too hard to keep in a residential area.

Mayor Dillan stated he is in a mayor's forum and he has received about 30 responses from other mayors. Some of them have stated that it has taken an enormous amount of staff time for only a handful of residents that want chickens. He further stated that bigger cities were more willing to adopt a chicken ordinance.

Councilmember Gahm stated that she could go either way on this ordinance. She knows of people that have chickens but yet the city does have enough issues of public nuisances.

Councilmember Larsen brought up the point of fire issues with heat lamps.

Councilmember Johnson stated he thinks it is a good idea especially for kids who are in 4-H to raise chickens. Good experience for them. However, he stated the cost for setup of chickens can be several hundred dollars.

Councilmember Muller stated that he would like to see our current public nuisances taken care of first.

Other discussion in regard to the possible rodents/animals that could come into town with chickens present.

Work session closed at 6:22 p.m.

Call to Order Roll Call

Mayor Dillan called the meeting of the Milaca City Council to order at 6:31 p.m.

Oath of office by Laurie Gahm.

Upon roll call, the following council members were present: Mayor Dave Dillan; Councilors: Norris Johnson, Ken Muller, Lindsee Larsen and Laurie Gahm.

Staff Present: City Manager Tammy Pfaff, Administrative Communications Specialist Mary Mickelson, Assistant City Clerk Deloris Katke, Public Works Superintendent Gary Kirkeby, Assistant Public Works Superintendent Warne Johnson, Milaca Fire Department Captain 2 Andy Ziegler.

Others Present: Chris Carlson of Borgholm Township, Jojean Ziegler and Diana Klages Head Coach for Milaca High School Wolves Archery.

Approval of the Agenda

Mayor Dillan called for a motion to approve the agenda. Johnson made a motion for approval, seconded by Larsen. Mayor Dillan stated there were a couple of additions to the agenda: Under 9(c) we need to add Resolution #23-14 Public Funds Banking Resolution and under New Business add 13i(1) Special Event Application for Milaca Rec Fest and Activities and Rotz Jammin'. With no further additions, Mayor Dillan called for a motion to amend the agenda. Muller made a motion for amendment of agenda, seconded by Johnson. With no further discussion, all in favor of the approval of the amended agenda; motion passed.

Approval of Consent Agenda

Mayor Dillan called for a motion to approve the Consent Agenda of the following items:

- a. Approval of the Minutes – March 16, 2023
- b. Approval of Bills and quarterly reports
- c. **Resolution #23-10 Resolution Approving Donations**

Muller made a motion for approval of Consent Agenda, seconded by Johnson. No further discussion. All in favor; motion carried.

Citizen Open Forum

Mayor Dillan asked if anybody present wanted to address anything not on the agenda. Chris Carlson from Borgholm Township advised the council that the township is willing to give the city the east half of the right of way for 110th Ave between 150th and 160th Street and the township is aware that there may be some annexation that may have to happen in the future. Mayor Dillan stated that the townships had a meeting today with the city in regard to the airport road. There are some options that they are looking at and will be presented to the Economic Development Committee and the Planning Commission. The process will be long and it will be next year before the project gets started.

Public Hearings:

Mayor Dillan called for a motion to open the Public Hearing at 6:36 p.m. Motion by Gahm, seconded by Larsen.

Resolution #23-11 Public Nuisance Abatement-230 5th St NW. Mayor Dillan called for a motion to approve Resolution 23-11. Motion by Johnson, seconded by Muller. With no further discussion, all in favor; motion passed.

Resolution #23-12 Public Nuisance Abatement-305 5th Ave SE. Mayor Dillan called for a motion to approve Resolution 23-12. Motion by Muller, seconded by Johnson. With no further discussion, all in favor; motion passed.

Resolution #23-13 Public Nuisance Abatement-845 3rd St SE. Mayor Dillan called for a motion to approve Resolution 23-13. Motion by Muller, seconded by Johnson. Mayor Dillan asked if anyone in the

audience had any questions on any of these properties. With no further discussion, all in favor; motion passed.

Mayor Dillan closed Public Hearing at 6:38 p.m.

Requests and Communications

Ordinances and Resolutions

Ordinance #504 Ordinance amending Title IX (General Regulations), adding Chapter 99 (Chickens) to the City of Milaca Code of Ordinances. Mayor Dillan called for a motion to un-table ordinance from October 2022. Larsen made a motion to un-table Ordinance from October 2022, seconded by Johnson.

Mayor Dillan then called a motion to approve the first reading of Ordinance #504 Ordinance amending Title IX (General Regulations), adding Chapter 99 (Chickens) to the City of Milaca Code of Ordinances. Johnson made a motion to approve the first reading of Ordinance #504 Ordinance amending Title IX (General Regulations), adding Chapter 99 (Chickens) to the City of Milaca Code of Ordinances, seconded by Larsen.

Mayor Dillan stated there was discussion earlier at the work session. Mayor Dillan called for any more discussion. With no further discussion, Mayor Dillan called for a roll-call vote to approve first reading of Ordinance #504: Muller – No; Johnson – Yes; Larsen – No; Gahm – No; Mayor Dillan - No. With four no votes and 1 yes vote, Ordinance #504 failed.

Resolution #23-14 Public Funds Banking Resolution - City Manager Pfaff stated First National Bank is tightening up their security features and they needed to have a well-defined as to who is entitled to do what processes through payroll, transfers, deposits. This resolution lays out the guidelines for them. They will then unlock our account. They just needed a Resolution so that we could get that under control.

Mayor Dillan called for a motion to approve Resolution #23-14. Motion by Larsen to approve Resolution #23-14 Public Funds Banking Resolution; seconded by Muller. No further discussion. All in favor; motion carried.

Reports of Departments, Boards and Commissions

City Manager – Credit Card Policy – City Manager Pfaff explained that the city is in the process of updating policies and these updates will help our audits as well. City Manager Pfaff explained the process to checking out the credit card.

(City Attorney Damien arrived at 6:42)

Mayor Dillan called for a motion to approve the Credit Card Policy. Muller made a motion for approval of the Credit Card Policy, seconded by Johnson. No further discussion. All in favor; motion carried.

Computer Use Policy: City Manager Pfaff explained this policy is just so employees are not using computers for personal use. Mayor Dillan called for a motion for approval. Muller made a motion for approval of the Computer Use Policy, seconded by Johnson. No further discussion. All in favor; motion carried.

Police – Nothing.

Parks – Public Works Superintendent Gary Kirkeby stated that they are slowly coming along with projects.

Public Works – Public Works Superintendent Gary Kirkeby stated they have started sweeping streets (when it is not snowing). He is requesting a transfer of \$41,000 from the Public Works Reserve fund to the 2023 budget. Kirkeby stated that some of the equipment like snowplow and snowblower were in the 2024 CIP budget but items take longer to get and if he could order this equipment now, maybe he could have them by next winter.

Mayor Dillan called for a motion to approve transfer. Johnson made a motion to approve the transfer of \$41,000 from Public Works Reserve fund to the 2023 Public Works Equipment budget, seconded by Muller. No further discussion. All in favor; motion carried.

Liquor Store – City Manager Pfaff just stated that they are getting closer to the cooler door installation and should be done soon.

Fire Department – Milaca Fire Department Captain 2 Andy Ziegler stated they have two bids for lights for the Ranger. First bid is for \$4,452.95 from North Central Bus & Equipment. The second bid is for \$5,042.00 from Star Squads. We would like to go with North Central Bus & Equipment. City Manager Pfaff asked if this was coming out of the Equipment Reserve and Ziegler stated he believes so.

Mayor Dillan called for a motion for approval of the quote for lights for the Ranger from North Central Bus & Equipment for \$4,452.95. Larsen made a motion for approval. Seconded by Gahm. No further discussion. All in favor; motion carried.

Milaca Fire Department Captain 2 Andy Ziegler stated they have one bid through the state for a radio for \$3,696.48 and since this is a state bid, they are not required to get another bid.

Mayor Dillan called for a motion for approval of the bid from the state in the amount of \$3,696.48. Johnson made a motion for approval. Seconded by Muller. No further discussion. All in favor; motion carried.

Planning and Zoning – Nothing

Airport – Mayor Dillan stated that when they talked about the airport road earlier, they talked about doing that road into the airport. Mainly because we can get that funding. Muller stated that would be nice as if a classic car show is held out there, the classic cars don't like to ride on gravel roads. Johnson stated that it would be nice for plowing and probably cost less in regular grading maintenance.

Committees

Budget – Audit coming up next week

EDC –

Unfinished Business

New Business

Hwy 23 Reconstruction Project-Delayed to 2027 – Mayor Dillan stated that he would be interested in the city putting out a letter to MN DOT to persuade to continue this project for 2026. Muller stated we need this improvement for economics. City Manager Pfaff to prepare a letter to MN DOT.

Milaca Archery requesting Funds from Gambling Fund – Diana Klages, High School Head Coach for the Milaca Archery program was present to request funds to help the three teams go to Nationals to help offset some of the expenses. There will be 37 archers attending Nationals. It will cost about \$1,300 per family for the gas, hotel and food. Johnson asked how would the funds be allocated? Klages stated the funds would be to the archer so 37 ways. City Manager stated this does fall into the gambling fund guidelines. Gahm asked if this was something we do because then we would have to for football, wrestling, etc. Mayor Dillan expressed the same concern. Mayor Dillan stated this should be more for community wide. Klages stated that they don't get to go to Nationals every year. You have to qualify for this so this wouldn't be something we would come back to ask every year. Klages further stated that they do have several fundraisers that they are hoping will help and they now have a fundraising committee to help for this expense year round. They leave May 11 and shoot on May 13. Johnson stated that he believed there was about \$75,000 in that gambling fund and not utilized. City Manager Pfaff stated that some of those funds have been allocated. Mayor Dillan stated that the policy for these gambling funds may need to be looked at. The Milaca Wolves Archery has recently branched off of the school and they have their own 501(c) but are still a piece of Community Ed but their own club. The Nationals are in Louisville, Kentucky. Johnson stated that some guidelines should be established going forward so we wouldn't be setting a precedence. Mayor Dillan agreed and said that for now because it is a National event, we give them some money. Gahm suggested an amount of \$20 a piece so a total of \$740. Mayor Dillan asked \$750.00? Muller made a motion to approve \$750.00, Gahm seconded the motion. No further discussion. All in favor, motion passed.

June City Council Date Change – Mayor Dillan stated it is now scheduled for parade night. June 22 he is out of town. Johnson suggested the Wednesday, 21st. Council in favor of the 21st.

Special Event Application for Runnin' In The Ruff – Mayor Dillan asked for an update. Communication Specialist Mary Mickelson stated that it has been postponed. No date has been set. Johnson made a motion to approve the Runnin' in the Ruff Special event application, seconded by Larsen. No further discussion. All in favor, motion passed.

Special Event Application for Reggae Ska Rock Festival - Saturday, August 12 – just a one day event now. Mayor Dillan called for a motion to approve the Special Event Application for Reggae Ska Rock Festival. Muller made a motion for approval, seconded by Johnson. No further discussion. All in favor, motion passed.

Special Event Application for Summer Air Art Fair - Mayor Dillan called for a motion to approve the Special Event Application for Summer Air Art Fair. Muller made a motion for approval, seconded by Johnson. No further discussion. All in favor, motion passed.

Special Event Application for Pickle in the Park - Mayor Dillan called for a motion to approve the Special Event Application for Pickle in the Park. Larsen made a motion for approval, seconded by Gahm. No further discussion. All in favor, motion passed.

Special Event Application for 3rd Lair Skate & Demo & Band Showcase - Mayor Dillan called for a motion to approve the 3rd Lair Skate & Demo & Band Showcase. Johnson made a motion for approval, seconded by Muller. No further discussion. All in favor, motion passed.

Special Event Application for Music in the Parks (3 dates) - Mayor Dillan called for a motion to approve the Special Event Application for Music in the Park. Gahm made a motion for approval, seconded by Johnson. No further discussion. All in favor, motion passed.

Special Event Application for Milaca Rec Fest and Activities and Rotz Jammin' - Mayor Dillan called for a motion to approve the Special Event Application for Milaca Rec Fest and Activities and Rotz Jammin'. Johnson made a motion for approval, seconded by Muller. No further discussion. All in favor, motion passed.

Liquor Sales Off Premise-El Jalisco - Mayor Dillan called for a motion to approve the Liquor Sales Off Premise for El Jalisco. Muller made a motion for approval, seconded by Larsen. No further discussion. All in favor, motion passed.

Closed meeting – Letter of Intent to Purchase Property- Mayor Dillan read the following statement:

“This portion of the properly noticed meeting of the Milaca City Council will be closed pursuant to Minnesota Statutes under the closed meeting for real estate sales or purchase exception to the Minnesota Open Meeting Law, pursuant to Minnesota Statute Section 13D.05 Subd. 3(a)(3) which states:

(3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property.

The need for confidentiality outweighs the purposes served by the open-meeting law in this case based on the following:

Confidentiality is necessary to protect the City’s negotiating strength and interest as to real estate negotiations.

The purpose of the closed meeting is not to make a decision behind closed-doors but instead is to determine what actions are appropriate with respect to the real estate negotiations.

The only business to be discussed in this portion of the meeting will be the real estate negotiations and what action, if any, should be taken.”

I will now entertain a motion to close this portion of the meeting. Motion by Johnson to close meeting. Seconded by Muller. All in favor, motion passed.

Meeting closed at 7:08 p.m. April 20, 2023 Milaca City Hall

Present: Mayor Dave Dillan, Councilmembers Norris Johnson, Ken Muller, Lindsee Larsen and Laurie Gahm. City Manager Tammy Pfaff, City Attorney Damien, Public Works Superintendent Gary Kirkeby, Assistant City Clerk Deloris Katke and Communications Specialist Mary Mickelson.

MEETING BACK IN SESSION AT 7:27 P.M.

Mayor Dillan: "Members of the council, following the completion of our business, we will now adjourn into open session and I will entertain a motion to adjourn the closed portion of the meeting and go back into open session. Time now is 7:27 p.m."

Motion by Muller to re-adjourn at 7:27 p.m. Seconded by Johnson.

Attorney Damien stated that the purpose of the closed session pertained to a potential land purchaser that presented a nonbinding letter of intent for purchase of a city owned lot. Council has a direction on what they want to move forward with and if and when a final contract is presented for approval, that will be done in an open session at regular council meeting or at a special council meeting.

Mayor Dillan called for a motion for approval of the letter of intent to purchase. Motion made by Johnson, seconded by Muller. No further discussion. All in favor, motion passed.

Miscellaneous

Council Comments

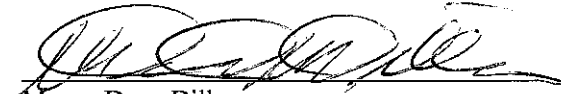
Gahm just wanted to thank the council for welcoming her back.

Muller just wanted to welcome Laurie and that it was good to have a full council again.

Mayor Dillan just wanted to remind everyone of the banquet on Saturday night.

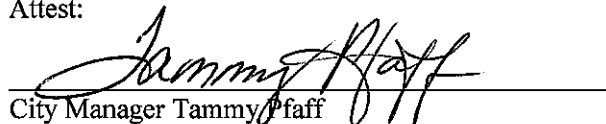
Adjourn:

Mayor Dillan called for a motion to adjourn. Larsen made a motion to adjourn. Seconded by Johnson. No further discussion. All in favor; motion carried. Meeting adjourned at 7:32 p.m.



Mayor Dave Dillan

Attest:



City Manager Tammy Pfaff