

CITY OF MILACA  
CITY COUNCIL MEETING  
COUNCIL AGENDA  
January 16, 2020

1. Call Meeting to Order 6:30 p.m.
2. **OATH OF OFFICE**
3. Pledge of Allegiance
4. Roll Call- Present: Mayor-Pete Pedersen\_\_ Council Members; Dave Dillan\_\_ Lindsee Larson\_\_ Norris Johnson\_\_ Cory Pedersen\_\_  
Absent; \_\_\_\_\_
5. **Approval of Agenda** MB\_\_2<sup>nd</sup>\_\_AIF\_\_O\_\_
6. **Consent Agenda** MB\_\_2<sup>nd</sup>\_\_AIF\_\_O\_\_
  - A. Approval of the Minutes – December 19, 2019
  - B. Approval of Bills
  - C. Approval of Treasurer’s Report
  - D. Resolution 20-01 Appointing Election Judges and Polling Place and Hours
  - E. Resolution 20-02 Annual Appointments and Official Designations for 2020
  - F. Resolution 20-03 End of Year 2019 Budget Adjustments
  - G. Resolution 20-04 NSF/Account Closed Write Off
7. **Citizen Open Forum-**
8. **Public Hearing-**
9. **Requests and Communications-**
10. **Ordinances and Resolutions-**
  - H. Ordinance No. FIRST READING 455 Amending the Tobacco Ordinance to age 21 MB\_\_2<sup>nd</sup>\_\_AIF\_\_O\_\_
  - I. Resolution 20-05 to Lease, Purchase and Finance Caterpillar Loader 930M/attachments MB\_\_2<sup>nd</sup>\_\_AIF\_\_O\_\_
11. **Reports of Departments, Boards and Commissions**
  - J. Police Department- Monthly Activity-
  - K. Parks Commission- Mayor to review activity
  - L. Public Works Department- Activity Report- MB\_\_2<sup>nd</sup>\_\_AIF\_\_O\_\_
  - M. Planning Commission – Request for Rezoning Jay and Rosemary Lunn from R2 to B2 MB\_\_2<sup>nd</sup>\_\_AIF\_\_O\_\_
  - N. Economic Development Commission- Meeting on January 27<sup>th</sup>
  - O. Fire Department- MB\_\_2<sup>nd</sup>\_\_AIF\_\_O\_\_
  - P. MCAT-IF - Phase 3
  - Q. Joint Powers Board- No Activity
  - R. Safety Committee-
  - S. Veterans Memorial- Veterans Memorial Committee’s and City Managers recommendation to assign SEH Engineer.
12. **Unfinished Business**
13. **New Business-**
- 14.
15. **Council Comments**
16. **Adjourn \_\_\_\_\_ p.m. MB\_\_2<sup>nd</sup>\_\_AIF\_\_O\_\_**

**MILACA CITY COUNCIL MINUTES  
DECEMBER 19, 2019 MEETING**

**Call to Order Roll Call**

The regular meeting of the Milaca City Council was called to order at 6:30 p.m. by Mayor Pedersen. Upon roll call the following council members were present: Mayor Pedersen, Councilors: Norris Johnson, Lindsee Larsen, and Cory Pedersen. Councilors Absent: Dave Dillan

**Staff Present:** City Manager Tammy Pfaff, City Treasurer Tracy Gann-Olehy, Police Chief Todd Quaintance, Police Officer Craig Elgin, and Public Works Supervisor Gary Kirkeby.  
Also Present: Tim Hennagir, Jesse Gerads, and Tim and Karen Poorker.

**Approval of the Agenda**

Mayor Pedersen called for a motion to approve the agenda with the addition of the Ogilvie contract to be placed under unfinished business. Motion by C. Pedersen to approve the agenda, the motion was seconded by Johnson. Motion carried unanimously.

**Consent Agenda**

Motion by C. Pedersen, second by Johnson to approve the consent agenda. Motion carried unanimously.

- a) Minutes of the November 21, 2019 City Council Meetings
- b) Approval of Bills
- c) Resolution 19-54 Accepting Donations

**Citizens Forum** — Tim Poorker presented drawings for the Veterans Memorial. The Veterans Memorial Commission hired an engineer, Short, Elliott and Hendrickson, for the project. A topographical survey of the site will be done in the spring of 2020. They are beginning to work on finding a grant writer and have set a budget of \$300,000 for the project. The commission has voted to raise \$100,000 before starting the project. They are working on a memorandum of understanding between the commission, the City, and Rum River Community Foundation. They will be selling commemorative bricks for \$100 each. The project has a five year timeline.

**Requests and Communications** —

**Public Hearing-Truth in Taxation** — Mayor Pedersen opened the public hearing at 6:39 p.m. He explained that the increase to the levy was 2%. No citizens came forward to comment or ask questions. There were no comments from the Council. Mayor Pedersen closed the public hearing at 6:43 p.m.

**Ordinances and Resolutions**

**Resolution 19-55** — Resolution Approving 2020 Liquor and Tobacco Licenses. Upon a motion by Johnson and seconded by Larsen the Resolution is passed. Motion carried unanimously.

**Resolution 19-56** — Resolution Approving 2020 Liquor Tax Levy and Final Budget. Upon a motion by Johnson and seconded by Larsen the Resolution is passed. Motion carried unanimously.

**Reports of Departments, Boards and Commissions**

**Police Department** — Council reviewed the monthly report.

**Parks Commission** — Public Works Supervisor Gary Kirkeby reviewed with council the park items to be approved for purchase from the donation funds. Approved purchases: skate park additional concrete for \$16,000 upon a motion by C. Pedersen and seconded by Larsen. Motion carried unanimously. Cross Country Ski Trail Groomer recommended by Craig Billings approved upon a motion by Larsen and seconded by Johnson. Motion carried unanimously. Track Bobcat Skidsteer for \$24,000 upon a motion by Johnson and seconded by C. Pedersen. Motion carried unanimously. C. Pedersen made a motion to set aside \$150,000 of the 3<sup>rd</sup> donation for future maintenance and new projects. That motion was seconded by Larsen and the motion carried unanimously. Cindy Biederman requested \$500 to organize a candlelight ski and it was approved on a motion by C. Pedersen and seconded by Johnson. The motion carried unanimously. Kirkeby stated that Baas Construction will begin framing the Gorecki addition on Monday, December 23<sup>rd</sup>. In addition, the ice rink was flooded but the opening will be weather dependent since temperatures are expected to be too warm for ice skating for a while.

**Public Works Department** — Activity report review. Gary stated that they experienced the first water main break of the season in the 600 block of 2<sup>nd</sup> Ave SE. He also requested to replace the loader/tractor. The purchase would be on the State bid and fits into the capital improvement plan. The old equipment would be traded in for a value of \$44,000. The current equipment is 15 years old. Motion by Larsen and seconded by Johnson to approve the purchase. Motion carried unanimously.

**Planning and Zoning Commission** — No meeting held. Tammy informed the Council that demo permits were picked up for the hazardous building discussed at the last meeting.

**Economic Development Commission** — No meeting held.

**Fire Department** — Jesse Gerads stated that they picked up the tanker/pumper. He also stated that Fire Chief Craig Billings is retiring from the department on December 31, 2019.

**MCAT-IF** —

**Joint Powers Board** —

**Unfinished Business – Ogilvie Contract** — Mayor Pedersen commented that he heard from Mark Nilson with concerns about the transition from Milaca being their Clerk/Treasurer to the staff they have appointed. The personnel committee will meet to discuss the concerns on Friday, December 27<sup>th</sup>.

**New Business** —

**Council Comments** — C. Pedersen thanked Tracy Gann-Olehy for her years serving the citizens of Milaca since she has resigned her position. He also encouraged citizens with comments or concerns to directly contact any member of the City Council instead of posting negative comments on social media. Concerns can be more positively handled if expressed directly.

**Adjourn**

With no other business presented before the council, Mayor Pedersen called for a motion to adjourn and a motion was made by Johnson and seconded by C. Pedersen. Motion carried unanimously. Meeting adjourned at 7:21 p.m.

\_\_\_\_\_  
Mayor Harold Pedersen

ATTEST:

\_\_\_\_\_  
City Manager Tammy Pfaff

**CITY OF MILACA**  
**Check Summary Register**  
**10100 General Bank - ACH**

Check #	Name	Check Date	Check Amt	Description
819224e	EFTPS-STATE TAXPAYMENT	12/20/2019	\$2,022.44	STATE W/H
819225e	EFTPS-STATE TAXPAYMENT	12/20/2019	\$142.77	STATE W/H
819226e	FURTHER	12/20/2019	\$66.22	SHAW-EE CONTRIBUTION
819227e	ENDICIA ACCOUNTING	12/19/2019	\$500.00	POSTAGE FOR METER
820001e	EFTPS-STATE TAXPAYMENT	1/7/2020	\$1,998.14	STATE W/H
820003e	EFTPS-STATE TAXPAYMENT	1/7/2020	\$144.25	STATE W/H
820004e	CENTERPOINT ENERGY	1/13/2020	\$2,226.43	NATURAL GAS
820005e	MN DEPT OF REVENUE	1/13/2020	\$1,209.00	W/S SALES TAX
820006e	EAST CENTRAL ENERGY	1/13/2020	\$10,134.85	ELECTRIC
820007e	MILACA LOCAL LINK	1/13/2020	\$297.11	PHONE SERVICE
820008e	INCONTACT INC	1/13/2020	\$63.05	LONG DISTANCE SERVICE
820009e	MN DEPT OF LABOR & INDUSTRY	1/13/2020	\$191.15	1ST QTR SURCHARGE
820010e	MIDCONTINENT	1/13/2020	\$100.00	INTERNET-
820011e	FURTHER	1/13/2020	\$17,495.00	XXX QTR CONTRIBUTIONS
	<b>Total Checks</b>		<b>\$36,590.41</b>	

**CITY OF MILACA**  
**Check Summary Register**  
**10100 General Bank - Checks**

Check #	Name	Check Date	Check Amt	Description
45756	ALEX AIR APPARATUS, INC.	12/26/2019	\$4,900.00	TURNOUT GEAR EXTRACTOR-FIRE
45757	AMAZON	12/26/2019	\$1,349.03	HANDSET FOR PHONE-PW
45758	HABERMAN, DIONNE	12/26/2019	\$1,131.00	5/1/19 - 11/1-19 OGIIVIE MILEAGE
45759	U.S. POSTMASTER	12/26/2019	\$252.07	DEC BILLINGS
45760	VERIZON WIRELESS	12/26/2019	\$644.30	DEC WIRELESS ROUTER SVC
45761	VISA	12/26/2019	\$1,654.28	EVIDENCE LOCKERS-TODAYS CLASSROOM
45762	BLUE CROSS BLUE SHIELD OF	1/2/2020	\$14,017.04	MEDICAL INSUR-JAN 2020
45763	DELTA DENTAL OF MN	1/2/2020	\$33.50	PED DENTAL-JAN 2020
45764	FAMILY HERITAGE	1/2/2020	\$79.00	SUPPL LIFE INS - JAN 2020
45765	MN BENEFITS	1/2/2020	\$572.08	LIFE/DENTAL-JAN 2020
45766	UNUM	1/2/2020	\$670.29	LIFE, STD, LTD- JAN 2020
45767	FRONTIER	1/9/2020	\$777.34	PHONE SVC-POLICE
45768	JIMS MILLE LACS DISPOSAL	1/9/2020	\$122.96	GARBAGE-FIRE
45769	MILACA BLDG CENTER	1/9/2020	\$0.00	TRAILS
45769	MILACA BLDG CENTER	1/9/2020	\$6,890.25	SPLASH PAD SHELTER
45770	SENTRY SYSTEMS, INC.	1/9/2020	\$1,391.28	COMMERCIAL MONITORING-CITY
45771	ACCURATE RADAR SPECIALTIES	1/16/2020	\$90.00	RADAR CALIBRATION
45772	AJW CONTRACTING INC	1/16/2020	\$14,861.00	SPLASHPAD SHELTER
45773	AMERICAN WATER WORKS ASSN	1/16/2020	\$334.00	2020 DUES KIRKEBY
45774	AMERIPRIDE	1/16/2020	\$150.02	RUGS-CITY
45775	ASCAP	1/16/2020	\$363.00	2020 LICENSE
45776	AW RESEARCH LABORATORIES	1/16/2020	\$197.00	TESTING-WATER
45777	BANK OF ZUMBROTA	1/16/2020	\$22,286.00	PEDESTRIAN BRIDGE-PRINCIPAL
45778	BECKER ARENA PRODUCTS INC	1/16/2020	\$26,516.05	HOCKEY RINK
45779	BERG, SAMUEL	1/16/2020	\$75.00	CELL PHONE REIMB-1ST QTR 2020
45780	BILLINGS SERVICE	1/16/2020	\$3,946.35	GAS-FIRE
45781	CATERPILLAR FINANCIAL SVCS	1/16/2020	\$15,000.00	CATERPILLAR SNOWBLOWER - PW
45782	CLARK EQUIPMENT CO	1/16/2020	\$52.50	AFTER MARKET PARTS-PW
45783	CORE & MAIN LP	1/16/2020	\$310.00	VXU READER REPAIR
45784	DEPUTY REGISTRAR #093	1/16/2020	\$250.25	LICENSE TABS-PW
45785	DOVE FRETLAND PLLP	1/16/2020	\$4,628.35	CIVIL RETAINER
45786	DR POWER EQUIPMENT	1/16/2020	\$668.96	EQUIP. MOUNTAIN BIKE TRAILS
45787	E.C.M. PUBLISHERS, INC.	1/16/2020	\$1,484.22	ORD #454 AD
45788	ERLANDSON, GERALD	1/16/2020	\$31.28	REFUND WATER BILL
45789	FIRE EQUIPMENT SPECIALTIES	1/16/2020	\$127.66	UNDERWATER FLASHLIGHTS
45790	FIRST NATIONAL BANK MILACA	1/16/2020	\$133,554.00	LIBRARY REFUNDING INTEREST
45791	GK CONSULTING LLC	1/16/2020	\$867.00	JAN NETWORK
45792	GOPHER STATE ONE CALL	1/16/2020	\$17.55	DEC LOCATES
45793	GOVOFFICE LLC	1/16/2020	\$2,883.00	WEBSITE UPGRADE/HOSTING
45794	GREATER MN PARKS & TRAILS	1/16/2020	\$150.00	2020 DUES
45795	HJORT EXCAVATING	1/16/2020	\$20,882.50	TRIMBLE PLAYGROUD
45796	HOEFT, BRIAN	1/16/2020	\$336.47	REIMB-PICKUP NEW FIRE TRUCK-12/17/19
45797	HOLIDAY COMPANIES	1/16/2020	\$1,061.42	GAS-POLICE
45798	IPRINT TECHNOLOGIES	1/16/2020	\$75.00	PRINTER TONER-WATER
45799	JOHNSON, WARNE	1/16/2020	\$75.00	REIMB CALL PHONE-1ST TR 2020
45800	KOCHS HARDWARE HANK	1/16/2020	\$442.72	SHOP SUPPLIES-PW
45801	LAKE ASSOCIATES	1/16/2020	\$14,871.75	DEVELOPERS 90%-TIF2-6 (75)
45802	LEAGUE OF MN CITIES INSUR	1/16/2020	\$1,270.00	JOINT POWERS
45803	LIND, MARSHALL	1/16/2020	\$155.00	ICC BLDG INSPECTION CERTIFICATION

**CITY OF MILACA**  
**Check Summary Register**  
**10100 General Bank - Checks**

Check #	Name	Check Date	Check Amt	Description
45804	M.D.R.A.	1/16/2020	\$300.00	2019 DUES - #093
45805	MILACA AUTO VALUE	1/16/2020	\$221.32	PART-PW
45806	MILACA CHAMBER OF	1/16/2020	\$910.71	NOV 19 LODGING TAX
45807	MILACA, CITY OF	1/16/2020	\$51,802.50	JOINT POWERS EXPENSE
45808	MN COMPUTER SYSTEMS INC	1/16/2020	\$110.72	COPIER MAINTENANCE-CITY
45809	MN SHERIFFS ASSOCIATION	1/16/2020	\$80.00	DATA PRACTICES-R PORTER-FEB 2020
45810	MOTOROLA	1/16/2020	\$228.00	RADIO EQUIP-POLICE
45811	NAPA CENTRAL MN	1/16/2020	\$145.99	PARTS-MACK TRUCK-PW
45812	NORTHLAND TRUST SERVICES,	1/16/2020	\$264,976.75	GO 2019A INTEREST
45813	OLDENBURG, JOHN	1/16/2020	\$75.00	REIMB CELL PHONE-1ST QTR 2020
45814	OMANN BROTHERS INC	1/16/2020	\$42,698.50	ALLEY IMPROVEMENTS-PW
45815	PF AFF, TAMMY	1/16/2020	\$150.00	REIMB CELL PHONE-1ST QTR 2020
45816	QUILL CORPORATION	1/16/2020	\$106.95	W2/1099 FORMS-TREASURER
45817	RDT PROPERTIES LLC	1/16/2020	\$19,096.23	DEVELOPER 90%-TIF4-10(77)
45818	RUGGED FLEET SERVICE LLC	1/16/2020	\$383.77	2000 STERLING TRUCK REPAIR-PW
45819	ST. CLOUD REFRIGERATION	1/16/2020	\$1,355.56	FURNACE REPAIR-CITY HALL
45820	STARRY ELECTRIC, INC	1/16/2020	\$655.00	REPAIR CITY HALL LIGHTS
45821	STATE CHEMICAL SOLUTIONS	1/16/2020	\$136.25	CHEMICALS-PW
45822	TEALS MARKET	1/16/2020	\$31.41	MEETING SUPPLIES-PW
45823	THOMAS SNO SPORTS	1/16/2020	\$354.48	ARCTIC CAT REPAIR-FIRE
45824	TIDD TECH	1/16/2020	\$7,184.32	GROOMER-TRAILS
45825	WEINREICH, JACOB	1/16/2020	\$75.00	REIMB CELL PHONE-1ST QTR 2020
45826	WUBBEN, MARK	1/16/2020	\$75.00	REIMB CELL PHONE-1ST QTR 2020
45827	ZIEGLER, JUDD & TRACIE	1/16/2020	\$141.72	REFUND OVERPMT-555 2ND AVE NW
<b>Total Checks</b>			<b>\$693,792.65</b>	

**CITY OF MILACA**  
**Check Summary Register**  
**10900 Liquor Bank - ACH**

<b>Check #</b>	<b>Name</b>	<b>Check Date</b>	<b>Check Amt</b>	<b>Description</b>
920001e	EAST CENTRAL ENERGY	1/7/2020	\$1,779.61	ELECTRIC
920003e	CENTERPOINT ENERGY	1/13/2020	\$400.23	NATURAL GAS
920004e	MN DEPT OF REVENUE	1/13/2020	\$19,799.00	LIQUOR SALES TAX
920005e	MILACA, CITY OF	1/13/2020	\$28.67	WATER/SEWER
920006e	HIBU	1/13/2020	\$129.99	WEB HOSTING-
	<b>Total Checks</b>		<b>\$22,137.50</b>	

**CITY OF MILACA**  
**Check Summary Register**  
**10900 Liquor Bank - Checks**

Check #	Name	Check Date	Check Amt	Description
25072	VIKING BOTTLING CO.	12/13/2019	\$599.36	NA
25073	AMAZON	12/26/2019	\$22.43	PAPER-LIQUOR
25074	VERIZON WIRELESS	12/26/2019	\$40.01	DEC DIGITALSIGN
25075	MILACA, CITY OF	12/31/2019	\$65,750.00	BUDGETED TRANSFER TO GENERAL FUND
25076	BELLBOY CORP.	1/2/2020	\$2,101.45	LIQUOR
25077	BENT BREWSTILLERY	1/2/2020	\$115.46	BEER
25078	BERNICKS	1/2/2020	\$2,784.54	BEER
25079	BREAKTHRU BEVERAGE MN	1/2/2020	\$4,062.91	LIQUOR
25080	BROOKVIEW WINERY	1/2/2020	\$96.00	WINE
25081	C & L DISTRIBUTING CO.	1/2/2020	\$27,404.00	BEER
25082	DAHLHEIMER DISTRIBUTING CO.	1/2/2020	\$37,504.81	BEER
25083	DEFIANT DISTRIBUTORS	1/2/2020	\$177.70	LIQUOR
25084	FRONTIER	1/2/2020	\$147.64	JAN SERVICE
25085	JOHNSON BROTHERS LIQUOR	1/2/2020	\$32,528.96	LIQUOR
25086	PAUSTIS WINE COMPANY	1/2/2020	\$1,367.00	WINE
25087	PHILLIPS WINE AND SPIRITS	1/2/2020	\$8,375.81	LIQUOR
25088	SENTRY SYSTEMS, INC.	1/2/2020	\$593.16	2020 ALARM MONITORING
25089	SOUTHERN GLAZERS OF MN	1/2/2020	\$5,309.50	LIQUOR
25090	VINOCOPIA	1/2/2020	\$559.50	WINE
25091	WATSON COMPANY	1/2/2020	\$3,416.78	MISC
25092	WINE MERCHANTS	1/2/2020	\$1,895.30	WINE
25093	AMERICAN BOTTLING CO.	1/16/2020	\$328.84	NA
25094	AMERIPRIDE	1/16/2020	\$183.17	RUGS
25095	C & L DISTRIBUTING CO.	1/16/2020	\$10,517.25	NA
25096	CRYSTAL SPRINGS ICE	1/16/2020	\$123.12	MISC
25097	GRANITE CITY JOBBING	1/16/2020	\$2,149.50	MISC
25098	JIMS MILLE LACS DISPOSAL	1/16/2020	\$114.66	REFUSE COLLECTION
25099	KOCHS HARDWARE HANK	1/16/2020	\$74.51	SUPPLIES
25100	M. AMUNDSON LLP	1/16/2020	\$2,262.13	SUPPLIES
25101	MN MUNICIPAL BEVERAGE	1/16/2020	\$200.00	BAT SERVER TRAINING
25102	OMANN BROTHERS INC	1/16/2020	\$7,820.00	LIQUOR STORE IMPROVEMENTS-PARKING
25103	PAUSTIS WINE COMPANY	1/16/2020	\$909.83	WINE
25104	ST. CLOUD REFRIGERATION	1/16/2020	\$282.50	COOLER REPAIR
25105	STATE CHEMICAL SOLUTIONS	1/16/2020	\$136.25	DEICER
25106	VIKING BOTTLING CO.	1/16/2020	\$448.75	NA
	<b>Total Checks</b>		<b>\$220,402.83</b>	

RESOLUTION NO. 20 – 01

RESOLUTION APPOINTING ELECTION JUDGES AND DESIGNATING POLLING  
HOURS AND LOCATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILACA,  
MINNESOTA;

1. Polling hours to be set from 7:00 a.m. to 8:00 p.m. for Presidential  
Primary March 3<sup>rd</sup>, 2020, Primary Election August 11<sup>th</sup>, 2020 and the General Election  
November 3<sup>rd</sup>, 2020.

2. Polling place to be the Milaca City Hall, 255 1<sup>st</sup> Street E, Milaca, MN  
56353.

3. To appoint the following election judges:

Ardy Becklin  
Arla Johnson  
Leslie Anfinson  
Deloris Katke  
Sherie Billings  
Mary Mickelson  
Pam Novak  
Karen Carter  
Karen Schlenker  
Ginger Martin  
Carla Bruggeman  
Tammy Pfaff

4. To appoint Ardy Beckin, Mary Mickelson and Tammy Pfaff as head election judges.

Adopted this 16th day of January, 2020.

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Mayor Harold Pedersen

ATTEST

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Tammy Pfaff, City Manager

**RESOLUTION #20-02**

**RESOLUTION SETTING ANNUAL APPOINTMENTS AND  
OFFICIAL DESIGNATIONS FOR 2020**

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Milaca, hereby sets the following annual appointments and official designations for 2020:

Official Newspaper: Union Times

Official Depositories: First National Bank of Milaca, LPL Financial, Morgan Stanley, 4M Fund, RBC Wealth Management, any FDIC insured institution

Individuals Authorized to Conduct Electronic Funds Transfers: City Treasurer  
Tammy Pfaff City Manager

Mayor Protem: Dave Dillan

Order of Succession for Declaring an Emergency: Pedersen-Dillan-Johnson-C. Pedersen-TBD

Commission Appointments:

**PARKS**

Matt Follmuth	12/31/2019
Kevin Marter	12/31/2020
Josh Dehart	12/31/2020
Joe Wildman	12/31/2020
Cory Greninger	12/31/2019
Dan Meyer, Chair	12/31/2021
Cindy Biederman, Secretary	12/31/2021
Council Member Pete Pedersen	12/31/2020

**PLANNING**

Arla Johnson	12/31/2021
Joel Millam	12/31/2020
Scott Harlicker, Chair	12/31/2019
Pam Novak	12/31/2020
Sherie Billings	12/31/2021
Council Member TBD	12/31/2022

**Fire Department Officers**

Fire Chief Jess Gerads  
Deputy Chief Michael Nelson  
Deputy Chief Tom Christensen  
Captain Adam Soloman  
Captain Andy Ziegler  
Secretary Chris Ehlen

**Personnel Committee**

City Manager Tammy Pfaff	12/31/2019
Mayor Harold Pedersen	12/31/2019
Council Member- Dave Dillan	12/31/2019

**Budget Committee**

City Manager Tammy Pfaff	12/31/2019
City Treasurer	12/31/2019
Mayor Harold Pedersen	12/31/2019
Council Member- Norris Johnson	12/31/2019

**EDC-Economic Development Committee**

Chair-Joe Cronin  
Council Member-Dave Dillan  
City Manager- Tammy Pfaff  
Secretary- Tim Truebenbach

**Tourism Board-** To be determined at the January 23rd, 2020 meeting.

**RISE-** Council Representative- Cory Pedersen

Adopted this 16<sup>th</sup> day of January 2020.

ATTEST

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Mayor Harold Pedersen

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Tammy Pfaff, City Manager

RESOLUTION NO. 20 – 03

RESOLUTION APPROVING BUDGET ADJUSTMENTS

BE IT RESOLVED by the Milaca City Council that the Council hereby approves the following budget changes for 2019:

Act Type	Account		Original Budget	Increase	Decrease
<b>General Fund</b>					
R	101-33160	Other Grants/Gifts	18,000.00	56,660.00	
R	101-36204	Miscellaneous Refunds	6,000.00	8,600.00	
R	101-39204	Transfer from Fire Dept Reserv	50,000.00	65,205.00	
E	101-41940-103	Part-Time Employee	31,105.00	6,300.00	
E	101-41940-570	Office Equip and Furnishings	-	9,925.00	
E	101-42280-151	Workers Comp Insurance Prem	16,000.00	27,515.00	
E	101-42280-208	Training and Travel	6,000.00	8,950.00	
E	101-42280-241	Reserve Purchase	260,000.00	61,800.00	
E	101-43000-221	Equipment Parts/Repairs	25,000.00	8,600.00	
E	101-45200-104	Temp-Summer Help	12,325.00		6,300.00
E	101-49810-310	Other Professional Services	4,000.00	47,710.00	
<b>Special Revenue Funds</b>					
R	210-36230	Contributions and Donations	50,000.00	65,205.00	
E	210-42280-700	Transfer to General Fund	50,000.00	65,205.00	
R	214-34750	Rec Fest Charges	13,000.00	2,485.00	
E	214-49000-310	Other Professional Services	9,000.00	1,200.00	
E	214-49000-437	Other Miscellaneous	1,500.00	1,285.00	
E	215-49000-310	Other Professional Services	-	9,100.00	

Adopted this 16<sup>th</sup> day of January, 2020.

\_\_\_\_\_  
Mayor Harold Pedersen

ATTEST

\_\_\_\_\_  
Tammy Pfaff, City Manager

RESOLUTION #20-04

RESOLUTION TO WRITE OFF NSF/ACCOUNT CLOSED CHECKS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Milaca, that the City hereby write-off the following Non-Sufficient Funds/Account Closed checks:

**Deputy Registrar:**

<u>Name</u>	<u>Date Check Written</u>	<u>Amt.</u>
Schumacher, Jamie	May 31, 2019	\$140.75
<b>TOTAL.....</b>		<b>\$140.75</b>

Adopted this 16<sup>th</sup> day of January 2020.

\_\_\_\_\_  
Mayor Harold Pedersen

ATTEST

\_\_\_\_\_  
Tammy Pfaff, City Manager

**FIRST READING  
ORDINANCE NO. 455  
AN ORDINANCE AMENDING TITLE XI (BUSINESS REGULATIONS) CHAPTER 113  
(TOBACCO REGULATIONS) OF THE CITY OF MILACA CODE OF ORDINANCES**

New language indicated by underline and deleted language indicated by ~~striketrough~~

THE CITY COUNCIL OF THE CITY OF MILACA, MINNESOTA DOES ORDAIN AS  
FOLLOWS:

Section

- .01 Intent
- .02 Amendment
- .03 Penalty

**§     .01 INTENT.**

It is the intent of the City of Milaca to amend the below ordinance to reflect the new federal law which makes it illegal to sell tobacco products to anyone under the age of 21. This includes e-cigarettes and vaping products.

**§113 TITLE XI (BUSINESS REGULATINS) CHAPTER 113 (TOBACCO  
REGULATIONS) SECTION 113.06 (D) SUBD. (2) OF THE CITY OF MILACA CODE  
OF ORDINANCES IS HEREBY AMENDED TO READ:**

**§ 113.06 PROHIBITED SALES.**

- (A) It shall be a violation of this chapter for any person to sell or offer to sell any tobacco, tobacco product, or tobacco related device without a license.
- (B) No license shall be issued to any person at any place other than his or her established place of business.
- (C) No license shall be issued for the sale of cigarettes from a moveable place of business.
- (D) No person shall or company shall sell at retail, keep for retail sale, or otherwise deal in cigarettes:
  - (1) Within 100 feet of any school building;
  - (2) To any person under the age of ~~18~~ 21 years;
  - (3) By means of any type of vending machine, except as may otherwise be provided in this chapter;
  - (4) By means of self-service methods whereby the customer does not need to make a verbal or written request to an employee of the licensed premise in order to receive the tobacco, tobacco product, or tobacco related device and whereby there is not a physical exchange of the tobacco, tobacco product, or tobacco related device between the licensee or the licensee's employee, and the customer;
  - (5) By means of loosies as defined in § 113.02 of this code;
  - (6) Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process; or

(7) By any other means, to any other person, or in any other manner or form prohibited by federal, state, or other local law, ordinance provision, or other regulation.  
(Ord. passed 11-20-97) Penalty, see § 113.99

**§ \_\_\_\_ .03 PENALTIES.**

Any person convicted of violating any provision of this chapter shall be guilty of a misdemeanor.

Adopted by the City Council of the City of Milaca this 16<sup>th</sup> day of January, 2020.

---

Mayor Harold Pedersen

ATTEST:

---

Tammy Pfaff, City Manager

RESOLUTION NO. 20-05



Attachment B  
Transaction Number 3812892

**GOVERNMENTAL ENTITY RESOLUTION TO LEASE, PURCHASE AND/OR FINANCE**

**WHEREAS**, the laws of the State of Minnesota (the "State") authorize **CITY OF MILACA** (the "Governmental Entity"), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into any necessary contracts; and

the Governmental Entity wants to lease, purchase and/or finance equipment ("Equipment") from **Caterpillar Financial Services Corporation** and/or an authorized Caterpillar dealer ("Caterpillar") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar; and

the form of the Agreement has been presented to the governing body of the Governmental Entity at this meeting.

**RESOLVED**, that: (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the Governmental Entity enter into the Agreement with Caterpillar and (iii) the Agreement is adopted as a binding obligation of the Governmental Entity; and

that changes may later be made to the Agreement if the changes are approved by the Governmental Entity's counsel or members of the governing body of the Governmental Entity signing the Agreement (the "Approved Changes") and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and

that the persons listed below, who are the incumbent officers of the Governmental Entity (the "Authorized Persons"):

Name (Print or Type)	Title (Print or Type)
<u>Tammy Pfaff</u>	<u>City Manager</u>
<u>Harold Pedersen</u>	<u>Mayor</u>
_____	_____

be, and each is, authorized, directed and empowered, on behalf of the Governmental Entity, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he/she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

that the Secretary/Clerk of the Governmental Entity is authorized to attest to these resolutions and affix the seal of the Governmental Entity to the Agreement, these resolutions, and any related documents; and

that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that the authority granted by these resolutions will apply equally and with the same effect to the successors in office of the Authorized Persons.

I, Tammy Pfaff, City Manager of CITY OF MILACA, certify that the resolutions above are a full, true and correct copy of resolutions of the governing body of the Governmental Entity. I also certify that the resolutions were duly and regularly passed and adopted at a meeting of the governing body of the Governmental Entity. I also certify that such meeting was duly and regularly called and held in all respects as required by law, at the Governmental Entity's office. I also certify that at such meeting, a majority of the governing body of the Governmental Entity was present and voted in favor of these resolutions.

I also certify that these resolutions are still in full force and effect and have not been amended or revoked.

IN WITNESS of these resolutions, the officer named below executes this document on behalf of the Governmental Entity.

Signature: \_\_\_\_\_  
Title: City Manager  
Date: \_\_\_\_\_



**1. PARTIES**

LESSOR (we):

LESSEE (you):

CATERPILLAR FINANCIAL SERVICES CORPORATION

CITY OF MILACA

**2. PAYMENT SCHEDULE**

<u>Payment Dates</u>	<u>Payment Numbers</u>	<u>Payment Amounts Due</u>
_____	1	\$15,000.00
_____	2 - 7	\$31,315.98
	FINAL PAYMENT OF	\$56,080.00

**SIGNATURES**

LESSOR CATERPILLAR FINANCIAL SERVICES CORPORATION

LESSEE CITY OF MILACA

Signature \_\_\_\_\_  
Name (print) \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

Signature \_\_\_\_\_  
Name (print) \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_





# PRODUCT PURCHASE AGREEMENT

DATE \_\_\_\_\_

PURCHASER	City of Milaca	1205 Central Ave N
STREET ADDRESS	255 1st St E	Milaca, MN 56353
CITY/STATE	Milaca, MN	COUNTY Mille Lacs
POSTAL CODE	56353	PHONE NO. 320 983 6547
EQUIPMENT	Gary Kirkeby	
CUSTOMER CONTACT:	PRODUCT SUPPORT	
INDUSTRY CODE:	Public Services	EST. DELIVERY DATE: 01/10/2020
		F.O.B. AT: City of Milaca

ACCOUNT NUMBER	0491060	Sales Tax Exemption # (if applicable)	PURCHASER PO NUMBER
----------------	---------	---------------------------------------	---------------------

PAYMENT TERMS: (All terms and payments are subject to Finance Company - OAC approval)			
NET PAYMENT ON RECEIPT OF INVOICE <input type="checkbox"/>	NET ON DELIVERY <input type="checkbox"/>	FINANCIAL SERVICES <input type="checkbox"/>	CSC <input type="checkbox"/> LEASE <input checked="" type="checkbox"/> <b>CAT FINANCIAL TERMS</b>
CASH WITH ORDER	BALANCE TO FINANCE	CONTRACT INTEREST RATE	0.000%
PAYMENT PERIOD	PAYMENT AMOUNT	NUMBER OF PAYMENTS	OPTIONAL BUY-OUT

QUANTITY	DESCRIPTION OF EQUIPMENT ORDERED / PURCHASED	PRICE
1	2020 Caterpillar 930M (s/n: F5K00694) ZID: L8459 -Install roading fenders -Install 20.5 R25 Michelin XSNO PLUS tires -Include two sets of blank Fusion hooks -3.2 yd Fusion bucket -5 year / 2,000hr Premiér warranty -Per proposal 170687-01	\$195,866.28
1	Hitchdoe 9200 Snow Blower ZID: X78094 -Installed	\$62,950.00
1	-Fusion mount	\$7,940.00

YEAR	BILL OF SALE - TRADE-IN EQUIPMENT	SERIAL NO.	SELL PRICE
2002	Deere 624H w/rear mount wing	585488	LESS GROSS TRADE ALLOWANCE
			\$266,756.28
			\$44,140.00
			<b>SUBTOTAL</b>
			\$222,616.28
			SALES TAX 0.000%
			\$ 0.00
			TRADE BALANCE OWED
			\$
			<b>TOTAL</b>
			\$222,616.28

PURCHASER REPRESENTS AND WARRANTS ANY TRADE-IN EQUIPMENT IS FREE OF ALL LIENS, ENCUMBRANCES, LIABILITIES, AND ADVERSE CLAIMS OF EVERY NATURE WHATSOEVER EXCEPT AS NOTED BELOW:

GROSS TRADE ALLOWANCE PAYOUT TO \_\_\_\_\_ AMOUNT OWING: 44,140.00

PURCHASER TO PAYOUT  ZIEGLER INC. TO PAY OUT

PURCHASER HEREBY SELLS THE TRADE-IN EQUIPMENT DESCRIBED ABOVE TO ZIEGLER INC. SUBJECT TO THE TERMS ON PAGE 2.

<input type="checkbox"/> NEW EQUIPMENT WARRANTY	<input type="checkbox"/> USED EQUIPMENT WARRANTY
New equipment is subject to a limited warranty ("Limited Warranty") as provided by the manufacturer or Seller, which will either be included in a written warranty statement with the Product or the manufacturer's standard limited warranty in force when the Product is delivered to Purchaser. Limited Warranties extend only to parts or attachments sold by manufacturer, and Purchaser's failure to follow warranty conditions may result in voiding the Limited Warranty, as further stated on Page 2. Neither manufacturer nor Seller will be responsible for any other warranty. ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, ARE DISCLAIMED AS FURTHER STATED ON PAGE 2.	ALL WARRANTIES, EXPRESS OR IMPLIED, ARE EXPRESSLY DISCLAIMED AS FURTHER STATED ON PAGE 2. All used equipment is sold "as is with all faults," and no warranty is offered except as specified here:

CSA: \_\_\_\_\_

NOTES: \_\_\_\_\_

### THIS AGREEMENT INCLUDES THE TERMS ON PAGE 2 AND WEBSITES REFERRED TO THEREIN.

ZIEGLER INC. ("Seller")

ORDER RECEIVED BY

V.J. Polkus

REPRESENTATIVE

PURCHASER

APPROVED AND ACCEPTED ON \_\_\_\_\_

City of Milaca

PURCHASER

BY \_\_\_\_\_

SIGNATURE

TITLE

## Calls for Service By Type

12/1/2019 to 12/31/2019

Type	Subtype	Total
911 Hang Up		2
Accident		9
Agency Assist		24
Alarm		5
Animal		3
Assault		3
CDTP		3
Child Custody		1
Community Contact		2
Danco Violation		1
Disturbance		8
Domestic		1
Driving Complaint		4
Drugs		1
Family Services Referral		5
Fire		3
Found Property		3
Fraud-Forgery-Scam		4
Funeral Escort		1
Harassment Complaint		5
Icr Misc		29
Juvenile Complaint		4
Lockout		13
Medical		37
Motorist Assist		1
OFP Violation		3
Parking Complaint		31
Property Exchange		1
Public Assist		19
Remove Unwanted		1
Suspicious Activity		12
Theft		9
Threats Complaint		1
Traffic		32
Welfare Check		6
<b>Grand Total</b>		<b>287</b>

# Milaca Public Works

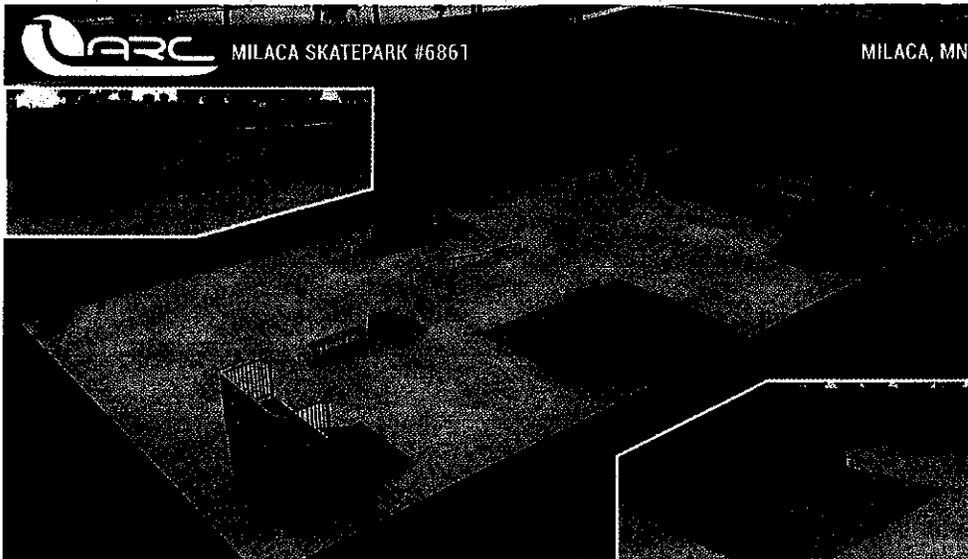
## *Supervisor's Report for December– January*

### **Public Works:**

- New loader was ordered – should be delivered this week.
- Christmas decorations taken down.
- Yearly water plant maintenance being completed.
- Plowing is going well. We may have to order a second shipment of road salt we have used 65% of our yearly supply so far.

### **Parks:**

- Hockey rink and free skate in good condition, warming house open.
- Gorecki addition in progress.
- Splash pad shelter complete.
- Skate park installation scheduled to begin June 8<sup>th</sup>.



### **Airport:**

**City of Milaca**  
**Planning Commission Agenda**  
**January 13, 2020**  
**6:00 P. M.**  
**255 1<sup>st</sup> St. E City Hall Council Room**

1. Open public hearing for a rezoning request from Jay & Rosemary Lunn, the applicant is asking to have the property at 405 1<sup>st</sup> St. E rezoned from R-2 1& 2 Family Residential to B-2 General Business District.
2. Close public hearing
3. Open Regular Planning Commission Meeting
4. Call to Order/ Roll Call
5. Approve the minutes from the August 12, 2019 Planning Commission Meeting
6. New Business
  - Rezoning request from Jay & Rosemary Lunn, the applicant is asking to have the property at 405 1<sup>st</sup> St. E rezoned from R-2 1& 2 Family Residential to B-2 General Business District.
7. Other Business
8. Adjourn

**MILACA PLANNING COMMISSION**

**A MEETING OF THE PLANNING COMMISSION OF THE CITY OF MILACA WAS DULY HELD ON THE 12<sup>th</sup> DAY OF AUGUST 2019, AT 255 1<sup>st</sup> ST. E. FOR THE PURPOSE OF PUBLIC HEARING AND REGULAR MEETINGS.**

**UPON ROLL CALL, THE FOLLOWING MEMBERS WERE PRESENT:**

Scott Harlicker X                      Joel Millam X                      Sherie BillingsX                      Arla Johnson X  
Pam Novak X

**EX-OFFICIO MEMBERS:**

Marshall Lind, Building Official/ Zoning Administrator    X

Cory Pedersen, City Council Liaison    X

**Others Present:** Glen Johnson

**Chairman Harlicker opened the public hearing for a conditional use request from Johnson Properties to have two more residential units in a B-1 Central Business Zoning District.**

With no comments, Chairman Harlicker closed the public hearing for the conditional use.

**The Regular Planning Commission was called to order and roll call was taken.**

Motion was made by Commissioner Millam to approve the minutes of the July 8, 2019 planning commission meeting. Motion was second by Commissioner Novak.

Motion **passed** unanimously

Commissioner Harlicker stated the next thing on the agenda was the conditional use request from Johnson Properties for two more residential units within a B-1 zoning district.

Lind stated that the applicant is asking to have two residential occupancies located in the B-1 Central Business District. Ordinance 156.038 B-1, Central Business District:

(A) Purpose. The Central Business District is designed and intended as a specialized district to service the pedestrians in a compact area for the City. The B-1 District will provide for a high density shopping and business environment, especially stressing the pedestrian function and interaction of people and businesses.

(F) Uses requiring a conditional use permit.

(1) Residential units in conjunction with the principle structure

156.08 Number of Required On Site Parking Space:  
Multiple Family Dwelling – 2 spaces per unit

Lind stated that there is no on-site parking available on this property and that residential units are permitted with a conditional use in conjunction with the principle structure. Having 36 sq. ft. of office space and adding 1,220 sq. ft. of residential, is turning the building into a principle structure being a

residential unit with a business as secondary. The drawing submitted did not show any restrooms or water for the business space, so this could not be considered a business per MN Building Code.

Commissioner Novak asked about the beauty shop property for parking, Mr. Johnson stated that he would be closing on the property in two weeks so he will have plenty of off-street parking for his residents.

Commissioner Harlicker stated that he has a problem with changing the building located in the Central Business Zone to all residential.

Mr. Pederson asked how long has the space been empty and has anyone besides a pizza place contacted him to go in there. Mr. Johnson stated that it has been empty since April and no business has been in contact with him.

Commissioner Harlicker asked about parking. Johnson stated that he is purchasing Shear Beauty to have enough parking. Commissioner Harlicker stated that does not follow the ordinance for on-site parking and asked if there have been any other cases where the City allows off-site parking. Lind stated that there has been a shared parking as for the Baptist Church and the Pryzmus property, but the parking has been adjoined to both properties.

Commissioner Millam asked why is sometimes residential a business and other times it isn't.

Mr. Pedersen asked if having mostly residential follows the City's Comprehensive Management Plan, Lind stated no.

Commissioner Novak asked if the office space was legal, if he was going to rent it out or is it going to be his office. Lind stated no according to his plan. Mr. Johnson stated that there are two bathrooms in the space now and one would be used for the office.

Commissioner Billings asked what he would have to do to have the majority of the building residential. Lind stated he would need to go for an ordinance change. There was discussion from the commissioners that would open it up to all the buildings in the downtown.

Mr. Johnson asked, isn't a conditional use permit just an application to allow that use, the commissioners explained that he still needs to meet City ordinance and requirements. Lind stated that is correct, the ordinance says residential units in conjunction with the principle structure, if it just said residential units are allowed, then I would recommend passing it.

Commissioner Harlicker stated that he would have a hard time voting to recommend this request when it doesn't follow the City's Comprehensive Plan and doesn't meet the City Zoning requirements.

Commissioner Billings made the motion to deny the conditional use request from Johnson Properties to have two more residential units located in the B-1 Zoning District because it is not comply with Milaca's Zoning and Comprehensive Plan and it does not meet zoning requirements.

Commissioner Johnson seconded the motion.

**Motion passed unanimously**

With no other business a motion to adjourn was made by Commissioner Johnson, second by Commissioner Millam.

Motion **passed** unanimously

Minutes respectfully submitted by,

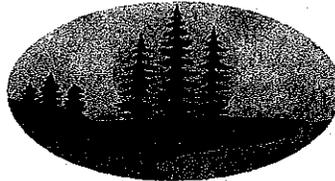
*Marshall Lind*

Marshall Lind

Zoning Administrator

Full minutes can be heard on tape on file

# CITY OF MILACA



255 1<sup>st</sup> ST E  
MILACA MN 56353  
(320) 983-3141  
(320) 983-3142 FAX  
[www.cityofmilaca.org](http://www.cityofmilaca.org)

## APPLICATION FOR REZONING

Application is hereby made for Rezoning from (description of Rezoning)

RZ TO BZ

Address of Property: 405 1ST. STREET E.

Owner Name: JAY R. & ROSEMARY C. LUNN

Owner Address: 3793 325<sup>TH</sup> AVE N.W.

Street Address

CAMBRIDGE

City

MN.

State

55008

Zip Code

Telephone: (320) 267-7389

Applicant's Name: JAY R. & ROSEMARY C. LUNN

Applicant's Address: 3793 325<sup>TH</sup> AVE N.W.

Street Address

CAMBRIDGE

City

MN.

State

55008

Zip Code

Applicant Telephone: (320) 267-7389

The following information is submitted in support of this application as described on the attached "Rezoning Procedures".

Completed Application for Rezoning

Fee of \$200

Legal Description of property

Depending on the Rezoning requested, the following may be required:

\_\_\_\_\_ 16 copies of a Site Plan

\_\_\_\_\_ 16 copies of a Sign Plan

\_\_\_\_\_ 16 copies of any other appropriate plans or drawings

A narrative explaining the purpose of the request, the exact nature of the Rezoning, and the justification of the request.

Other

\*\*\*\*\*

I fully understand that all of the above required information must be submitted at least 20 days prior to the Planning Commission meeting to ensure review by the Planning Commission on that date.

Applicant's Signature \_\_\_\_\_

Date NOVEMBER 27, 2019

Comments/Revisions \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*\*\*\*\*

Received By:

City Agent's Signature \_\_\_\_\_

Date 12/1/19

# Jay & Rose Lunn

## Rezoning

Property at 405 1<sup>st</sup> street E.

Milaca, Mn. 56353

## Property Description

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, a corporation under the laws of  
Minnesota, Grantor, hereby conveys and quitclaims to \_\_\_\_\_, Grantee,  
Lunn Construction Company, \_\_\_\_\_, Grantee,  
a \_\_\_\_\_ under the laws of \_\_\_\_\_, real property in  
Mille Lacs County, Minnesota, described as follows:

Commencing at a point marked by a brass marker in the center of United States and State of Minnesota Joint Trunk Highway No. 169 in the Village of Milaca, State of Minnesota, said brass marker being located 140.7 feet South 80°12' East of a point where the center of said Trunk Highway No. 169 and the center of the main line of the Great Northern Railroad intersect, thence East 09°48' North a distance of 1171.5 feet to the point of beginning; thence continuing in the same direction 148.5 feet; thence at right angles or South 09°48' East a distance of 146 feet; thence at right angles or West 09°48' So. a distance of 148.5 feet; thence at right angles or North 09°48' West a distance of 146 feet to the point of beginning, all of said tract lying and being in the NW 1/4 of SE 1/4 of Sec. 25, Twp. 38, Rge. 27 West, Mille Lacs County, Minnesota.

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto.

# Jay & Rosemary Lunn

## Rezoning

### **Purpose:**

I am submitting this request to rezone my property so that it will be useable for new purposes.  
I am retired and plan to sell the property.

### **Justification:**

This building was constructed in 1926, the idea to surround it with residential properties came at a later date. The next owners are planning to repurpose the building for a taproom brewery. I believe this business will bring many benefits to the Milaca area including: additional tax base, jobs, tourism and act as a draw from the highway to downtown businesses. It will create a community gathering space. It seems appropriate that this historic building be revitalized to enhance the Milaca area.

# MILACA PLANNING COMMISSION

## STAFF REPORT

**Subject: 20-01 Conditional Use request**

**Applicant: Jay & Rosemary Lunn**

**Location: 405 1<sup>st</sup> St. E**

**Current Zoning: R-2 One & Two Family Residential**

**Request: Rezone to B-2 General Business District**

**Date of Public Hearing: January 13, 2020**

**Reported By: Marshall Lind**

**Application Submitted:**

A rezoning application to change the property zoning from R-2 One and Two Family Residential to B-2 General Business District.

**Comments:**

The existing property has a very large brick building on it, which was used for Lunn Construction. This property was an Existing Nonconforming Use and Structure. Per Ordinance 156.116 (A) Any lawful nonconforming use existing on the date of this chapter may be continued, except that any nonconforming use or building may not be: (1) Changed to another nonconforming use. Mr. Lunn is trying to sell the property, but with such a large brick structure on it, it has no value for residential.

One potential buyer of the property is Eric Sannerud, if the property would be rezoned, he is purposing to open a brewery at the property. Mr. Sannerud will be at the meeting to answer all questions.

Rezoning of the property is not for Mr. Sannerud, it would be for Mr. Lunn so that he could sell the property as a business. If rezoned, and the sale to Mr. Sannerud did not go through, it would allow the property to be used per Ordinance 156.039 B-2 General Business District (D) Permitted principle uses.

If this property was to be rezoned, it cannot be rezoned by itself, this is called spot zoning. So there would be 4 properties that would also need to be rezoned to B-2 so these properties would join with an existing B-2 zoning district. I have enclosed a map with the properties that would be affected by

the zoning change. A letter was sent to these properties stating that if this rezoning would happen, their property would also be rezoned to B-2.

In Ordinance 156.116 Existing Nonconforming Uses and Structures, Restriction, (E) states: Any existing residential building constructed before January 1, 2001 and located in the B-2 General Business District shall be allowed to rebuild, expand, or add accessory buildings, provided the zoning requirements stated for the R-2 Family Residential District are met. This was also stated in the letter to the homeowners that would be affected by the zoning change.

**Staff Recommendation:**

The existing property was/is being used by Lunn construction for storage and was used for the construction business. If it wasn't an Existing Nonconforming Use and Structure, the zoning it most likely would fit into is the B-2 General Business District or the I-1 Light Industrial Zoning District ordinance.

If the property was rezoned to B-2, it would allow different types of business to use the property, but the businesses would also have to follow the B-2 zoning ordinance and the Off Street Parking Ordinance.

I would support the rezoning request from R-2 to B-2 if Planning Commission believes that a business district does not have any adverse effects on the property around it and if the other residential properties being effected do not have any concerns about the rezoning. At the time this was drafted, I have not heard any concerns from any of the homeowners.

21-620-0170

R-3

21-620-0130

C-1

21-0125-0740

B-1

B-3

R-6

21-162-0210

21-162-0230

21-162-0240

21-162-0250

21-162-0260

21-162-0270

B-4

21-162-0400

21-043-1930

21-043-1931

21-043-1900

21-043-1920

21-043-1840  
*LUNN*

21-043-1830

21-043-1810

21-043-1820

21-043-1740

21-043-1750

21-043-1760

21-043-1730

21-043-1720

21-043-1710

21-043-1932

21-043-1910

21-043-1960

21-043-1950

21-043-1970

21-043-1980

21-043-1850

21-043-1870

21-043-1880

21-043-1880

21-043-1890

21-043-1770

21-043-1771

21-043-1800

21-043-1790

21-043-1780

B-2

**SE**

R-2

21-043-0160

21-043-0170

21-043-0180

21-043-0130

21-043-0140

21-043-0150

21-043-0270

21-043-0280

21-043-0290

21-043-0260

21-043-0250

HC-1  
21-043-0380

21-043-0070

21-043-0080

21-043-0090

21-043-0040

21-043-0050

21-043-0060

21-043-0010

21-043-0020

**SECC ST**

**THIRD**

**SE**

**FOURTH**

**FIFTH AV**

21-043-0730

21-043-0600

21-043-0610

21-043-0520

21-043-0530

21-043-0540

21-043-0490

**SIXTH**