

**MILACA CITY COUNCIL MINUTES
JUNE 13, 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: Dave Dillan, Norris Johnson, Cory Pedersen, and Lindsee Larsen. Councilors Absent:

Staff present: City Manager Tammy Pfaff, City Attorney Damien Toven, Public Works Supervisor Gary Kirkeby and Building Official Marshall Lind.

Also Present (Signed In) Tim Hennagir, Chris Carlson, Holly Stromley, Kurt Beckstrom

Approval of the Agenda

Mayor Pedersen called for a motion to approve the agenda. A motion was introduced by Council member Dillan with additions to the consent agenda, and the motion was seconded by Larsen. Motion carried unanimously. Motion carried unanimously.

Consent Agenda

Motion by Dillan, second by Larsen, to approve the consent agenda items as follows with the additions: Add to consent agenda. \$1500.00 to be paid to the Chamber for the parade, and will be paid from the liquor fund. Donation of the old city street signs to the Rum River Community Foundation.

- a) Minutes of the May 16, 2019 City Council Meeting.
- b) Bills for Payment and Treasurer's Report.
- c) Resolution 19-23 Summary Publication Ordinance No. 450 Liquor Ordinance amendments.
- d) Resolution 19-24 Budget Adjustments for Special Revenue Fund-Gorecki donation tracking.
- e) Resolution 19-25 Assessing unpaid water bills of \$73.89
- f) Resolution 19-26 Accepting sponsorship donations for city festival events.
- g) Approval of Off Premise On-Sale intoxication liquor license for Timber Valley Grill
- h) Resolution 19-27 Department of Public Safety Reimbursement Grant agreement.

Citizens Forum

Requests and Communications-

Public Hearing – Annexation of city owned property located in Borgholm Township.

Mayor Pedersen opened the public hearing at 6:33 p.m. Three members from the township were present. They were concerned with future annexation from the township and asked council if there would be any other parcels being annexed into the city. Council replied they did not know of any others at this time. The City Manager referred to Ordinance No. 449 section five on the options for property taxes. The township board members stated that the taxes on this property were approximately \$400 and stated they did not want any payment to the township. Mayor Pedersen then asked if there were any other comments and with no comments heard from the public, the Public Hearing was closed at 6:45 p.m.

Ordinances and Resolutions

Ordinance No. 449- First Reading-Annexation of city owned property located in Borgholm Township. First reading was approved upon a motion by Council Member Dillan and seconded by Johnson. Motion carried unanimously. A motion was then introduced to suspend the first reading by C. Pedersen and

seconded by Dillan. Motion carried unanimously. A motion was introduced by Council Member Dillan to adopt Ordinance No. 449, and the motion was seconded by Johnson. Motion carried unanimously.

Resolution 19-28 Issue and Sale of \$545,000 GO Street Reconstruction Bonds, 2019A and levying a tax. A motion was introduced by Johnson to approve the bond issuance, the motion was seconded by Dillan. Motion carried unanimously.

Ordinance No. 451 Recreational Vehicles- First Reading- Golf Cart Amendments. Council reviewed the ordinance and discussed that lights must be on the golf carts for night travel. Mayor Pedersen questioned golf carts at the camping sites and that it should be included on the camping permit. Council also stated that a valid driver's license and insurance is required and that drivers should be at least 16 years old to drive a golf cart. Council requested the City Attorney to review state laws regarding golf cart and incorporate the same language as state law. Mayor Pedersen called for a motion to accept the first reading with the changes as discussed. Upon a motion by C. Pedersen the first reading was approved with changes, the motion was seconded by Dillan. Motion carried unanimously.

Ordinance No. 452 Recreational Vehicles- First Reading- Snowmobile Amendments. Council reviewed the ordinance. Discussion as to the time of operation, and council stated they will determine at the next meeting as to the time at 10:00 p.m., or change the time of operation. Mayor Pedersen stated a correction to spelling in 72.02 of the ordinance and with no other discussion called for a motion to approve the first reading. Upon a motion by Johnson and seconded by C. Pedersen, the first reading was approved. Motion carried unanimously.

Reports of Departments, Boards and Commissions

Police Department- Council reviewed the monthly report.

Parks Commission – Mayor Pedersen asked for a motion to appoint Jordan DeBoer to fill the park board vacancy. Upon a motion by Johnson to approve the park board appointment, the motion was seconded by C. Pedersen. Motion carried unanimously. Adult exercise equipment was presented by Gary Kirkeby for approval of the purchase of the equipment under the Gorecki donation. Gary also stated that it was a state bid from GameTime in the amount of \$7,564.04, and that we could use the funds left over from the Fairview donation and the rest from the Gorecki donation. Gary stated he will need to get quotes for the concrete. Mayor Pedersen called for a motion to approve the exercise equipment purchase. Upon a motion by Dillan and seconded by Larsen, the equipment purchase is approved. Motion carried unanimously.

Gary presented before the council the request to trade the Toro lawnmower for a zero turn mower. The trade in amount is \$22,500 for a trade in on the mowers, and also requested a trailer for the mower in the amount of \$15,000. Mayor Pedersen called for a motion to approve the trade in on the mowers and the new trailer. Motion was made by Dillan to approve the trade in on the mowers and purchase a trailer. The motion was seconded by Larsen. Motion carried unanimously.

Public Works Department- Gary presented for approval Asphalt quotes as received by Omann Brothers in the amount of \$122,245.08, and Minnesota Paving and Material in the amount of \$152,550.00. The

projects include alley pavement behind First National Bank, Liquor store parking lot, Museum, walking trail in Rec Park, and parking lot by the splash pad. Mayor Pedersen called for a motion to approve the lowest quote from Omann Brothers. Upon a motion by Johnson and seconded by C. Pedersen the lowest quote was approved. Motion carried unanimously.

Gary presented for approval concrete quotes as received by Omann Brothers in the amount of \$103,209.00, and Stoney Hill Masonry/Jensen Earthworks in the amount of \$87,850. The projects include the hockey rink, basketball court, splash pad shelter, city hall sidewalks and steps. Mayor Pedersen called for a motion to approve the lowest quote from Stoney Hill Masonry/Jensen Earthworks. Upon a motion by Dillan and seconded by Johnson the lowest quote was approved. Motion carried unanimously.

Planning and Zoning Commission- Marshall reviewed with council the zoning changes as follows;

156.036 R-2, One and Two Family Residential Medium Density District

(E) (d): Each unit shall meet the minimum health and safety requirements as provided for in the MN State Building Code & MN State Fire Code.

156.037 R-3, Multiple Family Residential High Density District

(B) Minimum requirements:

Side yard, minimum Interior Lot 15 ft.

(D) (12) (d) Constructed to the MN State Building Code

156.038 B-1 Central Business District

(D) (16) Brew Pubs

(45) Massage Therapy not regulated by the Adult Use Ordinance

156.039 B-2 General Business District

(C) Minimum requirements:

Rear yard, minimum 10 ft.

156.040 B-4 Business District

(F) All manufactured homes placed must have permanent footings and foundations or be placed on an engineered slab.

156.041 HG-1 Health Care And Government Building District

(C) (7) Assisted Living

156.042 I-1 Light Industrial District

(C) Minimum requirements

Add: Rear yard, minimum (Requirement), 10 ft (Dimension)

Adjacent to residential zoned lot (Conditions), 10 ft with a vegetative buffer or fence not less than 8 ft in height (Dimension)

(D) Permitted principal uses

(1) Airports and Hangers

(49) Vehicle Repair

(E) Permitted accessory uses

(1) (a) Cargo boxes; cannot be stacked and cannot be more than 10% of the principle building in area

156.056 Yard Requirements

(E) In any district, where existing structures within a block have front yard setbacks different than those required, the front yard minimum shall be the average of the adjacent structures.

156.057 Accessory Buildings, Structures and Uses

- (C) (1) No detached accessory building shall be located in the front yard
- (D) The architectural design and appearance of all buildings in the residential zone must have residential type siding as determined by Zoning Administrator
 - (1) No tarp like structures allowed
 - (2) No corrugated metal

156.058 Home Occupations

(C) Offices, barber shops, beauty parlors, dress shops, and music and dance schools, or similar uses, shall require conditional use permits

156.059 Residential Fence

(A) Permit required. No fence or wall shall be erected or altered in any yard without a fence permit.

156.060 Building Size Regulations

(3) In no event shall off-street parking space, structures of any type, buildings or other features cover more than 60% of the lot area resulting in less than 40% landscaped in residentially zoned properties.

156.061 Height Requirements

(B) Height limitations shall not be applied to the following structures: church spires; belfries, cupolas, and domes which do not contain usable space; monuments; water, fire and hose towers; observation towers; flag poles; chimneys; antennas; parapet walls extending not more than three feet above the limiting height of the building; cooling towers; and farm silos provided they do not interfere with airport requirements.

156.078 Site Design Standards

(A) All areas devoted for parking space, drive thru's and driveways shall be surfaced with asphalt or concrete or a material approved by the Zoning Administrator, this does not include recycled asphalt or recycled concrete. All parking areas shall be designed to control surface runoff to adjacent properties either with curbing or grading techniques. EXCEPTION: When residential driveway connects with an unpaved road or alley, the driveway will not have to be paved or cemented.

156.083 Stall, Aisle and Driveway Design

(A) EXCEPT single family, two family and townhouse parking areas shall be designed so that circulation between parking aisles or driveways occurs within the designated parking lot and does not depend upon a public street or alley, and the design does not require backing into the public street.

(E) All property shall be entitled to at least one curb cut.

(G) (2) DELETED

156.084 Number of Required Spaces

Car wash, automatic drive thru	5 stacking spaces
Church, theater, auditorium or gymnasium	1 space each for each 4 seats of main assembly hall as determined by the MN State Building Code
Schools, Elementary or Jr High School	1.5 spaces for each classroom, plus 1 space for every 75 sq. ft of assemble are in an auditorium, plus 1 bus loading space for each 100 students or portion thereof.

High School

5 spaces for each classroom, plus 1 space for each 75 sq. ft. in assemble rooms and auditoriums, plus 1 bus loading space for each 100 students or portion thereof.

156.102 Storage Standards

(A) *Exterior storage.* All materials and equipment shall be stored within a building or fully screened so they will not be visible from adjoining properties, except for the following: laundry drying and currently licensed recreational equipment, construction and landscaping materials and equipment currently being used on the premises, agricultural equipment and materials if these are uses or otherwise regulated herein. Currently licensed boats, currently licensed unoccupied recreational vehicles and currently licensed fish houses are permissible if stored in the rear yard not less than five feet distant from any property line. Existing uses shall comply with this provision within 12 months following enactment of this chapter.

(C) No RV's, campers, travel trailers, motor homes, tents, fish houses or other recreational vehicles may be occupied or hooked up to utilities in any zoning district for more than 5 days in a 30 day time frame except in a designated camp ground area.

156.104 Roadside Standards; Setbacks and Signs

Paragraph (A) deleted

156.111 Demolition; Solid Waste Removal

Materials from the demolition of structures in the city shall not be buried in the city. The foundation walls, foundations and footings must be removed from the site of the demolished building.

156.115 Sewage Disposal

(B)(4) Alternative methods of sewage disposal such as holding tanks, privies, or electric or gas incinerators may be allowed only where municipal sewer is not available provided they meet the standards and regulations of the State Pollution Control Agency and State Department of Health.

Signs and billboards

156.131 Sign Permit Required.

A sign permit is necessary prior to the installation or remodeling of any sign, except those signs set forth in 156.132. Application for a permit shall be submitted on a form to be provided by the City Building Inspector. All permit applications shall be accompanied by payment of a sign permit fee to the city in an amount designated in Chapter 34 of this code, which fee is in addition to any required building permit fee. The City Council may from time to time change the amount of the sign permit fee.

156.132 Signs Permitted Without Permit.

(D) In residential areas, one sign per single lot advertising a garage sale is permitted if the sign meets the following qualifications:

(3) The sign must be removed within 72 hours of the time when it is erected;

(5) In addition, no garage sale sign shall be permitted to be publicly displayed more than one consecutive 72 hour period during any consecutive four-month period

(I) In B-1, B-2 or I-1, temporary banners including and up to 3 feather flag banners are permitted which shall not exceed a total of 120 square feet in size, shall be

secured in a manner so as to not flap or flutter nor cause audible noise, and shall not be in place, whether in the initial placement and/or changed placement on the premises, for more than 90 days per consecutive 12-month period.

156.133 Non-Billboard Signs Permitted With A Permit

(B) (4) Signs shall not extend beyond the side edge or the roof of the building.

156.134 Home Occupation Signs; Permit

(E) Only permitted if the property had received a Conditional Use Permit (CUP) for a home occupancy.

156.135 Billboards in B-1 and B-2 Districts.

(A) The City Council may, in its discretion, permit the construction and existence of free-standing signs which are not permitted signs under 156.132 and 156.133 and are situated/located along State Trunk Highway 169, Central Avenue (county-state aid Road 36) and State Trunk Highway 23, in areas zoned B-1 and B-2. No such signs shall be permitted in any residential (R) zoned district.

The City Manager asked for clarification as to driveways, and if the driveways that are gravel now will be grandfathered in and will not need to be paved. It was determined by council that existing gravel driveways will be grandfathered in and will not need to be paved. Council instructed that the ordinance is to come back to the next council meeting for the first reading.

Economic Development Commission- Minutes presented.

Airport Commission- Update from the meeting held on June 12th. The City Manager stated that the Airport Layout Plan was altered to remove the crosswind runway from the plan as it would require additional land acquisition and the zoning would have to be updated. The cost of the project would be extremely high for the little amount the airport gets used.

MCAT – Dillan commented that they did get the matching grant for Phase 3 from TCI. Dillan also stated that the DAC has the flower pots out and they are watering them.

Safety Committee- The City Manager explained the need to update the Emergency Management Plan and it calls for two council members to be appointed to the committee. Mayor Pedersen called for interested council members to serve on this committee. Johnson and Larsen stated they would serve on this committee. Mayor Pedersen then called for a motion to appoint Johnson and Larsen to the Emergency Management Committee. Upon a motion by Dillan and seconded by C. Pedersen the committee is appointed. Motion carried unanimously.

New Business-

Special Event Permit- Milaca Area Chamber- ECFE Kidde Parade. Upon a motion by C. Pedersen and seconded by Johnson the permit was approved. Motion carried unanimously.

Special Event Permit- MAC- Music in the Park 6-13,6-27,7-11,7-18. Upon a motion by Johnson and seconded by C. Pedersen the permit was approved. Motion carried unanimously.

Special Event Permit- City Event –Gateway to the Northland Festival 6-21, 6-22. Upon a motion by Johnson and seconded by Dillan the permit was approved. Motion carried unanimously.

Special Event Permit- City Event- Homegrown Music Festival 8-24-2019. Upon a motion by Dillan and seconded by Larsen the permit was approved. Motion carried unanimously.

Special Event Permit- Sodbusters STOL Competition Event- Airport Fly In 8-3. Upon a motion by C. Pedersen and seconded by Larsen the permit was approved. Motion carried unanimously.

Transient Merchant Permit- Food Concession Stand- hunters Grill, 6-20. Upon a motion by Johnson and a seconded by Larsen to approve the permit. Motion carried unanimously.

Adjourn

With no other business presented before the council, a motion to adjourn was made by Johnson and seconded by Dillan, all present voted in favor and the meeting adjourned at 7:58 p.m. Motion carried unanimously.



Mayor Harold Pedersen

ATTEST:



City Manager Tammy Pfaff