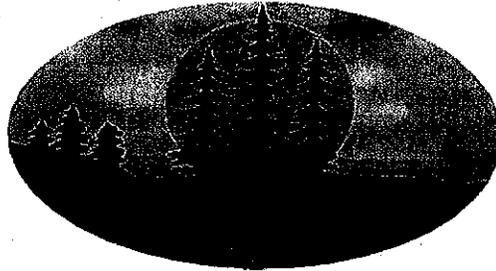


CITY OF MILACA
CITY COUNCIL MEETING
COUNCIL AGENDA
November 16, 2017

1. Call Meeting to Order 6:30 p.m.
2. Pledge of Allegiance
3. Roll Call- Present: Mayor-Pete Pedersen__ Council Members; Dave Dillan__ Ken Muller__ Norris Johnson__ Laurie Gahm__
Absent;_____
4. **Approval of Agenda** MB__2nd__AIF__O__
5. **Consent Agenda** MB__2nd__AIF__O__
 - A. Approval of the Minutes – October 19, 2017
 - B. Approval of Bills
 - C. Approval of Treasurer’s Report
 - D. Resolution 17-47- Accepting Donations
 - E. Resolution 17-48-Revised Resolution Street Vacation-County needed specific legal description language.
 - F.
 - G.
6. **Citizen Open Forum-** MNDOT- Tom Dumont HWY 23 Safety Audit
7. **Public Hearing-** MB__2nd__AIF__O__
8. **Requests and Communications-**
9. **Ordinances and Resolutions**
 - A. Adoption of Ordinance 429- Rental Code- Planning and Zoning Recommendation 2nd Reading MB__2nd__AIF__O__
10. **Reports of Departments, Boards and Commissions**
 - A. Police Department- Monthly Activity- Patsy Meleen-Victim of Dog Bite request to speak with council.
 - B. Parks Commission- Minutes-
 - C. Public Works Department- Activity Report
 - D. Planning Commission – No meeting in November
 - E. Economic Development Commission-October 23rd Review minutes- Next Meeting November 20th
 - F. Fire Department- MB__2nd__AIF__O__
 - G. Airport Commission- Next Meeting November 29th at 6:00 p.m.
 - H. MCAT-IF Training- Phase II
 - I. Joint Powers Board-
 - J. Safety Committee-
11. **Unfinished Business**
12. **New Business-** MB__2nd__AIF__O__
13. **Council Comments**
14. **Closed Meeting-** City Manager 6 Month Evaluation-Contract Review MB__2nd__AIF__O__
15. **Adjourn** _____p.m. MB__2nd__AIF__O__



**CITY OF MILACA
PUBLIC NOTICE
Closed Meeting**

Thursday, November 16, 2017
6:30 p.m.
Milaca City Hall

NOTICE IS HEREBY GIVEN that the Milaca City Council will hold the Regular scheduled Council meeting. The council will then close the public meeting at the end of the Regular Council meeting held on November 16th, 2017 to discuss;

City Manager 6 Month Performance Evaluation

Tammy Pfaff
City Manager
City of Milaca

**MILACA CITY COUNCIL MINUTES
OCTOBER 19, 2017 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 Muller, Johnson, and Dillan:

Councilors Absent: Gahm

Staff present: City Manager Tammy Pfaff, City Attorney Damien Toven. Marshal Lind.

Also Present (Signed In): Lisa Brown, Jesse Erickson, Carolyn Pest and Andrea Mikala

Approval of the Agenda

On a motion by Muller seconded by Johnson, the agenda was approved. Motion carried unanimously.

Consent Agenda

Motion by Johnson, second by Muller, to approve the consent agenda items as follows:

- a) Minutes of the September 21st, 2017 City Council Meeting
- b) Bills for Payment
- c) Approval of Treasurer's Report
- d) Resolution 17-43 Accepting donations for Railroad Bridge and Fire Dept. CPR unit.
- e) Resolution 17-44 Assess unpaid Water and Sewer for Mitchell Lahr Property of \$316.91
- f) Resolution 17-45 Assess Nuisance abatement-Bill Eggert and Jenna and Jordan Kovarik \$60.00
- g) Approve AT Group Employee benefits.

Citizens Forum- MNDOT Highway 23 Safety Audit for Foley to Milaca. Tom Dumont will be present at the November meeting.

Public Hearing

Street Vacation of 6th Avenue NE and 13th Street NE. Mayor Pedersen opened the public hearing at 6:34 p.m. Mayor Pedersen asked for comments from the public. One property owner commented that his property is land locked. Council commented that the property had been land locked for many years prior to this street vacation and the street vacation was to vacate streets that had not been built and would have no impact on his property. With no other comments from the public the public hearing was then closed at 6:40 p.m. Resolution 17-46 approving the street vacation of a portion of 6th Avenue and a portion of 13th Street, NE was introduced upon a motion by Johnson and seconded by Muller. All voted in favor of the streets to be vacated. Motion carried unanimously.

Requests and Communications-

Ordinances and Resolutions

Ordinance No. 429 was introduced for the first reading. Concerns in regards to the inspection fees came forward from the council. Marshall commented that this ordinance is the same as what other cities are doing. Council referred the ordinance to be advanced to the November meeting for the second reading upon a motion by Dillan and seconded by Johnson. Motion carried unanimously.

Reports of Departments, Boards and Commissions

Police Department- Council reviewed the monthly report. Brought before the council by the Police Chief is a dangerous dog report and the owner requested to be heard before the city council. The council reviewed the documents submitted by the Police Chief and reviewed the city ordinance and state statutes as it related to dangerous dogs with the city attorney and the public. The council heard the requests from the owner and she pleaded to the council not to deem her dog a dangerous dog and the owners have taken additional steps to get the dog evaluated and they are also having the dog trained by a trainer who will work with the dog to change the habits. Council elected upon a motion by Muller to place the dog as a potential dangerous dog for one year. The motion is then seconded by Johnson. Motion carried unanimously.

Parks Department- Mayor Pedersen reported on the park commission meeting. Mayor Pederson reported that they have raised \$2,000 of the replacement of the statue at Trimble Park

Public Works Department- Presented before the council by the City Manager is the introduction of the new public works supervisor Gary Kirkeby.

Planning Commission- Council reviewed the minutes and discussed the Cointainer property and Marshall stated the property owner is asking for another extension. Marshall stated they are in violation of city ordinance. The council allowed only a six month extension and after that they will declare it a hazardous building.

Liquor Store- No activity to report.

Economic Development Commission- Review of current activity.

Fire Department- The council adopted the revisions to the policy and procedures manual upon a motion by Dillan and seconded by Muller. Motion carried unanimously.

Airport Commission- No meeting in September.

MCAT – Dillan reported that the leadership training had been completed and that they will move to the next phase of the training.

Joint Powers Board with City of Braham; No meeting.

Safety Committee- No meeting.

Unfinished Business

New Business- Site Lease agreement with Genesis was approved upon a motion by Johnson and seconded by Dillan. Motion carried unanimously.

Council Comments

Mayor Pedersen asked the council for comments:

- Dillan- stated the Mega meet had over 6000 runners and 150 teams.

Adjourn

With no other business presented before the council, a motion to adjourn was made by Johnson, seconded by Muller, all present voted in favor and the meeting adjourned at 7:21 p.m.

Motion carried unanimously.

Mayor Harold Pedersen

ATTEST

Tammy Pfaff, City Manager

CITY OF MILACA
Check Summary Register
10100 General Bank - Checks

	Name	Check Date	Check Amt	Description
Paid Chk# 043675	EMBROIDER THIS	10/18/2017	\$600.00	UNIFORMS-PARKS
Paid Chk# 043676	AMAZON	10/19/2017	\$2,024.07	STEEL LADDER RACK-PW
Paid Chk# 043677	BLUE CROSS BLUE SHIELD OF MINN	10/19/2017	\$9,587.15	MEDICAL INSUR-NOV 2017
Paid Chk# 043678	DELTA DENTAL OF MINNESOTA	10/19/2017	\$26.20	PED DENTAL-NOV 2017
Paid Chk# 043679	L.E.L.S.	10/19/2017	\$245.00	POLICE UNION DUES-NOV 2017
Paid Chk# 043680	MED-COMPASS, INC.	10/19/2017	\$143.57	HEARING TEST-PARKS
Paid Chk# 043681	MN BENEFIT ASSOCIATION	10/19/2017	\$555.43	LIFE/DENTAL
Paid Chk# 043682	QUILL CORPORATION	10/19/2017	\$0.00	STAMPS-DEP REG
Paid Chk# 043683	USABLE LIFE	10/19/2017	\$253.35	DISABILITY/LIFE-NOV 2017
Paid Chk# 043684	VERIZON WIRELESS	10/19/2017	\$456.01	OCT WIRELESS ROUTER/PHONE SVC
Paid Chk# 043685	U.S. POSTAL SERVICE	10/30/2017	\$242.01	OCT BILLINGS
Paid Chk# 043686	DAVIS EQUIPMENT CORPORATION	11/3/2017	\$55,425.90	MOWER-AIRPORT
Paid Chk# 043687	FAMILY HERITAGE LIFE INS CO	11/3/2017	\$135.00	SUPPL LIFE INS - OCT 2017
Paid Chk# 043688	FRONTIER	11/3/2017	\$899.80	PHONE SVC-WATER
Paid Chk# 043689	MILLE LACS COUNTY RECORDER	11/3/2017	\$46.00	RECORD RES 17-46 STREET VACATI
Paid Chk# 043690	MN POLLUTION CONTROL AGENCY	11/3/2017	\$45.00	J OLDENBURG-CLASS D CERTIFICAT
Paid Chk# 043691	TOTAL CONTROL SYSTEMS, INC.	11/3/2017	\$17,742.21	CAMERA/DVR-WELL
Paid Chk# 043692	VISA	11/3/2017	\$1,567.78	PCI COMPLIANCE-AIRPORT-SECURIT
Paid Chk# 043693	QUILL CORPORATION	11/3/2017	\$243.85	STAMPS-DEP REG
Paid Chk# 043694	JIM'S MILLE LACS DISPOSAL	11/9/2017	\$765.08	COMPOST-OCT
Paid Chk# 043695	MILACA BLDG CENTER	11/9/2017	\$388.23	BLACKTOP PATCH-SEWER
Paid Chk# 043696	ACCURATE RADAR SPECIALTIES	11/16/2017	\$120.00	RADAR CALIBRATION
Paid Chk# 043697	AIRGAS USA LLC	11/16/2017	\$190.21	SAFETY SUPPLIES
Paid Chk# 043698	ALEX AIR APPARATUS, INC.	11/16/2017	\$165.00	REPAIR DRIVE BELT-FIRE DEPT
Paid Chk# 043699	AMERIPRIDE	11/16/2017	\$132.70	RUGS-DEP REG
Paid Chk# 043700	ARAMARK	11/16/2017	\$65.91	UNIFORMS
Paid Chk# 043701	ASPEN MILLS	11/16/2017	\$182.20	UNIFORMS
Paid Chk# 043702	AW RESEARCH LABORATORIES	11/16/2017	\$152.00	TESTING-WATER
Paid Chk# 043703	BEAUDRY OIL & PROPANE CO.	11/16/2017	\$139.70	OIL-PW
Paid Chk# 043704	BEST OIL COMPANY	11/16/2017	\$3,346.80	AIRPORT FUEL (1000 GALLONS)
Paid Chk# 043705	BILLINGS SERVICE	11/16/2017	\$2,992.14	GAS-PW
Paid Chk# 043706	BOYER TRUCKS, INC.	11/16/2017	\$114.58	TRUCK RPR PARTS-PW
Paid Chk# 043707	CHADER BUSINESS EQUIPMENT	11/16/2017	\$484.00	RECORDER-POLICE
Paid Chk# 043708	CIRCLE SIX APPRAISAL	11/16/2017	\$600.00	LAND APPRAISAL-AIRPORT
Paid Chk# 043709	COMPASS MINERALS AMERICA	11/16/2017	\$2,990.94	47.02 TON ROAD SALT
Paid Chk# 043710	CRAWFORDS EQUIPMENT	11/16/2017	\$62.43	MOWER PARTS-PARKS
Paid Chk# 043711	CROSS COUNTRY SIGNS & NEON	11/16/2017	\$1,500.00	NEW SIGN FACES-FIRE DEPT
Paid Chk# 043712	CUSTOM STITCH AND DESIGN	11/16/2017	\$3,577.00	JACKETS/SHIRTS/SWEATSHIRTS W/L
Paid Chk# 043713	DOVE FRETLAND PLLP	11/16/2017	\$3,575.00	CRIMINAL RETAINER-OCT
Paid Chk# 043714	E.C.M. PUBLISHERS, INC.	11/16/2017	\$72.44	STREET VACATION PUBLIC HEARING
Paid Chk# 043715	EMBROIDER THIS	11/16/2017	\$1,045.00	UNIFORMS
Paid Chk# 043716	FARMERS CO-OP CREAMERY CO	11/16/2017	\$11.00	OATS-REC PARK
Paid Chk# 043717	FIRE EQUIPMENT SPECIALTIES INC	11/16/2017	\$1,351.91	FIRE HOSE
Paid Chk# 043718	FIRE INSTRUCTION & RESCUE ED.	11/16/2017	\$600.00	CHIMNEY FIRES TRNG-10/23
Paid Chk# 043719	FRED PRYOR SEMINARS	11/16/2017	\$199.00	TRANSITION FR STAFF TO SUPERVI
Paid Chk# 043720	GK CONSULTING LLC	11/16/2017	\$925.00	COMPUTER WORK-CITY MGR
Paid Chk# 043721	GOPHER STATE ONE-CALL, INC.	11/16/2017	\$39.15	OCT LOCATES

CITY OF MILACA
Check Summary Register
10100 General Bank - Checks

	Name	Check Date	Check Amt	Description
Paid Chk# 043722	H & L MESABI	11/16/2017	\$1,588.38	FLOW PARTS-PW
Paid Chk# 043723	HABERMAN, DIONNE	11/16/2017	\$145.86	OCT 17 OGILVIE MILEAGE
Paid Chk# 043724	HACH COMPANY	11/16/2017	\$108.57	TESTING SUPPLIES
Paid Chk# 043725	HAWKINS, INC.	11/16/2017	\$1,384.12	CHEMICALS
Paid Chk# 043726	HY-TECH AUTOMOTIVE	11/16/2017	\$63.27	SQUAD 16 MAINTENANCE
Paid Chk# 043727	INTERNATIONAL CODE COUNCIL	11/16/2017	\$55.50	PROP MAINTENANCE CODE
Paid Chk# 043728	JOHNSON JET-LINE, INC.	11/16/2017	\$17,259.36	SEWER TELEVISIONING/CLEANING
Paid Chk# 043729	JOHNSON'S AUTO TRANSPORT/TOV	11/16/2017	\$110.00	TOW-FORD RANGER
Paid Chk# 043730	K.E.E.P.R.S.	11/16/2017	\$358.28	UNIFORMS-FISHER
Paid Chk# 043731	KIRVIDA FIRE INC	11/16/2017	\$227.00	REPAIR RESCUE #1
Paid Chk# 043732	KNIFE RIVER CORP. - NORTH CENT	11/16/2017	\$604.94	116 CY SAND
Paid Chk# 043733	KOCH'S HARDWARE HANK	11/16/2017	\$598.67	SUPPLIES-SEWER
Paid Chk# 043734	LINDSTROM, HARVEY	11/16/2017	\$45.00	INSPECTION SVC-6/14
Paid Chk# 043735	M.E. PLUMBING & HEATING	11/16/2017	\$164.00	TOILET REPAIR-CITY HALL
Paid Chk# 043736	MID STATE TREE SERVICE	11/16/2017	\$750.00	TREE REMOVAL-PARKS
Paid Chk# 043737	MILACA AUTO VALUE	11/16/2017	\$297.69	PARTS-PW
Paid Chk# 043738	MILACA CHAMBER OF COMMERCE	11/16/2017	\$1,426.17	LODGING TAX-SEP 17
Paid Chk# 043739	MINNESOTA WISCONSIN PLAYGROI	11/16/2017	\$4,238.00	PICNIC TABLES (8)
Paid Chk# 043740	MN COMPUTER SYSTEMS, INC.	11/16/2017	\$93.66	COPIER MAINTENANCE-CITY
Paid Chk# 043741	MN DEPT OF LABOR & INDUSTRY	11/16/2017	\$20.00	PRESSURE VESSEL/BOILER CERTIFI
Paid Chk# 043742	NORTHERN SAFETY TECHNOLOGY	11/16/2017	\$138.53	MN DOT STROBE-GRADER
Paid Chk# 043743	PHYSIO-CONTROL INC	11/16/2017	\$14,735.50	CPR COMPRESSION SYSTEM
Paid Chk# 043744	PNC EQUIPMENT FINANCE LLC	11/16/2017	\$17,323.30	FINAL PMT RENT-MOWER PARKS
Paid Chk# 043745	POWERPLAN	11/16/2017	\$40.58	MOWER PARTS-PW
Paid Chk# 043746	QUILL CORPORATION	11/16/2017	\$130.95	CALENDARS-PW
Paid Chk# 043747	RAHM EXCAVATING INC	11/16/2017	\$9,350.00	DIG OUT LAGOON-SEWER
Paid Chk# 043748	RASMUSSEN, QUINN	11/16/2017	\$127.82	REIMB-DEFENSIVE TACTICS-10/2-6
Paid Chk# 043749	ROY C., INC	11/16/2017	\$217.91	AUTOMATIC DOOR REPAIR-CITY HAL
Paid Chk# 043750	TEAL'S MARKET	11/16/2017	\$4.71	SUPPLIES-WATER
	Total Checks		\$187,633.52	

CITY OF MILACA
Check Summary Register
10100 General Bank - ACH

	Name	Check Date	Check Amt	Description
Paid Chk# 817246E	EFTPS-STATE TAXPAYMENT	11/1/2017	\$1,749.69	STATE W/H
Paid Chk# 817247E	EFTPS-STATE TAXPAYMENT	11/1/2017	\$146.96	STATE W/H
Paid Chk# 817254E	CENTERPOINT ENERGY	11/17/2017	\$536.66	NATURAL GAS
Paid Chk# 817255E	EAST CENTRAL ENERGY	11/7/2017	\$8,965.67	ELECTRIC
Paid Chk# 817256E	MILACA LOCAL LINK	11/20/2017	\$296.72	PHONE SERVICE
Paid Chk# 817257E	UNION SECURITY INSURANCE CO.	11/3/2017	\$567.73	LTD-NOV
Paid Chk# 817258E	INCONTACT INC	11/30/2017	\$108.79	LONG DISTANCE SERVICE
Paid Chk# 817259E	MIDCONTINENT COMMUNICATIONS	11/9/2017	\$65.00	INTERNET-
	Total Checks		\$12,437.22	

CITY OF MILACA
Check Summary Register
10900 Liquor Bank - ACH

	Name	Check Date	Check Amt	Description
Paid Chk# 917041E	HIBU	10/3/2017	\$53.90	WEBSITE HOSTING-SEPT/OCT-DUPL
Paid Chk# 917042E	EAST CENTRAL ENERGY	11/7/2017	\$1,661.35	ELECTRIC
Paid Chk# 917043E	CENTERPOINT ENERGY	11/9/2017	\$70.44	NATURAL GAS
Paid Chk# 917044E	MN DEPT OF REVENUE	11/20/2017	\$15,793.00	LIQUOR SALES TAX
Paid Chk# 917045E	MILACA, CITY OF (WATER/SEWER)	11/15/2017	\$27.40	WATER/SEWER
	Total Checks		\$17,606.09	

CITY OF MILACA
Check Summary Register
10900 Liquor Bank - Checks

	Name	Check Date	Check Amt	Description
Paid Chk# 024226	AMAZON	10/19/2017	\$92.84	ANTI FATIGUE MAT/PRICE LABELS
Paid Chk# 024227	QUILL CORPORATION	10/19/2017	\$0.00	PRINTER TONER
Paid Chk# 024228	VERIZON WIRELESS	10/19/2017	\$41.52	OCT DIGITAL SIGN
Paid Chk# 024229	ARTISAN BEER COMPANY	11/2/2017	\$32.00	BEER
Paid Chk# 024230	BELLBOY CORP.	11/2/2017	\$4,787.25	LIQUOR
Paid Chk# 024231	BERNICKS	11/2/2017	\$3,553.63	WINE
Paid Chk# 024232	BREAKTHRU BEVERAGE MN	11/2/2017	\$6,521.02	WINE
Paid Chk# 024233	C & L DISTRIBUTING CO.	11/2/2017	\$26,567.55	BEER
Paid Chk# 024234	DAHLHEIMER DISTRIBUTING CO.	11/2/2017	\$28,080.79	WINE
Paid Chk# 024235	FRONTIER	11/2/2017	\$143.69	NOV PHONE SVC
Paid Chk# 024236	J.J. TAYLOR DIST OF MN	11/2/2017	\$353.30	BEER
Paid Chk# 024237	JOHNSON BROTHERS LIQUOR CO.	11/2/2017	\$20,497.72	LIQUOR
Paid Chk# 024238	PAUSTIS WINE CO.	11/2/2017	\$607.50	WINE
Paid Chk# 024239	PHILLIPS WINE AND SPIRITS	11/2/2017	\$8,837.38	LIQUOR
Paid Chk# 024240	SOUTHERN GLAZERS OR MN	11/2/2017	\$11,082.92	WINE
Paid Chk# 024241	THE WINE COMPANY	11/2/2017	\$101.00	WINE
Paid Chk# 024242	TKO WINES INC	11/2/2017	\$173.10	WINE
Paid Chk# 024243	WINE MERCHANTS	11/2/2017	\$125.65	WINE
Paid Chk# 024244	QUILL CORPORATION	11/3/2017	\$50.18	PRINTER TONER
Paid Chk# 024245	JIM'S MILLE LACS DISPOSAL	11/8/2017	\$86.58	REFUSE COLLECTION
Paid Chk# 024246	AMERICAN BOTTLING CO.	11/16/2017	\$201.62	NA
Paid Chk# 024247	AMERIPRIDE	11/16/2017	\$168.68	RUGS
Paid Chk# 024248	CRYSTAL SPRINGS ICE	11/16/2017	\$530.94	ICE
Paid Chk# 024249	DEPT. OF PUBLIC SAFETY	11/16/2017	\$20.00	2018 BUYERS CARD #6613
Paid Chk# 024250	GRANITE CITY JOBBING	11/16/2017	\$5,302.26	TOBACCO
Paid Chk# 024251	KANABEC PUBLICATIONS	11/16/2017	\$67.20	ADVERTISING
Paid Chk# 024252	KOCH'S HARDWARE HANK	11/16/2017	\$98.65	SUPPLIES
Paid Chk# 024253	M. AMUNDSON LLP	11/16/2017	\$3,447.84	TOBACCO
Paid Chk# 024254	MILLER TRUCKING INC.	11/16/2017	\$72.00	DELIVERY
Paid Chk# 024255	PEDERSEN, HAROLD W.	11/16/2017	\$50.00	REIMB-MUSIC FOR BREWFEST
Paid Chk# 024256	ST. CLOUD REFRIGERATION	11/16/2017	\$484.18	COOLER MAINTENANCE
Paid Chk# 024257	TRUE BRANDS	11/16/2017	\$374.92	MISC
Paid Chk# 024258	VIKING BOTTLING CO.	11/16/2017	\$364.11	NA
Paid Chk# 024259	WELLS FARGO	11/16/2017	\$271,939.70	LEASE PAYOFF
Paid Chk# 024260	ZABINSKI BUSINESS SERVICES INC	11/16/2017	\$859.00	COMPUTER
	Total Checks		\$395,716.72	

RESOLUTION NO. 17-47

RESOLUTION ACCEPTING DONATION

WHEREAS, The City of Milaca is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational and public safety services pursuant to Minnesota Statutes Section 471.17; and

WHEREAS, the following person has offered to contribute the cash amount set forth below to the city:

<u>Name of Donor</u>	<u>Amount</u>	<u>Committed To</u>
Darlene Bemis	\$300.00	CPR Compression System
Darlene Bemis	\$150.00	Milaca Airport

WHEREAS, said donation has been contributed to assist the city in the establishment and operation of recreational facilities/programs and public safety services either alone or in cooperation with others, as allowed by law; and

WHEREAS, The City Council finds that it is appropriate to accept the donation offered.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MILACA, MINNESOTA, AS FOLLOWS:

The donation described above is accepted and shall be used to establish and operate recreational facilities/programs and public safety services either alone or in cooperation with others, as allowed by law.

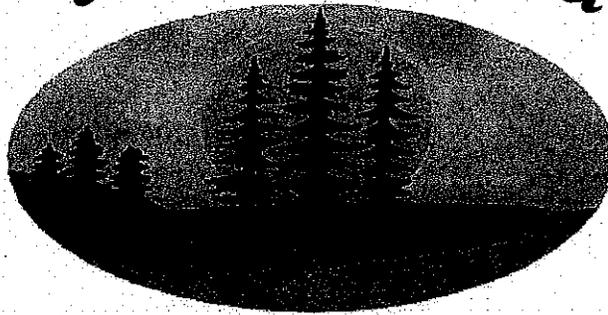
Adopted this 16th day of November, 2017.

Mayor Harold Pedersen

ATTEST

Tammy Pfaff, City Manager

City of Milaca



255 First Street East
Milaca, MN 56353

320-983-3141
320-983-3142 (fax)

www.cityofmilaca.org

October 26, 2017

Darlene Bemis
14365 100th Avenue
Milaca, MN 56353

Dear Mrs. Bemis:

On behalf of the City of Milaca, I wish to thank you for your generous donation of \$450.00.

As you have requested, \$300.00 will go toward helping to purchase a CPR Compression System for the Milaca Fire Department and \$150 to the Milaca Airport fund.

You and your late husband's generosity and commitment to our community are greatly appreciated. Thank you again for your donation!

Sincerely,

Tammy Pfaff
City Manager

TP:pm

RESOLUTION NO. 17-48

A RESOLUTION VACATING CITY STREETS

WHEREAS, the City Council previously passed Resolution No. 17-42 noting its interest in vacating, pursuant to Minnesota Statute §412.851, two city streets legally described as:

See attached exhibits A and B

and setting a public hearing to consider the vacation of such streets; and

WHEREAS, a public hearing to consider the vacation of such street was held on the 19th day of October, 2017, before the City Council in the City Hall located at 255 1st St. E., Milaca, MN 56353 at 6:30 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 23rd day of September, 2017 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because

1. All of the city owned lots on the affected plat have been sold to one private party.
2. The private party has indicated its intent to combine lots thereon and that it cannot do so with the public right of way still of record.
3. A specific condition of the sale of the lots by the city to the private party is that the public right of way be vacated.
4. As one owner will own all of the affected property, there no longer remains a need for a public right of way.

And WHEREAS, at least four-fifths of all members of the City Council concur in this resolution;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILACA, MINNESOTA AS FOLLOWS:

That request for vacation is hereby granted and the street described as follows is hereby vacated, subject to the reservation of access and easements described above:

See attached exhibits A and B

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

Passed by the City Council of Milaca, Minnesota this 16th day of November, 2017.

Mayor Harold "Pete" Pederson

Attested:

Tammy Pfaff, City Manager

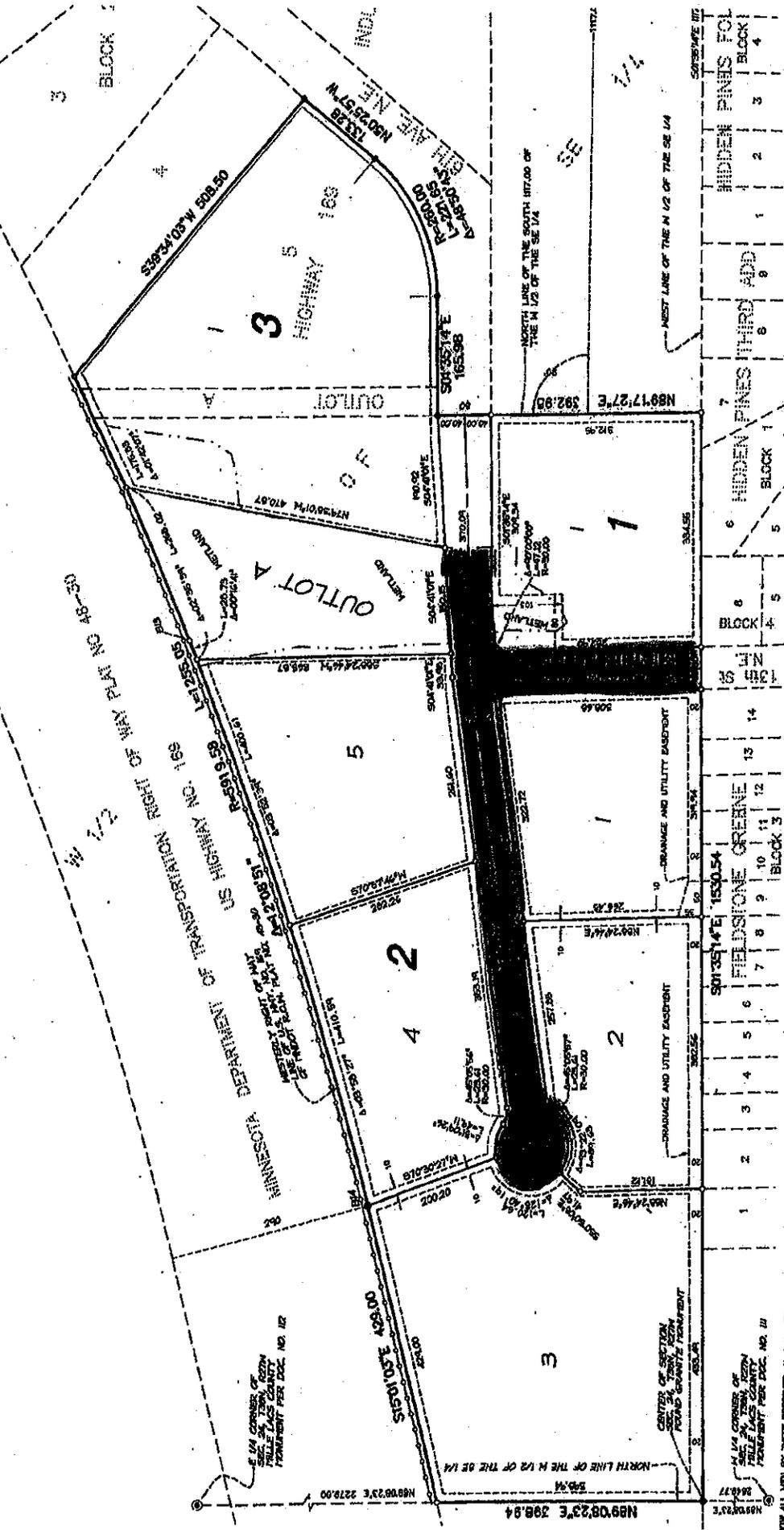
EXHIBIT A

All of 13th Street NE and that part of 6th Avenue NE lying north of the westerly extension of the north line of Lot 1, Block 3, as described within the plat of Highway 169 Industrial Park 2nd Addition and of record in the office of the Mille Lacs County Recorder, State of Minnesota.

EXHIBIT B

The portions of 13th Street NE and 6th Avenue NE that are being vacated are identified and highlighted in green on the attached plat map of the Highway 169 Industrial Park 2nd Addition.

HIGHWAY 169 INDUSTRIAL PARK 2ND ADD



I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing plat is a true and correct representation of the same as the same were presented to me and I hereby approve this plat as to form and location on this _____ day of _____, 20__.

 Donald D. Peterson, Mila Lucas County Surveyor
 Minnesota License Number 10095

I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing plat is a true and correct representation of the same as the same were presented to me and I hereby approve this plat as to form and location on this _____ day of _____, 20__.

 Richard Schreiber, City Attorney

This plat was recommended for approval this _____ day of _____, 20__.

I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing plat is a true and correct representation of the same as the same were presented to me and I hereby approve this plat as to form and location on this _____ day of _____, 20__.

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 Richard Schreiber, City Attorney

This plat was recommended for approval this _____ day of _____, 20__.



VICINITY
 RD1742-52

STATE OF MINNESOTA
 COUNTY OF STEARNS

TRAVIS D. LARSEN, Professional Land Surveyor
 Minnesota License Number 43207

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 COUNTY OF STEARNS

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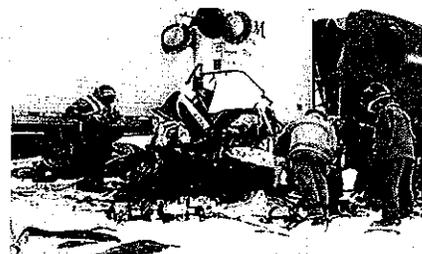
TRAVIS D. LARSEN, Professional Land Surveyor
 Minnesota License Number 43207

STATE OF MINNESOTA
 COUNTY OF STEARNS

Highway 23—Foley to Milaca

Road Safety Audit

The newly completed draft Highway 23 Road Safety Audit, and its findings, are part of a multi-agency effort to improve safety along 16 miles of Highway 23 between Foley and Milaca in Benton and Mille Lacs counties.

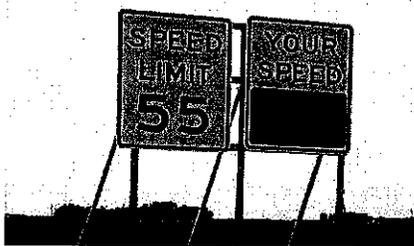


Four Primary Concerns

1. High speeds
2. Safe pedestrian and bicycle connectivity and crossings in urban areas
3. High speed rear-end crashes in rural areas
4. Head-on collisions

Primary Strategies

- Partner with local communities to develop a three-lane roadway section in urban areas.
- Plan for the future design and layout of the corridor. Be ready before any future MnDOT reconstruction occurs.
- Improve pedestrian and bicycle crossing amenities in urban areas.
- Potentially convert selected Highway 23 intersection approach lanes in rural areas from through/right-turn lane into through/left-turn lane approaches. Right-turn lanes can be added in long term.
- Develop raised medians and left-turn lanes in urban areas.
- Develop median buffer lanes and centerline rumble strips in rural areas.

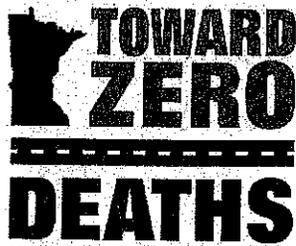


*View the Highway 23 Road Safety Audit online,
at mndot.gov/d3/projects/h23foleytomilaca/*

Community Action

What we need from you!

- Work with the regional Toward Zero Deaths partners to develop and implement education initiatives.
- Develop plans for how you want the Highway through your community to look, operate, and function.
- Utilize these strategies when opportunities to implement are funded and being realized.
- Plan now – before a project is realized and implemented.
- Be prepared to use local funding and apply for competitive grants and safety funding. Coordinate with future MnDOT and County projects.



www.minnesotatzd.org

Contact Us

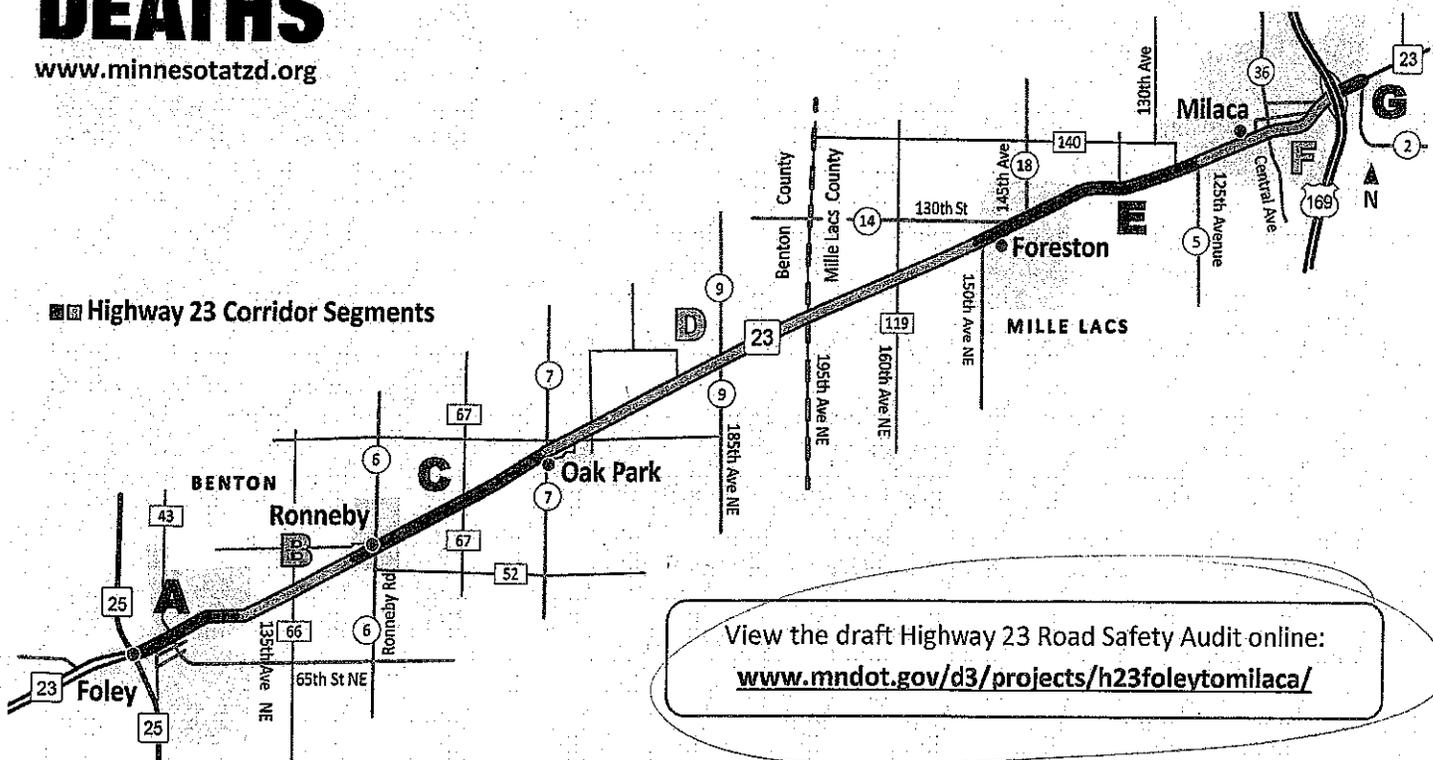
HIGHWAY 23 ROAD SAFETY AUDIT

Derek Leuer, Traffic Safety Engineer, MnDOT Office of Traffic, Safety and Technology
derek.leuer@state.mn.us

Bryan Nemeth, Consultant Project Manager,
Bolton & Menk, Inc.
bryanne@bolton-menk.com

LOCAL MnDOT CONTACT

Tom Dumont, District Traffic Engineer, MnDOT District 3
tom.dumont@state.mn.us

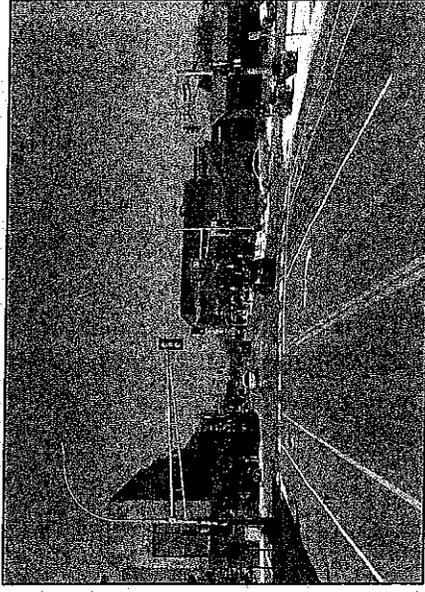


The Road Safety Audit is one part of a multi-agency effort to improve safety on Highway 23 in Benton and Mille Lacs counties. For more information about the Highway 23 safety improvement effort, or to learn how to get involved with safety efforts along Highway 23, contact Tom Nixon, East Central Minnesota Toward Zero Deaths Coordinator at thomas.nixon@state.mn.us.

Highway 23 Road Safety Audit Findings – Community Meeting, Foley City Hall, Sept. 11, 2017

Segment F (Milaca) Strategies – Short and Mid-Term

- Develop a community roadway plan
- Restripe left turn lanes at Central Ave, 3rd Ave and school access
- Pedestrian ramp and striping improvements at 3rd Ave
- Restripe as 3-lane roadway from Central Ave to 3rd St SE (short to mid-term)
- Pedestrian crossing enhancements at 3rd Ave (mid-term)
- Signal improvements at Central Ave



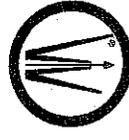
Segment G (Milaca) Strategies – Short to Long Term

Short Term

- Restripe a left turn lane at CSAH 2 (remove bypass lane)

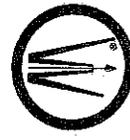
Long Term

- Add trail or sidewalk from 10th Ave to 1st St
- Construct roundabout at either CSAH 2 or 10th Ave
 - If roundabout at 10th Ave, add left turn lane at CSAH 2
 - If roundabout at CSAH 2 (preferred), $\frac{3}{4}$ access at 10th Ave
- Provide continuous lighting from Hwy 169 Interchange to CSAH 2



Segment F (Milaca) Strategies – Long Term

- Transition corridor to context sensitive urban roadway from Central Ave to 3rd St SE
- Tight urban section (10' thru lane, 11' turn lane, 10' thru lane) – parking on north side
- Complete Streets design (crossing locations, sidewalk, street furniture, lighting)
- 3-lane roadway from Central Ave to 3rd St SE
- Add left turn lanes at Central, 3rd, and school access
- Explore potential of a roundabout at 3rd Ave and pedestrian underpass east of 3rd Ave



Ordinance 429

TITLE IX: GENERAL REGULATIONS

Chapter 97 Rental Code

97.01 PURPOSE AND INTENT

Subd 1. Purpose: The purpose of this Ordinance is to protect the public health, safety and welfare of the residents of the City of Milaca who have, as their place of abode, a dwelling unit, manufactured home, lot or room furnished to them for the payment of a rental charge to another.

Subd 2. Intent: The intent of this Ordinance is to provide a permanent mode of protecting and regulating the living conditions of these residents by providing minimum standards for cooking, heating, and sanitary equipment necessary to the health and safety of occupants of rental property by providing minimum standards for light and ventilation necessary for the health and safety, and minimum standards for the maintenance of existing private and rental residential buildings.

Subd 3. Savings Clause: With respect to rental disputes, and except as otherwise specifically provided by the terms of this Ordinance, it is not the intention of the City to intrude upon the fair and accepted contractual relationship between tenant and landlord. The City does not intend to intervene as an advocate of either party, nor to act as an arbiter, nor to be receptive to complaints from tenant or landlord that are not specifically and clearly relevant to the provisions of this Ordinance. In the absence of such relevancy with regard to rental disputes, it is intended that the contracting parties exercise such legal sanctions as are available to them without the intervention of City government. Neither, in enacting this Ordinance, is it the intention of the City Council to interfere or permit interference with legal rights to personal privacy.

97.02 DEFINITIONS The following words and phrases shall have the meanings given them in this ordinance:

- A. Building: Shall mean any structure used or intended for supporting or sheltering any use or occupancy.
- B. Dwelling Unit: Consists of one (1) or more rooms that are arranged, designed, or used as living quarters. Each room or group of rooms shall be a separate dwelling unit. A rooming house shall be considered a single dwelling unit, but may charge a fee based on the number of sleeping rooms. A structure that is self-enclosed and arranged, designed and used as living quarters to a single family or group of persons under a single lease or agreement shall be considered a single dwelling unit.

- C. Familial Relation: Shall mean a legally recognized son, daughter, father, mother, grandfather, grandmother, grandson, granddaughter, sister, or brother.
- D. Housing Inspector: Shall mean a designee appointed by the Milaca City Council authorized to administer and enforce this Ordinance.
- E. License: Shall mean a provisional license, which is issued after receipt of fees and may be revoked if such rental property is found not to be in compliance with ordinances, codes or statutes.
- F. Lot: Shall mean an area within a manufactured home park or otherwise maintained and made available for occupancy by a manufactured home.
- G. Manufactured Home: Shall mean as provided in Ordinance 341 Sect. 156.006.
- H. Manufactured Home Park: Shall mean any site, lot, field or tract of land upon which two (2) or more occupied manufactured homes are located, either free of charge or for compensation, and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home park.
- I. Maximum Occupancy: Shall mean that for each occupant in a dwelling unit, 100 square feet of space must be provided.
- J. Occupant: Shall mean any person (including the owner or operator) living, sleeping, cooking, or eating in a dwelling unit.
- K. Operator: Shall mean the owner or agent who has charge, care, control or management of a building or manufactured home park or part hereof, in which dwelling units, manufactured homes, lots or rooming units are let.
- L. Owner: Shall mean any person who, alone or jointly or severally with others, shall be in actual possession of, or have charge, care or control of any dwelling unit, manufactured home, lot, rooming house or sleeping unit within the City.
- M. Person: Shall mean any natural person his/her heirs, executors, administrators or assignees, and also includes a firm, partnership, and limited liability company, cooperative or corporation, it's or their successors or assigns, or the agent of any of the aforementioned.
- N. Rental Property: Shall mean a dwelling unit offered for rent or occupied by a person or persons in the status of tenant, but does not include motels. This term

shall not include property in which the dwelling unit or manufactured home is owned by the occupant, but the land or lot is rented or leased.

- O. Rooming House: Shall mean a building or structure providing a room or rooms intended for living and sleeping for persons in the status of tenant in which the toilet and kitchen facilities are shared, and the common or shared areas of the structure are actively maintained by the operator. This term shall include boarding houses, day cares, lodging houses, bed and breakfasts, fraternity and sorority houses, but does not include hotels, motels, or hospitals.
- P. Sleeping Rooms: Shall mean a room or enclosed floor space in a rooming house or dwelling unit, as defined herein, used or intended to be used primarily for sleeping purposes.
- Q. Tenant: Shall mean one who has as his/her place of abode a dwelling unit, manufactured home, lot, rooming house or sleeping room furnished to him/her for payment of a rental charge to another.

97.03 INTERNATIONAL PROPERTY MAINTENANCE CODE ADPTED BY

REFERENCE The International Property Maintenance Code, 2015 Edition, as from time to time amended or modified, is hereby adopted by reference, so far as it applies to rental property, and is made a part of this Ordinance as if fully set out in length.

97.04 LICENSE REQUIRED No person shall occupy, allow to be occupied, or let to another for occupancy any dwelling unit in the City of Milaca for which a license has not been properly issued by the City of Milaca. No rental dwelling shall be issued a license by the City unless it complies with the ordinances of the City of Milaca and the statutes of the State of Minnesota, which pertain to such properties. A rental property solely occupied by the owner or a familial relation of the owner is exempt from this requirement.

Subd 1. License Fee: The City Council may establish a licensing fee schedule for each dwelling unit or sleeping room in each rental property. The schedule may include a separate fee for licenses, inspections, crime prevention program participation and delinquencies. Said license fees shall be payable at the time of application for licensing or renewal of a license and shall be a prerequisite to the issuance of the required license. Once issued, a licensee shall not be entitled to a refund on any license fee upon suspension or revocation.

- a. Rental property which is licensed as a "Curing Home" (Nursing Home) or a "Boarding Care Home" by the State of Minnesota Department of Health pursuant to Minnesota Statutes Chapter 157 shall be exempt from the

registration fee required under this Section. This exception shall not apply if no services are provided to the tenants, or the services are incidental to, or independent of, the landlord/tenant relationship.

- b. If the license fee required hereunder is paid after March 31 for the next license year, penalties shall be imposed as established by the licensing fee schedule.
- c. All licenses shall expire March 31, per calendar year following the year it was issued. Application for any license in which an inspection is required shall be 30 days prior to expiration. For cause, the Housing Inspector may waive the application deadline for an applicant.
- d. A delinquency fee shall be charged to the owner of rental property operated without a valid license. The imposition of this fee by the Housing Inspector may be appealed to the City Council by submitting a request to the City within twenty (20) days of the mailing or posting of the notice of the fee.

Subd 2. License Application: The application for license shall be made and filed on a form furnished by the City of Milaca for such purpose and shall set forth the following information:

- a. Name, residence address and phone number of the owner of any rental property, or property manager authorized by the owner to accept service of process and to receive and give receipt for notices. In cases where the owner of any rental property lives outside the City of Milaca, the license application shall be made by an agent who shall be legally responsible for compliance with this and other City Ordinances. Such agent shall live within Minnesota;
- b. Name, address and phone number of any agent actively managing the rental property;
- c. Street address of the rental property;
- d. Tax parcel number of the rental property or manufactured home park in which the rental property is located;
- e. Number and description of units within the rental property (dwelling units, manufactured homes, or sleeping rooms), including square footage of each room in unit;

- f. Name, address and phone number of the person authorized to make or order repairs and/or service to the rental property, to provide required services necessary to protect the health, safety, and welfare of the occupants, or are able to contact the person so authorized;
- g. Maximum number of people permitted per dwelling unit, manufactured home, lot, rooming house, or sleeping room;
- h. **Crime-Free Rental Housing Phase I Training Required.** The Licensee or the Manager with control over the rental dwellings and rental dwelling units must attend, at a minimum, the Phase I crime-free rental housing educational course or similar course as approved by the City Manager as a condition of receiving or renewing a license. The cost of attending the educational requirements under this section shall be paid in addition to any license and inspection fees. Course attendance will be required on a schedule to be determined by the City Manager. Certification of completion of Crime Free Rental Program.

Subd 3. Manner of Application: The license application shall be made by the owner, if such owner is a natural person; if the owner is a corporation, cooperative or limited liability company, by an officer thereof; if a partnership, by one of the partners; and if an unincorporated association, by the manager or managing officer thereof, on the appropriate form available from the Housing Inspector.

Subd 4. Inspection: All rental units will be subject to a biennial inspection conducted by the Housing Inspector, or his/her authorized representative, prior to issuance of the license. The Housing Inspector may grant a license contingent on an inspection being completed within thirty (30) days, if all other requirements, including payment of the license fees, are met. After thirty (30) days, the license shall expire unless the Housing Inspector has certified the required inspection.

Subd 5. License Before Occupancy: All rental property required to be licensed pursuant to the provisions of this Ordinance shall be licensed prior to occupancy or the letting to another for occupancy, and thereafter all licenses of such rental property shall be renewed pursuant to 97.04, Subd. 1(c).

Subd 6. Transfers: Every new owner of a rental property (whether as fee owner, contract purchaser, or otherwise entitled to possession) shall apply for and obtain a license under this Ordinance before taking possession.

97.05 DISPLAY OF LICENSE. For dwellings containing four or more dwelling units, the rental license certificate must be displayed in the lobby or other common area visibly accessible to all tenants of the licensed dwelling. The license certificate must be encased in a frame with a

clear glass or plastic surface over the certificate and must be mounted securely to the wall. For dwellings less than four dwelling units, the Licensee must provide a copy of the rental license certificate to each tenant by attaching a copy to the Tenant's copy of the executed lease agreement. A copy of the license certificate must be displayed at or near the front of the electrical panel of the home of the building for which it was issued and shall be reasonably protected from wear by a plastic cover or similar protective device.

97.06 INSPECTION. Right of Entry: In order to insure compliance with this Ordinance's requirements, or upon receiving a written, signed complaint, the Housing Inspector shall have the authority to enter any building or manufactured home park at reasonable times upon notice to the landlord and tenant, to determine if the building or manufactured home park is operated as a "rental property" as defined in this Ordinance or to enforce the International Property Maintenance Code, or both.

97.07 HEALTH DEPARTMENT INSPECTION. The Mille Lacs County Health Department and/or the City Building Official shall have the right to inspect any dwelling, whether rental or owner-occupied, to enforce sanitation requirements.

97.08 HOUSING ADVISORY AND APPEALS BOARD. The City Council shall appoint a Housing Advisory and Appeals Board ("Housing Board") as provided below. The Housing Board shall be the Planning Commission Board. In addition to the responsibilities enumerated in the International Property Maintenance Code, the Housing Board shall serve in an advisory capacity in making recommendations concerning the housing and rental programs. It shall be the duty of the Housing Advisory and Appeals Board to study City Ordinances and Codes concerning housing from time to time and to make recommendations for new ordinances. The term of the members shall each be for three (3) years, with a maximum of three full three-year terms. Except in the event of a vacancy, appointments shall be effective January 1 of each year. Appointments shall be effective January 1 of each year and provide for staggered, overlapping terms. The initial appointments shall be made such that two (2) members appointed shall serve for three years, two (2) shall serve for two years, and one (1) shall serve for one year. Any vacancy shall be filled for the remainder of the term in the same manner as an original appointment. If a Board member shall no longer serve in the capacity under which they qualified for appointment, the City Council shall declare a vacancy. The Board members shall continue until their successor has been appointed.

97.09 EXCESSIVE LAW ENFORCEMENT CALLS. Notwithstanding any finding of the Housing Inspector for other violations, any rental property whose property receives more than one (1) law enforcement call per dwelling unit within a twelve (12) month period, or receives twenty-four (24) law enforcement calls or complaints within a twelve (12) month period, whichever number is less, shall appear before the Milaca City Council, upon notice, to review the continuation of the rental license. This review is not an exclusive remedy.

97.10 CRIMINAL BACKGROUND CHECKS

Subd 1. Purpose: The Milaca City Council has determined that there are persons residing in rental property in the City of Milaca engaging in disorderly conduct which results in a hostile environment for other Milaca citizens living near or close to the rental property. It is the declared purpose and intent of this section to protect and preserve the City's neighborhoods and the public health, safety, and welfare of its citizens by providing a system at the local level for criminal history/background investigation of prospective tenants.

Subd 2. Background Investigations: Each Operator shall conduct criminal history/background investigations on prospective tenants in rental property through the Milaca Police Department. No such investigation shall be conducted using the state Criminal Justice Data Communications Network (CJDN) and no information obtained from the CJDN shall be disseminated unless the Operator presents an Informed Consent/Waiver form signed by the prospective tenant. The Informed Consent/Waiver form must meet the requirements of Minnesota Statutes Section 13.05, Subd. 4 (d). Each request must be on a form approved or provided by the Milaca Police Department. The Operator shall pay a fee as established by Council resolution.

97.11 LANDLORD LIABILITY. The owner of a rental unit, manufactured home park, rooming house or sleeping room shall be responsible to cause persons occupying the rental unit to conduct themselves in such a manner as to not cause the premises to be in violation of the prohibition against noise as set forth in the City of Milaca's Noise Ordinance, nor to allow to exist on the premises a public nuisance.

97.12 APPLICABLE LAWS. Licensees shall be subject to all of the Ordinances of the City of Milaca and the applicable State and Federal laws relating to dwellings. In the event this Ordinance conflicts with any other applicable ordinance or law, the more restrictive shall apply.

97.13 ENFORCEMENT. Enforcement of this Ordinance is accomplished by the Housing Inspector who is authorized to conduct inspections, issue licenses, investigate complaints, and seek penalties of property owner(s) found to be in violation.

97.14 PENALTY. Any person who operates rental property in violation of this Ordinance shall be guilty of a misdemeanor and subject to the maximum penalty permitted by law. Each violation of this Ordinance shall constitute a separate offense. As an alternative to criminal penalties, the City may seek the following corrective action. The Housing Advisory Board will consider such penalties and/or actions after providing written notice and an opportunity to be heard to the owner of the rental property.

Subd 1. Require a Phase Two Participant or a Phase Three Participant:

Phase Two Participant (Includes Phase One plus the following)

- a. Complete a security assessment and complete the security improvements recommended. This phase will certify that the rental dwelling has met the security requirements for the tenant's safety
- b. For rental dwellings with four or more units, attend a minimum of 25 percent of Owners/Managers Association meetings
- c. For rental dwellings with less than four units, attend Licensee/Manager refresher training at least once every three years and conduct an exterior inspection of the property at least once every six months.

Phase Three Participant (Includes Phase One and Two plus the following)

- a. For rental dwellings with four or more units, conduct resident training annually for the residents where crime watch and crime prevention techniques are discussed.
- b. For rental dwellings with four or more units, hold regular resident meetings.
- c. For rental dwellings with four or more units, attend a minimum of 50 percent of Licensee/Managers Association Meetings.
- d. Have no unresolved City Code violations within the past year.
- e. For rental dwellings with less than four units, attend annual refresher training approved by the City Manager at least one time per year and verify attendance.
- f. For rental dwellings with less than four units, meet with tenants at least one time per year, inspect the exterior of the dwelling at least quarterly, and inspect the interior of the dwelling unit at least one time per year and provide written verification on the form provided by the City.

Subd 2. License Denial, Suspension, or Revocation: Every operating license issued under this Ordinance is subject to suspension or revocation. If the City suspends or revokes an operating license, it shall be unlawful for the owner or the duly authorized agent to thereafter permit any new occupancy of vacant or thereafter vacated rental units until the operating license is restored. Current tenants will be allowed to remain until the end of their lease or one (1) year, whichever is less. In the case of revocation, restoration of the license shall occur only after the premises' owner has applied for a new license, paid a new application fee and complied with all sections of this or any applicable City Ordinance. The City Manager may deny or not renew a license and the City Council may revoke or suspend a license for any of the following reasons that shall also constitute a violation:

- a. The property does not conform to City Ordinance.
- b. The property does not comply with a health, building, maintenance, or other provisions of the City Ordinances or State Law.
- c. The Licensee has failed to pay the license fee, inspection fees, the investigation fee, or a fine that has been imposed.
- d. The Licensee has made fraudulent statements, misrepresentations, or false statements in the application or investigation or in any information required by this Chapter.
- e. Conviction of a background check crime as defined in Minnesota Statutes Section 299C.67, subd. 2 as may be amended from time to time; or any crime related to the business licensed and failure to show, by competent evidence, rehabilitation and present fitness to perform the duties of the business.
- f. Operating or allowing the rental property to be used in such a manner as to constitute a breach in peace, a menace to the health, safety and welfare of the public, or a disturbance of the peace or comfort of the residents of the City, upon recommendation of the Chief of Police.
- g. Actions unauthorized or beyond the scope of the license granted.
- h. The Licensee's rental license to operate a rental dwelling in another jurisdiction has been denied, revoked, or suspended.
- i. Failure to schedule and/or allow rental or building inspections of the licensed premises, for the purpose of ensuring compliance with rental licensing requirements, City Code requirements, State Building Codes, or other applicable State and Federal law.
- j. Failure to continuously comply with all conditions required as precedent to the approval of the license.
- k. Real estate or personal property taxes have become delinquent and the property owner and the Licensee are the same person or entity, or have any common ownership where they are different person or entity.
- l. Violation of any regulation or provision of the City Code applicable to the activity for which the license has been granted, or any regulation or State or Federal law that may be applicable.
- m. Excessive calls for service as determined by the Chief of Police or the Fire Department Chief based on the number and nature of the calls compared to the number of dwelling units on the property when the Licensee has been notified of the call by the Chief of Police or the City Fire Chief and the Licensee has failed to supply

- an appropriate written action plan for reducing the calls for service, or when the calls for service exceed an established threshold.
- n. Failure to actively pursue the eviction of tenants who have violated the provisions of the crime free lease addendum or who have otherwise created a nuisance in violation of the provisions of the written lease.
- o. Other good cause as determined by the City Council after conducting a public hearing.

The City Council may revoke a license or suspend a license for a set period of time or until violations of City Code, or State or Federal law are corrected and, in addition, impose a civil penalty for each violation or impose a combination of these sanctions:

- (1) Temporary Suspension: The City Council may temporarily suspend a license pending a hearing on the suspension or revocation when, in its judgement, the public health, safety, and welfare is endangered by the continuance of the licensed activity.
- (2) Notice: Before the suspension or revocation of the rental license, the City must provide written notice informing the Licensee of the right to a hearing. The notice must provide at least 20 calendar days' notice of the time and place of the hearing and must state the grounds for the proposed suspension or revocation of the license. The notice may be served upon the Licensee personally, by leaving the notice at the licensed premises with the designated Manager, or by certified mail to the address listed on the license application.
- (3) Hearing: A hearing will be conducted before the City Council at a public meeting. The Licensee shall have the right to be represented by Counsel, the right to respond to the charge violations, and the right to present evidence through witnesses. The rules of evidence do not apply to the hearing and the City
- (4) Council may rely on all evidence it determines to be reasonably credible. The determination to suspend or revoke the license shall be made upon a preponderance of the evidence. It is not necessary that criminal charges be brought in order to support a suspension or revocation of a license violation nor does the dismissal or acquittal of such a criminal charge operate as a bar to suspension or revocation.
- (5) Final Decision: Following the hearing, the Council may revoke or suspend the license for all or any part of the licensed premises may stay the revocation or suspension upon such terms and conditions as it deems reasonable and necessary to accomplish the purposes of

the Chapter, or grant or continue the license. The decision by the City Council following a hearing is final. Upon a decision to suspend a license, no new application from the current Licensee for the same rental dwelling will be accepted for a period of time specified in the Council's decision, not exceeding one year. A decision to revoke a license will result in no new application being accepted from the same Licensee for a minimum of one year.

- (6) Appeal of Decision to Deny or not Renew License: If the City Manager denies or does not renew a license, the Licensee shall be notified in writing, specifying the reasons for denying or not renewing the license. If the Licensee corrects the conditions leading to the denial or non-renewal within seven days, the City Manager shall issue the license. A Licensee whose license has been denied or not renewed by the City Manager may appeal the decision by filing with the City Manager a written notice of appeal with seven days of receiving notice of the City Manager's decision. The hearing will be conducted pursuant to 97.14 (2)2.
- (7) Notification to Tenants: Upon denial, suspension, revocation or other enforcement action of a license, the City will notify all affected tenants of the action against the license. If the license is revoked or suspended the Licensee may not let, rent or allow to be occupied any vacant dwelling units, or dwelling units that become vacant during the revocation of suspension period.

Subd. 3. Minimum Penalties: The following are the minimum penalties for a Licensee's failure to comply with applicable Federal or State law or the requirements of this Chapter relating to the license. However, the level and order of the penalties will be at the sole discretion of the City Council, based upon the nature of the infraction. When appropriate, the City may impose penalties exceeding those stated below based on the history of the compliance and the severity of the violation, up to a maximum amount of \$10,000 per violation:

Violation Minimum Penalties	Phase 3 Participant	Phase 2 Participant	Phase 1 Participant
1 st - Violation	\$200	\$300	\$500
2 nd - Violation within 12 months	\$500	\$600	\$1,000
3 rd - and subsequent Violation with 12 months	\$1,000	\$1,200	\$2,000

Subd 4. Hazardous Building Declaration: If a dwelling is unfit for human habitation and the owner has not remedied the defects within a prescribed reasonable time, the dwelling may be declared a hazardous building and treated consistent with state law. Whenever any rental dwelling or rental dwelling unit is found to be hazardous or unfit for human habitation, it shall be posted by the Chief Building Official or designee on the door of the rental dwelling or rental dwelling unit, whichever the case may be, to prevent further occupancy. No person, other than the Chief Building Official or designee, shall remove or alter any posting. The Chief Building Official or designee will post the date the rental dwelling or rental dwelling unit shall be vacated and no person shall reside in, occupy or cause to be occupied that rental dwelling or rental dwelling unit until the Chief Building Official or City Council permits it.

97.15 VIOLATIONS. In addition to any other sanctions or administrative penalties imposed, any violation of this Chapter shall constitute a misdemeanor offense, punishable as defined by State law. Each day of violation constitutes a separate offense.

97.16 NO WARRANTY BY THE CITY. By enacting and undertaking to enforce this Chapter, neither the City nor its Council, agents or employees warrant or guaranty the safety, fitness or suitability of any rental dwelling or rental dwelling unit in the City. Licensees and occupants should take appropriate steps to protect their interests, health, safety and welfare.

97.17 RENTAL CODE. This Ordinance shall be known as the City of Milaca Rental Code.

97.18 SEVERABILITY. Every section, provision or part of this ordinance is declared severable from every other section, provision or part; and if any section, provision or part hereof shall be held invalid, it shall not affect any other section, provision or part.

97.19 EFFECTIVE DATE. This Ordinance shall be effective immediately upon its passage and publication, except as follows:

A. Existing rental properties (those operating as such on the Effective Date) will be required to apply for a Rental License by March 1, 2018, and obtain a license by March 31, 2018; and

B. Dwelling units already constructed, or having obtained a building permit, but not used as a rental property on the Effective Date, are exempt from requirements of 97.04, Subd. 2(h) for any license obtained within ninety (90) days from the Effective Date.

Milaca Police Department

OCTOBER Monthly Report

3	911 Hang Up
4	Accident
32	Agency Assist
10	Alarm
12	Animal
2	Assault
4	CDTP
2	Civil Issue
3	Community Contact
8	Disturbance
3	Domestic
3	Driving Complaint
1	Drugs
2	Family Services Referral
4	Found Property
3	Funeral Escort
1	Garbage Dumping
1	Gas Drive Off
2	Gas Drive Off
4	Icr Misc
13	Juvenile Complaint
10	Lockout
27	Medical
1	Missing Juvenile
1	Noise Complaint
5	Parking Complaint
2	Property Exchange
19	Public Assist
2	Recovered Property
1	Remove Unwanted
3	Suicidal Party
23	Suspicious Activity
12	Theft
40	Traffic
1	Traffic Complaint
1	Vulnerable Adult Report
3	Warrant Arrest
7	Welfare Check
2	Zoning Violation

Total ICR's : 292	
Training	
Park Incidents	7
Citations	4
Traffic Stops	44
Parking Citaitons	1

Date: 11/13/17

Created by:

Chief Todd C. Quaintance

Park Commission Minutes

November 7, 2017

Members Present: Pete Pederson, Gary Kirkeby, Matt Follmuth, Cindy Biederman, Josh DeHart, and Dan Meyer.

Pete Pederson – City Report

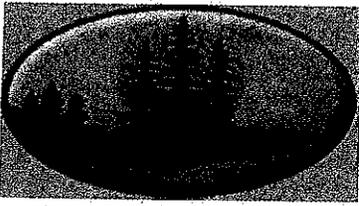
- Introduction to Gary Kirkeby, new head of public works.
- New disc golf posts and signs have been created. Leagues starting next summer

Gary Kirkeby – Parks Report

- Electrical for campsites has been installed.
- Will level out campsites when ground is harder. Very soft from wet fall.
- Met with Lynn Galice, Mille Lacs County Soil and Water, to look at Rum River bank at Rec Park.
- Hoping to continue repair of railroad bridge.
- Working on bike trails and cross country ski trails.

Next meeting: Tuesday, December 5 at the Milaca American Legion.

Submitted by Matt Follmuth



Milaca

Public Works

320-983-6457

Public Works Supervisors Report for October – November 2017

Public Works:

- ¼ of city sewers were cleaned / root cut and video recorded
- Completed scheduled 2017 sewer lining project
- Finished street sweeping
- Security cameras installed at public works shop
- Combined public works and parks shops
- Discharge wastewater ponds
- Cleaned wastewater ponds of debris
- Continuing to cross train every employee
- Working on MNDNR Water Supply Plan
- Patch pot holes near city hall and 2nd ave SW
- Put up Christmas decorations
- First snowplow of the season on 11-4-17 (6.5")

Parks:

- Security cameras installed in Rec Park
- Winterize parks and splash pad
- Finished fall mowing clean up
- Electricity and water installed in Rec Park campsites
- Started cleaning brush from mountain bike trails

Mechanics:

- Winterized lawn mowing and other needed equipment
- Installed new cutting edges on equipment
- Added water wrench racks to utility trucks

Airport:

- New airport manager: John Oldenburg
- Fall clean up
- Repaired light beacon photo eye