

**CITY OF MILACA
COUNCIL MINUTES**

August 17, 2023

Call to Order Roll Call

Mayor Dillan called the meeting of the Milaca City Council to order at 6:30 p.m.

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

Staff present: City Manager Tammy Pfaff, Communications Specialist Mary Mickelson, City Attorney Damien Toven, Assistant City Clerk Deloris Katke, Assistant Public Works Superintendent Warne Johnson, Liquor Store Manager Vicki Jeys, Police Chief Quinn Rasmussen, Police Dept. Admin. Becky Porter, Fire Chief 1 Jesse Gerads, Fire Chief 2 Chris Ehlen and other members of the Fire Department: Andy Ziegler, Adam Solomon, Shawn Kadelbach, Rich Higgins, Mike Talberg, Robert Alley, Mike Nelson and Mitchell Wolbert.

Others present: Chloe Smith, Greg Chaffin of Bluewaters-Potato Patch-Milaca LLC, Reno Lindell, Amber and Joe Opager, and Chris Carlson from Borgholm Twp.

Approval of the Agenda

Mayor Dillan called for a motion to approve the agenda. Larsen made a motion for approval, seconded by Johnson. With no further discussion, all in favor of the approval of the agenda; motion passed.

Approval of Consent Agenda

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

- a. Approval of the Minutes – July 20, 2023
- b. Approval of Bills
- c. Resolution #23-21 Resolution Approving Donations-Corrected
- d. Resolution #23-25 Donations
- e. Ordinance #512 Enacting and Adopting Supplement Code to Ordinances. First reading

waived.

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

Citizen Open Forum

Mayor Dillan asked if anybody present wanted to address anything not on the agenda. Chris Carlson from Borgholm Township stated they have applied for a grant for 100th Avenue and they would like a letter of support from the city. This is their second time for applying for a grant. A letter of support from the council will be drawn up.

Public Hearings – Vacating a Portion of Road Right of Way on 5th St SW. Public hearing opened at 6:34 p.m. City Manager stated this is a very short piece to be vacated and won't impact any of the project. The purpose of the vacation was to move the buildings south further away from Hwy. 23. Mike Nelson questioned where parking would be and was questioning if this would make the road tighter. Mayor Dillan stated there shouldn't be any parking there. With no further discussion, public hearing was closed at 6:35 p.m.

Requests and Communications

City Manager presented Certificates of Appreciation to the following for their years of service:

Deloris Katke	35 Years of Service
Vicki Jeys	20 Years of Service
Amy Edel	10 Years of Service
Rebecca Porter	5 Years of Service

Ordinances and Resolutions

Resolution #23-26 Vacating a Portion of Road Right of Way on 5th St SW: Mayor Dillan called for a motion to approve. Motion made by Johnson, seconded by Larsen. With no further discussion on Resolution #23-26, all in favor. Resolution #23-26 passes.

Resolution #23-27 Approving a Public Hearing for an Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Operation of Cannabis Businesses: Larsen made a motion for approval, seconded by Johnson. Mayor Dillan questioned as to why this was needed when the state already had a year. City Attorney Toven stated the state has no time table to have the office in place to regulate this. They are hoping to have it in place in the next year. If we as a municipality want to put a stop to this at this point in time, we need to enact our own ordinance suspending for a study. Should the office open in the next six months or so, and licenses are starting to be issued, if we don't have this in place or regulations in place, there would be nothing the city could do to regulate it. By doing this, it's kind of a stop gap and gives us until January 2025 to figure out what to do and gives the legislature time to figure out what to do. Mayor Dillan questioned that if this passes and the state opens up and we have a handle on what to do, basically does the city have to wait until January 2025. City Attorney Toven clarified that it suspends it until that date or until such time the interim date is repealed by the City. City Attorney Toven also stated that he did not put the date of the public hearing in the Resolution but the council would need to fill the date in and he believes should the resolution pass tonight, the public hearing would be in September. Councilmember Johnson stated that it makes sense to move cautiously. With no further discussion on Resolution #23-27, all in favor of Resolution #23-27. Resolution passes.

Resolution #23-28 Approval for Final Plat for Bluewaters Potato Patch-Milaca: Mayor Dillan called for a motion to approve. Johnson made a motion for approval, seconded by Larsen. With no further discussion on Resolution #23-28, all in favor. Resolution #23-28 passes.

Resolution #23-29 Developers Agreement for Bluewaters Potato Patch-Milaca: Mayor Dillan called for a motion to approve. Johnson made a motion for approval, seconded by Larsen. With no further discussion on Resolution #23-29, all in favor. Resolution #23-29 passes.

Ordinance #513 Prohibiting Cannabis Use within Public Property and Public Places-First Reading: Mayor Dillan called for a motion to approve. Larsen made a motion for approval, seconded by Johnson. Mayor Dillan had a question regarding if this was just for the flowers and the smoking? Not for the edibles that we have now? City Attorney Toven stated that nothing changes with respect to the Ordinance that was passed last year. Mayor Dillan asked if this affects the drinks and City Attorney stated no. With no further discussion on Ordinance #513, all in favor of First Reading of Prohibiting Cannabis Use within Public Property and Public Places. First Reading of Ordinance #513 passes.

Ordinance #514 Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Operation of Cannabis Businesses-First Reading: Mayor Dillan called for a motion to approve.

Johnson made a motion for approval, seconded by Larsen. With no further discussion on Ordinance #514, all in favor. First reading of Ordinance #514 passes.

Ordinance #515 Amending Section 156 of the Zoning Ordinance by Making Changes to the City of Milaca Zoning Map-FIRST READING: Mayor Dillan called for a motion to approve. Johnson made a motion for approval, seconded by Larsen. Mayor Dillan asked if this was approved by Planning Commission and City Manager Pfaff stated they were all in favor of changing the area from an R-1 (Single Family Residential) to R-2 (1 and 2 Family Residential). With no further discussion, all in favor. First reading of Ordinance #515 passes.

Ordinance #516 Amending Land Usage 156.037(B) Regarding Height in R-3 Multiple Family Residential-FIRST READING: Mayor Dillan called for a motion to approve. Johnson made a motion for approval, seconded by Larsen. Mayor Dillan asked if Planning Commission was ok with this Ordinance and City Manager Pfaff stated they were. With no further discussion, all in favor. First reading of Ordinance #516 passes (changing height in R-3 Multiple Family Residential from maximum 3 stories or 35 feet; whichever is the lesser to 40 feet).

Reports of Departments, Boards and Commissions

City Manager – Update letter from Stantec in regard to the airport road. Topographic survey, geotechnical investigation and wetland delineation has all been completed. Environmental review will begin soon and may take up to 4 months to complete. Stantec recommended an agreement or a memorandum of understanding with Borgholm and Milaca Townships to clarify expectations and define future maintenance responsibilities. City Manager Pfaff will send letters to the residents that live along the road in regard to the update on the airport road. Townships will also get this update.

Police – Nothing

Parks – North well has been filled in.

Public Works – Bids for access road by liquor store. City Manager Pfaff stated ACM was the low bid at \$129,520.92 followed by Omann Brothers Paving at \$130,557.90. Council should award the bid of \$129,520.92 to ACM lowest bidder by motion. Mayor Dillan called for a motion. Larsen made the motion, seconded by Johnson. Plan is to start on this in September. All in favor, motion to accept ACM bid at \$129,520.92 passes.

Liquor Store – Liquor Store Manager Jeys stated representatives from Anheuser Busch from Missouri came down to see the store. Talked to them about some future promotions and saw the beer cave.

Started split pricing at the liquor store about a month ago where you use a debit or credit card and the customer is charged 3% and the first month we saved \$2,000. Throughout the year we should save about \$25,000.00.

Fire Department – Request for Hourly Pay. Fire Chief 2 Chris Ehlen stated that the fire department has been paid per call/per event for quite a while now. Hiring may be easier going to hourly pay and retention of firefighters may help as well. Hopefully more volunteers with events as well. Some of the calls can take 3-4 hours and the firefighters are away from their own jobs. Mayor Dillan asked if the call was just 20 minutes would they be paid for a full hour and Ehlen stated they would be paid the minimum. Same thing if the truck leaves the bay, they get paid and if truck doesn't leave then it's just a missed call.

Drills would stay the same at \$25.00 per drill. Ehlen stated this would increase the budget. Larsen asked if this should be presented to the budget committee and Mayor Dillan stated it should be. Johnson asked if they would be raising the charge per call. Fire Chief 1 Gerads stated that they did change the fee about 4-5 years ago. It used to be a flat rate and now it is more like an hourly rate. A fire call is now \$500.00 per hour. The national average is \$1300.00 so there shouldn't be a problem with raising it to \$750 an hour and slowly increasing other fees. Johnson stated this would take some time to put those numbers together. City Manager Pfaff stated she will have to look back to see how many calls they had and how many got billed to come up with some good numbers. Ehlen stated they have not had any new applicants for about a year and from the last four hired, 1 has left already. Mayor Dillan stated that there is an issue that needs to be addressed but the budget committee will need to look at this so at this time we will table this and have the committee look it. City Manager Pfaff stated she will also need to look at the impact with the contracts with the townships as well and the levy.

Fire Chief 1 Gerads stated their side by side is fully in service now and the old one was picked up by Foreston Fire Department. They are really close to getting the spec pricing on a new fire engine. City Manager Pfaff asked if the spec includes any lights and any additional equipment? Fire Chief 1 Gerads stated it does not include. . . . all the lights on the truck itself. It doesn't include any hoses. Virtually everything else would come off another truck so basically buy a new hose, buy a new truck. There might be a few odds and ends but they also include some of that stuff like mounting expense for small tools. City Manager Pfaff asked if they would apply for any grants? He stated he didn't think so. Pfaff stated there is a community facilities grant through DEED that covers fire trucks. The grant is open year round. Mayor Dillan thanked the fire department volunteers for stepping up and volunteering and doing the work that needs to be done. It is appreciated.

Mayor Dillan called for a motion to table the request for hourly pay. Johnson made the motion, seconded by Larsen. With no further discussion, all in favor. Motion to table request for hourly pay passed.

Planning and Zoning - Nothing

Committees

Budget – Meeting will be coming up.

EDC – City Manager Pfaff stated they will be meeting with Sen. Amy Klobuchar at Heggies on Monday. They will be talking about economic development, what our city needs, workforce shortage, daycare shortage, etc. After the meeting, they will tour Heggies.

Unfinished Business

New Business

Contract to Provide a School Resource Officer Services: City Manager Pfaff stated that based on some of the letters that have been distributed, that at this time we may want to table this as the Milaca Police Department is short of staff so we can't fill the contract at this time. So, we could table this discussion and then wait until legislation on that law has been passed in education. The letter is from the MPPOA which is the group defense fund for law enforcement officers generally tied mostly to LELS. City Manager Pfaff stated we needed clarification on what exactly an officer can do at a school.

Mayor Dillan called for a motion to table the Contract to Provide a School Resource Officer Services. Motion made by Larsen, seconded by Johnson. With no further discussion, motion to table passes.

Special Event Application – Milaca Archery 3D Scramble: Mayor Dillan called for a motion for approval. Motion made by Johnson, seconded by Larsen. With no further discussion, all in favor. Motion to approve Milaca Archery 3D Scramble passes.

Special Event Application – Homegrown Music Fest: Mayor Dillan called for a motion for approval. Motion made by Larsen, seconded by Johnson. With no further discussion, all in favor. Motion to approve Homegrown Music Fest passes.

Temporary Off Sale Premise Sales for Timber Valley Grille. Mayor Dillan called for a motion for approval. Motion by Larsen, seconded by Johnson. With no further discussion, all in favor. Motion for Temporary Off Sale Premise Sales for Timber Valley Grille passes.


Miscellaneous

Council Comments

Mayor Dillan mentioned that he has ordered some challenge coins. They are in the military and Damien Patnode down at the school does this. The front has City of Milaca logo and on the back it says “You Make a Difference”. These can be used for people who do great things around town to let them know they are noticed and that what they do is very appreciated.

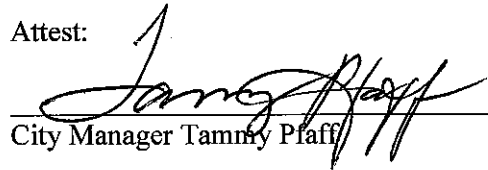
Adjourn:

Mayor Dillan called for a motion to adjourn. Johnson made a motion to adjourn, seconded by Larsen. No further discussion. All in favor; motion carried. Meeting adjourned at 7:04 p.m.



Mayor Dave Dillan

Attest:



City Manager Tammy Pfaff