

AGENDA
MEETING OF THE MAHNOMEN CITY COUNCIL
Monday, June 4, 2018
6:30 P.M.
CITY HALL
104 W. Madison Avenue
Mahnomen, MN 56557

- 1) Pledge to the Flag
- 2) Call to Order
- 3) Swearing in of White Earth Police Department Officers
- 4) Public Comments
- 5) Approval of Agenda
- 6) Consent Agenda
 - a) Approval of Minutes for May 21, 2018 Council meeting
 - b) Consideration to hire a PT liquor store clerk/bartender
 - c) Consideration to co-sponsor the Mahnomen Agricultural Parade and Color Run
 - d) Consideration for the city to sponsor an Opioid Prevention Picnic in the Mini Park with the support of Mahnomen-Norman Public Health and White Earth Nation
 - e) Consideration to permit the City Administrator attend the LMC Annual Conference in St. Cloud June 19-22
- 7) Reading of bills for approval
 - a) June 4, 2018 list of bills
- 8) Public Hearings
- 9) Nuisance Complaints
- 10) Old Business
- 11) New Business
 - a) Consideration to declare a fuel oil tank as surplus equipment and to declare a fair market value for the tank
 - b) Consideration to donate the fuel tank to the Mahnomen County Club
 - c) Consideration of a request to provide seed money to fund the Mahnomen County EDA
- 12) Police Report
- 13) Council Reports
- 14) Administrator Report
- 15) Adjournment

MEMO

To: Mayor and Council

From: Mitchell Berg, City Administrator

Date: June 1, 2018

RE: Consent Calendar

Agenda item #

- 6.b. Consideration to hire a PT liquor store clerk/bartender**
The Liquor Store Manager is interviewing potential candidates for an open PT liquor store clerk/bartender position. Therefore, the manager has asked that this agenda item be held open in the event that a name can be brought forward for council consideration.
- 6.c. Consideration to co-sponsor the Mahnomen Agricultural Parade and Color Run**
The Mahnomen Agricultural Society has asked permission of the city to co-sponsor for liability purposes both the Parade and Color Run event that will occur on June 28 and June 30, 2018.
- 6.d. Consideration to sponsor an Opioid Prevention Picnic with the support of Norman-Mahnomen Public Health and White Earth Nation**
The opioid subcommittee of the Mahnomen-Norman Public Health SHIP committee for Mahnomen County is asking the city to sponsor a free community picnic at the Mahnomen Mini Park on Tuesday, June 19, 2018. The event would be paid with a contribution from the First National Bank of Mahnomen and the event would also be put on with help from Mahnomen-Norman County Public Health and the White Earth Nation.
- 6.e. Consideration to permit the City Administrator attend the LMC Annual Conference in St. Cloud June 19-22**
The City Administrator is requesting to attend the LMC annual conference which is being held in St. Cloud this year. The cost of the registration, hotel, food, and incidentals is estimated at \$900.

RECOMMENDATION

MOTION to approve items 6.a.-6.e. on the consent calendar

CITY COUNCIL MEETING MINUTES

Monday, May 21, 2018

Mahnomen City Hall

6:30 P.M.

69.

COUNCIL PRESENT: Durant, Lee, Gieseke, and Schouveiller

COUNCIL ABSENT: Mayor Wiemer

OTHERS PRESENT: Mitchell Berg, Lee Cariveau, and Sue Kraft

Call to Order

The meeting was called to order by Vice Mayor Lee

Public Comment

A resident came in to speak on a public nuisance on Railway Street and asked that the city investigate. The resident was asked to complete a nuisance complaint and the resident informed the council that a complaint had been filed. City Administrator Berg said he had just received the complaint and the city would investigate.

Approval of Agenda

Durant made the motion to approve the agenda. The motion was seconded by Schouveiller and the motion passed on a 4-0 vote.

Berg asked the council to consider amending the agenda item 5.c. to read – Approval of the final pay request for Well #6 upon final approval from the Utility Superintendent. On the May 21, 2018 Minutes, Gieseke recalled seconding the motion to adjourn the May 7, 2018 Meeting.

Approval of Consent Agenda

Durant made the motion to approve the following items on the consent calendar, along with the additional changes to the May 7, 2018 Minutes and the final pay request for Well #6:

- a) Approval of Minutes for May 7, 2018 Council Meeting
- b) Approval of final pay request for the Industrial Park Lift Station
- c) Approval of final pay request for Well #6
- d) Consideration of a letter of support
- e) Acceptance of a resignation from a PT liquor store clerk/bartender
- f) Consideration of a change in the addendum to the contract to replace the sewage lagoon gate structure
- g) Approval of April checks 56442 - 56533 and EFT's
- h) Approval of MN Lions Diabetes Foundation Gaming Permit
- i) Authorization to sign application from Ottertail Power for LED Street Lights

The motion was seconded by Gieseke and the motion passed on a 4-0 vote.

Approval of Bills

Berg presented an updated list of bills with four additional claims added to the list. **Schouveiller made a motion to approve the May 7, 2018 payment of bills for \$49,338.72, motion was seconded by Gieseke. Gieseke raised a few questions on some of the claims from the check summary register. After some discussion, the questions were answered and the motion passed on a 4-0 vote.**

Public Hearings

Vice-Mayor Lee opened the public hearing at 6:39 pm.

Berg said unfortunately, he did not have any time to inspect the properties and therefore asked to have the council table the matter until the next council meeting.

Durant made the motion to table the public hearing. The motion was seconded by Schouveiller and the hearing was tabled at 6:40 pm on a 4-0 vote.

New Business

The city was asked to adopt a pay philosophy as part of the compensation and pay plan that was adopted by the council. In a review of the existing personnel manual Berg noted several items that were inconsistent with current city practices. Therefore, he suggested appointing two council members to serve on an ad hoc Personnel Committee to review the Personnel Policy. **Gieseke made a motion to appoint Council member Schouveiller and Durant to an ad hoc Personnel Committee for the purpose of providing a recommendation to the council on amending the City's Personnel Policy. The motion was seconded by Lee and the motion passed on a 4-0 vote.**

Berg provided the council with the quote to add another PTZ camera at the intersection of 1st Street and Monroe Ave to provide additional security to the mini park. Council member Gieseke had a few questions relating to the cost of the camera system. Berg indicated there would not be an additional monthly cost for the added camera. **Durant made the motion to accept the quote from Arvig for \$5,380 to purchase and install an additional PTZ camera at the intersection of 1st Street and Monroe Ave. The motion was seconded by Gieseke and the motion passed on a 4-0 vote.**

Berg indicated the city was asked to become a Green Step Community several years ago and felt that it would be a good idea to become one now. Specifically, one of the actionable items that asked from the recently adopted DNR Water Supply Plan was to become a Green Step Community. Durant asked of the cost of joining. Berg said that he was able to secure an intern, at no cost to the city, to assist in becoming a Green Step Community. Berg also said some of the sustainable practices the city has already done could be counted towards the city's efforts in the program. Therefore, it is entirely up to the city to determine the amount of additional investment it wants to contribute towards being a part of the program. This program could also promote further collaboration between the city and the tribe. **Schouveiller made a motion to adopt Resolution 5-21-2018-1: A Resolution to commit the city to the Green Steps Program. The motion was seconded by Gieseke and the motion passed on a 4-0 vote.**

Police Report

There was no police report.

Council Reports

Councilmember Schouveiller provided a public works update and mentioned about a parking issue, along Railway Street, that was able to be resolved; a vehicle had sheared off a fire hydrant along Railway Street and the Utility Department was working to replace it; the City-Wide Clean Up Event used 12 dumpsters; and the concern of a needle being found in the mini-park over the weekend, during the weekdays the Utility Department are cleaning up the mini-park daily.

<p>Administrator Report</p> <p>Adjournment</p>	<p>Councilmember Lee mentioned he attended the last HRDC Board Meeting.</p> <p>Councilmember Durant updated the council on the last quarter activities at the Mahnomen Library.</p> <p>City Administrator Berg presented his City Administrator's report to the council. Berg also informed the council that it was unsuccessful in getting any bonding for the upcoming water and sewer project from this Legislative Bonding Session. Berg provided a summary of the Volunteer Fire Relief Association's Investment Report Card and indicated that the investments were less than that of the Statewide Plan.</p> <p>Schouveiller made the motion to adjourn the meeting. The motion was seconded by Lee and the meeting was adjourned at 7:09 pm.</p> <p>Mitchell Berg, Administrator</p> <p>Jim Lee, Vice-Mayor</p>

6h.

Mitch Berg

From: Gerri Swiers <swier023@umn.edu>
Sent: Friday, May 25, 2018 1:26 PM
To: Jeff Cadwell; Jenna Cardinal; Pat Noll
Subject: 5K Color Run & Parade - Mahnomen County Fair June 28-30, 2018
Attachments: Parade Route 2017.pdf; 2018 Fair Schedule in word (1) (1) (1) (4).docx

Attached is the latest schedule for the Mahnomen County Fair June 28-30. The 5K Color Run & Parade are again planned.

5k Color Run/Walk- Thursday, June 28th
Registration 4:30pm Start Time: 5:30pm

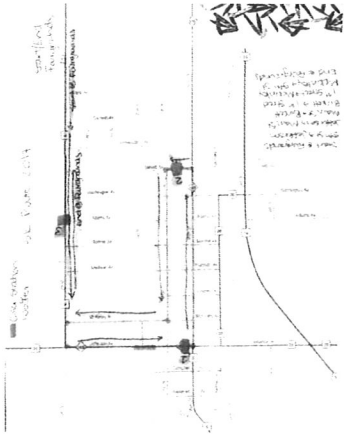
Route: Start at Fairgrounds, Head South on 5th Street, Left onto Jefferson Ave, Left onto Main Street, Left onto Birkett, Left (South) onto 1st Street, Right onto McKinley, Right onto 5th Street- End at Fairgrounds. (See attached map if needed)

Parade- Saturday, June 30th
Line up: 1:15pm Start: 1:30pm

The Parade line-up is East-West on Jefferson starting at 1st Street.

Route- Start at Jefferson Ave and 1st Street, Left on Main Street, Left on Washington, Right on 5th Street- End at Fairgrounds. (see attached map if needed.)

2017 Route Color Run - Same 2018



2017 Parade Route - Same 2018

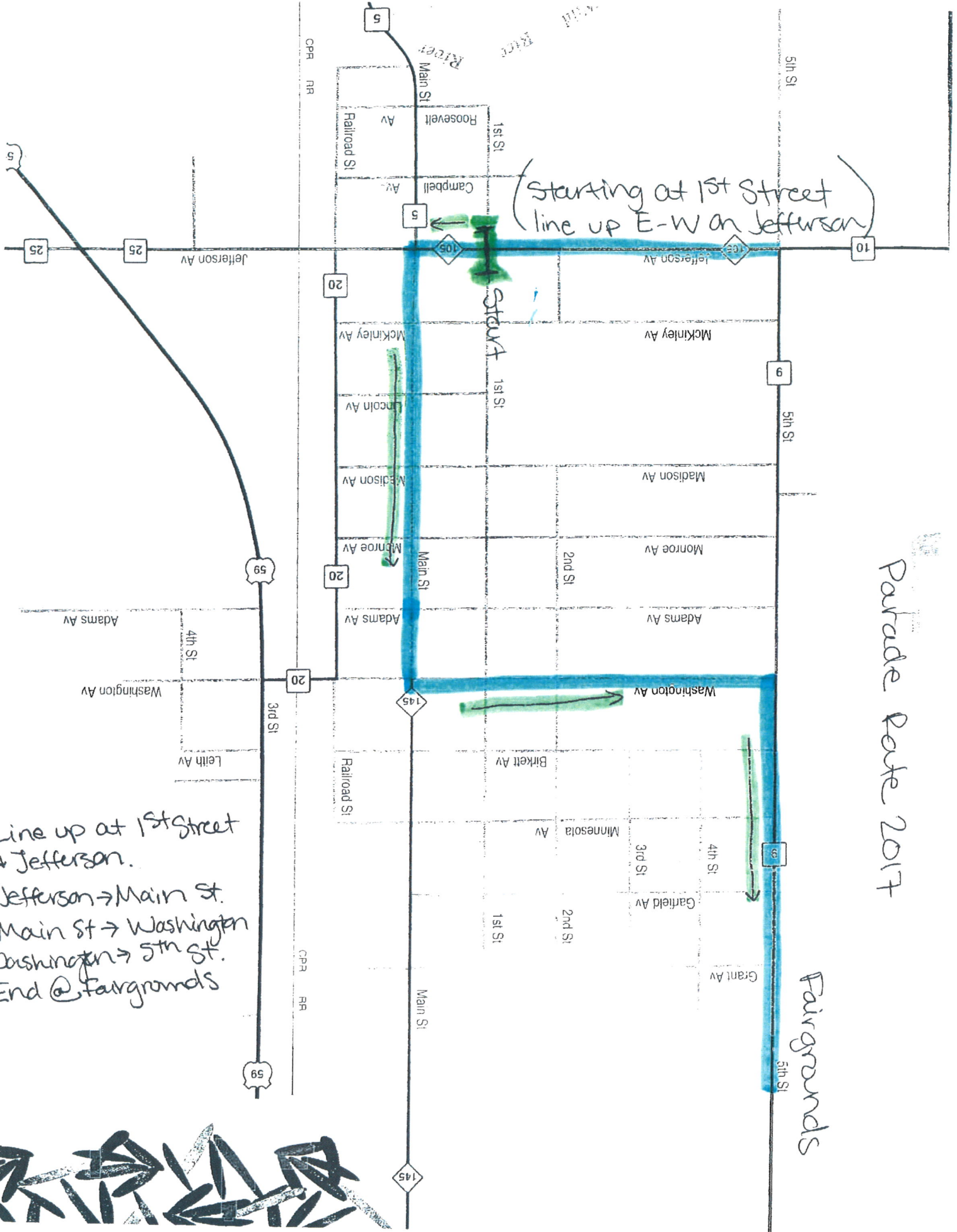
Parade Route 2017

Fairgrounds

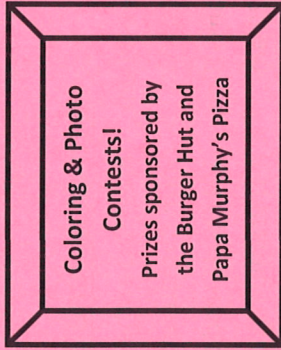
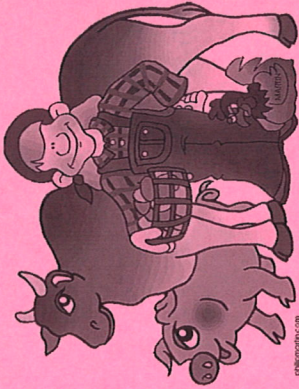
(Starting at 1st Street
line up E-W on Jefferson)

Start

Line up at 1st Street
& Jefferson.
Jefferson → Main St.
Main St → Washington
Washington → 5th St.
End @ Fairgrounds



Come to the Fair!



Coloring & Photo
Contests!
Prizes sponsored by
the Burger Hut and
Papa Murphy's Pizza

Carnival—Midwest Rides

Advance Ride Tickets will be available at designated local businesses and the Mahnommen County Extension Office until Wednesday, June 27th. Ride tickets can be purchased at the fair as well, but at a higher price.

Mega Pass	Good for ALL 3 days	\$50
Arm Band	Good for ONE 4 hour time slot	\$18
8 tickets	Good for 8 rides	\$20

Mahnommen County Fair Premium Book – expanded categories!

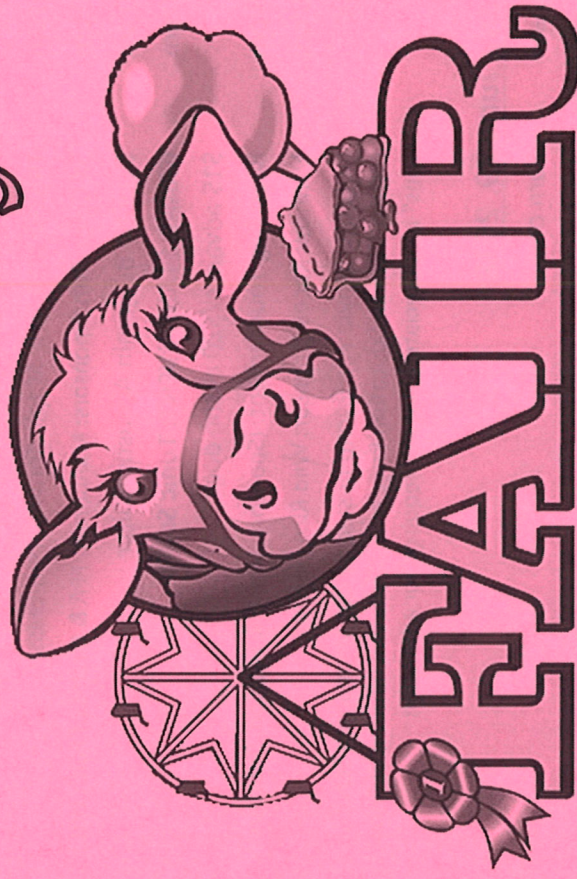
The 2018 Mahnommen County Fair Premium Book is available at mahnommencountyfair.org or a hard copy can be requested from the Mahnommen County Extension Office (218) 935-2226

Mahnommen County Agricultural Society
PO Box 183 Mahnommen, MN 56557

www.mahnommencountyfair.org

John Seeger	President	218-935-5705
Sarah Snetsinger	Vice President	218-261-0685
Pat Noll	Treasurer	218-935-2931
Gerri Swiers	Secretary	218-902-0445

102nd Mahnommen County



June 28-30, 2018

Schedule of Events

Wednesday, June 27, 2018—Bring in your exhibits!

- 3-6 pm Open Class Non-Livestock Exhibit Entry (Open Class)
- 4-7pm 4-H Non-Livestock Exhibit Entry & Judging (4-H SHED)
- 7:00 pm Judging of Open Class Exhibits

Thursday, June 28, 2018—Opening Day!

- 8 am - 10 am Animal Entry (4-H, FFA & Open Class Livestock)
- 11 am - 9 pm 4-H Food Stand, Open Class & Commercial Open
- 1:00 PM MIDWEST RIDES CARNIVAL - Rides Open**
- 1:00 pm 4-H Dog Show (Obedience, Showmanship, & Agility)
- 4:00 pm Poultry and Rabbit Judging (Barn & Arena)
- 4:30 pm The Great Q Dini Magic Show (Open Class)
- 5:30 pm 5K Color Run (Sponsors: Mahnomen FFA & Circles of Faith UCC)
- 6:00 pm Quentin Benjamin Acoustic Guitar

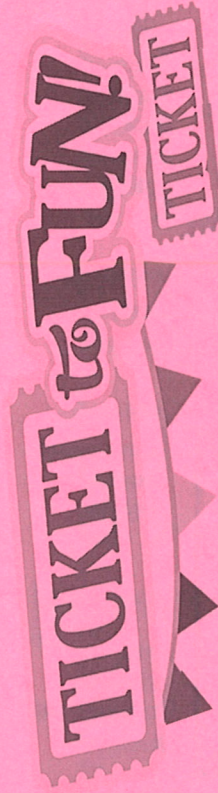
GRAND STAND EVENT: Tonic Sol-Fa

\$15 advance/\$20 at the door

- 7:00 pm Bean Bag Tournament (Sponsors: Home & Fashion, Boosters)
- 8:00 pm Minnow Races (Sponsor: Wild Rice Electric)
- Dusk Outdoor Movie *Ferdinand* hosted by the Mahnomen School District's Indian Education Program. A free will offering of "Box Tops" is appreciated, but not required for admission

Friday, June 29, 2018

- 8:00 am Barn opens
- 11 am - 9 pm 4-H Food Stand Open
- 2:00 pm Livestock Judging (Show Arena)
- 1:00 PM MIDWEST RIDES CARNIVAL - Rides Open**
- 4:00 pm The Great Q Dini Magic Show
- 4:30 -6 pm Horse Show (Horse Arena behind Barn)
- 5:00 pm Sawdust Dig with Mahnomen Sportsmans Club
- 6:00 pm Quentin Benjamin Acoustic Guitar
- 7:00 pm **Pembina County Chariot & Chuckwagon Races**
- Admission** \$10 ages 12 & up; \$5 ages 4-11; 3 & under Free
- 8:30 pm Dance



Saturday, June 30, 2018

- 8 am -11 am Breakfast at the Fair (4-H Building)
- 9:00 am Farm Bureau Antique Tractor Show
- 11 am - 8 pm 4-H Food Stand Open
- 11:30 am 4-H Premium Auction (Show Arena)
- 1:00 pm MIDWEST RIDES CARNIVAL - Rides Open**
- 1:00 pm *ART pARTy—Canvas Painting for Adults**
- Cost \$10 (Age 15 & up) Limit 30 preregister**
- 1:30 pm Parade** (Line up 1:15)
- Followed by Water Games with Mahnomen Fire Department
- 2:30 pm Skid Steer Rodeo (Horse Arena) - Prizes awarded
- 3:00 pm *ART pARTy! - Canvas Painting for kids (6-14)**
- Cost \$5 (age 6-14) Limit 30 preregister**
- 5:00 pm JanTiques Fashion Show** (Open Class)
- 5:00 pm Baja Races by Super D Racing with Stick Horse Races during intermission**
- Admission** \$10 ages 12 & up; \$5 ages 4-11; 3 & under Free
- 8:00 pm 4-H & Open Class Exhibit & Animal Release

Other things to take in:

- ◆ **Knockerball & Combat Archery available all 3 days! 11 am—8 pm**
- ◆ White Earth Police Depart. Highway Safety Program & Gaming Trailer
- ◆ Crafts & Carnival Food: **corndogs, hot dogs, foot longs, mini donuts, funnel cakes, cheese curds, cotton candy & caramel apples**
- ◆ Mahnomen County Dairy Association **MALT WAGON**
- ◆ Farm Bureau Scavenger Hunt - Prizes Awarded
- ◆ Minnesota DNR Exhibits
- ◆ Rain Fall Simulator, Natural Resources Conservation Service
- ◆ And MUCH MORE!

*Funded by the Minnesota Department of Agriculture, AGRI County Fair Grant

8c .



TUESDAY, JUNE 19, 2018
5:30PM-7:30PM
AT THE MINI PARK
ALL ARE WELCOME!

ALL FOR
FREE

June 15, 2018

City of Mahnomen
 104 W Madison Ave
 P.O. Box 250
 Mahnomen, MN 56557

Dear Resident,

The City of Mahnomen invites you to a free community picnic at the Mahnomen Mini Park on Tuesday, June 19, 2018, from 5:30pm-7:30pm. The purpose of this event is to connect with our neighbors and make everyone aware of the variety of services and resources, provided by local organizations supporting individuals and families. All are welcome!

Thanks to (insert the businesses that provide food, refreshments and door prizes) for donating the food, refreshments and door prizes.

Please come out and enjoy free food, education, and most importantly, lots of great fellowship!

We look forward to seeing you on the 19th,

Mitch? Or who should it be from.



MEMO

To: Mayor and Council

From: Mitchell Berg, City Administrator

Date: May 31, 2018

Re: Nuisance hearings

Background

At the May 21, 2018 city council meeting the City Administrator asked to have the council table the public hearing so that he could further investigate the two nuisance complaints that staff had sent out.

Analysis

Since that meeting, staff has responded to 11 additional complaints and attached is a summary of each of the properties, along with the two mentioned above ones:

415 Minnesota Street W.

The city received a complaint about garbage, rubbish, debris, and materials that was out in the open in the front yard of the property. The property owner has since taken corrective action to abate the nuisance. Therefore, city staff feels this complaint can be closed. However, in the follow up inspection, there were multiple vehicles found to be in some state of disrepair and/or were not properly licensed.

As a result, another letter was issued and a subsequent inspection occurred on 5/31/2018, of which the person residing at the property asked for an extension through June 21, 2018 to either have two of the three vehicles removed and/or relocated within an enclosed building on the property.

The City Administrator is receptive to this and is recommending council declare the three vehicles as nuisances, under sections 90.18(p), 92.19(a), 92.20(a), and 151(4)(13), but to grant an extension to either remove or relocate the two non-operable or non-licensed vehicles (a GMC white pickup and a gray mini-van) by June 21, 2018.

116 5th Street NW

The city sent out a nuisance abatement order at the May 7, 2018 city council meeting, but allowed the property owner to correct the abatement no later than May 16, 2018. The property

owner did participate in the city's cleanup event and there were a lot of items removed from the yard and property.

Unfortunately, several piles of items remain out in the open on the property and the property owner is shielding some of the other materials with a snow fence. Therefore, staff sent another letter to the property owner to have their property abated. As of an inspection on 5/31 it does not appear that the property owner has done anything to correct their nuisance.

As a result, the City Administrator is recommending the council declare the property a nuisance under section 92.16 and 92.18.

512 NW 4th Street

The city received a complaint about open storage of junk, materials, debris, and rubbish in the front yard of the property. In a follow up inspection, the City Administrator found the property owner did abate most of the items, but had not abated everything, including a set of four tires.

On a follow up inspection on 5/31 the City Administrator noted that the tires were still laying in the front yard. As a result, the City Administrator is recommending the council declare the property a nuisance under section 92.16 and 92.18.

515 Railway Street S.

The city followed up on a complaint of a foul odor coming from the property. As a result, the city's CSO officer conducted a welfare check and determined that there was an odor coming from the property.

Therefore, the City Administrator is recommending the council declare the property a nuisance under section 151(4)(6).

119 1st Street

The city received an initial complaint about garbage being stored underneath the deck of the property. Staff conducted an inspection and did find some miscellaneous garbage and items being stored out in the open. As a result staff did send out a letter to the property owner. In addition, the property owner had participated in the city's clean up event, resulting in a lot of materials, trash, and debris being removed from the property.

However, upon a follow up inspection an appliance was found in the rear of the property and the lawn had weeds and grass in excess of 12 inches in height. In an inspection on 5/31 the property owner had mowed the front and side yard of the property, but the area behind the fence line in the rear property and the appliance was still sitting in the rear yard.

Therefore, the City Administrator is recommending the council declare the discarded appliance in the rear yard to be a nuisance under section 92.18(p) and the weeds and grasses in the rear yard in excess of 12 inches in height to be a nuisance under section 92.38(a).

101 2nd StreetSW

The city received a complaint about tall grass, weeds, and rank vegetation in excess of 12 inches in height. Upon an inspection the property owner was given a letter indicating if they did not cut their grass by May 28, 2018 the city would abate the nuisance and hold the property owner responsible for payment.

Since the letter was sent out on May 23, 2018 and the property had not been abated, the city took emergency enforcement action to abate the nuisance. Therefore, the City Administrator is recommending the council declare the weeds and grasses in the rear yard in excess of 12 inches in height to be a nuisance under section 92.38(a).

117 Madison Avenue W.

The city received a complaint about tall grass, weeds, and rank vegetation in excess of 12 inches in height. Upon an inspection the property owner was given a letter indicating if they did not cut their grass by June 4, 2018 the city would abate the nuisance and hold the property owner responsible for payment.

Since the letter was sent out on May 30, 2018, staff will conduct another inspection on May 4, 2018 just prior to the council meeting to determine if the property owner self-abated the nuisance. If NOT the City Administrator is recommending the council declare the weeds and grasses in the rear yard in excess of 12 inches in height to be a nuisance under section 92.38(a).

116 2nd Street NW

The city received a complaint about tall grass, weeds, and rank vegetation in excess of 12 inches in height. Upon an inspection the property owner was given a letter indicating if they did not cut their grass by June 4, 2018 the city would abate the nuisance and hold the property owner responsible for payment.

In addition, upon going out to the property it was noticed that there was garbage left out in the open (and not in a secured garbage container).

Since the letter was sent out on May 30, 2018, staff will conduct another inspection on May 4, 2018 just prior to the council meeting to determine if the property owner self-abated the nuisance. If NOT the City Administrator is recommending the council declare the weeds and grasses in the rear yard in excess of 12 inches in height to be a nuisance under section 92.38(a) and to declare the garbage and refuse to be in violation of section 50.04.

519 Monroe W.

The city received a complaint about garbage, rubbish, debris, and materials that was lying out in the open in the side yard of the property. The property owner has since taken corrective action to abate the nuisance. However, in the follow up inspection it was determined that they had weeds, grass, and tall vegetation in excess of 12 inches in height.

In a follow up inspection on May 31, 2018 it was determined that the property was in compliance and the grass had been cut.

505 Monroe W.

The city received a complaint about garbage, rubbish, debris, and materials that was lying out in the open in the side yard of the property. The property owner has since taken corrective action to abate the nuisance. However, in the follow up inspection it was determined that they had weeds, grass, and tall vegetation in excess of 12 inches in height.

In a follow up inspection on May 31, 2018 it was determined that the property was in compliance and the grass had been cut.

RECOMMENDATION

MOTION to declare:

- **415 Minnesota Street W. a nuisance but to grant the property owner an extension through June 21, 2018 to abate the three nuisance vehicles (in violation of 90.18(p), 92.19(a), 92.20(a), and 151(4)(13))**
- **116 5th Street NW, a nuisance (in violation of 92.16 and 92.18)**
- **512 NW 4th Street, a nuisance (in violation of 92.16 and 92.18)**
- **515 Railway Street S., a nuisance (in violation of section 151(4)(6)**
- **119 1st Street, a nuisance (in violation of sec. 92.18(p) and 92.38(a)**
- **101 2nd Street SW, a nuisance (in violation of sec. 92.38(a)**
- **117 Madison Avenue W., a nuisance (in violation of sec. 92.38(a)**
- **116 2nd Street NW, a nuisance (in violation of sec. 92.38(a) and 50.04)**

The city shall issue an abatement for summary enforcement on the seven mentioned properties and if the property owner does not abate the nuisances themselves the city shall have the right to abate the nuisances and the property owner shall be personally liable for the cost to the city of the abatement, including administrative costs.

CITY OF MAHNOMEN
PO BOX 250
MAHNOMEN, MN 56557
218-935-2573
Email: Mahncity@arvig.net

To: The Property Owner or occupant of 415 Minnesota

From: Mitchell Berg, City Administrator

RE: Alleged violation of the City of Mahnomen Code of Ordinances, relating to nuisances

Date: May 23, 2018

I hereby allege that on May 23, 2018 you are in violation of:

- Chapter 90.18(p) and 151. Section 4. Subd. 13 in which there is a white pickup that is either a junk vehicle or is currently non licensed, nonoperational, and/or noninsured. Pursuant to the code the vehicle must either be removed from the property or stored within a building or be fully screened so as not to be visible from adjoining properties. Furthermore, some of the vehicles appear to be in violation of section 92.19(A), and 92.20(A) and therefore cannot be stored out in the open.

The City Council has by resolution established an administrative penalty in the amount of \$300 for this violation.

Payment of this administrative penalty is due within 10 days from the date of this letter. Payment is also voluntary, but if you do not pay it the city may initiate criminal proceedings for this alleged violation.

As an alternative to the payment of this administrative penalty, if the situation that gave rise to this alleged violation is corrected by June 5, 2018 then the payment of the administrative penalty will be waived and the city will not initiate criminal proceedings for this alleged violation.

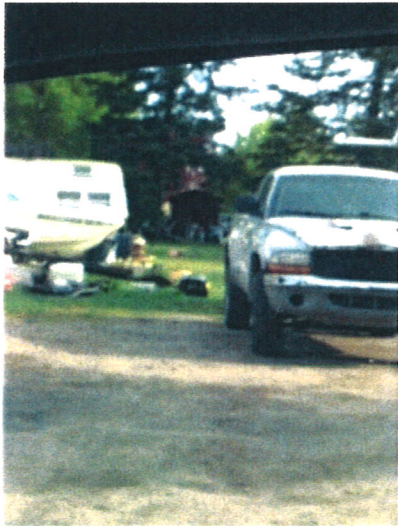
Even if the administrative penalty is paid, the city reserves the right to institute appropriate proceedings at law or at equity to restrain, correct or abate the violation. If the city abates the nuisance violation you will be held liable for the cost of the abatement, including any storage, disposal, labor, and administrative costs. Failure to pay the cost of the abatement will

result in the charges being assessed onto your property taxes and/or include further civil and/or criminal penalties.

Before the due date, you may request to appear before the city Council to contest the request for payment of the penalty. A hearing is scheduled for June 4, 2018 at 6:30 p.m. at the Mahanomen City Hall, 104 W. Madison Avenue, at which time the city may also declare that a nuisance violation has occurred and direct city staff to abate or correct the nuisance. After the hearing the city council may also determine to withdraw the request for payment or to renew the request for payment. Because the payment of the administrative penalty is voluntary, there shall be no appeal from the decision of the council.

Payment of the administrative penalty may be made by check, cash or money order to the City of Mahanomen.

Mitchell Berg, City Administrator



- no brand license
- no title
- but a working ^{vehicles}
~~licensed vehicles~~

White pickup

GMG → needs to be titled.
bill be ~~title~~

~~no motor~~

- also
no motor
and needs to
be insured.

minimum.

- licensed operator
- But under broken.

→ out of by
Deb Warren
& mother.

line 21st

extension
or to move
of pickup side

CITY OF MAHNOMEN
PO BOX 250
MAHNOMEN, MN 56557
218-935-2573
Email: Mahncity@arvig.net

May 23, 2018

Property Owner and renter
116 5th Street
Mahnomen, MN 56557

Re: Notice of City Of Council order and Notice of Motion for Summary Enforcement

Dear Property Owner or Renter:

While, the city is appreciative of your efforts to remove some of the junk, materials, equipment, and debris the city has received an additional complaint on the open storage of junk, materials, trash and debris in the rear and side yard of your property.

Therefore, I hereby allege on May 23, 2018 that you violated section 92.16 and 92.18 of the City Code of Ordinance relating to the accumulation of manure, refuse, or other debris and the accumulations in the open of discarded or disused machinery, household appliances, automobile bodies or other material in a manner conducive to the harboring of rats, mice, snakes or vermin, or the rank growth of vegetation among the items so accumulated or in a manner creating fire, health or safety hazards from accumulation in the rear and side yard of your property.

Additionally, since the city council has already declared your property to be in violation of 151(4)(13) exterior storage of junk, materials, trash and debris along the rear of your property the city is issuing this order of abatement to have you remove or fully enclose or screen all of the related equipment, materials, and junk in the rear and side yard of your property.

The city, will give you until June 5, 2018 to completely remove all of the materials that is out in the open or that is completely screened or stored inside an enclosed building, otherwise the city will abate the nuisance on or after June 6, 2018.

You may request to appear before the City Council to contest this alleged nuisance. A hearing is scheduled for June 4, 2018 at 6:30 p.m. at the Mahnomen City Hall, 104 W. Madison Avenue,

at which time the city may also declare that a nuisance violation has occurred and direct city staff to abate or correct the nuisance.

Please note the owner of the premise on which a nuisance has been abated by the city or a person who has caused a public nuisance on a property not owned by that person shall be personally liable for the cost to the city of the abatement, including administrative costs.



CITY OF MAHNOMEN
PO BOX 250
MAHNOMEN, MN 56557
218-935-2573
Email: Mahncity@arvig.net

To: The Property Owner or occupant of 512 NW 4th Street

From: Mitchell Berg, City Administrator

RE: Alleged violation of the City of Mahnomen Code of Ordinances, relating to Health and Safety Nuisances

Date: May 23, 2018

The city of Mahnomen appreciates you cleaning up after your property, but in a follow up inspection on May 23, 2018 the city noticed there were still several tires and some miscellaneous items that were not removed. Please note those must be removed otherwise the city will be declaring those as a public nuisance at the June 4, 2018 continuation hearing.

If the city declares the tires and miscellaneous items a public nuisance the city will direct staff to abate or correct the nuisance. Furthermore, you will be responsible for paying the cost of the abatement and if not the city has the right to assess the cost of abatement onto your property tax statement.



*Inspected
5/31
Tires still there*

Mitchell Berg, City Administrator

CITY OF MAHNOMEN
PO BOX 250
MAHNOMEN, MN 56557
218-935-2573
Email: Mahncity@arvig.net

To: The Property Owner or occupant of 515 Railway

From: Mitchell Berg, City Administrator

RE: Alleged violation of the City of Mahnomen Code of Ordinances, relating to Health and Safety Nuisances

Date: May 23, 2018

I hereby allege that on May 23, 2018 you are in violation of:

- Chapter 151, section IV, subd. 6. in relation to an odor that is being emitted from your property. According to the city code “no noise, odors, vibration, smoke, air pollution, liquid or solid wastes, heat, glare, dust, or other such adverse influences shall be permitted in any zoning district that will in any way have an objectionable effect upon adjacent or nearby property.”

Pursuant to city ordinances, properties shall be given 6 months from the date of this letter to abate or correct any nuisances found within this section of city code. If not, the city will have the legal right to abate the nuisance. If the city abates the nuisance violation you will be held liable for the cost of the abatement, including any storage, disposal, labor, and administrative costs. Failure to pay the cost of the abatement will result in the charges being assessed onto your property taxes and/or include further civil and/or criminal penalties.

You may also request to appear before the City Council to contest this alleged nuisance. A hearing is scheduled for June 4, 2018 at 6:30 p.m. at the Mahnomen City Hall, 104 W. Madison Avenue, at which time the city may also declare that a nuisance violation has occurred and direct city staff to abate or correct the nuisance.

Mitchell Berg, City Administrator

CITY OF MAHNOMEN

PO BOX 250

MAHNOMEN, MN 56557

218-935-2573

Email: Mahncity@arvig.net

*5/30 -
Paul said
a good part
of the yard
is cleaned
has been
mowed
inspected
5/31 -
front yard
is mowed*

To: Property Owner

Re: Alleged Code Violation

Date: May 23, 2018

Dear: Property Owner:

The city appreciates your help to clean up your property. However, on a follow up inspection, that occurred on May 23, 2018, the city found a discarded appliance in the rear of your property. This is in violation of the city's public nuisance ordinance 92.18 (p) and therefore must be removed.

Additionally, upon the follow up inspection, pursuant to section 92.38(a) weeds, grasses and rank vegetation cannot exceed 12 inches in height. As a result, you must immediately abate the nuisance. If not the city will cut your lawn on or after May 28, 2018 and you will be personally held liable for the cost of the abatement, including any additional administrative costs.

If the below photographed nuisances are not abated, the City Council will be considering this code violation at the City Council meeting on Monday, June 4, 2018 at 6:30 p.m. If you want to appeal any portion of this notice you should attend that meeting. If after the hearing the council directs the city to abate your nuisance the city will remove the appliance and charge you for the cost of the appliance removal and cutting of your lawn.

Failure to pay the cost of the abatement may also result in the charges being assessed onto your property tax bill and/or include further civil and/or criminal penalties.

If you have any questions, please contact City Hall at 1-218-935-2573.

Mitchell Berg
City Administrator





CITY OF MAHNOMEN
PO BOX 250
MAHNOMEN, MN 56557
218-935-2573
Email: Mahncity@arvig.net

To: Property Owner
Re: Alleged Code Violation - 92.38(a)
101 2nd Street SW
Date: May 23, 2018

*City Abated
on 5/29.*

Dear: Property Owner:

The city conducted an inspection of your property on May 23, 2018, and noticed that the weeds, grasses and rank vegetation on your property exceeded 12 inches in height. As a result, you must immediately abate the nuisance. If not the city will cut your lawn on or after May 28, 2018 and you will be personally held liable for the cost of the abatement, including any additional administrative costs.

If the below photographed nuisances are not abated, the City Council will be considering this code violation at the City Council meeting on Monday, June 4, 2018 at 6:30 p.m. If you want to appeal any portion of this notice you should attend that meeting. If after the hearing the council affirms the nuisance, you will be held responsible for the city's cost to abate the property.

Failure to pay the cost of the abatement may also result in the charges being assessed onto your property tax bill and/or include further civil and/or criminal penalties.

Mitchell Berg
City Administrator



CITY OF MAHNOMEN
PO BOX 250
MAHNOMEN, MN 56557
218-935-2573
Email: Mahncity@arvig.net

To: Property Owner

Re: Alleged Code Violation - 92.38(a)

117 West Madison Ave.

Date: May 28, 2018

Dear: Property Owner:

The city conducted an inspection of your property on May 28, 2018, and noticed that the weeds, grasses and rank vegetation on your property exceeded 12 inches in height. As a result, you must immediately abate the nuisance. If not the city will cut your lawn on or after June 4, 2018 and you will be personally held liable for the cost of the abatement, including any additional administrative costs.

If the below photographed nuisances are not abated, the City Council will be considering this code violation at the City Council meeting on Monday, June 4, 2018 at 6:30 p.m. If you want to appeal any portion of this notice you should attend that meeting. If after the hearing the council affirms the nuisance, you will be held responsible for the city's cost to abate the property.

Failure to pay the cost of the abatement may also result in the charges being assessed onto your property tax bill and/or include further civil and/or criminal penalties.

Mitchell Berg
City Administrator



CITY OF MAHNOMEN
PO BOX 250
MAHNOMEN, MN 56557
218-935-2573
Email: Mahncity@arvig.net

To: The Property Owner or occupant of 116 NW 2nd St

From: Mitchell Berg, City Administrator

RE: Alleged violation of the City of Mahnomen Code of Ordinances, relating to Health and Safety Nuisances

Date: May 28, 2018

I hereby allege that on May 28, 2018 you violated:

- There is garbage and rubbish that is not **secured** in a proper garbage container. Section 50.04 of the City Code of Ordinances requires that all garbage and refuse be **secured** within a garbage container that is watertight and constructed of a solid and durable grade of metal, plastic, or paper material. This garbage, junk, and debris must also either be removed or put into a secured garbage container.

The City Council has by resolution established an administrative penalty in the amount of \$100 for this violation.

Payment of this administrative penalty is due within 10 days from the date of this letter. Payment is also voluntary, but if you do not pay it the city may initiate criminal proceedings for this alleged violation.

As an alternative to the payment of this administrative penalty, if the situation that gave rise to this alleged violation is corrected by June 9, 2018 then the payment of the administrative penalty will be waived and the city will not initiate criminal proceedings for this alleged violation.

Even if the administrative penalty is paid, the city reserves the right to institute appropriate proceedings at law or at equity to restrain, correct or abate the violation. If the city abates the nuisance violation you will be held liable for the cost of the abatement, including any storage, disposal, labor, and administrative costs. Failure to pay the cost of the abatement will result in the charges being assessed onto your property taxes and/or include further civil and/or criminal penalties.

Before the due date, you may request to appear before the city Council to contest the request for payment of the penalty. A hearing is scheduled for June 4, 2018 at 6:30 p.m. at the Mahanomen City Hall, 104 W. Madison Avenue, at which time the city may also declare that a nuisance violation has occurred and direct city staff to abate or correct the nuisance. After the hearing the city council may also determine to withdraw the request for payment or to renew the request for payment. Because the payment of the administrative penalty is voluntary, there shall be no appeal from the decision of the council.

Payment of the administrative penalty may be made by check, cash or money order to the City of Mahanomen.

Mitchell Berg, City Administrator



CITY OF MAHNOMEN
PO BOX 250
MAHNOMEN, MN 56557
218-935-2573
Email: Mahncity@arvig.net

To: Property Owner/Tenant

Re: Alleged Code Violation - 92.38(a)
116 NW 2nd St

Date: May 28, 2018

Dear: Property Owner:

The city conducted an inspection of your property on May 28, 2018, and noticed that the weeds, grasses and rank vegetation on your property exceeded 12 inches in height. As a result, you must immediately abate the nuisance. If not the city will cut your lawn on or after June 4, 2018 and you will be personally held liable for the cost of the abatement, including any additional administrative costs.

If the below photographed nuisances are not abated, the City Council will be considering this code violation at the City Council meeting on Monday, June 4, 2018 at 6:30 p.m. If you want to appeal any portion of this notice you should attend that meeting. If after the hearing the council affirms the nuisance, you will be held responsible for the city's cost to abate the property.

Failure to pay the cost of the abatement may also result in the charges being assessed onto your property tax bill and/or include further civil and/or criminal penalties.

Mitchell Berg
City Administrator



CITY OF MAHNOMEN
PO BOX 250
MAHNOMEN, MN 56557
218-935-2573

Email: Mahncity@arvig.net

To: Property Owner

Re: Alleged Code Violation - 92.38(a)
519 W. Monroe

Date: May 23, 2018

Dear: Property Owner:

The city appreciates your help to clean up your property. However, on a follow up inspection, that occurred on May 23, 2018, the city noticed that the weeds, grasses and rank vegetation on your property exceeded 12 inches in height. As a result, you must immediately abate the nuisance. If not the city will cut your lawn on or after May 28, 2018 and you will be personally held liable for the cost of the abatement, including any additional administrative costs.

If the below photographed nuisances are not abated, the City Council will be considering this code violation at the City Council meeting on Monday, June 4, 2018 at 6:30 p.m. If you want to appeal any portion of this notice you should attend that meeting. If after the hearing the council declares the property to be a nuisance and has abated the nuisance, the city will charge you for any abatement costs.

Failure to pay the cost of the abatement may also result in the charges being assessed onto your property tax bill and/or include further civil and/or criminal penalties.

If you have any questions, please contact City Hall at 1-218-935-2573.

Mitchell Berg
City Administrator



*Self abated
5/29. inspected*

CITY OF MAHNOMEN
PO BOX 250
MAHNOMEN, MN 56557
218-935-2573

Email: Mahncity@arvig.net

To: Property Owner
Re: Alleged Code Violation - 92.38(a)
505 W. Monroe
Date: May 23, 2018

*Self Abated
9/29
inspected*

Dear: Property Owner:

The city appreciates your help to clean up your property. However, on a follow up inspection, that occurred on May 23, 2018, the city noticed that the weeds, grasses and rank vegetation on your property exceeded 12 inches in height. As a result, you must immediately abate the nuisance. If not the city will cut your lawn on or after May 28, 2018 and you will be personally held liable for the cost of the abatement, including any additional administrative costs.

If the below photographed nuisances are not abated, the City Council will be considering this code violation at the City Council meeting on Monday, June 4, 2018 at 6:30 p.m. If you want to appeal any portion of this notice you should attend that meeting. If after the hearing the council declares the property to be a nuisance and has abated the nuisance, the city will charge you for any abatement costs.

Failure to pay the cost of the abatement may also result in the charges being assessed onto your property tax bill and/or include further civil and/or criminal penalties.

If you have any questions, please contact City Hall at 1-218-935-2573.

Mitchell Berg
City Administrator



1/8 a - b.

MEMO

To: Mayor and Council

From: Mitchell Berg, City Administrator

Date: June 1, 2018

RE: New Business

Background

Earlier in May the city was approached by the Mahnomen Country Club asking how much the city would be interested in selling the bulk fuel oil tank between the city and the liquor store.

Since the tank hasn't been used for some time, the city sought the advice from someone who had worked at a bulk fuel oil and tank distributor to determine a fair market value for the tank. This person suggested that since some time has elapsed since the city last used the tank and there might be a potential concern about the condition of the tank. As a result, this person suggested a fair market value of \$500 for the tank.

Analysis

Although several years ago the city attempted to sell the tank, all of the bids were rejected because they were deemed to be too low. Therefore, should the city consider selling the tank the City Administrator recommends selling it through another sealed bid process, to ensure that the city gets the highest price possible.

However, with the adoption of the Policy for Donation of Surplus Equipment to Nonprofit Organization the city does have the option of donating any city owned surplus equipment, provided the entity receiving the donation is a qualified nonprofit organization.

As a result, the City Administrator is recommending the city consider donating the tank to the Mahnomen Country Club, since the entity is a non-profit entity.

Furthermore, since it has been years since the tank has been used last, the Mahnomen Country Club has agreed to enter into a separate agreement accepting the tank "as-is" and has accepted a waiver and release of liability for the acceptance of the tank.

RECOMMENDATION

MOTION to:

- 1. Declare the fuel oil tank between the liquor store and city hall as surplus equipment to be sold, donated, or disposed.**
- 2. Determine the fair market value of the surplus equipment to be \$500**
- 3. Determine that a direct donation of the fuel tank be in the best interest of the city, subject to the Mahnomen Country Club entering an agreement with the city accepting:**
 - a. the tank “as-is” with no warranty, guarantee or representation of any kind, express or implied, as to the condition, utility, or usability of the Surplus Equipment offered.**
 - b. the tank may be defective and cannot be relied upon for safety purposes.**
 - c. a waiver and release of liability which would hold the city, it’s agents, and its employees harmless for anything that may occur as a result of accepting, owning, and using said tank.**

18 c.

MEMO

To: Mahnomen City Council

From: Ryan Zemek, Economic Development Director at HRDC

Date: May 30, 2018

Re: Mahnomen Area EDA

Based on recommendations from an exploratory committee, Mahnomen County adopted an enabling resolution for a Countywide Economic Development Authority (EDA) in December 2017. The objective of the EDA is to provide Mahnomen County with an entity to undertake multijurisdictional projects that encourage job creation and business development on behalf of Cities and Townships within Mahnomen County and work in a cooperative relationship with the White Earth Nation.

The committee did not identify specific funding or staffing recommendations. Given the vast needs and limited resources available of Mahnomen County, proper startup funding is not currently available for the EDA. Without financial resources and dedicated staffing, the EDA is unlikely to make any traction in achieving its goals. In order to build the capacity of the EDA, the Headwaters Regional Development Commission (HRDC) is proposing to provide staffing support to the EDA, at least on a moderate term basis, while long term organizational funding can be arranged.

At this time we are asking the City of Mahnomen to provide \$5,000 in seed money to the EDA. Mahnomen County and White Earth are also being asked to provide \$5,000. The EDA's intent is to use this seed money to leverage additional outside investments and provide a budget for its first year of activities. At the conclusion of the first year, all investors can assess the effectiveness of the organization and whether or not they'd like to provide ongoing support.

MEMO

To: Mayor and council

From: Mitchell Berg, City Administrator

RE: City Administrator's report

Date: June 4, 2018

Here is an update of activities staff has been doing since the last council meeting:

- The City held it's clean up event on May 15-16, 2018. According to the tonnage report from White Earth Sanitation a total of 59,940 lbs. or close to 30 tons of garbage, junk, and household materials was removed.
- The city was notified that half of the county was designed an "Opportunity Zone" by the United States Department of Treasury. Staff is working with the Mahnomen County EDA, Mahnomen City EDA, and White Earth Nation to identify possibilities on how to leverage the Opportunity Zone designation for economic development purposes.
- Both contractors completed their remaining punch list items at both the Industrial Lift Station Control Panel and Well #6 sites.
- The Assistant City Administrator noticed on the property tax statements, from the county that the city was being assessed an Environmental Service Fee for the two vacant downtown city owned properties.
- The Utility Department is in the process of crack filling the city streets and lucky seven liquor store parking lot.
- The city is working to create an "adopt a park" and "adopt a trail" program to assist the city in cleaning both the two city parks and the TH59 trail.
- The city is working with the White Earth Nation and other community partners to create an on-line "community calendar."
- Ahmann construction has substantially completed their work on the wall to the Lucky Seven Liquor Store; all that remains is to reattach some of the stone panels to the exterior of the building.

Here are some items for council consideration:

- City staff met with the architect, Marvin Windows, and Ahmann Construction to discuss the Phase II plan for the City Hall and a possible remodel of the fire hall. Once the plans and specifications are complete the city will be seeking additional grants to fund the city hall remodeling project. There is also interest to remodel the fire hall rather than to build a new fire hall. Therefore, staff is conducting

some initial exploratory work to determine if there is a cost-benefit to rehabbing the fire hall.

- The City Administrator is contemplating submitting a DNR Emerald Ash Borer (EAB) matching grant for up to \$4,000 to complete a EAB management plan. The intention of the plan is to create a potential partnership with the University of Minnesota Crookston, White Earth DNR, and White Earth Tribal and Community College to complete the plan.
- The Mahnomen Garden Club planted flowers in the city's downtown flower pots.
- The City has received a complaint about parking of vehicles on the mini park and in the alley next to the mini park, blocking access to the alley.
- The city received a summary of last year's Ottertail Power (OTPC) Commercial Direct Install program. OTPC conducted a total of 32 audits and identified an anticipated annual savings of 66,949 kWh from Direct Install Measures and an additional potential of 248, 259 kWh saved.

Here is a reminder of some important dates for the council:

- The next council meeting is scheduled for June 18, 2018 at 6:30 pm