



Chair Quade Mayer  
Larry Murphy  
Connie Steiner  
Mike Netland  
Brian Madsen

**City of Menahga**  
**Planning and Zoning Commission Meeting**  
**7:00 pm Wednesday, October 4, 2023**

City Council Chambers  
115 2<sup>nd</sup> Street NE  
[www.cityofmenahga.com](http://www.cityofmenahga.com)

## **Agenda**

**A. Call to Order**

**B. Roll Call**

**C. Pledge of Allegiance**

**D. Approve the Agenda**

**E. Approval of Minutes**

- Minutes of September 7, 2023

**F. Public Hearing**

**G. New Business**

1. Issued Land Use Permits
2. Zoning Issues Update
3. Wadena County Housing Abatement - Informational

**H. Old Business**

1. ATV Ordinance Discussion

**I. Adjournment**



**City of Menahga  
Planning & Zoning Minutes  
Thursday, September 7, 2023**

**A. Call to Order**

The Menahga Planning and Zoning Commission held their Regular Monthly Meeting on Thursday, September 7, 2023.

Chairman Quade Mayer called the meeting to order at 7:01 pm

**B. Roll Call**

Comprising a quorum of the commission, the following members were present:  
Quade Mayer, Connie Steiner, Mike Netland, Larry Murphy, and Brian Madsen

Also present was Interim City Clerk/Treasurer Jensine Kurtti

**C. Pledge of Allegiance**

**D. Approval of the Agenda**

**Main Motion: To Approve the Agenda as presented.**

Moved by:	Netland
Seconded by:	Steiner
Action:	Motion carried by a 5-0 voice vote
In favor:	Mayer, Netland, Madsen, Steiner, Murphy
Opposed:	none

**E. Approval of Minutes**

The minutes from August 3, 2023 were presented.

**Main Motion: To approve the minutes from August 3, 2023 as presented.**

Moved by:	Netland
Seconded by:	Madsen
Action:	Motion carried by a 5-0 vote
In favor:	Mayer, Netland, Madsen, Steiner, Murphy
Opposed:	None.

**F. Public Hearing - None**

Members: Quade Mayer – Chair,

## **G. New Business**

### **1. Input on ATV Ordinance**

The Menahga Police Chief Amy Lane had drafted an ordinance regarding ATV and Golf Cart usage in the city. The current ordinance does not allow their use. Several years back the council approved designated areas in which they could be driven, however the ordinance was not changed. The commission discussed the proposed ordinance and will review further and come back with a recommendation at a later meeting.

### **2. Change date of October P&Z Meeting**

Due to a conflict for Chair Quade Mayer with the October 5, 2023 P&Z Meeting date, by consensus it was agreed that the date will be changed to October 4, 2023 at 7 pm.

### **3. Codified Copy of Nuisance and Enforcement Ordinances**

Jensine Kurtti presented the commission with codified copies of the Nuisance Ordinance and Enforcement & Penalty Ordinance, that she had just received. All that is left for the ordinance to be official is to publish in the Review Messenger. Kurtti also stated that Police Chief Amy Lane has finished the required steps for administrative citations, and it will be reviewed by County Attorney Kyra Ladd, and then sent to the State for approval. After that time, the city can then issue administrative citations for nuisance violations.

### **4. Zoning Issues Update**

Jensine Kurtti gave an update on the issues that are being identified throughout many of the city's residential areas. Police Chief Amy Lane has been notifying the residents and has had some success but will continue to have contact with them. Once the administrative citations are approved, Lane will be able to write citations and the penalty will be \$75 a day for every day of non-compliance (up to a maximum of \$2000). Kurtti will contact Jake Huebsch and Chief Lane so that the city can actively try and rectify the situations. Discussion as to a very active business being conducted in a residential area, the commission felt that a letter and police contact may be needed to show the owners of the property that they will need to move their business out of a residential area. Kurtti will discuss with Jake Huebsch and Amy Lane and come up with a plan of action as to how to proceed.

A current list of Year-to-Date Land Use Permits was provided showing total revenue of \$2,300.

## H. Adjournment

**Main Motion: To adjourn the meeting at 7:48 pm.**

Moved by:	Murphy
Seconded by:	Netland
Action:	Motion carried by a 5-0 vote
In favor:	Mayer, Netland, Madsen, Steiner, Murphy
Opposed:	None.

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Interim City Clerk/Treasurer Jensine Kurtti

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Chairman, Quade Mayer

DRAFT



Permit #	Name	Date	Description	Fee
23-01	Altenbrun	3/8/2023	Expansion of garage by adding a lean-to	\$50
23-02	Carlson	4/21/2023	Expansion of your structure 6.5' x 14' (91 SQFT)	\$50
23-03A	Hanna	5/4/2023	6-foot wood fence	\$50
23-03B	Garcia	5/4/2023	Expansion of deck to be 12' x 25' (300 sqft)	\$75
23-04	Torma	5/5/2023	Construct a 32' x 30' (960 sqft) Accessory Structure.	\$100
23-05	Jacobs	5/20/2023	Construct and install a 6' tall wood perimeter fence.	\$50
23-06	Frost	5/20/2023	Construct an approximately 2,168 sqft dwelling.	\$300
23-07	Coleman	5/21/2023	Expand sidewalk/walkway along the westside of house.	\$50
23-08	Natural Alternatives	6/6/2023	Construct a concrete slab approximately 71 x 34 (2,414 sqft)	\$100
23-09	Alto	6/26/2023	Construct an accessory structure (garage) 26 x 36 (936 sqft)	\$100
23-10	Hillukka	7/6/2023	Construct a dwelling 44 x 28 (1,232 sqft) with attached garage 28 x 28 (784 sqft) total 2,016 sqft)	\$300
23-11	madsen	7/14/2023	Variance Application	\$300
23-12	Kosola	7/25/2023	Fence	\$50
23-13	Mohawk	8/3/2023	Shed 72 x 48	\$500
23-14	Vanorsdel	8/4/2023	construct a concrete slab and area for hot tub. Approx 360 sqft	\$50
23-15	Bjornson	8/8/2023	accessory structure addition 16 x 32	\$75
23-16	Madsen	8/17/2023	30 x 36 accessory structure	\$100
23-17	Hansen	9/14/2023	6-foot fence	\$50
23-18	Roepke	9/20/2023	Cabin 28'x50' (1,400sqft) garge 26'x26' (676 sqft)	\$300
<b>Total</b>				<b>\$2,650</b>







## WADENA COUNTY - MINNESOTA

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### HOUSING TAX ABATEMENT POLICY

#### **Intent**

The purpose of the Wadena County Tax Rebate Program is to encourage the construction of new primary residence single and two-family housing units and to address the housing shortage in Wadena County and to increase the value of the future tax base of Wadena County. Per MN state statute 469.1813.

#### **Duration**

This Policy is in effect September 5, 2023, and may be modified or rescinded at any time by the Wadena County Board of Commissioners

#### **Qualifying Units of Housing**

Eligible units of housing include a single-family house or two-family house. A house may be a new construction or modular, including an attached garage up to 1000 square feet. Mobile homes do not qualify.

#### **Eligible Participants**

Any person who constructs a new single family or two-family home and who files application materials and seeks formal approval from appropriate local jurisdictions may be eligible to receive a 100% tax rebate of the County's share of increased real estate taxes as a result of building a new home, for a period of up to five (5) years or up to \$15,000 (whichever is met first) provided all of the following criteria are met:

1. The property is located within Wadena County and zoned properly for the proposed residence.
2. The applicant/property shall not have benefitted from other local financial assistance (including tax increment financing (TIF).
3. Project is built to all local, state and federal regulations at the time the building/zoning permit is obtained.
4. Property taxes are current and paid on time and in full. Failure to keep property taxes current shall result in revocation of the tax rebate for each year taxes are not current.
5. Application must be submitted prior to the start of construction of the new home.

The real estate taxes to be rebated shall be for up to the full amount of the real estate taxes collected resulting from the added tax base of the newly constructed home annually. The current value of the property (defined as "original value") will not be rebated as part of this program. Any eligible rebate is calculated on the tax increase due to a value increase resulting from the new improvement.

Partially constructed housing may result in the rebate in the first rebate year that may be significantly less than the following years. This will still be considered one of the five years of eligible rebate.

In the event the property owner refuses access to County Assessor staff to perform an appraisal for tax assessment purposes, the tax rebate shall expire for the remaining term of the rebate period.

The rebate period will begin in the tax year when the property realizes a value increase over original value due to construction of the housing project. In the event construction has not commenced within one year of approval, the rebate is eliminated, and the property owner will need to reapply in accordance with the program. Additionally, the rebate:

- Will transfer with the sale of the property for the balance of the five-year period or until the \$15,000 maximum rebate is met.
- Does not include voter approved property tax referendums.
- Does not apply to or include existing and/or new assessments to the property.
- One tax abatement per taxpayer

The County shall provide the awarded rebate payment following payment of due real estate taxes annually. One single payment shall be made to the owner of record at the time of the payment by December 30 for that calendar year.

### **Application**

Minnesota Statute requires the County to approve each rebate application.

A complete application shall consist of the following:

- A statement requesting the tax rebate for eligible projects addressed to the Wadena County Auditor/Treasurer;
- Address (if assigned at time of application) and/or property identification number;
- A site plan for the proposed project; and
- Submit a copy of the building/zoning permit once issued, as applicable.

The applicant shall sign a statement to the effect that no construction has started prior to the administrative approval of the applicant's rebate request. For the purposes of this provision, construction shall include the installation of footings, slab, foundation, posts, walls or other portions of a building. Site preparation, land clearing, or the installation of utilities shall not constitute construction.

Each taxing entity retains its individual authority on property tax rebates. The County is solely responsible for its share of property tax rebates and this policy does not allow the County to rebate City, Township or School District property taxes.

If denied, the applicant has the option to appeal to the county board.



# WADENA COUNTY - MINNESOTA HOUSING TAX REBATE APPLICATION

Property Owner / Applicant: \_\_\_\_\_

Current Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Are property taxes current?  Yes  No Anticipated Construction Start Date (as defined below): \_\_\_\_\_

Proposed Project:  New Construction  Replacement on same parcel

Project Type:  Single Family  Two Family

Project Address (if available): \_\_\_\_\_

Parcel Number: \_\_\_\_\_ Estimated Project Valuation: \$ \_\_\_\_\_

**Applicant Statement:** (Please provide a statement as to why you are requesting an abatement of property taxes.)

**Attach site plan with location of house, parcel information and parcel number. (Include letter of consent from property owner if subject to purchase agreement.)**

I / We as applicant(s) for the Housing Tax Rebate certify that no construction has begun or will begin prior to the submission of the application. For the purposes of this provision, construction shall include the installation of footings, slab, foundation, posts, walls or other portions of a building. Site preparation, land clearing, or the installation of utilities shall not constitute construction.

I / We as applicant(s) for the Housing Tax Rebate submit this application having read the policy and understand the provisions as outlined including, but not limited to, the potential of a partial abatement in year one, construction must commence within one year of the approval, assessors cannot be refused access to the property for assessment purposes, and the abatement is awarded following full payment of real estate taxes due annually.

\_\_\_\_\_  
*Construction & Provisions Certification Signature*

\_\_\_\_\_  
*Date*

I understand that checking this box constitutes a legal signature confirming that I acknowledge and agree to the above Terms of Acceptance.

**FOR OFFICE USE ONLY: ELIGIBLE / APPLICABLE APPROVALS**

Wadena County \_\_\_\_\_ Date: \_\_\_\_\_

City or  Township of \_\_\_\_\_ Date: \_\_\_\_\_

School District of \_\_\_\_\_ Date: \_\_\_\_\_

**Disclaimer:** Each taxing entity makes its own decision on approval or denial of application for tax rebate. Applications must comply with all requirements of the policy/program as outlined in the policy/program guidelines and build within allotted timeframe or tax rebate offer will be automatically terminated. Building cannot start until such a time as all taxing entities have approved and written authorization is provided.

**Please submit completed application  
with attachments to:**

**Wadena County Auditor/Treasurer**  
415 Jefferson St S, Wadena, MN 56482 or:  
[Heather.Olson@wcmn.us](mailto:Heather.Olson@wcmn.us)

Adopted:  
09/05/2023



# ORDINANCE # \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MENAHGA  
REPEALING AND REPLACING ORDINANCE NO. \_\_\_\_AN ORDINANCE  
REGULATING THE USE OF ATV'S AND SNOWMOBILES  
ADOPTED \_\_\_\_\_

Be it ordained that Ordinance No. \_\_\_\_\_ of the Menahga City Code is amended and replaced in its entirety to read as follows:

## **Section 1. Definitions.**

Unless the language or context clearly indicates that a different meaning is intended, the following terms shall have the following meanings:

- a. **Motorized Golf Cart** - a vehicle usually three or four wheeled, which is self-propelled and is designed to be used to provide transportation on a golf course.
- b. **Snowmobile** - means a self-propelled vehicle originally manufactured and designed for travel on snow or ice steered by skis or runners. Snowmobile does not include the following vehicles equipped with aftermarket ski and track configurations.
- c. **All-Terrain Vehicle (ATV)** - Class 1 ATVs are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than 1000 cubic centimeters and total dry weight of less than 1000 pounds.
- d. **All-Terrain Vehicle (ATV)** - Class 2 ATVs are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have an engine displacement of less than 1000 cubic centimeters and total dry weight of 1000 to 1800 pounds.
- e. **Insurance** - motor vehicle liability insurance, which complies with the requirements set forth in Minn. State Statutes. If a person cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Insurance Plan at a rate to be determined by the commissioner of commerce.
- f. **Slow moving vehicle emblem** - a sign, which complies with the requirements set forth in Minn. Stat. § 169.522.
- g. **Physically disabled person** - any person meeting the criteria set forth in Minn. Stat. § 169.345, Subd. 2 that qualifies for a certificate allowing the person to park in a handicapped-parking space.

## **Section 2. Restricted and Prohibited Operation**



It shall be unlawful for any person to operate a snowmobile or ATV under the following circumstances:

- a. On city parks, playgrounds, recreational areas, and the city beach.
- b. On private property of another without permission to do so by the owner of said property.
- c. On any city sidewalk, designated walking/bike trail
- d. On State Hwy 87 and State Hwy 71; with the exception of crossing as state statute allows.
- e. Between the hours of midnight (12:00) AM and six o'clock (6:00) AM, Sunday through Saturday, within city limits.

**Exceptions:** Emergency vehicles in the course of their duties and vehicles authorized by the city.

### **Section 3. Operator Permits.**

a. Persons wishing to operate motorized golf carts on public roadways must obtain application from the city police department and shall be issued by the city clerk. The city council will set a reasonable fee to cover the cost of issuing such permits.

**b. Conditions for issuance of a permit are as follows:**

1) Persons at least sixteen (16) years of age and holding a driver's license recognized by the State of Minnesota as permitting the operation of motor vehicles in the state are eligible for permits. A permit issued under this section shall be valid during the time and under the circumstances that the holder's driver's license would allow operation of a motor vehicle in the State of Minnesota.

Persons not holding a driver's license may apply for an initial or renewal permit. Applications shall be accompanied by a certificate signed by a physician stating that the applicant is capable of safely operating a motorized golf cart or a four-wheel all-terrain vehicle on the roadway or streets.

2) Applicant's Golf Cart must be equipped with a rearview mirror.

3) Applicant's Golf Cart must have a reflective slow moving vehicle sign on the rear of the vehicle.

4) Applicant's Golf Cart must have current vehicle/homeowners insurance per M.S.S. 169.045 Subd. 8

5) All Golf Carts and ATVs must have mufflers that are property attached, which reduce the noise of operation of the vehicle to a minimum. No person shall use a muffler cutout, bypass, or similar device on said vehicles.





- 6) Each golf cart will be issued its own permit. Permits issued to dealers may be transferred for the purpose of test-driving a vehicle. However, vehicles used for the operation of a business will have their own permit.
  - 7) All vehicles will be inspected by the police department at time of initial application for that particular vehicle.
- c. If an applicant satisfies the above-described conditions, the city shall issue a permit. Permits will be valid for the calendar year in which they were issued. Permits will be issued throughout the year however permits will not be prorated if purchased for less than twelve months.

#### **Section 4. Operation.**

- a. A person who has been granted a permit shall have the permit displayed on the Golf Cart. The permit will be placed on the rear of the Vehicle in such a fashion as to be visible to following vehicles.
- b. Motorized golf carts, snowmobiles and ATVs shall only be operated on city-owned streets, alleys, and county roads or county state-aid highways located within the boundaries of the city. Golf carts, snowmobiles and ATV's are permitted to cross State Highway 71.
- c. Golf carts may not be operated during inclement weather or when visibility is impaired by weather, smoke, fog or other conditions or when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- d. Motorized golf cart, snowmobiles and ATV operators must obey all traffic laws which can be applied to motorized vehicles. Golf Carts, snowmobiles and ATV's may not travel at a speed in excess of 15 MPH.
- e. Physically disabled persons wishing to park in marked handicap parking spaces are required to display their state issued handicap-parking permit.
- f. A permit may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart on the designated roadways. The city may require, as a condition to obtaining a permit, that the applicant submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart or all-terrain vehicle on the roadways designated.
- g. Golf Carts, snowmobiles and ATV's not equipped with brake lights or turn signals must use appropriate hand signals as defined by Minnesota State Statute 169.19 Subd. 8.
- h. This ordinance is not all-inclusive. Operators of ATV's, snowmobiles need to comply with all Off-Road Vehicle laws, which are available for review in the MN Department of Natural Resource Off-Highway Vehicle Regulations Manual.



- i. The operator is required to obey all Minnesota Traffic Laws and use hand signals.
- j. The operator is required to have a valid driver's license for legal operation.
- k. An Operator can be arrested for D.U.I. while operating a golf cart, snowmobile or ATV.

**Section 5. Limitation of Liability**

- a. Nothing in this chapter shall be construed as an assumption of liability by the city for any injuries to persons or property which may result from the operation of a motorized golf cart, snowmobiles or ATV by a permit holder or the failure by the city to revoke the permit.

**Section 6. Violations.**

- a. Violation of any of the requirements of this chapter is a misdemeanor punishable by up to 90 days in jail, a fine of up to \$1,000.00 or both.
- b. In addition to any criminal sanctions, the permit may be revoked by the city for any violations of this ordinance.
- c. The city is notified by any court that a permit holder was convicted of violating a state or local traffic law other than a parking law while operating the motorized Golf cart, snowmobile or ATV.
- d. An applicant is found to have made fraudulent representations in a permit application.

**Section 7. Effective Date.**

This ordinance shall take effect from and after its passage and publication according to law.

Passed by the City Council this \_\_\_\_\_

\_\_\_\_\_  
 Mayor of the City of Menahga, MN

ATTEST:  
 \_\_\_\_\_  
 City Clerk/Administrator

Introduced: \_\_\_\_\_

Final Passage On: \_\_\_\_\_

Published in the Review Messenger: \_\_\_\_\_



**City of Menahga**  
*"The Gateway to the Pines"*



115 2<sup>nd</sup> Street NE  
PO Box C  
Menahga, MN 56464  
218-564-4557  
[www.cityofmenahga.com](http://www.cityofmenahga.com)

**MOTORIZED GOLF CART PERMIT APPLICATION**  
**City of Menahga**

**Name:**

\_\_\_\_\_  
Last First Middle

**Address:**

\_\_\_\_\_  
Number, Street City, State Zip Code

**Phone Numbers:**

\_\_\_\_\_  
Home Work Cell

**Driver's License:**

*Attach a copy of driver's license to the application.*

\_\_\_\_\_  
Number State

**Golf Cart:**

\_\_\_\_\_  
Make Model Serial Number Color

**Owner's Name:**

*If different than applicant.*

\_\_\_\_\_  
Last First Middle

**Address:**

\_\_\_\_\_  
Number, Street City, State Zip Code

**Phone Numbers:**

\_\_\_\_\_  
Home Work Cell

\_\_\_\_\_  
GOLF CART PERMITS ARE ONLY VALID ON PUBLIC STREETS UNDER CITY JURISDICTION WITH A SPEED LIMIT OF 15 MILES PER HOUR OR LESS. GOLF CARTS ARE NOT ALLOWED ON STATE OR COUNTY ROADS

\_\_\_\_\_  
**Applicant's Signature** **Date**

\_\_\_\_\_  
**Signature of Authorized City Official** **Date** **Permit Number**

**Permit Fee:** \$10.00/year

**Date Paid:** \_\_\_\_\_



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## Conditions of Permit

1. **Only valid driver's license holders may operate golf carts on City streets.**
2. Golf cart may only be operated on roadways designated on this permit.
3. The operation of motorized golf carts is expressly prohibited on all public bike trails, walking trails and sidewalks.
4. Motorized golf carts may only be operated on the designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
5. Motorized golf carts must display the slow-moving emblem as described in Minnesota Statutes, Section 169.522 when operated on designated roadways.
6. Motorized golf carts must be equipped with a rear-view mirror.
7. A copy of this permit must be carried on the golf cart at all times.
8. The permit decal must be displayed on the golf cart at all times.
9. This permit expires on December 31<sup>st</sup>.
10. Additional Conditions:

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