



Chair Quade Mayer
Larry Murphy
Connie Steiner
Mike Netland
Brian Madsen

City of Menahga
Planning and Zoning Commission Meeting
7:00 pm Thursday, December 7, 2023

City Council Chambers
115 2nd Street NE
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 November 2, 2023

F. Public Hearing

- Menahga Ordinance Chapter 70 – Traffic Rules

G. New Business

1. Chapter 70 – Traffic Rules Ordinance Commission Discussion/Action
2. Issued Land Use Permits
3. Zoning Issues Update – Storage Container Violation Update
4. Upcoming Rezone Public Hearing – Informational
5. Zoning Map Update
6. Nuisance Ordinance Amendment
7. P&Z Commission Member Quade Mayer Term Ending 12-31-23

H. Old Business

- 1.

I. Adjournment

**City of Menahga
Planning & Zoning Minutes
Thursday, November 2, 2023**

A. Call to Order

The Menahga Planning and Zoning Commission held their Regular Monthly Meeting on Thursday, November 2, 2023.

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

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 were Interim City Clerk/Treasurer Jensine Kurtti and Jake Huebsch from Sourcewell.

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 October 4, 2023 were presented.

Main Motion: To approve the minutes from October 4, 2023 as presented.

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

F. Public Hearing – None

G. New Business

1. Issued Land Use Permits – None

2. Zoning Issues Update

Kurtti gave an update on an ongoing business (Boltan Bees) that is being operated in a residential area. This business has been notified several times by letters from the city and a letter in October from the Menahga Police Dept. After the business received the letter from the Police Dept. they notified Jensine Kurtti by phone and asked her about the situation and how it could be resolved. Kurtti told them that any plan that they were proposing should be in writing and she would present it to the commission. The Boltan's sent an email stating that they would like to put up a fence or plant trees to block the view. The commission decided that this situation has gone on long enough and that they should be notified that the containers had to be removed from the property by November 30, 2023.

Main Motion: To notify the Boltan's that the containers must be removed by November 30, 2023.

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

Kurtti then stated that she had received a call from a resident asking if he could place a container on his residential property for a shed if he sided it to match the house, the commission stated that it would not be allowed.

Kurtti had received a call from a resident in the R-2 District asking to convert his garage into a guest house, which is not allowed by the current ordinance (151.17 F2). The commission agreed that if it is not allowed it should not happen.

3. Greenwood Connections Ordinance

The Greenwood Connections (GWC) Ordinance was forwarded to the Planning Commission for review and comment at the direction of the City Council, which if needed the Planning Commission would hold the public hearing prior to its adoption. The new ordinance changes were initiated by the GWC administration, drafted through the city attorney, and passed at the GWC Board level.

Commission member Mike Netland (who is also a GWC Board member) asked if he could summarize the differences between the existing ordinance (31.50) and the proposed ordinance. There were many changes to the ordinance regarding the authority to operate and manage the facility. Mike Netland went line-by-line denoting the changes. After his completion, discussion amongst the members ensued. GWC Administrator Laura Ahlf who was in attendance asked if she could speak, Chairman Mayer granted her the request.

Ahlf explained her reasoning for the ordinance to be changed, stating that she felt that her ability to manage was being hindered by the requirement of council approval prior to making decisions for the facility. Ahlf felt that the GWC Board was more informed on the day-to-day operations than the city council would be, and therefore felt that they would be the best ones to make the decisions regarding GWC operations and management. The commission members praised Laura Ahlf for her management of GWC and complimented her on the job she has done as Administrator.

Chairman Mayer asked if there were any more comments? Connie Steiner questioned a few of the items, and Larry Murphy stated that he understood that the facility may need certain authority to operate in a timely manner if needed. The consensus was that a few changes may be needed to accomplish that.

Jensine Kurtti stated that she was not sure if she should speak or not as Laura Ahlf had expressed concern with Kurtti that she should not be allowed to comment, as she knows she has a very strong opinion on this matter. Ahlf stated that she said that because she felt that if she (Ahlf) was not allowed to speak, that Kurtti should refrain from speaking as well. The commission members stated that Kurtti could speak. Kurtti went on to say that she too felt that the changes were completely shifting the powers from the council to the GWC Board, she felt that some changes may be needed and possibly should be considered, but that the differences were too great in her opinion. Kurtti also stated that the format that the ordinance revisions were on was misleading as nowhere on the document did it say draft or proposed, and the dates on it were the dates the existing ordinance was passed. If someone looked at the proposed ordinance, it has the appearance of the current ordinance.

Jake Huebsch asked if he could comment. He explained that this type of review was a little out of his area of expertise but would like to make a few observations. Jake said that in the cities that he works with, there are several types of city-owned businesses. Some cities have liquor stores, golf courses, etc. The one thing that he noticed in the GWC ordinance language was that the facility while it is under the "City Umbrella" it appeared to want to operate as a private entity. Jake went on to say the in most cases with city-owned businesses the profits are usually transferred to the General Fund of

the city. Mike Netland stated that he felt that the GWC needed to retain some money for their reserves when a need would arise.

The commission felt that if the ordinance were to be changed, it should be a joint effort between the council and the GWC Board. Jake Huebsch said that if the city felt that a third party would be needed in the event of conflict, that Sourcewell pays for those type of services for conflict management or mediation. The commission felt that it was not necessary at this time.

Netland remarked that the revised ordinance needed to be "a perfect blend of power and oversight". It was decided that if any further action was to take place, Ahlf could bring it forward through the City Council.

Main Motion: To not approve the GWC Ordinance in the current form, and to not schedule a public hearing.

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

H. Old Business - None

I. Adjournment

Main Motion: To adjourn the meeting at 8:08 pm.

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

Administrative Asst. Jensine Kurtti

Chairman, Quade Mayer

CHAPTER 70: TRAFFIC RULES

Section

[70.01](#) Definitions

[70.02](#) Turning restrictions

[70.03](#) Designation of through and one-way streets; authority

[70.04](#) Establishment of safety zones

[70.05](#) Exhibition driving prohibited

[70.06](#) Enforcement

[70.07](#) State highway traffic regulations adopted by reference

[70.08](#) **Recreational vehicles & Golf Carts**

§ 70.01 DEFINITIONS.

Any term used in this chapter and defined in M.S. § 169.01, as it may be amended from time to time, has the meaning given it by that section.

('77 Code, § 701.01)

§ 70.02 TURNING RESTRICTIONS.

The Council by resolution may, whenever necessary to preserve a free flow of traffic or to prevent accidents, designate any intersection as one where the turning of vehicles to the left or to the right, or both, is to be restricted at all times during specified hours. The City Engineer shall mark by appropriate signs any intersection so designated. No intersection on a trunk highway shall be so designated until the consent of the Commissioner of Transportation to the designation is first obtained. No person shall turn a vehicle at any intersection contrary to the directions on the signs.

('77 Code, § 701.02) [Penalty, see § 10.99](#)

§ 70.03 DESIGNATION OF THROUGH AND ONE-WAY STREETS; AUTHORITY.

The Council, by resolution, may designate any street or portion of street as a through highway or a one-way roadway where necessary to preserve the free flow of traffic or to prevent accidents. The City Engineer shall post appropriate signs at the entrance to the street. No trunk highway shall be so designated unless the consent of the Commissioner of Transportation to the designation is first secured.

('77 Code, § 701.03)

§ 70.04 ESTABLISHMENT OF SAFETY ZONES.

To assist in the direction and control of traffic, to improve safe driving conditions at any intersection or dangerous location and to warn pedestrians or drivers of motor vehicles of dangerous conditions or hazards, the Chief of Police may establish safety zones, lanes of traffic and stop intersections, and he or she may order installation by the

City Engineer of stop signs, yield signs, warning signs, signals, pavement markings or other devices. No regulation may be established on a trunk highway unless the consent of the Commissioner of Transportation is first secured.

('77 Code, § 701.11)

§ 70.05 EXHIBITION DRIVING PROHIBITED.

No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle within the city in a manner which causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel, or in a manner simulating a race. Unreasonable squealing or screeching sounds emitted by tires, or the throwing of sand or gravel by the tires is a prima facie evidence of a violation of this section.

('77 Code, § 701.13) [Penalty, see § 10.99](#)

§ 70.06 ENFORCEMENT.

The Police Department shall enforce the provisions of this chapter and the state traffic laws. Police officers are authorized to direct all traffic within the city, either in person or by means of visible or audible signal, in conformity with this chapter and the state traffic laws. During a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the Police Department may direct traffic as conditions require notwithstanding the provisions of this chapter and the state traffic laws. Officers of the Fire Department may direct or assist the police in directing traffic at the scene of a fire or in the immediate vicinity.

('77 Code, § 701.14)

§ 70.07 STATE HIGHWAY TRAFFIC REGULATIONS ADOPTED BY REFERENCE.

(A) The Highway Traffic Regulations Act is hereby adopted by reference. The regulatory provisions of M.S. Chapter 169, as it may be amended from time to time, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the city and are hereby incorporated in and made a part of this section as completely as if set out in full herein.

(B) The penalty for violation of the provisions of state statutes adopted by reference in this section shall be identical with the penalty provided for in the statutes for the same offense.

§ 70.08 RECREATIONAL VEHICLES & GOLF CARTS.

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 properly 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

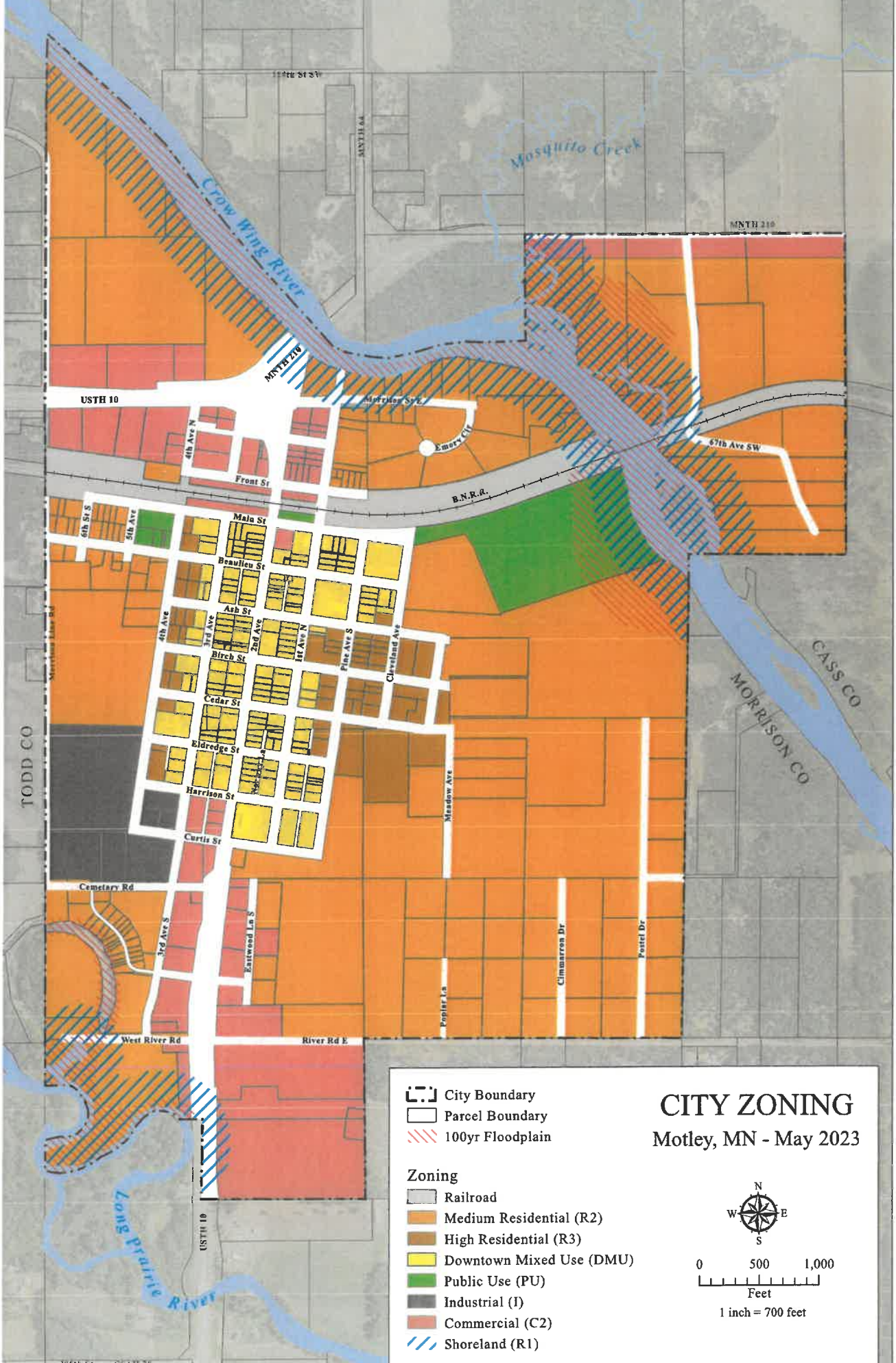
a motorized golf cart, snowmobiles or ATV by a permit holder or the failure by the city to revoke the permit.

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.

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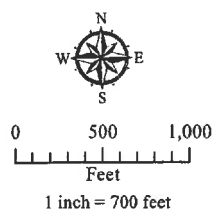


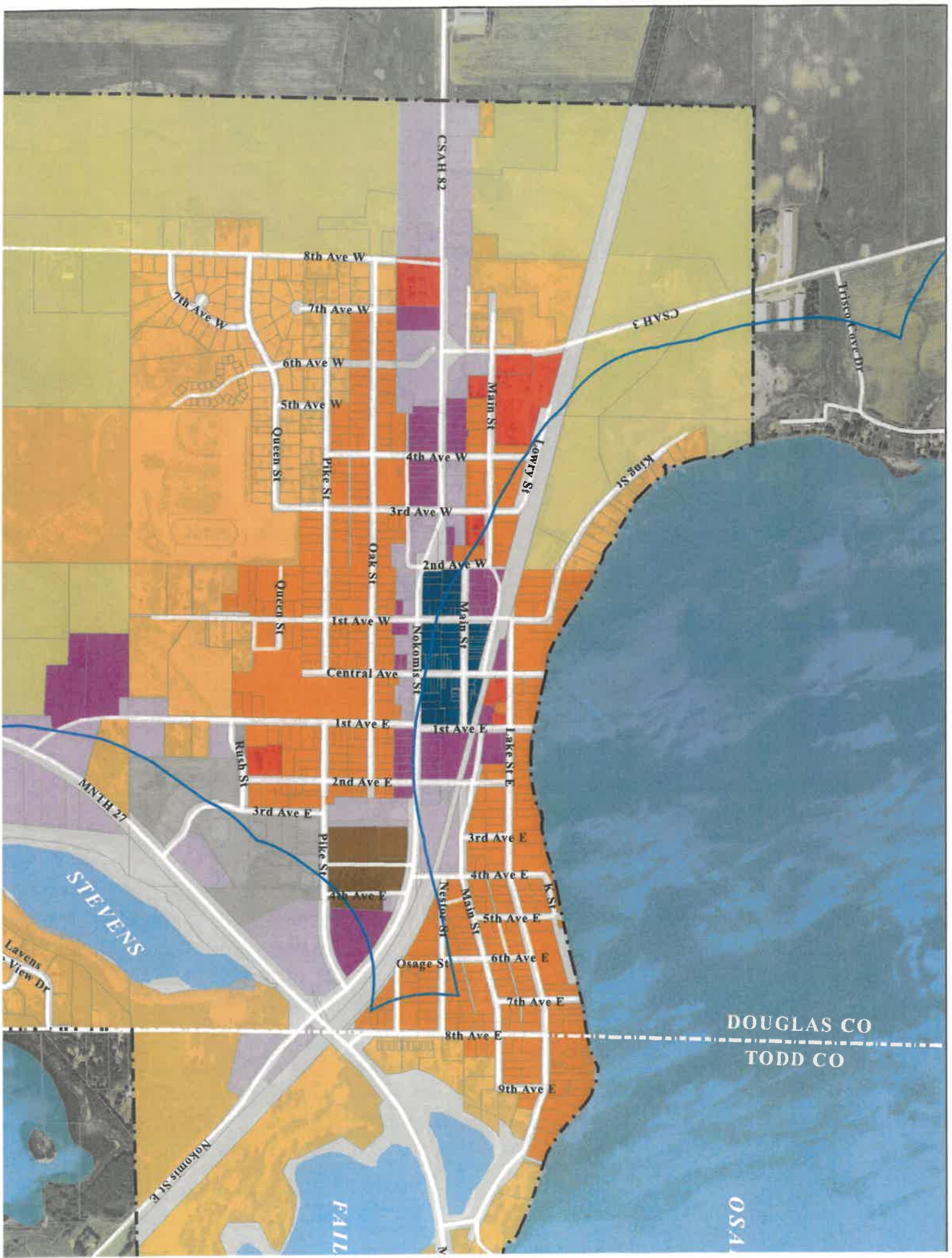
- City Boundary
- Parcel Boundary
- 100yr Floodplain

- Zoning**
- Railroad
 - Medium Residential (R2)
 - High Residential (R3)
 - Downtown Mixed Use (DMU)
 - Public Use (PU)
 - Industrial (I)
 - Commercial (C2)
 - Shoreland (R1)

CITY ZONING

Motley, MN - May 2023





CSAH 82

8th Ave W

7th Ave W

7th Ave W

6th Ave W

5th Ave W

Queen St

Pike St

4th Ave W

3rd Ave W

2nd Ave W

Oak St

1st Ave W

Queen St

Central Ave

Nokomis St

1st Ave E

1st Ave E

Rush St

2nd Ave E

Lake St E

3rd Ave E

3rd Ave E

MNTH 27

Pike St

4th Ave E

4th Ave E

4th Ave E

5th Ave E

6th Ave E

Osage St

7th Ave E

8th Ave E

9th Ave E

CSAH 3

Lowry St

King St

DOUGLAS CO
TODD CO

OSAH

Lavens View Dr

Nokomis St E

FALL

N

