

**AGENDA**  
**CITY OF BEAVER BAY COUNCIL MEETING June 1, 2015**

**Call to order**

**Approval, changes, additions, deletions to agenda**

**Approval of minutes: May 19, 2015**

**City Clerk report and Council reports.**

**Old Business:**

**New Business:**

- **Jeff Anderson MSA**
- **Resolution 2015 – 1004 concerning dissolution of fire department**
- **Resolution 2015 – 1005 concerning fines and fees for violations**
- **Audit**

**Public Comment:**

**Claims List:**

**Adjourn:**

**CITY OF BEAVER BAY  
BEAVER BAY, MN 55601  
June 1, 2015 MEETING OF THE COUNCIL**

**Present:** Linda Malzac, Steve Nazian, Justin Viken, Barbara Sterett, Tom Harris

**Absent:**

**Public Present:** Kenny Vogel and Jeff Anderson

**Call to Order**

Mayor Steve Nazian called the meeting to order at 7:00 p.m.

**Approval of Agenda**

**Passed:** Malzac moved. Nazian second. All in favor 5 - 0.

**Approval of Minutes of Previous Meeting**

**Motion:** Approve minutes of the May 19, 2015 meeting with corrections.

**Passed:** Malzac moved. Nazian second. All in favor 5 – 0

**City Clerk report and Council reports.**

**Nazian**

**The Green Door receipts are about 10% higher than last year at this time.**

**Viken**

**BBCA meeting: They discussed fund raisers that will help support future activities.**

**Old Business:**

**New Business:**

• **Jeff Anderson MSA**

**A presentation was made to the council by Jeff Anderson with plans for the Water Plant corrections to solve the fuel oil infiltration into the water supply. Present plans call for bids to be posted by the end of the month and work to be completed hopefully by August.**

• **Resolution 2015 – 1004 concerning dissolution of fire department**

**Motion:** Approve Resolution 2015 – 1004.

**Passed:** Harris moved. Viken second.

**Roll Call:** Nazian aye, Viken aye, Sterett aye, Malzac Aye, Harris aye

**Approved 5 - 0**

- **Resolution 2015 – 1005 concerning fines and fees for violations**

**Motion:** Approve Resolution 2015 – 1005.

**Passed:** Harris moved. Malzac second.

**Roll Call:** Nazian aye, Viken aye, Sterett aye, Malzac Aye, Harris aye

**Approved 5 - 0**

- **Audit**

Letter and documentation from the audit were presented to the council.

**Public Comment:**

**Claims List:**

**Motion:** Approve the claims list.

**Passed:** Nazian moved. Harris second. All in favor 5 - 0.

**Adjourn:**

**Motion:** Adjourn the meeting.

**Passed:** Harris moved. Viken second. All in favor 5 - 0.

Meeting adjourned at 8:04

**CITY OF BEAVER BAY  
RESOLUTION NO. 2015 - 1004  
RESOLUTION APPROVING CONVERSION OF FIRE DEPARTMENT PROPERTY  
AND  
COOPERATION WITH BEAVER BAY FIRE RELIEF ASSOCIATION TO DISSOLVE  
THE ASSOCIATION**

Resolution authorizing Mayor Stephen W. Nazian to execute documentation relating to the conversion of fire department property due to dissolution of the fire department, and cooperation with Beaver Bay Fire Relief Association to dissolve the Association.

**WHEREAS**, by Ordinance No. 17 dated May 16, 1958, the predecessor to the City of Beaver Bay City Council, the Village Council of Beaver Bay, established a municipal volunteer fire department, as set forth in detail on Exhibit A to this Resolution, a municipal fire department was created pursuant to Ordinance No. 17, commenced fire department operations, and has continued with fire department operations until the year 2015; and

**WHEREAS**, over the decades of operation of the fire department, certain irregularities have occurred with maintenance of fire department financial accounts separate from City accounts, titling of fire department equipment in a name other than that of the City, and erroneous filings of tax returns of the fire department as an entity separate from the City;

**WHEREAS**, the City has determined not to continue to provide fire protection services through the continuance of a municipal fire department and desires to dissolve its fire department, and in connection therefore, the City must correct the irregularities; and

**WHEREAS**, pursuant to a dissolution of the city fire department, Minnesota law requires that the Beaver Bay Fire Relief Association – which is not an instrumentality of the City - also be dissolved, and Ms. Rae Ann Anderson of the Association may require assistance of the City in dissolving the Association.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BEAVER BAY, MINNESOTA, AS FOLLOWS:**

**RESOLVED**, that the City of Beaver Bay hereby authorizes and directs Mayor Stephen W. Nazian to take all appropriate actions and sign any and all documents and instruments on or after June 1, 2015, necessary to dissolve city fire department operations, with such actions possibly including but not limited to:

- 1) Deposit of fire department financial accounts - that may be maintained separate from the City's other accounts - into the City's accounts;
- 2) Titling of fire department equipment - that may be titled only in the name of the Fire Department - in the name of the City of Beaver Bay and effecting sale or donation of such equipment;
- 3) Payment of any bills or statements of account owed by the fire department;
- 4) Filing of any final tax returns associated with the fire department;
- 5) Engaging accounting and legal counsel as necessary to assist in these matters; and

that Mayor Nazian keep regular records of his periodic accomplishment of the foregoing items, and report to this Council, at each regularly scheduled meeting, upon his progress in accomplishing the foregoing items; and

**BE IT FURTHER RESOLVED** that the City of Beaver Bay hereby authorizes and directs Mayor Nazian to sign any and all documents and instruments on or after June 1, 2015, necessary to assist in dissolving the Beaver Bay Fire Relief Association and to otherwise work cooperatively with Relief Association Treasurer Rae Ann Anderson in dissolving the Association.

Adopted by the City Council of the City of Beaver Bay on June 1, 2015.

Approved:

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Mayor

Attested:

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City Clerk

Official Seal

**CITY OF BEAVER BAY  
RESOLUTION NO. 2015 – 1005**

**RESOLUTION APPROVING A SCHEDULE OF FINES FOR OFFENSES INITIATED  
BY ADMINISTRATIVE CITATIONS.**

Be it resolved by the Council of the City of Beaver Bay to adopt the following schedule of procedures and fines for offenses documented by administrative citations as provided for by the Beaver Bay Code – Administrative Citations section regarding Civil Enforcement Procedure.

**Building and Zoning Violation Procedures:**

- A.** A written warning will be sent describing the violation and giving a 30 calendar day period to correct the violation.
- B.** A citation will be issued for \$20000 thirty calendar days after the warning letter is delivered if the violation hasn't been corrected.
- C.** A second citation will issued for \$500.00 sixty calendar days after the warning letter is delivered if the violation hasn't been corrected.
- D.** After the second citation has been issued the city will resolve the issue at the owner's expense. All cost of the resolution will be the owner's responsibility and will be assessed on the owner's taxes as necessary.

Adopted by the City Council of the City of Beaver Bay on June 1, 2015.

Approved:

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Mayor

Attested:

\_\_\_\_\_  
City Clerk

Official Seal