

**New York Mills Zoning Committee  
Regular Meeting  
April 6, 2021  
1:00 p.m.**

**CALL TO ORDER AND DETERMINATION OF A QUORUM**

The regular meeting of the New York Mills Zoning Committee was scheduled for 1:00 p.m. in the Council Chambers of the City Hall, New York Mills, Minnesota, all members of the Committee having been notified of the meeting. A quorum was present.

**Members Present:** Chairperson Dianna Wallgren, Greg Imsande, Jerry Nesland, Logyn Saewert, Brent Olson, Keith Van Dyke, Tim Johnson

**Members Absent:** None

**Staff Present:** Administrative Assistant Cheri Kopveiler, Zoning Administrator David Delaney, City Clerk Julie Roberts

**Call to Order:** Chairperson Dianna Wallgren called the meeting to order at 1:01 pm. **A quorum was present.**

**Approval of Minutes:** Minutes for the March 16, 2021 meeting were presented.

A motion was made by Jerry Nesland to approve the minutes and seconded by Greg Imsande. Motion was passed with no dissenting vote.

**Approval of Agenda:**

A motion was made by Jerry Nesland to approve the agenda as presented. Motion was seconded by Greg Imsande and carried without a dissenting vote.

**Old Business:** 1. Southpoint Update—

Clerk Roberts reported that plans are still underway for how Southpoint will be platted. There are some other potential plans for the City shop which may not include Southpoint. Nesland commented that if they do build the shop in Southpoint it would likely be located at the far South end of the property.

2. Ordinance Revisions—

The Zoning Committee considered three potential ordinance changes suggested by Nesland. Administrative Assistant Cheri Kopveiler consulted with League of Minnesota Land Use Attorney Jed Burkett for his input.

- a. Page 76 Zoning Commission—Add: “Each appointed Commissioner must maintain her/his primary residence within the New York Mills city limits while serving on this commission.”

Burkett commented that this was the most common practice in communities. A few cities have also allowed business owners to serve

without living in city limits if they have struggled to find members. This has been discussed in past meetings and the Zoning Committee has agreed that those working to make the regulations should have a vested interest and live in the City.

- b. Page 80 (B). Add “Any structure proposed to be built upon any City property requires a zoning permit application by this individual or group volunteering to build a structure for public use. Upon proper application of this permit and presentation to the City Council, the Council may waive any zoning fee, provided the details of the application meets the requirements of this ordinance.”

Burkett said this is not something he has seen. Normally permits are issued to property owners not typically to someone else. He felt this is not really a zoning issue and is more of a negotiation rather than a regulation. While the City could choose to waive fees in some instances, he advised that it not be part of the ordinance. He cautioned against treating one group differently than another with City property.

- c. Page 83. (11.) Add: “City Projects: Zoning Requirements will normally be followed for all City initiated building projects on City property. However, the City itself need not submit any zoning application and is exempt from following the current ordinance.”

Burkett felt this was problematic and not something he would advise. Normally a City will make every effort to abide by the same regulations as anyone else and follow all guidelines for application and permitting. He felt the City would want to cover itself by going through the proper channels, especially if they were planning to do something outside of the normal parameters which would normally require a conditional use or variance. The City would want to be responsible to its taxpayers, giving proper notice and a chance for the Public to voice their concerns.

Discussion ensued. Some examples of situations where the City adhered to zoning regulations are for the Daycare project and for placing signs advertising the availability of lots in Country View in that subdivision rather than on other City property, which would have contradicted the billboard ordinance.

**New Business:**

Talking Trail —

Clerk Roberts reported that several different groups have worked together to raise funds for a Talking Trail around the community. It will be similar to what is in place at the Enchanted Highway in North Dakota and will contain 17 sites around the city where visitors can listen to a several minute narrative on their cell phone by scanning a code or calling in to a number. The narratives will speak about that location’s history or other interesting anecdote. Christ Schuelke of the Otter Tail County Historical Society is helping with those narratives. Some locations include Central Park, Lunds,

Smith Park, the Pickle Factory, Mills Bottling Works and the Sculpture Park. Each location will be marked by a sign. It is hoped they will have it operational this Spring.

#### Proposed Walking Trail-

Clerk Roberts reported that Perham Health, as part of their Health Initiative, is putting money into projects in several area communities for walking trails. In New York Mills, the plan is to have the main base at Central Park with signage showing color coded trails around the city. The signs will show the route and give the distance and approximate time to talk that trail to encourage people to get out and walk. One trail will connect to the Southpoint Trail on the Tumberg parcel. They are looking at several different locations for trails around town, connecting places like the Sculpture Park and Northside Playground. Chairperson Dianna Wallgren commented that the distance trails are a wonderful project for our town.

#### **Zoning Administrator's Report—**

Zoning Administrator Dave Delaney gave his report. There are a few smaller projects starting up with Spring. One business in town has applied for a zoning permit for a 40' x 64' building expansion. Their plan is to begin construction this spring.

#### **Recess for Public Hearing:**

Meeting recessed for Public Hearing at 1:27 p.m. A Public Hearing was held to discuss the consideration of a rezoning request by the New York Mills Economic Development Authority for Lots 1, 2, & 3 of Block Six and Lots 7 & 8 of Country View Addition.

#### **Meeting Resumed:**

Meeting resumed at 2:12 p.m. Tim Johnson left the Public Hearing at 1:40 p.m. Jerry Nesland left the meeting at 2:07 p.m.

#### **New Business Continued:**

#### **Rezoning of Country View Lots—**

Chairperson Dianna Wallgren asked for discussion from the Committee regarding the rezoning request. Members of the community in attendance spoke out unanimously against allowing more multi-family housing units to be built. Wallgren asked each zoning member to give their thoughts on the eight different points property owners brought up in opposition to the change. Keith VanDyke commented he was inclined to agree that the Committee should wait to see if the new ideas for marketing and new brochure help to get single families to build rather than more multi-family. Greg Imsande agreed that in looking at southern portion of the development, the congestion of more apartments could create more problems, particularly parking. Discussion ensued. Olson and Saewert agreed with giving Clerk

Roberts the time to work out a new marketing strategy. All members agreed that property owners brought up some legitimate concerns.

**A motion was made by Logyn Saewert to fail to recommend the rezoning of Lots 1, 2, & 3 of Block Six and Lots 7 & 8 of Block Seven, Country View Addition from RA to RBC; but rather wait until the TIF District can be decertified in 2023 to help with incentives as well as working on a new marketing plan and brochure. Motion was seconded by Brent Olson and carried by unanimous vote of all members in attendance.**

**Next Meeting Date:** The next meeting of the Zoning Committee will determined by need and set at a later date.

**Adjournment:** The meeting was adjourned at 2:24 p.m.

Respectfully Submitted by,

Cheri Kopveiler  
Administrative Assistant/Zoning