

NEW YORK MILLS CITY COUNCIL
June 9, 2020
4:30 p.m.

CALL TO ORDER AND DETERMINATION OF A QUORUM

The regular meeting of the New York Mills City Council was called to order at 4:32 p.m. in the City Ballroom at the City Hall Building at 28 Centennial 84 Dr. West, New York Mills, Minnesota all members of the Council having been notified of the meeting and the business to be transacted.

Members Present Maki, Roder, Hetland, Hoaby and Nesland

Members Absent

Staff Present City Clerk Julie Roberts, Public Works Director Kyle Mattson, and Police Chief James Gritz, Pool Manger Heidi VanDyke, City Treasurer Al Berube and Liquor Store Manger Lana Jacobson

Guests Present NYM Dispatch Reporter Natalie Hilden, Ethan Frazier

Call to Order The meeting was called to order at 4:32 p.m. A quorum was present.

Additions, Changes or Deletions to Agenda and Approval of Final Agenda

Clerk Roberts asked to add a Pool Report to the Agenda

A motion was made by Hetland and seconded by Nesland to approve the agenda as presented with the addition of the Pool Report. The motion carried without a dissenting vote.

Approval of Minutes -A motion was made by Roder to approve minutes from the May 1, 2020, Regular Meeting. The motion was seconded by Hetland. The motion carried without a dissenting vote.

Communications & Recognitions –None

Department Reports

Liquor Store Report –Jacobson presented the Liquor Store Report. Gross sales for the month of May were down over prior year by 7%. The bar was closed for the month due to the Covid-19 governor order. Jacobson and staff are working to get the bar ready to reopen on June 10, 2020. Jacobson said she has taken the time to inquire on the purchasing specials through the MMBA and has placed her first order through that program. Jacobson reported that over the past two months she has reviewed the margins on products in the off sale to make sure items are priced within the targeted margin range. The off sale hours remain 11am -6 pm Monday through Saturday.

Roder asked about the idea of outdoor seating for the bar. Jacobson reported the logistics of serving outside were difficult and the choice was made not to proceed with the idea.

A motion was made by Nesland to acknowledge receipt and review of the Liquor Store Report as presented. The motion was seconded by Hetland. The motion carried without a dissenting vote.

Pool Report – VanDyke reported that she will have a staff of ten people this season. The pool will open on June 15th. There will be lessons throughout the day from June 15th – June 26th, this was set up before they changed the guidelines due to COVID-19. There will be open swim from 6:30-8 in the evenings those days. There was a huge response to swimming lessons, so VanDyke will be hold a second round of lessons in July. She has set up a routine for additional sanitizing of areas during the swimming lesson time periods and during open swim times. VanDyke highlighted some of the other extra routines that would be in place due to the COVID-19 regulations.

A motion was made by Hoaby to acknowledge receipt and review of the Pool Report as presented. The motion was seconded by Roder. The motion carried without a dissenting vote.

Fire Department Report – Chief Brasel’s report was included in the packet.

A motion was made by Roder to acknowledge receipt and review of the Fire Department Reports as presented. The motion was seconded by Nesland. The motion carried without a dissenting vote.

Police Report – Chief Gritz’ report was included in the packet. There is a yearly qualification shoot later in June. The 2020 NYM Graduation went off nicely. The officers are going to working some TZD shift in the month of June.

A motion was made by Hetland to acknowledge receipt and review of the Police Department Report as presented. The motion was seconded by Roder. The motion carried without a dissenting vote.

Public Works Report – Kyle Mattson’s report was included in the packet. Mattson reported that his department has not had any overtime. They have been busy getting the pool ready to open. Mattson said they are working on replacing the damaged fence in Smith Park. Mattson directed to council to his report for the other items that have been covered in May. Clerk Roberts interjected a compliment to Mattson and his department on how nice the city looked in the video that was done for the 2020 graduation class parade.

A motion was made by Hoaby to acknowledge receipt and review of the Public Works Report as presented. The motion was seconded by Nesland. The motion carried without a dissenting vote.

Open Forum – 5:00 p.m. None

Public Requests – None

Department Reports continued:

Administration Report – Roberts’ report was in the packet. There were two step raises due in the upcoming month. Roberts reported that she has been working on financing options for the Main Lift Station Project. That information will be presented later in this meeting. Kopveiler has been busy getting things ready for training for the August election. Geiser has been working on the gas education mailing. Roberts and her staff have continued to try to keep up on COVID-19 changes and communicate the information as needed.

Roberts requested a waiver of zoning permit fees for the NYM2025 Child Care project and the Lund Park Concession Stand project since these will be city owned facilities. Roberts also asked the Council when they would like to return the to the normal shut-off procedures for past due utility accounts. She reported that other communities are starting to go back to normal practices starting June 15, 2020.

Roder mentioned an online interview that Eric Osberg from Otter Tail County did with Julie Roberts on the Daycare project. She pointed out that a good job was done informing people about the project and also pointing out other assets that New York Mills Offers.

A motion was made by Nesland to acknowledge receipt and review of the Administration Report as presented, to waive the zoning permit fees for the two projects and to resume normal shut-off procedures starting July 1, 2020. The motion was seconded by Hetland. The motion carried without a dissenting vote. Discussion ensued regarding zoning permits for city projects and that a policy should be set by the zoning committee for future projects.

Committee Reports:

Park Board Minutes for the Tuesday, June 2, 2020, meeting were included in the packet.

There was some discussion regarding agreements that were being created for organizations, other than the school, that use the parks. Roder suggested some adaptation of the agreement that is used for The Barn rental. Roberts said that the agreements are already being drafted and The Barn rental agreement is being used with some adaptations.

Financial Consent Agenda –

The payment of financial claims information for the month of April was included in the packet along with the financial reports for May 2020.

A motion was made by Roder and seconded by Nesland to approve the bills and financial reports as presented. The motion carried without a dissenting vote.

Old Business and Tabled Items:

COVID-19 Information/Updates:

It was noted that updates had been given in the department reports.

Police Union Contract – The attorney is trying to get a date set up with the union representative

New Business:

Resolution Delegating Authority to the City Clerk to Enter into Temporary Use Agreements for use of Public Property by New York Mills Restaurants and Bars in Response to Governor Walz Executive Order 20-56 – Resolution No. 06-09-2020b was present:

Delegating Authority to the City Clerk to Enter into Temporary Use Agreement(s) for Use of Public Property by City of New York Mills Restaurants and Bars in Response to Governor Walz Executive Order 20-56.

WHEREAS, Governor Walz issued Executive Order 20-56 to allow restaurants and bars to safely reopen their business on June 1, 2020, for outdoor dining and alcohol sales with certain guidelines and restrictions; and
WHEREAS, the State of Minnesota has issued guidance to allow Cities and Counties the authority to allow restaurants and bars to use public property, sidewalks and parking lots, to create temporary outdoor seating “compact and contiguous” to the business, if none currently exists; and
WHEREAS, The City Council desires to help City of New York Mills businesses to safely reopen under Executive Order 20-56; and
WHEREAS, The City Council further desires to create administrative efficiencies by authorizing the City Clerk to enter into Temporary Use Agreement for restaurants and bars to use public property for outdoor dining and alcohol consumption;

NOW THEREFORE, BE IT RESOLVED by the City council of the City of New York Mills, Minnesota as follows:

1. The City Clerk is hereby authorized to enter into and execute a Temporary Use Agreements with a restaurant or bar business for the use of public property such as sidewalks, right-of-way, or public parking lot adjacent to their business for outdoor seating without further action by the City Council.
2. Temporary Use Agreements entered into pursuant to this authority will be available for review and inspection by any member of the City Council at any time upon reasonable request.
3. The authority granted herein shall terminate on December 31, 2020, and be of no force or effect.

Approved by the New York Mills City Council this 9th day of June, 2020.
CITY OF NEW YORK MILLS, MINNESOTA

Marsha Maki, Mayor

Julie A. Roberts, City Clerk

A motion was made by Hetland and seconded by Hoaby to approve Resolution No. 6-09-2020b as presented. The motion carried without a dissenting vote.

Resolution Acknowledging Intent to Reimburse the City for Expenditures on Main Lift Station out of Bond Proceeds– Resolution No. 06-09-2020 was present:

CITY OF NEW YORK MILLS, MINNESOTA

RESOLUTION NO. 06-09-2020

**DECLARING THE OFFICIAL INTENT OF THE CITY OF NEW YORK MILLS
TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS
OF BONDS TO BE ISSUED BY THE CITY**

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the “Reimbursement Regulations”) providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the City expects to incur certain expenditures that may be funded temporarily from sources other than tax-exempt bonds, and reimbursed from the proceeds of a subsequent tax-exempt bond issue;

WHEREAS, the City has determined to make this declaration of official intent (“Declaration”) to reimburse certain costs from the proceeds of tax-exempt bonds in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA AS FOLLOWS:

1. The City proposes to undertake the renovation of the Main Lift Station, (The “Project).

2. The City reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of tax-exempt bonds in an estimated maximum principal amount of \$750,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000; or (c) “preliminary expenditures” up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the City to finance the project for which the preliminary expenditures were incurred. The term “preliminary expenditures” includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the bonds described in paragraph 2 are consistent with the City's budgetary and financial circumstances. No sources other than proceeds of bonds to be issued by the City are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City's budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Approved by the New York Mills City Council this 9th day of June, 2020.

CITY OF NEW YORK MILLS, MINNESOTA

Marsha Maki, Mayor

Julie A. Roberts, City Clerk

A motion was made by Hoaby and seconded by Nesland to approve Resolution No. 06-09-2020 as presented. The motion carried without a dissenting vote.

Revenue Bond Issuance with Northland Securities for Main Lift Station Project:

Northland Packet was included in the council packet

A motion was made by Nesland and seconded by Hoaby to approve the Revenue Bond Issuance with Northland Securities as presented. The motion carried without a dissenting vote.

Request to Submit Bid to Otter Tail County Treasurer/Auditor for Tax Forfeited Property:

Clerk Roberts requested permission from the council to submit a bid to try to purchase the tax forfeited property Parcel # 73000990176000. Roberts would like to offer \$300.

A motion was made by Nesland and seconded by Roder to approve making an offer on the parcel. The motion carried without a dissenting vote.

Public Meeting closed at 5:21 p.m. for the performance review for the City Clerk

Public Meeting resumed at 5:53 p.m.

FINAL Minutes
July 13, 2020

Adjournment - A motion was made by Nesland and seconded by Hoaby to adjourn. The motion carried without a dissenting vote.

The meeting was adjourned at 5:55 p.m.

Respectfully submitted by,

Julie A. Roberts
City Clerk