NEW YORK MILLS CITY COUNCIL
September 11, 2018
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 4:30 p.m. in the Council Chambers of 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 Gerber, Maki, Hoaby, and Roder

Members Absent Hetland

Staff Present City Clerk Julie Roberts, Administrative Assistant Cheri Kopveiler, Public Works Director Kyle Mattson, City Treasurer Al Berube

Guests Present NYM Dispatch Reporter Eric Bervig, Mikel Olson, HRA, and Randy Keskitalo

Call to Order The meeting was called to order at 4:30 p.m. A quorum was present.

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

A motion was made by Roder and seconded by Hoaby to approve the agenda as presented. The motion carried without a dissenting vote.

Approval of Minutes - A motion was made by Roder to approve minutes from the August 9, 2018 minutes with the change to reflect the proper date in the heading. The motion was seconded by Maki. The motion carried without a dissenting vote.

Updates/Consent Agenda – Mayor Gerber noted the updates and consent agenda items as listed on the Agenda.

A motion was made by Maki and seconded by Hoaby to approve the consent agenda. The motion carried without a dissenting vote.

Department Reports

Liquor Store Report – Joan Koep included a report in the packet. She was not present at the council meeting. Clerk Roberts reviewed Koep’s narrative and financial report. Koep asked for approval on her the hiring of a new bartender, Cyndi Gyer. Clerk Roberts pointed out that for the month of August there was a net loss, but that there were three payrolls that hit in the month of August. She asked if anyone had any questions on Koep’s report. There were no questions.

A motion was made by Maki and seconded by Roder to approve the Liquor Store report as presented and to approve the new hire. The motion carried without a dissenting vote.

Pool Report – Pool Manager Heidi Van Dyke was not present at the meeting. She provided her report of the statistics for the 2018 season at the community pool. Clerk Roberts reviewed the information on the report. There were questions as to how the information compared with the 2017 season. The previous year’s report was pulled out by Clerk Roberts and attendance numbers were compared.

The City of New York Mills is an equal opportunity provider and employer.
A motion was made by Roder and seconded by Maki to approve the Pool Report as presented. The motion carried without a dissenting vote.

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

A motion was made by Maki and seconded by Roder to approve the Fire Department report as presented. The motion carried without a dissenting vote.

**Police Report** – Chief Gritz’ report was included in the packet. Gritz referred to his report as he addressed the Council. Chief Gritz is looking for a part-time person to share with Perham. Our current part-time employee Stoll is now attending college full-time in Grand Forks and won’t be able to work any shifts for some time. Officer Rud is setting up a night/adverse weather shoot. The last set of used tires were put on the Charger squad. These were used tires purchased from Battle Lake. The department responded to some reports of vandalism in Deer Creek. They have also taken some complaints about abandoned vehicles in Deer Creek. Gritz and Saewert participated in a TZD shift focused on the Ted Foss Move-Over Law. A total of twenty vehicles were stopped and two citations were given.

A motion was made by Hoaby and seconded by Maki to approve the Police report as presented. The motion carried without a dissenting vote.

**EDA Report** – Julie Gerber addressed the Council concerning the EDA meeting held on August 15, 2018. All loans are current. The revolving loan fund balance was at $128,334.84. Roder asked for the EDA to give funds for the NYM2025 project. The EDA will put it in the 2019 budget request. Clerk Roberts gave an update to the EDA on the homes that the HRA is working on this summer. Roder brought up the Inner Otter advertising that the EDA split with the Civic and Commerce in 2018. It was decided to split the cost of the advertising again in 2019. Katie Heppner will follow up with Tony Anderson on his previous visit to the EDA meeting regarding funding for a business expansion. The next EDA meeting will be on September 19, 2018.

A motion was made by Maki and seconded by Roder to approve the EDA report. The motion carried without a dissenting vote.

**Public Works Report** – Kyle Mattson’s report was included in the packet. Mattson’s department completed the gas work at the school. They have been working on getting the snow removal equipment ready for this winter. Mattson attended a meeting with a group regarding a proposed concession, restroom and press box building at Lund Park. The GPS mapping of water curb tops is about 75% complete. When he is done with that he will move on to the gas mapping. A two inch water line was installed to Lund Park. Gas service was installed to Ron Wacker’s apartment building on Miller Street. New York Mills hosted and assisted the Otter Tail county Household Hazardous Waste Collection at the utility shop on September 7, 2018. The number of people dropping items off was down by about 30 from the previous year. Mattson has started winterizing the community pool. The main pool started leaking severely toward the end of the season. He is thinking it may be a pressure line under the pool deck. This could be a costly repair. The 1957 trencher has broken down. Due to the cost of getting parts and repairing it, Mattson is going to check into what an attachment for the skid loader might cost instead of making the repair to the old trencher. The 1975 Ford tractor used by the streets and sewer departments is in need of a major overhaul. Mattson does not feel it is worth what it would cost to repair it and would like to sell it as is either by auction or by sealed bids. The unit will need to be replaced after evaluating our future needs.

A motion was made by Maki and seconded by Roder to approve the Public Works report as presented. The motion carried without a dissenting vote.
Open Forum – 5:00 p.m.

At 5:00 p.m., Mayor Gerber asked whether anyone present wished to address the Council. No one responded, so the Public Forum was concluded.

Public Requests – Randy Keskitalo addressed the Council about extending the City Gas North of the City on County Hwy 67. He has collected signatures from thirteen residents who would be interested in hooking up to City Gas. There was discussion regarding any grain dryers or a turkey farm in that area being interested in City Gas. Keskitalo will approach those people and Mattson will put together some cost estimates and report back to the City Council on this request.

Department Reports continued:

Administration Report – Roberts’ report was in the packet. There were no step raises due before the next council meeting. Clerk Roberts has the preliminary budget ready to present later in this meeting. Clerk Roberts has started the process for annexation of the 80 acre parcel purchased by the City. In the month of August there was approximately $3,600 process with the new credit/debit card system put in place at the city office. $3,000 of this was to either get utilities turned back on or to prevent shut offs. The process is working smoothly internally. Roberts reported that a zoning meeting will be held later in August to start discussions on the zoning of the new 80 acre parcel.

A motion was made by Roder and seconded by Maki to approve the Administration report as presented. The motion carried without a dissenting vote.

Old Business:

Renewal of the Verizon Tower Lease - Verizon has requested a renewal of the lease for space on the city water tower for their equipment. The renewal of the lease was included in the council packet. The renewal will extend the lease agreement through September 30, 2025.

A motion was made by Hoaby and seconded by Maki to approve the Renewal of the Verizon Lease as presented. The motion carried without a dissenting vote.

Otter Tail County T21 Initiative – A copy of the letter that was drafted regarding the T21 Initiative was presented to the Council. Roberts asked if there was anything further that the Council wanted done on this subject for the upcoming Commissioners meeting on Oct 9, 2018. Discussion ensued and it was decided to now leave the matter in the hand of the business people that it would affect. No motion was needed.

New Business:

Housing Redevelopment Authority – Mikel Olson – Olson gave an update to the Council on the projects his office has been working on this summer. The plan to have the home on Nowell ready to sell this Fall. Tousley should be ready to sell later in the Fall or early Winter. The Frazee Street house will be demolished in August. The HRA has purchased the property at 109 South Walker Avenue. This is the old Community Action Building. The HRA will be working with Nick Leonard of Otter Tail County. The plan is to have this be the location for the childcare facility that the County and City have been working on for the past two years. Engineers are currently working on the plans for the building. Olson said if space allows, there may also be the possibility of a 4-plex on the property on the north side if there is room. Olson asked if the Council would think about the possibility of reducing the amount of the assessments that are on the property. He was not looking for an answer on this, but may be approaching the Council at a later date.

Resolution to Certify Unpaid Utility Bills to the County Auditor – Resolution No. 09-11-2018 was presented:
RESOLUTION TO CERTIFY UNPAID UTILITY BILL TO THE COUNTY AUDITOR
FOR INCLUSION ON THE TAX ROLLS

WHEREAS, the City of New York Mills has several past due utility accounts on residential and commercial properties;

WHEREAS, the City has attempted resolution of these accounts with the property owner but they remain unpaid;

WHEREAS, the City is authorized to collect these unpaid utility fees in accordance with City Ordinance #117, Section 1.05, Subdivision 8 and City Ordinance 106, section 106.01, and pursuant to Minnesota Statutes 443.015, 444.075, Subd. 3, 366.012, 415.01, 429.101, and 463.15 through 463.26.

WHEREAS, the City wishes to protect its interests in collection of these delinquent amounts in the event that any of these properties are sold or otherwise transferred to new owners, and desires to ensure that obligations of the current owners are certified to the property taxes to secure the City’s right to collect these charges in the event that any ownership transfers occur.

FURTHERMORE, it is now deemed necessary to certify the unpaid amounts due and payable to the Otter Tail County Auditor to be collected with the 2018 real estate taxes payable in 2019, or from the sales proceeds in the event of any property sales, for these subject debts as follows:

1) PARCEL 7300099031001, 118 Smith Ave., Owner(s) Rustin Kawlewski
   Water $84.63, Sewer $283.82, Gas $73.18 or total due of $441.63.

2) PARCEL 7300080010000, 406 Co. Hwy. 56, Owner(s) David Nelson
   Water $, Sewer $432.76, Gas $, or total due of $432.76

3) PARCEL 7300099046000, 123 N. Broadway Ave., Owner(s) Patrick & Jeanette Nilson
   Water $112.81, Sewer $263.49, Gas $257.67, or total due of $633.97

4) PARCEL 73000990369001, 413 Centennial 84 Dr. E., Owner(s) Margaret Smith
   Water $83.74, Sewer $209.34, Gas $198.00, or total due of $491.08

Totals to be certified: Water $281.18, Sewer $1189.41, Gas $528.85, or total due of $1999.44

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA THAT the above named property owners will be sent a final billing and certification notice, in the format as shown in Exhibit A attached hereto, providing a final deadline for payment in full of the outstanding amounts due prior to certification to the Otter Tail County Auditor. Any of the above listed utility amounts which remain unpaid as of 3:00 p.m. on Wednesday, September 26, 2018, will be submitted to the Otter Tail County Auditor’s office for certification as provided herein.

Adopted by the New York Mills City Council this 11th Day of September, 2018

_____________________________   ___________________________________
Julie Gerber, Mayor     Julie Roberts, City Clerk
EXHIBIT A

NOTICE OF PENDING
PROPERTY OWNER ASSESSMENTS

Parcel # ____________________________   Physical Address: _________________________

Owner:   Mr. or Ms. Last Name

Your mailing address
New York Mills, MN  56567

YOU ARE HEREBY NOTIFIED of a pending assessment on your property due to the delinquency in payment of the following fees owed to the city:

Water $_________________, Sewer $_________________, Gas $_________________.

TOTAL $_________________.

The city is authorized to collect these unpaid fees in accordance with City Ord. # 117, Sect. 1.05, Subd. 8 and MN Statutes 443.015, 444.075 Subd. 3, 366.012, and 415.01.

You will have until 3:00 P.M. on Wednesday, September 26, 2018, to pay the above total amount and avoid having this special assessment certified to the Otter Tail County Auditor to be collected with your 2018 real estate tax payable in 2019 or upon sale or transfer of ownership of the property. If certification becomes necessary, an additional Administrative Fee of $10.00 will be added.

If you have any questions concerning this assessment, please feel free to contact me at 385-2213.

Julie Roberts
City Clerk

September 11, 2018

A motion was made by Hoaby and seconded by Roder to approve Resolution No. 09-11-2018. The motion carried without a dissenting vote.

Resolution Opposing the Concept of Allowing Strong Beer, Spirits and Wine to be Sold, for Off Premise Consumption, at any Outlet other than the Municipal Liquor Store – Resolution No. 09-11-2018a was presented.

CITY OF NEW YORK MILLS, MINNESOTA

RESOLUTION NO. 09-11-2018a

RESOLUTION OPPOSING THE CONCEPT OF ALLOWING STRONG BEER, SPIRITS & WINE TO BE SOLD, FOR OFF PREMISE CONSUMPTION, AT ANY OUTLET OTHER THAN THE MUNICIPAL LIQUOR STORE

WHEREAS, the sale of strong beer, spirits and wine for off premise consumption, in any New York Mills business outlet, other than the Municipal Liquor Store, could cause problems in our youth and at risk adults of uncontrolled and excessive drinking and subsequent increases in police protection and public health costs; and

The City of New York Mills is an equal opportunity provider and employer.
WHEREAS, the sale of strong beer, spirits and wine in any New York Mills business outlet, for off premise consumption, other than the Municipal Liquor Store would be damaging, injurious and otherwise detrimental to the financial status of the New York Mills Liquor Store and the City itself

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA hereby express our opposition to the sale of strong beer, spirits and wine for off premise consumption, in the City other than at the New York Mills Municipal Liquor Store.

Approved by the New York Mills City Council this 11th day of September, 2018.

Julie Gerber, Mayor

Julie A. Roberts, City Clerk

Discussion ensued and there were concerns over the wording of the resolution. The Resolution No. 09-11-2018a was changed to read:

CITY OF NEW YORK MILLS, MINNESOTA

RESOLUTION NO. 09-11-2018a

RESOLUTION OPPOSING THE SALE OF STRONG BEER, SPIRITS AND WINE IN GROCERY AND CONVENIENCE STORES

WHEREAS, the sale of strong beer, spirits, and wine has long been regulated to preserve public health and minimize public safety concerns; and

WHEREAS, to promote public safety and public health, cities have an interest in preventing youth from obtaining alcohol; and

WHEREAS, increased alcohol availability is associated with increased alcohol related problems in both youth and the general public; and

WHEREAS, the public supports existing regulations controlling the sale of alcohol to minimize the risks associated with youth access to alcohol; and

WHEREAS, allowing the sale of beer, spirits and wine in grocery and convenience stores would increase the public health risk of youth access to alcohol and the public health risk of alcohol-related motor vehicle accidents among youth (see Potential Health Effects of Expanding Liquor Licenses to Grocery and Convenience Stores, Kansas Health Impact Assessment Project, Kansas Health Institute KKHI.ORG May, 2014); and

WHEREAS, the public health risks of increasing youth access to alcohol and increased alcohol-related motor vehicle accidents among youth caused by the sale of strong beer, spirits, and wine in grocery and convenience stores are preventable; and

WHEREAS, the public health risks created by increasing youth access to alcohol and increased alcohol-related motor vehicle accidents among youth outweigh any convenience to the public of relaxing present regulations and allowing sale of strong beer, spirits and wine in grocery and convenience stores.
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of New York Mills, Minnesota, hereby opposes the sale of strong beer, spirits, and wine in grocery and convenience stores.

Approved by the New York Mills City Council this 11th day of September, 2018.

Julie Gerber, Mayor

Julie A. Roberts, City Clerk

A motion was made by Hoaby and seconded by Maki to approve Resolution No. 09-11-2018a as revised. The motion carried without a dissenting vote.

Preliminary 2019 Levy & Budget – The preliminary 2018 Levy & Budget was presented – The budget reflects a 5.8% increase over the 2018 budget and the debt levy will remain flat. The 2018 budget represented a 5.6% increase with the debt levy remaining flat.

A motion was made by Hoaby and seconded by Roder to approve the 2019 Preliminary Budget as presented. The motion carried without a dissenting vote.

Future Meeting Dates – Regular meetings are scheduled for Tuesday October 9, 2018, at 4:30 p.m., and Tuesday, November 13, 2018, at 4:30 p.m.

Payment of Claims – Mayor Gerber noted the bills are as presented in the packet.

A motion was made by Hoaby and seconded by Maki to approve the payment of bills as presented along with the gas bills when received, Energy Econime Inc., and RMB Labs. The motion carried without a dissenting vote.

Financial Reports – There was no discussion.

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

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

The meeting was adjourned at 5:50 p.m.

Respectfully submitted by,

Julie A. Roberts
City Clerk

The City of New York Mills is an equal opportunity provider and employer.