

**NEW YORK MILLS CITY COUNCIL**  
**January 10, 2023**  
**4:30 p.m.**

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

The regular meeting of the New York Mills City Council was held at 4:30 p.m. in the Council Chambers of the City Center Building located at 118 North Main Avenue, New York Mills, Minnesota, all members of the Council having been notified of the meeting and the business to be transacted.

**Members Present** Maki, Nesland, Grotheer, Hammond

**Members Absent** Hetland

**Staff Present** City Clerk Julie Roberts, Administrative Assistant Cheri Kopveiler, Liquor Store Manager Lana Jacobson, Public Works Director Kyle Mattson, Police Chief Bobby Berndt

**Guests Present** City Treasurer Nick Roder (left 4:32 pm), NYM Dispatch Reporter Chad Koenen (Arrived 4:50 p.m.), Amy Tervola-Hultberg

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

**Administer Oath** Mayor Maki welcomed new council members, staff and visitors. The oath was administered to all new council members and the mayor who were elected in November, 2022.

**Additions, Changes or Deletions to Agenda and Approval of Final Agenda** – Nesland asked to add Updating User Agreements for Ball Parks to XI-f Old Business.

**A motion was made by Nesland and seconded by Grotheer to approve the final agenda with the addition as presented. The motion carried by unanimous vote.**

**Approval of Minutes** –

**A motion was made by Nesland to approve minutes from the December 13, 2022 Regular Meeting and Truth in Taxation Hearing as presented. The motion was seconded by Hammond and carried by unanimous vote.**

**Communications & Recognitions - None**

## Department Reports

**Liquor Store Report** –Lana Jacobson referred to her Liquor Store report, which was included in the packet. Combined gross sales for the month of December were up 16% from prior year. Combined COGS were up 2.16% as a percentage of sales from prior year. Net revenues for the month of December were down 7.25% from prior year. Payroll expenses were up 1% as a percentage of sales from last year. Jacobson reported that she is still looking to hire two part time bartender/retail clerks. She does have an interview scheduled for tomorrow. She is also checking references on a couple of others. Jacobson thanked Mayor Maki for her help with completing inventory on January 1st. The process went well. There will be some adjustments to make in the beginning inventory for 2023.

**A motion was made by Hammond to acknowledge receipt and review of the Liquor Store Report as presented. The motion was seconded by Grotheer. The motion carried by unanimous vote.**

**Fire Department Report** – Brasel’s report was included in the packet. There were 22 calls in December, 3 of which were mutual aid structure fire calls to Perham Fire Department, 16 medical, 1 power line down, 1 gas leak and 1 fire alarm call. There were 232 calls for the year. At their last meeting, the Fire Department elected 2023 officers. They are as follows: Fire Chief Ryan Brasel, 1<sup>st</sup> Assistant Chief Nick Roder, 2<sup>nd</sup> Assistant Chief Jedd Wallgren, Rescue Captain Logyn Saewert, Safety Officer Shanon Kline, Training Officer Bryce Bernu, Treasurer Nic Pederson, Secretary Kurt Fahlen and Maintenance Shannon Kline and Kacee Skoog.

**A motion was made by Nesland to acknowledge receipt and review of the Fire Department Report as presented. The motion was seconded by Hammond. The motion carried by unanimous vote.**

**Police Report** – Berndt addressed the Council. The Department responded to 91 calls for service in December, issued 2 citations and 2 arrests. Staff has been enforcing the 24 hour parking ordinance after snowstorms. As a result, 7 written warnings were issued in December with 1 vehicle being towed. The DARE program will be starting up next month. Berndt commented that the City needs a better ordinance on snow removal. The existing ordinance is difficult to navigate and requires that a state of emergency be called for each event. Mattson stated that the City’s policy for snow removal is that plowing will commence when 2” or more of snow has fallen. The City of Wadena recently passed a new ordinance which could be looked at for a sample. Nesland commented that the ordinance should be worked on and brought back to Council in 90 days for review.

**A motion was made by Grotheer to acknowledge receipt and review of the Police Department Report as written. The motion was seconded by Hammond and carried by unanimous vote.**

*Chad Koenen joined the meeting at 4:50 p.m.*

**Public Works Report** – Mattson addressed the Council. Public Works has been moving snow, including the newly annexed Southside Addition. Some tree trimming was necessary in that area to branches affecting snow removal equipment. The building addition is wrapping up with a substantial completion walk through being conducted this Thursday. Some of the cleaning duties have been

taken over for the City Center from Otter Tail County. The skating rink was opened before the holiday break. There was recently some vandalism to the warming house which has been cleaned up. Todd and Mike will be joining the on-call rotation this month. They will begin nights and weekends on their own with assistance as needed in March. Mattson is putting together an on-call schedule which will include cleaning of the Liquor Store and Hall on weekends Russ is not working. Their Well has begun rehab work on our oldest drinking water well. The hope is to extend the life of the 51 year old well and next perform the same work on the 57 year old well. Typical life expectancy of a municipal well is less than 50 years. Mattson recently met with Minnesota Rural Water to discuss the progress of the Well Head Protection Plan implementation. Jenny is working on four new ordinances and a right of way permit application for adoption in early 2023 which will bring us into compliance with the Well Head Protection Plan and the Minnesota DNR. Nesland asked if there are any grants available for the city well or a new water treatment facility. Mattson replied once the ordinances are in place, the State has future funding available. Mattson reviewed the Public Works fee schedule for materials and equipment only and sees no changes needed. He recommended increasing the rate for sidewalk sweeping from \$1.50 per linear foot to \$3.00 per foot. There was a leak in the rubber roof of the City Center boiler building. The County never replaced this roof so it should be done soon. Mattson met with Apex to review the utility extension plans for South Point, along with some items for future extensions of water main in the development and connecting a new water treatment facility when built.

**A motion was made by Nesland to acknowledge receipt and review of the Public Works Report as presented. The motion was seconded by Maki and carried by unanimous vote.**

**Administration Report** – Roberts addressed the Council. There are no step raises due this month. Roberts and Mayor Maki continue to work with Flaherty & Hood P.A. for the police union contract. Office staff is working on year end processes and reporting as well as preparing for the annual audit. Auditors will be coming the week of January 30<sup>th</sup>. Roberts is working on finalizing the MIDCO Franchise Agreement so it can be added to the agenda and approved next month. She continues to work with the facilities committee to get user agreements in place for the softball and baseball associations.

**A motion was made by Hammond to acknowledge receipt and review of the Administration Report as presented. The motion was seconded by Grotheer and carried by unanimous vote.**

**EDA Committee** -Draft Minutes from the December 21, 2022 meeting are included in the packet.

**Personnel Committee Report** –Maki and Roberts have meetings coming up this week on appropriations for the Police Union contracts.

**Police and Public Safety Committee** –

**Public Works Committee Report** – Minutes from the Public Works Committee are included in the packet.

**Fire Department Committee** – The annual meeting for the New York Mills Fire Department with both the city and townships will be held on Wednesday, February 1<sup>st</sup> at 6:30 p.m.

**Financial Consent Agenda** – The payment of financial claims information and the financials for the month of December were included in the packet. An additional bill for \$928.00 was presented from Nardini Fire Equipment for approval.

**A motion was made by Nesland and seconded by Grotheer to approve the payment of financial claims and financial statements as presented including the additional bill. The motion carried by unanimous vote.**

**Open Forum** –At 5:00 p.m. Mayor Maki asked whether anyone present wished to address the Council. Amy Tervola-Hultberg expressed her concerns to the council regarding the recent annexation and proposed dog park in South Point. She was also concerned about Public Works using a chainsaw outside her home without prior notification. Tervola-Hultberg stated she would hope that there is more communication and transparency moving forward for the new residents of Southside Addition.

**Public Requests** –None

**Old Business and Tabled Items:**

**Newton Township Annexation** – The annexation of the new Southside Addition was finalized and recorded in December and is now complete. Clerk Roberts pointed out that the City will not receive any of those residents’ taxes in 2023 even though the newly annexed area is already receiving public works and police services. 100% of taxes will go to Newton Township in 2023 and the City will pay the township \$1000 in 2024 and 2025.

*Michael Weber joined the meeting at 5:04 p.m.*

**Approval of Plan and Specifications and Ordering Advertisement for Bids for South Point Development Phase I-Resolution No. 01-10-2023** – Apex Engineer Michael Weber reported that plans and specs have been completed and he recommended moving forward with the approval of plan and specifications and the advertisement for bids. If the advertisement goes out next week, bids could close on February 9<sup>th</sup> and be considered at the February Council meeting. Resolution No. 01-10-2023 to approve the plan and specifications and order the advertisement for bids was presented.

**CITY OF NEW YORK MILLS,  
MINNESOTA**

**RESOLUTION NO. 01-10-2023**

**Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for  
South Point Development – Phase 1  
Street & Utility Improvements**

WHEREAS, pursuant to a resolution passed by the City Council on the 15th Day of November 2022, Apex Engineering Group, Inc. has prepared plans and specifications for South Point Development – Phase 1 Street & Utility Improvements, the proposed improvements to the undeveloped property referred to as “South Point”, and has presented such plans and specifications to the Council for approval;

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

1. Such plans and specifications are hereby approved.
2. The City Clerk and Apex Engineering Group, Inc. shall prepare and cause to be inserted in the official paper and a recognized industry trade journal an advertisement for bids upon the making of such improvements under such approved plans and specifications. The advertisement shall be published no less than three (3) weeks before the last day for submission of bids, shall specify the work to be done, and shall state that bids will be received by the City of New York Mills until 11:00 a.m. on February 9, 2023 at which time they will be publicly opened in the City Hall by the City’s designated representative, will then be tabulated, and will be considered by the City of New York Mills. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the City Council on the issue of responsibility. No bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the Clerk for five (5) percent of the amount of such bid.

Adopted by the Council this 10th day of January, 2023.

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Marsha Maki, Mayor

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Julie Roberts, City Clerk

**Motion was made by Hammond and seconded by Grotheer to approve Resolution No. 01-10-2023 as presented. The motion was passed by unanimous vote.**

**Annual Appointments and Setting of Depositories** - Council members reviewed the appointment list. Grotheer and Nesland will serve on the Police Committee. Grotheer and Nesland will also serve on the Public Works Committee. Liquor Store Committee will consist of Mayor Maki and Hammond. Budget Committee will remain Nesland and Hetland, Personnel Committee will be served by Mayor Maki and Hammond. Maki and Hetland will remain on the EDA. Grotheer will serve on the Zoning Committee and Mayor Maki on the Library Board. Nesland and Hammond will serve on the Park Board, Hammond and Hetland on the Fire Department Committee and Grotheer and Hetland on the Facilities Committee. Nesland and Hammond agreed to serve on the newly formed Ordinances, Policy and Bylaws Committee. All other appointments will remain the same.

The Council discussed the option which has been considered previously of moving to a clerk-treasurer. After discussion the Council agreed that the need for a separate treasurer was no longer necessary due to the proposed use of facsimile check signatures and office staff now reconciling checking account statements.

The City Financial Depositories will be Farmers & Merchants State Bank, Magnifi Financial, and PMA.

Clerk Roberts reported that Sam Felix will continue as City Attorney at the same rate as last year. Krekelberg Law's rates will also remain the same.

All other officers have agreed to serve at the same rates as last year.

The New York Mills Dispatch will serve as the official newspaper. Their rate did not change from last year.

**A motion was made by Hammond and seconded by Grotheer to approve all annual appointments, the setting of the City's depositories as well as approval for the City to move from a separate Clerk and Treasurer to a combined Clerk/Treasurer. Motion was passed by unanimous vote.**

The Council also discussed moving to facsimile signatures and requirement for only two signatures on checks. Clerk Roberts pointed out that all payments are approved by City Council and members can see descriptions of any payments and ask for clarification at any time. There are internal controls in place for separation of duties within the office for any payments made.

**A motion was made by Maki and seconded by Nesland to approve the use of facsimile signatures and the requirement of two signatures on checks. Motion was passed by unanimous vote.**

**Payment Request from Hammers Construction for Public Works Building -** A request for payment for work completed on the public works building was presented for work completed in December.

**A motion was made by Nesland to approve payment to Hammers Construction as presented. Motion was seconded by Hammond and approved by unanimous vote.**

**Update User Agreements for Ball Parks – No Update**

**New Business**

**Request for Approval to Advertise for Bids for Hay Ground on South Point –** Clerk Roberts referred to the map included in the packet showing 33 acres in South Point (Phase II) to put up for bids to rent as hay ground in 2023.

**A motion was made by Nesland and seconded by Hammond to approve placing the 33 acres of South Point indicated on the map up for bid as hay ground to be rented out in 2023. Document will be published in the New York Mills Dispatch. Motion carried by unanimous vote.**

**Designate Polling Place for 2023 – Resolution No. 01-10-2023a –** Resolution No. 01-10-2023a was presented.

**CITY OF NEW YORK MILLS,  
MINNESOTA**

**RESOLUTION NO. 01-10-2023a**

**RESOLUTION TO DESIGNATE THE POLLING PLACE FOR 2023**

**WHEREAS,** THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA, pursuant to Minnesota Statute §204B.16 POLLING PLACES; DESIGNATION, is required by December 31 of each year to designate by ordinance or resolution a polling place for each election precinct. The polling places designated in the ordinance or resolution are the polling places for the following calendar year, unless a change is made.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA AS FOLLOWS:** The city of New York Mills designates the City of New York Mills Ballroom at 28 Centennial 84 Dr. W., New York Mills as the polling place for the 2023 elections.

Adopted this 10th day of January, 2023, by the City Council of the City of New York Mills.

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Marsha Maki, Mayor

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Julie Roberts, City Clerk

**A motion was made by Hammond and seconded by Grotheer to approve Resolution No. 01-10-2023a. Motion was carried by unanimous vote.**

**Cash Donation to City of New York Mills from Brunswick for Lund Park Project-Resolution No. 01-10-2023b was presented –**

**CITY OF NEW YORK MILLS,  
MINNESOTA**

**RESOLUTION NO. 01-10-2023b**

**RESOLUTION ACKNOWLEDGING CASH DONATION TO CITY OF NEW YORK MILLS FROM BRUNSWICK BOAT GROUP FOR THE LUND PARK PROJECT**

**WHEREAS**, in December 2022, the City of New York Mills received a donation from Brunswick Boat Group for the Lund Park Project in the amount of \$10,000.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA THAT:** the City Council of the City of New York Mills acknowledges and accepts the cash donation of \$10,000 from Brunswick Boat Group to the City of New York Mills for the Lund Park project.

Adopted this 10th day of January 2023, by the City Council of the City of New York Mills.

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Marsha Maki, Mayor

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Julie Roberts, City Clerk

**A motion was made by Nesland and seconded by Hammond to approve Resolution No. 01-10-2023b. Motion was carried by unanimous vote.**

**Cash Donation to City of New York Mills by Centennial Realty for Dog Park Project – Resolution No. 01-10-2023c was presented –**

**CITY OF NEW YORK MILLS,  
MINNESOTA**

**RESOLUTION NO. 01-10-2023c**

**RESOLUTION ACKNOWLEDGING CASH DONATION TO CITY OF NEW YORK MILLS FROM CENTENNIAL REALTY FOR THE DOG PARK PROJECT**

**WHEREAS**, in December 2022, the City of New York Mills received a donation from Centennial Realty for the Dog Park Project in the amount of \$1,000.



**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA THAT:** the City Council of the City of New York Mills acknowledges and accepts the cash donation of \$1,000 from Centennial Realty to the City of New York Mills for the Dog Park project.

Adopted this 10th day of January 2023, by the City Council of the City of New York Mills.

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Marsha Maki, Mayor

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Julie Roberts, City Clerk

**A motion was made by Hammond and seconded by Grotheer to approve Resolution No. 01-10-2023c. Motion was carried by unanimous vote.**

**Cash Donation to City of New York Mills from Lakes Area Cooperative for Dog Park Project – Resolution No. 01-10-2023d was presented.**

**CITY OF NEW YORK MILLS,  
MINNESOTA**

**RESOLUTION NO. 01-10-2023d**

**RESOLUTION ACKNOWLEDGING CASH DONATION TO CITY OF NEW YORK MILLS FROM LAKES AREA COOP FOR THE DOG PARK PROJECT**

**WHEREAS,** in December 2022, the City of New York Mills received a donation from Lakes Area Coop for the Dog Park Project in the amount of \$500.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA THAT:** the City Council of the City of New York Mills acknowledges and accepts the cash donation of \$500 from Lakes Area Coop to the City of New York Mills for the Dog Park project.

Adopted this 10th day of January 2023, by the City Council of the City of New York Mills.

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Marsha Maki, Mayor

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Julie Roberts, City Clerk

**A motion was made by Nesland and seconded by Grotheer to approve Resolution No. 01-10-2023d. Motion was carried by unanimous vote.**

**Accept Grant Dollars from Blandin Foundation Strengthening Rural Minnesota Grant Application – Resolution No. 01-10-2023e was presented -**

**CITY OF NEW YORK MILLS,  
MINNESOTA**

**RESOLUTION NO. 01-10-2023e**

**RESOLUTION ACKNOWLEDGING GRANT FUNDS TO CITY OF NEW YORK MILLS  
FROM THE BLANDIN FOUNDATION FOR CITY SWIMMING POOL REPAIRS AND  
UPDATES**

**WHEREAS**, the city of New York Mills completed and submitted a grant application in September of 2022 to the Blandin Foundation Strengthening Rural Minnesota program.

**WHEREAS**, in December 2022, the City of New York Mills was awarded grant dollars from the Strengthening Rural Minnesota Grant program in the amount of \$75,000.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA THAT:** the City Council of the City of New York Mills acknowledges and accepts the grant of \$75,000 from Blandin Foundation to complete repairs and make updates to the public swimming pool.

Adopted this 10th day of January 2023, by the City Council of the City of New York Mills.

Marsha Maki, Mayor

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Julie Roberts, City Clerk

**A motion was made by Hammond and seconded by Nesland to approve Resolution No. 01-10-2023e. Motion was carried by unanimous vote.**

**Cash Donation to City of New York Mills Fire Department from the New York Mills Lions Club – Resolution No. 01-10-2023f was presented –**

**CITY OF NEW YORK MILLS,  
MINNESOTA**

**RESOLUTION NO. 01-10-2023f**

**RESOLUTION ACKNOWLEDGING CASH DONATION TO NEW YORK MILLS FIRE  
DEPARTMENT FROM THE NEW YORK MILLS LIONS CLUB**

**WHEREAS**, in December 2022, the New York Mills Fire Department received a donation from the New York Mills Lions Club in the amount of \$250.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA THAT:** the City Council of the City of New York Mills acknowledges and accepts the cash donation of \$250 from the New York Mills Lions Club to the New York Mills Fire Department.

Adopted this 10th day of January 2023, by the City Council of the City of New York Mills.

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Marsha Maki, Mayor

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Julie Roberts, City Clerk

**A motion was made by Grotheer and seconded by Nesland to approve Resolution No. 01-10-2023f. Motion was carried by unanimous vote.**

**Setting of Utility Rates for 2023** - Information was included in the packet. Clerk Roberts commented that there has not been an increase in several years to utility rates. In 2019 water rates only were increased. Proposed increases include a flat 3% on water and sewer charges and 5% on the base amount only for gas. Grotheer asked if this was for residential and commercial. Clerk Roberts indicated it is. Roberts commented that the City has been fortunate to be part of the gas consortium and therefore has been able to keep rates flat over the past several years when gas rates have increased significantly elsewhere.

**A motion was made by Nesland and seconded by Hammond to approve the proposed utility rate schedule for 2023. Motion was carried with a unanimous vote.**

**Next Regular Meeting will be February 14, 2023 at 4:30 p.m. in the Council Chambers of the City Center Building located at 118 North Main Ave, New York Mills, MN.**

**Adjournment – A motion was made by Hammond and seconded by Grotheer to adjourn the meeting at 5:49 p.m. Motion carried by unanimous vote.**

Respectfully submitted by,

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Julie A. Roberts

City Clerk

(Notes taken and typed by Cheri Kopveiler, Administrative Assistant)

