NEW YORK MILLS CITY COUNCIL
April 10, 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, Roder, Maki, Hoaby and Hetland

Members Absent N/A

Staff Present City Clerk Julie Roberts, Administrative Assistant Jenny Geiser, Public Works Director Kyle Mattson, Police Chief James Gritz, Liquor Store Manager Joan Koep, City Treasurer Al Berube

Guests Present NYM Dispatch Reporter Eric Bervig, Aaron Meyer, MN Rural Water Assoc., and Chris Roberts, Newton Township, Mark Hanson, EDA Director

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 Hoaby and seconded by Roder to approve the agenda. The motion carried without a dissenting vote.

Approval of Minutes - A motion was made by Hetland to approve minutes from the March 13, 2018 minutes with the addition of the motion made for Resolution 03-13-2018. The motion was seconded by Hoaby. 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 Hoaby and seconded by Maki 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 which she referred to as she addressed the Council. Koep reported that the beer and wine tasting event went well and that she already had people signed up for the next event that will be held on April 27th. She also has other events planned for the month of April and May. They include additional beer and wine tasting events, Twilight Jams DJ night, and Trivia. Koep passed out a table tent that had the events listed on it. She stated that she has also placed posters of the upcoming events around the area on public bulletin boards. The new bar stools have arrived along with the new tablet for the servers to use in the bar. The bartenders are getting used of the tablet and she is receiving positive feedback from them. Koep has put together a party planning brochure for customers and a copy of it is included in the packet. Koep presented some market research material and reports that the municipal is already doing most of the items on the list. Koep reported she is working on Branding our store with a catch phrase. She is soliciting input from our customers and offering a contest for community input. Koep presented reports that compared the difference in sales from March 2017 to March 2018. She has been trying to use the POS reporting system to help her find the trends and sales shortfalls. Koep noted that payroll expense was up for the
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month due to three payrolls falling in March. Koep reported that although the municipal had a loss for the month of March, the quarter ended with a profit of $598. Hetland asked about the 2017 numbers compared with 2016. Koep reported that the sales numbers and net profit numbers were down in 2017 vs 2016.

A motion was made by Hoaby and seconded by Hetland to approve the Liquor Store 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 Hetland 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. A firearms qualification is being planned for the end of April or beginning of May. Part-time Office Bachelder has taken a full-time position with the Perham Police Department. He will continue to work as a part-time officer of the City of New York Mills. Chief Gritz’ vehicle will be going in for a safety recall on the alternator. There will be no cost to the City for this repair. There were no significant events in Deer Creek in the past month. The department continues to do a good job of patrolling the contracted hours. The trade show went well. The department will be participating in TZD shifts focusing on distracted driving. These shifts will be done from April 9 – April 22, 2018.

A motion was made by Roder 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 March 21, 2018. All loans are current. The revolving loan fund balance was at $167,750.09. EDA Director gave an update on the daycare project. There has been some new interest in the Sharehouse building. There is an existing business in town looking for a new sight to build a new store. There was an offer made on the Bakery building but it was not accepted by the current owners. Other business items discussed were the Trade Show would be held on March 24, 2018. The school will be doing their roofing project in May. The school parking lot will be resurfaced this summer. The next meeting will be April 18, 2018.

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

Open Forum – 5:00 p.m.

At 5:01 p.m., Mayor Gerber asked whether anyone present wished to address the Council. No one responded, so the Public Forum was concluded.

Public Requests – None

Department Reports continued:

Public Works Report – Kyle Mattson’s report was included in the packet. Mattson explained that there had been some overtime paid due to snow removal. He asked if there were any questions on his report that was included in the packet. Hoaby inquired about the parking lot patch or reconstruction item on his report. Mattson has obtained a bid for reconstruction of the City Hall parking lot and the Library parking lot. He is trying to keep the cost under $100K so that he can use a local company to do the work. He would like to use any remaining money from the Miller Street project. Once the final work is finished on Miller Street, Clerk Roberts will let him know if there are funds available to
use for this project. Mattson passed his Class C Wastewater Test. The City of Motley has been in town test driving the old street sweeper.

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

Administration Report – Roberts’ report was in the packet. There are four step raises due before the next council meeting. Raises will be subject to employee evaluation recommendations. Roberts is planning on researching options to enable the City to take credit card and debit card payments for utility and zoning permit payments. She plans to have a recommendation at the May 8th meeting. Eide Bailey plans to present the audit results at the May 8th council meeting. A Civil Rights Audit was completed for the Civil Defense Siren grant application. The City has received approval for a $15,000 grant and the approval to go ahead with installation of the siren. Roberts will be attending Clerk’s Institute training April 30-May 4. Roberts asked for approval to place a bid on tax forfeited property at 103 S Main. In discussion with Public Works Director Mattson they determined that the property could be used for utility easement purposes and also as a place to store snow piles in the future in case the corner lot on S. Main and CSAH 84 was ever developed. Roberts would like to put a bid of $300 on the property. Roberts also informed the Council that the Housing Redevelopment Authority has plans to start the cleanup of the tax forfeited properties that were purchased from the State at the end of the week.

A motion was made by Roder and seconded by Hoaby to approve the Administration report as presented and approved to move forward on making a bid on the 103 S. Main lot and approve the step raises subject to performance review. The motion carried without a dissenting vote.

Old Business:

Update on Child Care Project in County Building – EDA Director Mark Hanson informed the Council that Otter Tail County had approved the plan for the child care in the County building contingent upon the City of New York Mills and others commitment to the project. Hanson needed to know if the City would formally commit to paying a lease amount for the space that is used for the Police Department in the County Building. The lease payment required from the City is the amount of approx $1,250/mo. Clerk Roberts added to the conversation that the amount being requested was below market rate for the amount of square footage that the Police Department occupies. If the City commits to paying a lease for the space if the plan goes forward, Hanson will then take the plan to the other parties that have been asked to commit to the plan. Hanson will be speaking at a Children’s First Finance meeting later in the month to explore if they have ideas for grant money that may be available to help fund the daycare project.

A motion was made by Roder and seconded by Maki to approve the agreement to pay a lease amount of approximately $1,250/month if the County renovates that building to create space for the daycare. The motion carried without a dissenting vote.

At 5:30 p.m. the meeting was recessed for a public information meeting to provide information on the Wellhead Protection Plan, Part I, for the City of New York Mills.

Aaron Meyer, a Hydrologist with the MN Rural Water Association addressed the council and the public. Meyer explained what the Wellhead Protection Plan is and why it is being prepared. Meyer reviewed a map of City’s drinking water supply management area and information about their assessment of the vulnerability of the water supply. He explained that Phase I has been completed and that Phase II of the plan was getting started. Phase II involves working with townships and the County for the areas of the map that do not reside inside the city limits. Meyer feels that the plan can be developed by Public Works Director Mattson with some guidance from Meyer. Meyer felt this would be a better option vs paying an outside firm $6K to $10K to write the plan for the City. The City is required to have the plan

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done by September of 2020. By having the plan in place it allows the City to be eligible for grant funds in the future for water supply needs.

The public information meeting was closed at 5:45 p.m. and the council meeting resumed.

New Business:

Resolution Supporting Local Decision Making Authority   --   Resolution No. 04-10-2018 was presented:

CITY OF NEW YORK MILLS, MINNESOTA

RESOLUTION NO. 04-10-2018
A RESOLUTION SUPPORTING LOCAL DECISION-MAKING AUTHORITY

WHEREAS, local elected decision-makers are in the best position to determine what health, safety and welfare regulations best serve their constituents; and

WHEREAS, just like state legislative leaders, local elected officials are held accountable through Minnesota’s robust elections process; and

WHEREAS, ordinances at the local level are enacted only after a comprehensive, legal and open process; and

WHEREAS, local units of government are required to publish notices about meetings where policies will be discussed and decisions will be made; and

WHEREAS, under the state’s Open Meeting Law, public policy discussions and decisions must occur in meetings that are accessible to members of the public; and

WHEREAS, cities are often laboratories for determining public policy approaches to the challenges that face residents and businesses; and

WHEREAS, preservation of local control in Minnesota has yielded statewide benefits such as the 2007 Freedom to Breathe Act, an amendment to the Minnesota Clean Indoor Air Act; and

WHEREAS, more than two dozen bills that restrict local decision-making have been introduced in the 2017-2018 biennium.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW YORK MILLS, that this Council supports local decision-making authority and opposes legislation that removes the ability for local elected officials to respond to the needs of their businesses and constituents.

Adopted this 10th day of April, 2018, by the City Council of the City of New York Mills.

______________________________
Julie L. Gerber, Mayor

______________________________
Julie Roberts, City Clerk
A motion was made by Hoaby and seconded by Roder to approve Resolution No. 04-10-2018 as presented. The motion carried without a dissenting vote.

Resolution to Certify Unpaid Utility Bills to the County Auditor -- Resolution No.04-10-2018a was presented:

CITY OF NEW YORK MILLS, MINNESOTA

RESOLUTION NO. 04-10-2018a

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 73000080016002, 215 Tousley Ave. S., Owner(s): Elders Home Inc.  
   Water $5,516.37, Sewer $5,703.98 and Gas $25,215.82 or total due of $36,436.17.

2) PARCEL 73000080023000, 15 Gilman St. E., Owner(s): JP Morgan Chase Bank NA  
   Water $69.08, Sewer $195.37, and Gas $104.21 or total due of $368.66.

3) PARCEL 40000070048001, 560 Camelot Rd., Owner(s): Christian & Lynda Thompson  
   Water $0, Sewer $0, Gas $177.41 or total due of $177.41.

Totals to be certified: Water $5,585.45, Sewer $5899.35, Gas $25,497.44, or total due of $36982.24

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, April 25, 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 10th Day of April, 2018

_____________________________   ___________________________________
Julie Gerber, Mayor      Julie Roberts, City Clerk

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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, April 25, 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
April 10, 2018

A motion was made by Roder and seconded by Hetland to approve Resolution No. 04-10-2018a as presented. The motion carried without a dissenting vote.

LMC Liability Coverage Waiver- The Waiver was presented to the Council. No action was needed on this subject.

Donation Requests – There were donation requests from the Finn Creek Open Air Museum and the East Otter Tail County Fair. Mayor Gerber presented research that determined that these were not items that the City could donate funds to.

The public meeting was closed to the public at 5:50 p.m. to discuss offers on two pieces of property that the City has listed for sale with Centennial Realty. The public meeting was reopened at 6:02 p.m.
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A motion was made by Hoaby and seconded by Hetland to accept the offers that had been presented on the 122 N. Broadway lot and the County View Lot 2, Block 3 as presented. The motion carried without a dissenting vote.

Future Meeting Dates – Regular meetings are scheduled for Tuesday, May 8, 2018 at 4:30 p.m., and Tuesday, June 12, 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. The motion carried without a dissenting vote.

Financial Reports – There was no discussion.

A motion was made by Maki and seconded by Hetland 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 6:07 p.m.

Respectfully submitted by,

Julie A. Roberts
City Clerk