

NEW YORK MILLS CITY COUNCIL
August 20, 2024
4:30 p.m.

CALL TO ORDER AND DETERMINATION OF A QUORUM

Call to Order The regular meeting of the New York Mills City Council was called to order at 4:30 pm in the Council Chambers of the City Center building at 118 N Main Ave, New York Mills, Minnesota, all members of the Council having been notified of the meeting and the business to be transacted.

Members Present Maki, Grotheer, Hetland, Hammond, Nesland

Members Absent

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

Guests Present Chad Koenen-NYM Dispatch Reporter, Amanda Quam-West Central Initiative

Call to Order The meeting was called to order by Mayor Maki at 4:30 pm. A quorum was present.

Pledge of Allegiance

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

A motion was made to approve the final agenda as presented by Nesland. Motion was seconded by Hammond and carried by unanimous vote.

Approval of Minutes –

A motion was made by Hetland to approve minutes from the July 9, 2024 Regular Meeting & Public Hearing. Hetland's motion was seconded by Grotheer and carried by unanimous vote.

Communications & Recognitions –

Department Reports

Liquor Store Report –The Liquor Store Report was included in the packet. Lana Jacobson addressed the council. Combined gross sales for the month of July were down 7% from prior year. Combined COGS were up 1.54% as a percentage of sales from prior year. Net revenues for the month of July were down 10.41% from prior year. Payroll expenses were up 7.18% as a percentage of sales from last year. YTD revenues were down 6.54%. Jacobson commented that payroll is up partially due to everyone training into the new system. Councilman Hammond commented about the future of keeping both an On and Off-Sale. Discussion ensued.

Clerk Roberts explained that the numbers don't show a clear picture of the finances, particularly between the two sides. The cost of staff is shared between the two sides, alleviating the burden for just Off or On-Sale. The Liquor Store supplies the general fund with enterprise fund transfers of approximately \$34,000, but also pays for their space providing funds to help cover the costs of the entire building. Off-Sale has sustained itself for many years but hasn't made a great deal of money, vs. the On-Sale shows a much greater profit margin on the bottom line. Discussion ensued. Roberts commented that closing either On or Off-Sale would have a negative effect on City finances.

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

Fire Department Report – Chief Roder's report was included in the packet.

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

Police Report – Chief Berndt's report was in the packet. The Department responded to 125 calls for service in July, issued 3 citations, 0 parking citations, 24 warnings and 1 arrest.

Chief Berndt stated that the squad's radar guns can no longer be certified as they are over 25 years old. Replacement cost would be about \$3,200 each. He recommended replacing them by year-end. Berndt stated options would be to see if Frazee will go together to order and get a discount of 25% or try to get a TZD grant. The Department has not participated in the TZD program though so he will check to see if we would be eligible. The third option would be to purchase used, but they are typically 8-10 years old and only have a 90-day warranty. The squads are also in need of new computers. The cost of both of these items will be quite expensive. Clerk Roberts stated that she has been working with Councilman Grotheer and feels the costs can be covered with capital reserve funds from this year's budget.

Councilman Nesland expressed concern over a recent BNSF train that blocked both railroad crossings for well over 15 minutes. BNSF was contacted and stated they would check into it, but never responded.

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

Public Works Report – Mattson addressed the Council. The Department continues to work on gas and water radio installations. Next year will be the final phase of the AMR/AMI system installation with budget approval. The guys have finished moving out of the T19 shop and are reorganizing their area to make room until the new storage building is complete. The salt/sand and cold mix asphalt is still being housed at T19 temporarily. Public Works has been cutting down dead trees in the parks, jetting and cleaning sewers and exercising gas valves. Mattson met with Apex Engineering to review data collected for the water service line inventory project. They are now about 90% done and should be complete by year-end. Locating has quieted down considerably with Midco finishing that phase. They will be doing more as they install drops to houses later. The water softener at the City Center quit working and Mattson is waiting for cost estimates to replace/repair. A portion of Main Street will be closed on August 23rd and 24th and again on September 17th for events. Mattson sent in an application for Smith Park to the Bobcat Park & Rec Makeover Contest where first prize is a \$100,000 park makeover. A winner will be notified in September. Mayor Maki commented that there were many compliments about how nice everything looked in town for the Lund Mania weekend celebration and RMH Ride weekend and thanked Mattson and his crew for their hard work.

A motion was made by Nesland to acknowledge receipt and review of the Public Works Department Report as presented. Motion was seconded by Hetland and carried by unanimous vote.

Administration Report - Clerk Roberts reported. There is one step raise due this month for Todd Lorentz to Step 6 pending recommendation by his department head. Roberts worked on the chicken ordinance, food truck ordinance and nuisance ordinance as well as the 2025 Budget. Roberts and Administrative Assistant Kopveiler worked on implementing the new TextMyGov system which will launch tomorrow, August 21st. Clerk Roberts explained how it works to Council. Roberts continues to work on the POS system implementation in the liquor store. She provided information to David Drown Associates Inc to prepare for the decertification of the Country View TIF District. Closing on T19 was completed. Clerk Roberts is trying to purchase Central Park and the additional corner lot on Centennial and Main from BNSF. Administrative Assistant Cheri Kopveiler coordinated the Primary Elections held on August 13th.

A motion was made by Hammond to acknowledge receipt and review of the Administration Report as well as approval of Step Raise for Todd Lorentz to Step 6 pending department head approval. Motion was seconded by Nesland and carried by unanimous vote.

Open Forum – Mayor Maki asked if anyone was present who wished to speak at Open Forum. No one was present who wished to address the Council.

Public Requests – None

Economic Development Authority Meeting – The draft minutes for the July 17, 2024 meeting were included in the packet. The next meeting is scheduled for August 21, 2024.

Financial Consent Agenda – A list of claims and financial reports were included in the packet as well as a list of additional bills.

A motion was made by Grotheer to approve the Financial Consent Agenda as presented including additional bills submitted. The motion was seconded by Hetland and carried by unanimous vote.

Old Business and Tabled Items –

Sand/Salt Cold Storage Building – Public Works Director Kyle Mattson presented the building project individual Quotation Division Summary from McCall Construction Inc. (Project Manager) with a total of all Project Divisions being \$453,745.27 for the new Sand/Salt Building. McCall Construction Inc. will oversee the project on behalf of the City. Mattson commented that quotations came in under what was expected, and local contractors are being used wherever possible. Mattson recommended that the Council approve moving forward with the project managed by McCall Construction.

A motion was made by Nesland to approve the Sand/Salt/Storage building project quotations, to be managed by McCall Construction and move forward with construction. Motion was seconded by Hammond and carried by unanimous vote.

New Business -

West Central Initiative -Amanda Quam- Mayor Maki welcomed Amanda Quam. Quam gave an introduction of West Central Initiative and its programs. Quam cited grants received by New York Mills since 2020 including a \$3,000 Emergency Child Care Grant, over \$100,000 in Community Funds, \$60,000 Covid Relief, over \$15,000 in Main Street Revitalization Grants, just under \$6,000 in Discretionary Grants, \$6,000 in Resiliency Grants, \$100,000 in general loans and \$50,000 in Small Business Relief Grants. Clerk Roberts added that she has just recently received a grant for the Senior Center as well. Mayor Maki thanked Quam and noted that WCI has contributed a great amount to our community and area.

Introduction of Changes to Animal Ordinance No. 113 – Clerk Roberts directed the Council to Section 5 of the Animal Ordinance, which is the proposed section added for chickens. Roberts stated that it mirrors the City of Detroit Lakes’ ordinance. She will bring this draft forth at the Public Hearing next month to be considered.

Introduction of Changes to Health & Safety: Nuisances Ordinance No. 106- Clerk Roberts noted the change to Ordinance No. 106.06 (M) regarding the use of barbed wire within city limits. This change will also be considered at next month’s Public Hearing.

Introduction of New Ordinance Regulating Food Trucks – Clerk Roberts referenced ordinances from other area cities to put together a draft ordinance regulating food trucks-requiring licensure by the Department of Health, and insurance requirements as well as regulating location, time and the use of generators. Councilman Hetland noted that events which go past 8 pm in which food trucks are a part of, would need to get special permission to serve later. This proposed ordinance will be considered at next month’s Public Hearing as well.

Resolution Acknowledging \$1,500 Cash Donation to City of NYM from RDO Equipment/MVI for the Pool Project - Resolution No. 08-20-2024 was presented.

**CITY OF NEW YORK MILLS,
MINNESOTA**

RESOLUTION NO. 08-20-2024

**RESOLUTION ACKNOWLEDGING CASH DONATION TO CITY OF NEW YORK MILLS FROM RDO
EQUIPMENT/MVI.**

WHEREAS, in August 2024, the City of New York Mills received a donation from RDO Equipment/MVI in the amount of \$1,500.00 for the Pool Project.

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 \$1,500.00 from RDO Equipment/MVI for the Pool Project.

Adopted this 20th day of August, 2024, by the City Council of the City of New York Mills.

Marsha Maki, Mayor

Julie Roberts, City Clerk

A motion was made by Hammond to approve Resolution No 08-20-2024. The motion was seconded by Grotheer and carried by unanimous vote.

Resolution Acknowledging \$5,000 Cash Donation to City of NYM from Midco for the Pool Project - Resolution No. 08-20-2024a was presented

**CITY OF NEW YORK MILLS,
MINNESOTA**

RESOLUTION NO. 08-20-2024a

RESOLUTION ACKNOWLEDGING CASH DONATION TO CITY OF NEW YORK MILLS FROM MIDCO

WHEREAS, in August 2024, the City of New York Mills received a donation from Midco in the amount of \$5,000.00 for the Pool Project.

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 \$5,000.00 from Midco for the Pool Project.

Adopted this 20th day of August, 2024, by the City Council of the City of New York Mills.

Marsha Maki, Mayor

Julie Roberts, City Clerk

A motion was made by Nesland to approve Resolution No 08-20-2024a. The motion was seconded by Hetland and carried by unanimous vote.

Resolution Acknowledging \$2,000 Cash Donation to City of NYM from Otter Tail Power for the Pool Project - Resolution No. 08-20-2024b was presented

**CITY OF NEW YORK MILLS,
MINNESOTA**

RESOLUTION NO. 08-20-2024b

**RESOLUTION ACKNOWLEDGING CASH DONATION TO CITY OF NEW YORK MILLS FROM
OTTERTAIL POWER**

WHEREAS, in August 2024, the City of New York Mills received a donation from Ottertail Power in the amount of \$2,000.00 for the Pool Project.

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 \$2,000.00 from Ottertail Power for the Pool Project.

Adopted this 20th day of August, 2024, by the City Council of the City of New York Mills.

Marsha Maki, Mayor

Julie Roberts, City Clerk

A motion was made by Nesland to approve Resolution No 08-20-2024b. The motion was seconded by Hetland and carried by unanimous vote.

Resolution to Certify Unpaid Utility Bills to the County Auditor for Inclusion on the Tax Roll - Resolution No. 08-20-2024c was presented

**CITY OF NEW YORK MILLS,
MINNESOTA**

RESOLUTION NO. 08-20-2024c

**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 2024 real estate taxes payable in 2025, or from the sales proceeds in the event of any property sales or transfers, for these subject debts as follows:

- 1) PARCEL 73000990628000, 428 S. Main Ave., Owner(s) Howard Tolkinen
Water \$67.62, Sewer \$216.10, Gas \$51.52, or total due of \$335.24

- 2) PARCEL 73000990160000, 19 N. Walker Ave, Owner(s) Aaron Weatherhead
Water \$157.83, Sewer \$312.63, Gas \$382.34, or total due of \$852.80

- 3) PARCEL 73000990342000, 12 N. Broadway Ave, Owner(s) Jonathan Niehaus
Water \$443.58, Sewer \$763.84, Gas \$33.54, or total due of \$1240.96

Totals to be certified: Water \$669.03, Sewer \$1292.57, Gas \$467.40 or total due of \$2429.00

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 4, 2024, 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 20th Day of August, 2024

Marsha Maki, 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 4, 2024, to pay the above total amount and avoid having this special assessment certified to the Otter Tail County Auditor to be collected with your 2024 real estate tax payable in 2025 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 218-385-2213.

Julie Roberts

City Clerk

A motion was made by Hetland to approve Resolution No 08-20-2024c. The motion was seconded by Grotheer and carried by unanimous vote.

Resolution to Call for a Public Hearing on Proposed Changes to Animal Ordinance No. 113, Health and Safety: Nuisance Ordinance No. 106, and Introduction of Food Truck Ordinance- - Resolution No. 08-20-2024d was presented.

**CITY OF NEW YORK MILLS,
MINNESOTA**

RESOLUTION NO. 08-20-2024d

**A Resolution to Call for a Public Hearing on Proposed Changes to
Animal Ordinance 113, Health and Safety: Nuisance Ordinance 106, and Introduction of Food Truck
Ordinance**

WHEREAS, the City Council has ordered a process to review all ordinances in an effort to update the ordinance of record,

WHEREAS, the City Council is required to hold a public hearing regarding the proposed changes to said ordinances,

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

1. A hearing shall be held on Sept 10, 2024, in the City Center Building lower-level conference room at 5:15 p.m. to allow input from the public on proposed changes to said ordinances.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed ordinance changes to be published once in the official newspaper at least two weeks prior to the hearing.

Adopted by the City Council this 20th day of August, 2024.

Marsha Maki, Mayor

Julie Roberts, City Clerk

A motion was made by Hammond to approve Resolution No 08-20-2024d calling for a Public Hearing to be held on Tuesday, September 10th at 5:15 pm during the regular Council meeting. The motion was seconded by Nesland and carried by unanimous vote.

Pool Project Discussion – Clerk Roberts referred to a quote from Mid-America Pool Renovation Inc. which was included in the packet. Roberts stated that to be in compliance, the pool must have a water line tile. This tile was removed in a past pool project and never replaced. With the needed renovations, this tile line needs to be put back in which was not in the original estimate for repairs which include both the main and kiddie pools. Roberts discussed options which included white plaster at a cost of approximately \$130,300 which is not finished and would need regular painting. Exposed aggregate (Diamond-Brite) cost would be \$148,600. (this was used in our last renovation, which cost \$85,000 but only lasted 4-5 years and had to have epoxy paint put on every year.) These options carry a 5-year warranty. The third option, white Inter-Glass would cost \$212,100 but would have a much longer longevity and much less maintenance. Roberts stated the coating has a 25-yr warranty and is more elastic which will prevent cracking that has been an issue. Public Works Director Mattson commented that the old coatings required more water to be kept in the pool which has caused broken pipes in the past. The coating would also maintain a chemical balance as concrete absorbs chemicals, saving money for those as well. The surface is smooth but not slippery, preventing cuts and scrapes to feet, which has also been an issue in the past. Finally, the surface eliminates replacement of pool liners, painting and sandblasting. He commented that his workers spend an extraordinary amount of time on pool maintenance which could be minimized by the new coating. Cost for the water line tile would be \$29,300 in addition to the surface renovations. Roberts stated that she felt funding beyond what has been raised to date and other possible donations, the balance could be covered by City funds. Councilman Nesland commented that the NYM Lions would possibly donate to the project. Further discussion ensued.

A motion was made by Nesland to proceed with the Inter-Glass surface option and accept the proposal from Mid-America Pool Renovation Inc. Motion was seconded by Hammond and carried by unanimous vote.

Proposed changes in Ballroom Rent – Clerk Roberts presented an updated fee schedule for rent of the Ballroom facility. The last time prices were updated was 10 years ago in 2014. Roberts reported that with current costs the ballroom is barely breaking even. Given the cost of rent for other area venues, she recommended raising the rental rates as well as raising the deposit from \$150 to \$500. Weekend wedding rental would cover a two-day period with the option to also use Sunday mornings for undecorating. This rate moving forward would be \$900 beginning now for new events scheduled after January 1, 2025. Discussion ensued. Councilman Grotheer suggested that facility rental for both the Ballroom and the Barn be added to the annual fee schedule to be reviewed yearly.

A motion was made by Grotheer to approve the newly proposed ballroom rates effective immediately for new events after January 1, 2025. Motion was seconded by Hammond and carried by unanimous vote.

Next Regular Meeting will be September 10, 2024 at 4:30 p.m. in the Council Chambers of the City Center Building located at 118 North Main Ave, New York Mills, MN. A Public Hearing will be held at 5:15 p.m.

Adjournment – A motion was made by Nesland to adjourn the meeting at 6:02 p.m. Motion was seconded by Hetland and carried by unanimous vote.

Respectfully submitted by,

Julie A. Roberts

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