

NEW YORK MILLS CITY COUNCIL
February 14, 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, Hetland

Members Absent

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

Guests Present AdamTervola-Hultberg, Michael Weber, Apex Engineering (5:05 pm)

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 Hetland and seconded by Hammond to approve the final agenda as presented. The motion carried by unanimous vote.

Approval of Minutes –

A motion was made by Nesland to approve minutes from the January 10, 2023 Regular Meeting as presented. The motion was seconded by Grotheer and carried by unanimous vote.

Communications & Recognitions – Mayor Maki noted correspondence received from West Central Initiative and The Cultural Center requesting their annual commitments from the City.

Department Reports

Library Report – Library Director Julie Adams addressed the Council. Adams provided 2022 statistics to show trends in circulation, number of registered patrons, number of items owned and attendance. Adams pointed out that attendance has been increasing since 2020 even though digital media such as Libby and Hoopla have skyrocketed since the pandemic. There are 1,750 registered patrons. Part of the reason for lower numbers of patrons than in the past is because Viking Library System has been purging inactive accounts. Adams gave a report of events and activities provided

by the Library in 2022. The Library received a Lake Region Arts Council grant which will be used in 2023 to install a mural in the children's area. The Lions Club also donated money for furniture in that area. Adams reported that Barb Kangas has decided not to continue as a library board member. The Library received 3 applications for her position. Adams recommended the appointment of Gretchen Hagen to the Library Board.

A motion was made by Nesland to acknowledge receipt and review of the Library Report along with appointing Gretchen Hagen to the Library Board. Motion was seconded by Hammond and carried by unanimous vote.

Liquor Store Report –Lana Jacobson referred to her Liquor Store report, which was included in the packet. Combined gross sales for the month of January were up 9% from prior year. Combined COGS were down 1.38% as a percentage of sales from prior year. Net revenues for the month of January were down 2% 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 one part time bartender/retail clerk. Jacobson asked that the Council ratify the hiring of Crystal Wojahn as a part-time bartender.

Jacobson reported that the Alcohol and Gambling enforcement officer performed a routine inspection in January and the Liquor Store passed with flying colors. The Otter Tail County License and Beverage inspector was also here and the Liquor Store passed that as well. There are a couple of items that she will work with Julie Roberts on. The Liquor Committee will try to meet every month or six weeks moving forward.

A motion was made by Hetland 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 18 calls in January consisting of 1 structure fire, 1 gas leak, 1 motor vehicle accident and the balance medical calls. A 2022 Call Activity report was included.

Councilman Nesland reported that he attended the Fire Department's annual meeting. In regard to the proposed purchase of a new fire truck, Nesland inquired whether the Department has checked into going through Sourcewell for a truck. Mattson spoke with Chief Brasel about it.

A motion was made by Hetland 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 106 calls for service in January, issued 2 citations and 2 arrests. The Department is still looking to hire part-time employees. Berndt met with the Child Safety Council and ordered information packets for the public. D.A.R.E. classes start February 15th and will last 10 weeks. Berndt obtained parking ordinances from Staples and Wadena to help in setting up an effective ordinance in New York Mills. It appears the calendar ordinance is the best from Berndt's experience.

The Public Safety Committee met on January 25, 2023, and February 13, 2023. Following the incident at Lund Boats of an attempted shooting, Chief Berndt and an Otter Tail County Sheriff's Deputy toured Lund Boats and discussed how to protect workers from future threats. Mayor Maki acknowledged all emergency departments which were involved in the incident as well as the employees who put themselves in harm's way to handle the situation. Maki stated their efforts were truly appreciated by the City, residents and everyone involved.

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

Public Works Report – Mattson addressed the Council. Public Works has begun moving into the new shop.

Repairs were needed at the water treatment facility, including rehabbing of Well #3. As a result of repairs, they gained back specific capacity and added about 50 gallons per minute of pumping rate. Well #4 was pulled and inspected and necessary repairs were completed. Costs for both wells totaled approximately \$32,000.

Public Works responded to a gas leak on South Main which stemmed from ice falling from the roof and tearing the meter off. The incident was resolved quickly, and full repairs were made. The entire gas system was patrolled to anticipate any potential hazards. There were several homes and businesses that required snow or ice removal. Annual USDI hands-on training for gas qualifications were conducted. Mike and Todd are now qualified to be on call.

Mattson met with a representative from Primex/SJE Rohmbus regarding SCADA system and hardware upgrades. Mattson should be receiving a quote by the end of the week.

The Department took required training for lock out tag out, AWAIR, bloodborne pathogens and general job site safety. Mattson met with Otter Tail Power to discuss future energy audits for the city hall, city center, water treatment facility and library. An application and \$500 fee per site needs to be completed. Otter Tail Power stated the city hall and city center could be combined. Mattson recommended moving forward with that. ND Sewage Pump conducted lift station pump inspections. Preventative maintenance continues on the wastewater treatment blowers.

Mattson stated the four ordinances are ready for adoption at the March meeting to comply with the Well Head Protection Plan and the Minnesota DNR. Mattson will go through the ordinances and note changes as needed.

The elevator in the City Center broke down. Parts are on order. Mattson was told the control panel is obsolete and there is a wait list to receive parts and have them installed.

A motion was made by Nesland to acknowledge receipt and review of the Public Works Report as presented as well as approval of \$500 for the energy audit with Otter Tail Power at the City Hall and City Center. The motion was seconded by Hetland and carried by unanimous vote.

Administration Report – Roberts addressed the Council. There are two step raises due this month, Todd Lorentz to Step 4 and Lana Jacobson to Step 5. Raises are pending recommendation by supervisors. Jacobson will have her evaluation next month by Council. Mayor Maki and Clerk Roberts continue to work with Flaherty & Hood on the police union contract. Field work of the Eide Bailly Audit went very well. Roberts is working to finish follow up items. Roberts is working to finalize the MIDCO Financing Agreement.

Clerk Roberts stated that the Council needs to establish a Safety Committee. She recommended that one Council person be on that committee. Health and Safety meetings are required at least 4 times per year. Mayor Maki will let USDI representative Jeff Pruess know that either Latham Hetland or Richard Grotheer will attend, whichever is available for meetings. The first meeting is scheduled for March 1st.

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.

Open Forum –At 5:00 p.m. Mayor Maki asked whether anyone present wished to address the Council. No one responded.

Public Requests –None

EDA Committee -Draft Minutes from the January 18, 2023 meeting are included in the packet. The EDA will meet again tomorrow morning.

Police and Public Safety Committee – Minutes from the Police & Public Safety Committee are included in the packet. Nesland reported that their recommendation for a snow removal/parking ordinance would be the calendar method, in effect from October 1st to May 1st of each year. It would be important to keep the public aware of dates. The Committee will move forward with drafting something if desired. Discussed with Public Works. Mattson brought a copy of Wadena’s calendar ordinance as a guide.

Discussed liquidation of the disabled squad car. The Public Works subcommittee and Mattson determined it would be better to purchase a used 4x4 utility pickup than purchase a new motor for the squad. It was decided to put the squad up for bids as a salvage vehicle. 2011 Ford will be put up for bid also.

Motion was made by Nesland to sell 2011 Ford at public auction and advertise for bids for the sale of the disabled squad as scrap. Motion was seconded by Hammond and carried by unanimous vote.

Personnel Committee Report –

Public Works Committee Report – Minutes from the Public Works Committee are included in the packet. Nesland invited Otter Tail Power Customer Service Rep Bryan Yates to meeting to discuss the energy audit, street lights in Southside Addition and obtaining a release to add Southside Addition to their coverage area.

Discussed repairs for City Center boiler house roof which was not repaired by the County.

Fire Department Committee –

Financial Consent Agenda – The payment of financial claims information and the financials for the month of January were included in the packet. There are several additional bills to approve as well.

A motion was made by Hammond and seconded by Hetland to approve the payment of financial claims and financial statements as presented including the additional bills. The motion carried by unanimous vote.

Old Business and Tabled Items:

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

Review of Bid Opening for South Point Infrastructure and Awarding of Bid- Michael Weber of Apex Engineering referenced two bids which were received and opened February 9th for the South Point infrastructure project. The low bid was received from Kuechle Underground Inc of Kimball, Minnesota. The bid came in at \$460,961.40 which was higher than the engineer’s estimate of \$430,000. Weber recommended awarding the bid to Kuechle’s if the City wishes to proceed with the proposed work and have it completed by early summer. Weber commented that while they normally give preference to local contractors, no one local was able to complete the project in the desired timeframe. He also commented that Kuechle Underground has demonstrated capability to complete this project as specified.

Awarding of Bid for South Point Phase I-Resolution No. 02-14-2023a – Resolution No. 02-14-2023a was presented.

**CITY OF NEW YORK MILLS,
MINNESOTA**

RESOLUTION NO. 2-14-2023a

**Resolution Accepting Bids and Authorizing Award of Contract for
South Point Development – Phase 1 | Street & Utility Improvements**

WHEREAS, pursuant to an advertisement for bids for the South Point Development – Phase 1 | Street & Utility Improvements, the proposed improvements to the undeveloped property referred to as “South Point – Phase 1”, bids were received, opened, and tabulated according to the law, and the bids included on the attached Bid Tabulation were received complying with the advertisement.

AND WHEREAS, it is apparent that Kuechle Underground, Inc. of Kimball, Minnesota is the lowest responsible bidder,

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

1. The Mayor and Clerk are hereby authorized and directed to enter into a contract with Kuechle Underground, Inc. of Kimball, Minnesota in the name of the City of New York Mills for the South Point Development – Phase 1 | Street & Utility Improvements according to the plans and specifications therefor approved by the City Council and on file in the office of the City Clerk.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the City Council this 14th day of February 2023.

Ms. Julie Roberts, City Clerk

Ms. Marsha Maki, Mayor

Motion was made by Nesland and seconded by Hetland to approve Resolution No. 02-14-2023a as presented. The motion was passed by unanimous vote.

Annual Appointments and Setting of Depositories -

Clerk Roberts revisited the appointments for 2023. In reviewing the appointment for the Zoning Committee, it was discovered that there have been two council members appointed to that committee in recent years due to a change in the ordinance which states “at least two council members will serve”. Nesland has been the other member serving on the Zoning Committee and agreed to continue serving. Roberts will correct the Appointment list to reflect this change.

Resolution Setting Signatory Authority – Resolution No. 02-14-2022b – Resolution No. 02-14-2022b setting the signatory authority and changing the requirement for signing checks to two signatures was presented.

**CITY OF NEW YORK MILLS,
MINNESOTA**

RESOLUTION NO. 02-14-2023b

RESOLUTION SETTING SIGNATORY AUTHORITY

WHEREAS, at the January 10, 2023, regular meeting of the City Council of the City of New York Mills, City Clerk Julie Roberts administered the Oath of Office to the new members of the City Council as the results of the City Elections held on the 8th day of November 2022; and

WHEREAS, the Canvassing Board for the City of New York Mills issued its declaration pertaining to the results of the City Elections held on the 8th date of November 2022, and declared that Marsha Maki was elected to the position of Mayor for a 2 year term. Richard Grotheer was elected for a four year council member term, and Eric Hammond was elected for a four year council member term.

NOW THEREFORE, BE IT RESOLVED AND HEREBY AFFIRMED BY THE CITY COUNCIL OF THE CITY OF NEW YORK MILLS, MINNESOTA that the officers of the City with signatory authority on the City’s financial accounts and holdings include Mayor Marsha Maki, City Clerk/Treasurer Julie Roberts, and Administrative Assistant Jenny Geiser. Two signatures are required. Facsimile signatures are approved for Mayor Marsha Maki and City Clerk/Treasurer Julie Roberts.

Adopted this 14th day of February, 2023, by the City Council of the City of New York Mills.

Marsha Maki, Mayor

A motion was made by Hammond and seconded by Maki to approve Resolution No. 02-14-2022b. Motion was carried by unanimous vote.

Well Head Protection Plan Evaluation - Mattson reported he recently met with Minnesota Rural Water to help develop the Well Head Protection Plan. The evaluation, which is done every few years, was performed by the Minnesota Department of Health. Mattson reported that the City received a favorable result.

Franchise Agreement – MIDCO – Ordinance No. 133 was presented. Clerk Roberts stated that MIDCO came to a Council meeting late last year and the Council decided to move forward with an agreement. Ordinance No. 133 has been drafted with the same agreement as Arvig’s except as a two-year franchise agreement ending in May of 2025. Both agreements will move forward from there with terms that coincide. Clerk Roberts asked members to review the ordinance and have questions or comments ready for the March meeting. Justin from MIDCO will be present to address them. Roberts stated the next step is to publish the ordinance and set the Public Hearing for next month.

A motion was made by Nesland and seconded by Hammond to move forward with publishing Ordinance No. 133 and set the Public Hearing for next month during the regular Council meeting. The motion was passed unanimously.

Payment Request from Hammers Construction for Public Works Building. – Public Works Superintendent Kyle Mattson reported that work is pretty much complete on the building. They are just waiting on some replacement materials for damaged product. Hammers Construction has submitted a payment request for \$96,139.87 which includes the cost of work completed to close out the original contract scope of work. The remaining balance reflects the cost of the parking lot re-work to be done this spring.

A motion was made by Hetland and seconded by Grotheer to approve the payment request to Hammers Construction as presented. Motion carried by unanimous vote.

New Business

Cash Donation to City of New York Mills from New York Mills Lions Club for Dog Park – Resolution No. 02-14-2023 – Resolution No. 02-14-2023 was presented.

**CITY OF NEW YORK MILLS,
MINNESOTA**

RESOLUTION NO. 02-14-2023

RESOLUTION ACKNOWLEDGING CASH DONATION TO CITY OF NEW YORK MILLS FROM NEW YORK MILLS LIONS CLUB FOR THE DOG PARK PROJECT

WHEREAS, in January 2023, the City of New York Mills received a donation from New York Mills Lions Club for the Dog Park Project in the amount of \$5,000.

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 \$5,000 from New York Mills Lions Club to the City of New York Mills for the Dog Park project.

Adopted this 14th day of February 2023, by the City Council of the City of New York Mills.

Marsha Maki, Mayor

Julie Roberts, City Clerk

A motion was made by Hammond and seconded by Nesland to approve Resolution No. 02-14-2023. Motion was carried by unanimous vote.

Support of Application to USDA for a Rural Business Development Grant – Resolution No. 02-14-2023c – Resolution No. 02-14-2023c was presented.

**CITY OF NEW YORK MILLS,
MINNESOTA**

RESOLUTION NO. 02-14-2023c

**RESOLUTION ACKNOWLEDGING COUNCIL SUPPORT FOR THE RURAL BUSINESS
DEVELOPMENT GRANT FOR ECONOMIC DEVELOPER FUNDS**

WHEREAS, the City of New York Mills is currently looking for funds to pay an economic developer to expand businesses in the city,

WHEREAS, the City of New York Mills has been made aware of grant funds available through the USDA for a Rural Business Development Grants,

WHEREAS, the New York Mills Economic Authority will budget funds that will be used to match the new grant funds.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW YORK MILLS, MINNESOTA THAT: the City Council of New York Mills is in support of submitting an application for the Rural Business Development Grant from the USDA to be used to create funds to hire an economic developer on a contracted basis to support business development in that the City currently .

Adopted this 14th day of February 2023, by the City Council of the City of New York Mills.

Marsha Maki, Mayor

Julie Roberts, City Clerk

Clerk Roberts has been working on the grant application for the Rural Business Development Grant. This is the same grant which the City was awarded before in the amount of \$99,000. That grant was used to supplement the Revolving Loan Fund. This application would be to fund an economic developer. Roberts stated she is finishing the application which is due the end of February.

A motion was made by Nesland and seconded by Hetland to approve Resolution No. 02-14-2023c as presented. Motion carried by unanimous vote.

The Public Meeting was closed at 5:37 p.m. for a Closed Session to discuss the sale of city property.

The Public Meeting resumed at 5:48 p.m.

Action on Closed Session-

A motion was made by Hammond to post advertisement for bids to sell parcels # 40000070061001 and # 40000070062000 owned by the City, consisting of a total of 5 acres. The City would retain easement rights across both parcels. Motion was seconded by Grotheer and carried by unanimous vote.

A motion was made by Hetland to approve the sale of the building located at 110 South Main Street to Monty Smith. Motion was seconded by Nesland and carried by unanimous vote.

Next Regular Meeting will be March 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 Hetland and seconded by Hammond to adjourn the meeting at 5:52 p.m. Motion carried by unanimous vote.

Respectfully submitted by,

Julie A. Roberts

City Clerk

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

