

**NEW YORK MILLS CITY COUNCIL  
REGULAR MEETING  
November 10, 2015  
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 4:32 p.m. in the Council Chambers of the City Hall Building at 28 Centennial 84 Dr., 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, Roder, Hoaby, and Oakland

**Members Absent** None

**Staff Present** City Clerk Darla Berry, Administrative Assistant Jenny Geiser, Administrative Assistant Cheri Kopveiler, Public Works Director Kyle Mattson, Police Chief James Gritz

**Guests Present** NYM Dispatch Reporter Connie Vandermay, along with her minor daughter, Michael Weber of Apex, Jade Berube of Apex, City Treasurer Al Berube

**Call to Order** The meeting was called to order at 4:32 p.m. A quorum was present.

**Approval of Minutes** A motion to approve minutes from the October 13, 2015 regular meeting and the October 19, 2015 Workshop was made by Roder and seconded by Oakland. The motion carried without a dissenting vote.

**Updates/Consent Agenda** – Mayor Gerber noted the updates and consent agenda items:

- a. MAOSC Membership Request Letter
- b. October 12, 2015, Letter from Otter Tail County re: Notice of Public Sale of Tax-Forfeited Land

**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** - Manager Joan Koep was absent. Clerk Berry went through the financials with the council as included in the packet. The month of October 2015 was much improved over the same month in 2014, with a net profit of \$9,589.75 compared to just \$939.53 one year earlier. Year to date earnings are now at \$11,137.95, before transfers out of \$27,000. In the written report Joan reported on four items of interest, including plans for a “Black Friday” promotion, an upcoming Wine Tasting Event, plans by the Library to hold a Bar Trivia night in Mills Liquors in January, and an update on the planning for a music festival as discussed the prior month. She also reported success with the Costume Contest event held on October 30th.

**A motion was made by Roder and seconded by Hoaby to approve the Liquor Store report. The motion carried without a dissenting vote.**

**EDA Report** - Mayor Gerber provided the EDA report, noting that the group met on October 20th at 8:30 a.m. She reported that the EDA had discussion on some loans and extended the term on the Creamery Loan as requested by the borrower. There was no change on the status of the Sugar Creek Woodworking loan. The balance of the revolving loan fund was \$157,212.42, with \$134,539.91 being EDA funds and the balance of \$22,672.51 being the State MIF funds. The group discussed the EDA’s 2016 budget, and learned that the Council was proposed a reduction by \$5,500

from the initial budget for 2016. Upon discussion the EDA resolved to ask the City Council to restore the \$5,500 to their budget and reallocate some expense items to allow for a \$1,000 donation to the Civic & Commerce for the tourism advertisement they are planning to run. Mark Hanson was absent and did not submit a written report. The vacancy on the EDA was discussed. The next meeting was scheduled for Tuesday, November 17 at 8:30 a.m.

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

**Fire Department Report** – Chief Brasel was unable to attend the meeting. His report was included in the packet.

**A motion was made by Hoaby and seconded by Oakland to approve the Fire Department report. The motion carried without a dissenting vote.**

**Police Report** – James Gritz addressed the Council. He noted the items listed in his written report. He has gotten the schedule out well in advance so that the guys can have time off over the holidays as desired. There will be a staff meeting held in December. The computer order is still in the works due to more delays. There have been some issues with the 2008 Dodge Charger; Gritz has developed a working plan to use the other two vehicles for a while should the Charger need to be taken out of service permanently. Officer Rud participated in the Trunk or Treat event. Gritz stated it is a good event and an opportunity for the police to interact with the public in a positive way, and there are great volunteers that make this event happen. .

**A motion was made by Oakland and seconded by Roder to approve the Police Report. The motion carried without any dissent.**

### **Public Forum**

Just before 5:00 p.m., Mayor Gerber asked whether anyone present wished to address the council. Nobody responded, and so the Public Forum was concluded at 5:00 p.m.

**Public Works Report** – Kyle Mattson addressed the Council. The amount of overtime has dropped some as the work on the street project winds down. Kyle is developing some plans to reduce the department overtime, there are some changes he will look into. There was quite a bit of investigation and follow up due to the gas hit in October. Most of that has been completed now. Kyle asked that he be permitted to do some remodeling out at the shop and get a larger desk/work station for himself. Things will be rearranged and some walls put up to allow for more privacy during meetings. There is \$5700 in the gas budget for building repair and maintenance that he will use for these changes.

**A motion was made by Hoaby and seconded by Oakland to approve the Public Works report along with the improvements proposed for the City shop. The motion carried without a dissenting vote.**

**Administration Report** – Berry addressed the Council and referred to her report. The neon sign for the City Hall building came in with a very high estimate. She has talked to the company about finding a way to lower the cost. She explained the SCDP monies that have come in during the past month on two different properties. Berry also mentioned the bond refunding, noting that this item was included a bit later on the agenda. She also mentioned the awesome job the staff members Geiser and Kopveiler have been doing on getting caught up on our records management efforts since we put our new shredder into service a few weeks ago. Finally, Berry mentioned the three workshops/events she had attended during the last month.

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

### **Old Business**

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**2015 U/S Project Update/CSAH Matter** – Jade Berube and Michael Weber of APEX Engineering addressed the Council. They reported that the aggregate base was being applied today, and paving is expected to begin tomorrow. It will take about two days to getting the paving completed. The contract allows for penalties and currently \$2,000 each day is accruing. With the billing for October work, the contractor signed off on \$30,000 in penalties to date. Work will progress based on whether paving can be done or not this week as far as getting driveway approaches put in place. Paving will proceed based on which streets are most ready, ie., the driest, when the pavers arrive. Problems found in work done to date will be noted and next summer the contractor will have to come back and address problems such as cracks in the curbs, etc. Another separate but related topic has to do with Main Street from Centennial 84 Drive north to Park Street. A few weeks ago the assistant county engineer, Chuck Grotte, contacted Jon Pratt and informed him that the City had dug up a CSAH roadway. Apparently this section of Main Street is actually a spur 1 block in length county road CSAH 94. There was no knowledge of this amongst city staff, engineers, and elected officials. In fact even the county maintenance people did not know about this. For as long as we can recall, the City has always maintained, improved, and paid for all needed repairs on this roadway. The County never had signage on the road and never did snow plowing or other repairs and maintenance over the years. The City and its Engineers will devise a plan to ask Otter Tail County to do a “turnback” of CSAH 94 to the City, along with an appropriate monetary sum, to be paid to the City for future maintenance and repairs costs.

**A motion was made by Oakland and seconded by Maki to direct Staff and APEX to start negotiations with Otter Tail County for the turnback of CSAH 94 from the County to the City of New York Mills. The motion carried without a dissenting vote.**

**SCDP Program Income** – Berry reported that monies recently came back to the city on two separate SCDP program grants, one is on residential rehab, and the other is for rental residential rehab. Berry in recent days spoke with two different individuals that may have some use or need for the rental rehab funds. We can re-grant the funds under the same program requirements as used in the past. The HRA of Otter Tail County administers the SCDP program for the City.

**Update on Nicholson Matter** –City Attorney Happel did not attend. He phone Clerk Berry earlier and explained that the situation is still with the Judge, and no decision has been made. He spoke with the clerk for the judge and she stated that perhaps the Judge will want to have a meeting with both parties to discuss this case further. He will keep us posted as things progress.

**2015 General Fund Budget Proposal** – Berry explained that she had made some changes that were discussed at the October 19 Council Workshop. Also, after the EDA met on October 20 and requested that the reduction in their budget be restored, Berry did some additional work and provided the changes to the budget committee members. Included in tonight’s packet is a general fund budget for 2016 that reflects a net profit of just \$1,365, based on an overall levy increase of 4.91% in 2016 over the 2015 levy. Tonight if there are any further directives or suggestions for changes they can be made to the 2016 general fund budget before the December 8 Truth in Taxation Public Meeting. No suggestions for changes were made, and Berry stated that she will go with these numbers for the December meeting.

**Annexation** – Berry noted that she actually had some discussion pertaining to the annexation topic. She received a phone call earlier today from a surveyor. He explained that he was hired by and working for Dollar General, which is a chain of small retailers that is locating new stores in towns throughout Minnesota. They are currently looking at a parcel located in the southwestern quadrant of Highway 10 and Boardman. This parcel is located in Newton Township, adjacent to City limits. If they acquire this property, they would build a store and annex the property into the City in order to get City services. Berry explained that currently services do not extend to that area, and it could be expensive to put them in. Berry noted that if the City had done some annexation or had a plan to do so, we could plan for such a development with services in a location that would be feasible and not cost prohibitive. Having a plan would be better than trying to add parcels here and there, one at a time, and then try to accommodate requests such as this for City services in areas where it may not really be economically feasible to do so. This is an example of where some annexation planning would be a benefit and help grow the community to allow for economic development. Gerber thanked Berry for this update.

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**New Business**

**Donation Received from NYM Civic & Commerce – Resolution No. 11-10-2015**

The following resolution was presented for consideration:

**CITY OF NEW YORK MILLS,  
MINNESOTA**

**RESOLUTION NO. 11-10-2015**

**RESOLUTION ACKNOWLEDGING THREE CASH DONATIONS TO THE CITY OF NEW YORK MILLS  
PARK BOARD FROM NEW YORK MILLS LIONS CLUB**

**WHEREAS**, the City of New York Mills has received three donations from the New York Mills Lions Club, as follows:

1. \$5,000 for the Park Board for “the Barn” project to be erected at the Sculpture Park;
2. An additional \$5,000 for the Park Board for “the Barn” project to be erected at the Sculpture Park; and
3. \$5,400 for the Park Board for improvements to the backstop and fencing at Lund Park.

**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 donations totaling \$15,400 from the New York Mills Lions Club for the Park Board for “the Barn” shelter project at the Sculpture Park and for improvements to the backstop and fencing at Lund Park.

Adopted this 10th day of November, 2015, by the City Council of the City of New York Mills.

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Julie L. Gerber, Mayor

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Darla Berry, City Clerk

Mayor Gerber commented that the Park Board seems quite busy with these projects it has taken on, and she noted appreciation for their efforts. Gerber asked Council Member and Park Board Member Roder for any update on these and other Park Board activities. Roder noted that the Park Board did discuss providing funds in the form of a donation to an effort to build some new recreational facility at the school. Maki mentioned that \$10,000 was mentioned as an amount the Park Board would contribute. Roder stated that no decision was made by the Park Board, that it was discussed with no firm commitment made yet. Berry asked whether the Park Board may consider using some funds towards ongoing maintenance of its projects, but Roder stated that the Park Board reps had looked to the Council at an earlier meeting to get their approval of the projects with the understanding that the City would have those ongoing operating costs and not the Park Board. Berry noted that the plans were not very specific and so it was somewhat difficult to ascertain the extent of the operational costs going forward.

**A motion was made by Hoaby and seconded by Maki to adopt Resolution No. 11-10-2015 as presented. The motion carried without a dissenting vote.**

**Opportunity for Refunding of Two Bonds** – Berry referred the council to the handouts in the packet. Northland Securities put together a proposed refunding that will save the City about \$20,000 between now and the final maturity date of the two bonds targeted for refunding. Additionally, Berry noted that the new bond would not require the payment of fiscal agent fees each year, which currently run about \$425 or \$450 annually on each bond, so about \$850 or \$900 each year. These would go away with this refunding, yielding this additional annual savings. Berry spoke about this matter with City Treasurer Al Berube and he and Clerk Berry are in agreement that the City should proceed with this refunding.

**A motion was made by Hoaby and seconded by Oakland to proceed with the refunding as proposed. The motion carried without a dissenting vote.**

**Bid on Blinds for Clerks Office and Council Chambers** – Berry discussed the need for blinds as the smoky gray shades do not block the bright sun for City staff working here. This same problem is sometimes noted during meetings by those sitting at the Council table. As we recently needed to get a replacement blind in the ballroom, Berry asked for a quote for blinds in these two rooms. After discussion, it was agreed that Berry should seek blinds only for the Clerk's office area, not for the Council Chamber. She will wait until the window canopies are reinstalled to ascertain whether some additional length is needed for the upper window areas.

#### **Adoption of 2016 Pay Equity Scale**

The proposed 2016 Pay Equity Scale was in the packet and reflects a 3% COLA.

**A motion was made by Hoaby and seconded by Gerber to adopt the 2016 Pay Equity Scale as presented. The motion carried without a dissenting vote.**

**CLOSED SESSION** – Mayor Gerber announced that performance reviews of department heads James Gritz and Darla Berry would now be held in a closed session pursuant to Minn. Stat. §13D.05, subds. 1(d) & 3(a). The meeting was then closed at 6:00 p.m.

The meeting was reopened at 7:20 p.m.

**Future Meeting Dates** –The regular meetings are scheduled for Tuesday, December 8, 2015, at 5:00 p.m. and Tuesday, January 12, 2016, at 4:30 p.m.

**Payment of Claims** -- Mayor Gerber noted that the bills are as in the packet, with no additional bills being presented for payment.

**A motion was made by Hoaby and seconded by Oakland to approve the payment of bills. The motion carried without a dissenting vote.**

#### **Financial Reports**

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

#### **Adjournment**

**A motion was made by Oakland and seconded by Maki to adjourn. The motion carried without a dissenting vote.**

The meeting was adjourned at 7:21 p.m.

Respectfully submitted by,

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

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Darla Berry  
City Clerk