

**NEW YORK MILLS CITY COUNCIL  
SPECIAL JOINT MEETING WITH ZONING COMMITTEE and  
JOINT PUBLIC HEARING  
August 30, 2016  
4:45 p.m. and 5:00 p.m.**

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

The special joint meeting of the New York Mills City Council and Zoning Committee was called to order at 4:47 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, and Oakland

**Members Absent** Hoaby

**Staff Present** City Clerk Darla Berry, Administrative Assistant Cheri Kopveiler, Zoning Administrator Dave Delaney

**Zoning Members:** Dianna Wallgren, Greg Imsande, and Jeff Oakland

**Guests Present** None

**Call to Order** The meeting was called to order at 4:47 p.m. A quorum was present.

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

No changes made.

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

The City Council Members, Zoning Committee members, and staff held a discussion concerning the topic of temporary family health care dwellings as covered in Minnesota Statutes §462.3593. Zoning members shared their views on the many issues that would be presented under the new State law. Staff presented a League of MN Cities paper concerning this new legislation as well as a paper summarizing the background and proposed Ordinance No. 127 for opting out of the statute at this time.

At 5:00 p.m. the Joint special meeting was recessed for the Public Hearing on the matter at hand.

**Public Hearing**

No one from the public attended. There were no written or verbal comments received. The Public Hearing, which was opened at 5:00 p.m., was closed at 5:10 p.m.

**Resumption of Special Joint Meeting**

The council and zoning committee members shared additional comments concerning the legislation. The Zoning Committee presented the Council with its draft Findings of Fact recommending that the Council opt out of the legislation at this time.

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

Ordinance No. 127 was presented for consideration:

**ORDINANCE NO. 127**  
**CITY OF NEW YORK MILLS, NEW YORK MILLS, MINNESOTA**  
**AN ORDINANCE OPTING-OUT OF THE REQUIREMENTS OF**  
**MINNESOTA STATUTES, SECTION 462.3593**

**SECTION 1.**

**WHEREAS**, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. § 462.3593, which permit and regulate temporary family health care dwellings;

**WHEREAS**, subdivision 9 of Minn. Stat. §462.3593 allows cities to “opt out” of those regulations;

**THE CITY COUNCIL OF THE CITY OF NEW YORK MILLS, NEW YORK MILLS, MINNESOTA, ORDAINS as follows:**

Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of New York Mills opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

**SECTION 2.**

**EFFECTIVE DATE.** This ordinance of the City of New York Mills shall be effective upon its approval and summary publication which shall read as follows:

*Ordinance #127 publicly states that the City is opting out of M.S. 462.3693 which permits and regulates temporary family health care dwellings. A full copy of the ordinance is available for inspection at the New York Mills City Hall, 28 Centennial 84 Drive West, New York Mills, MN 56567. 218-385-2213.*

**ADOPTED** this 30<sup>th</sup> day of August, 2016, by the City Council of the City of New York Mills.

**CITY OF NEW YORK MILLS**

By: \_\_\_\_\_  
Julie Gerber, Mayor

ATTEST:

\_\_\_\_\_  
Darla Berry, City Clerk

**A motion was made by Roder and seconded by Maki to adopt Ordinance No. 127 as presented. The motion carried with Aye votes by Gerber, Maki, Roder, and Oakland, and with no votes of Naye.**

Clerk Berry noted that she would have the newly passed Ordinance No. 127 published in summary format in the September 7, 2016, edition of the New York Mills Dispatch.

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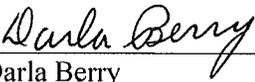
Approved Minutes  
September 13, 2016

**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 5:13 p.m.

Respectfully submitted by,

  
\_\_\_\_\_  
Darla Berry  
City Clerk