

## MINUTES OF THE PROCTOR CITY COUNCIL MEETING for Monday, April 6, 2020

Mayor Ward called the meeting to order at 6:00 p.m.

MEMBERS PRESENT: Jake Benson, Rory Johnson Gary Nowak

OTHERS PRESENT: Interim City Administrator Troy DeWall, City Attorney John Bray, Megan Jordan, Ted Kiefat

Motion by Benson, seconded by Johnson and carried (4-0) to approve the City Council minutes from Monday, March 16, 2020.

Motion by Ward, seconded by Johnson and carried (4-0) to approve the Emergency City Council Minutes from Friday, March 20, 2020.

Motion by Johnson, seconded by Ward and carried (4-0) to approve the agenda for Monday, April 6, 2020 adding item 7B: Personnel under closed session.

### COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:

Meeting was delivered via live stream on the Trac 7 YouTube channel due to the COVID-19 pandemic. The announcement was made at the beginning of the meeting that citizens were able to e-mail or call in to voice their questions or concerns. No emails or phone calls were received during this meeting.

Motion by Ward, seconded by Benson and carried (4-0) to approve the consent agenda pulling items \*1B and \*4C for discussion.

Item \*1B: Playground for EveryBODY

Benson requested a Munger Trail Spur connection stemming from the Playground for EveryBODY for next year's DNR grant opportunity. Councilor Nowak commented to differentiate a line designating the trail on the map key.

Item \*4C: PEDAs Minutes February 11, 2020

Administrator DeWall to correct PEDA minutes regarding closed session topic.

### 6. NEW BUSINESS

A. Resolution 12-20 Extending the Period of a Mayor-Declared Local Emergency

The Mayor's Declaration of a local emergency is continued in effect until further action of the City Council or as long as the State of Minnesota peacetime emergency declaration of the Governor's Executive Order 20-01 remains in effect.

Motion by Johnson, seconded by Nowak and carried (4-0) to approve Resolution 12-20 Extending the Period of a Mayor-Declared Local Emergency.

B. Resolution 13-20 COVID-19 State Relief Fund

Directs the State Legislature to create a separate state account to absorb COVID-19 related claims and not be completely funded through workmen's compensation.

Motion by Benson, seconded by Johnson and carried (4-0) to approve resolution 13-20 COVID-19 State Relief Fund with language changed to read:

"BE IT FURTHER RESOLVED, we ask Governor Tim Walz and legislative not to issue an executive order making COVID-19 presumptively compensable under workers' compensation."

C. Citywide Brush Pickup

DeWall states that due to COVID-19 precautions, the street department has split their staff into teams of two, rotating weekly. He recommends suspending city brush pick up until further notice. Councilor Nowak states utilizing City website, Facebook, newspaper publication and including notices in the PUC bill. DeWall will check with PUC about including notification in billing statements.

Motion by Nowak, seconded by Johnson and carried (4-0) to suspend the citywide brush pickup indefinitely.

#### D. Fire Department Applications

DeWall states the Proctor Fire Department interviewed applicants and recommend hiring both candidates. With the hiring of two additional Firefighters, this brings the Proctor Fire Department up to the full capacity of twenty-five (25) firefighters.

Motion by Nowak, seconded by Johnson and carried (4-0) to approve the hiring of two Firefighters contingent on passing background check and physical.

#### E. 914 6<sup>th</sup> St. Sewer Bill

Homeowner submitted a written request asking for the sewer portion of the January 2020 bill in the amount of \$628.89 to be forgiven as the usage increase was due to a faulty water meter at the residence. It is noted that the utility commission did not grant a discount on the water usage. Council has received other requests for usage forgiveness in the past and has made approvals or denials on a case by case basis.

Motion by Ward, seconded by Johnson to charge homeowner half of the sewer portion or the average monthly usage rate, whichever is greater. Motion fails (2-2 Nowak, Benson voting nay) due to lack of support.

#### F. St. Louis County Board of Appeals – COVID-19 Response

St. Louis County is requesting information and a decision as to how Proctor will be holding the meeting on May 7<sup>th</sup>, 2020 due to the COVID-19 pandemic. After discussion council members would like citizens to submit written appeals to property tax increases prior to the meeting, with the option to call in during the meeting. St. Louis County staff will be attending via teleconference.

Motion by Johnson, seconded by Nowak and carried (4-0) to approve receiving written appeals and phone calls in regard to property taxes for 2021.

#### G. City of Proctor 2020 Previously Approved Events

COVID-19 has brought unprecedented changes to our communities and in response to this, the City of Proctor deems it necessary to suspend and/or cancel some events that have been previously approved for May of 2020 out of the interest in preserving the health and welfare for members of our community.

Motion by Nowak, seconded by Johnson and carried (4-0) to suspend Speedway Media Day that was scheduled for April 29<sup>th</sup>, 2020.

Motion by Nowak, seconded by Johnson and carried (4-0) to cancel the citywide clean-up for 2020.

Items tabled until the next City Council meeting held on April 20<sup>th</sup>, 2020 are:

Speedway season, the citywide rummage sale, and Memorial Day observance.

Discussion follows regarding extending liquor licensing into 2021 for the time bars have been closed due to the COVID-19 pandemic.

Motion by Nowak, seconded by Ward and carried (4-0) to send this recommendation to the Liquor Control Committee for discussion at their next meeting.

#### H. WLSSD Wastewater Services Planning Grant Agreement

DeWall states that this grant was applied for in February of 2019 and \$10,000.00 was awarded by WLSSD. Previous discussions included adding additional funds to update the GIS planning software system. Motion by Ward, seconded by Nowak and carried (4-0) to accept the \$10,000.00 grant from WLSSD and include additional funds to update GIS planning and software bringing the total cost of the project to \$14,800.00

#### 7. LABOR AND NEGOTIATION ISSUES – PER MN Statutes 13D Closed Meeting

Motion by Nowak, seconded by Johnson and carried (4-0) to close the regular City Council meeting and open closed session for discussion of labor and personnel matters at 7:17 p.m.

#### 6. NEW BUSINESS (continued)

City Council meeting resumes at 8:32 p.m.

Motion by Johnson, seconded by Benson and carried (4-0) to accept the employment agreement between the City of Proctor and Leslie Brunfelt.

Motion by Johnson, seconded by Benson and carried (4-0) to accept non-affiliated clerks at the liquor store to increase wage rate as discussed.

Motion by Ward, seconded by Johnson and carried (4-0) to direct Interim City Administrator and City Attorney to draft language for code change.

Motion by Benson, seconded by Ward and carried (4-0) to negotiate MOU with LELS labor union.

Motion by Ward, seconded by Nowak and carried (4-0) to direct Interim City Administrator to ask members of the Search Committee to serve as members of the Hiring Committee for the City Administrator position.

Motion by Johnson, seconded by Nowak and carried (4-0) to direct Hiring Committee to submit top finalists back to Council before conducting interviews for the City Administrator position.

#### MEMBER CONCERNS

Benson: States the importance of getting the cable TV equipment up and running, would like to utilize this time for installation.

Johnson: Appreciative of the efforts and leadership from Troy and City staff made during this pandemic.

Nowak: None

Ward: Thanked State and County workers distributing PPE, City Staff, and citizens for patience and understanding with the changes that have come along with the COVID-19 pandemic. Appreciative of local business serving our community by donating meals, time, and supplies. Conversations with the developers of Costco have happened after receiving notification that Costco will not be building in Duluth. PEDAs has reached out as well, showing an interest for the opportunity to discuss further development.

Administrator DeWall: Thanked City Staff for their efforts during the COVID-19 pandemic. Gave updates on a new leak in the server room at City Hall and the fire department's Engine #1 being out of service. Fire

equipment grant is processing. Recognized Jen McDonald's work completing and submitting the Playground for EveryBODY grant application.

**BILLS FOR APPROVAL**

General: \$72,001.94

Liquor: \$41,711.88

Addition: \$200.00 check to MN Dept of Public Safety for liquor license

Totals: General: \$72, 201.94

Liquor: \$41,711.88

Motion by Johnson, seconded by Ward and carried (4-0) to approve the bills totaling an amount of \$113, 913.92.

Motion by Ward, seconded by Nowak and carried (4-0) to adjourn the City Council meeting at 8:46 p.m.

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Chad Ward  
Mayor

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Troy DeWall  
Interim City Administrator