

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

*Due to COVID-19: Meeting access by the public was available through the live stream on the Trac 7 YouTube channel. Ted Kiefat served as the meeting coordinator.

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
Chief Gaidis, Jessica Rich, Tom Rich

Motion by Johnson, seconded by Benson and carried (4-0) to approve the City Council minutes from Monday, June 15th, 2020.

Motion by Nowak, seconded by Johnson and carried (4-0) to approve the agenda for Monday, July 6, 2020 adding items 6J and 6K.

Items added:

6J. Voting Equipment

6K. City Hall COVID-19 Plan

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:

Meeting was delivered via livestream on Trac 7 due to the COVID-19 pandemic. The link to access the meeting was provided to the public prior to the meeting via a posted meeting notice, the City's website, and the City's Facebook page, and the direct line of 218-628-6289 provided for call-in comments.

NONE

Motion by Benson, seconded by Johnson and carried (4-0) to approve the consent agenda adding item *1C and pulling item *2A for discussion.

***APPROVAL OF CONSENT AGENDA** (one Council motion can accept all items listed under this agenda, plus Council can pull any individual items out of this consent agenda and discuss/act on item separately - thus leaving others to be approved via consent agenda action)

*1C: Sewer Lateral Grant Request:

Councilor Benson received a letter from a citizen regarding a grant for sewer lateral repairs. This letter will be added to the July 20th, 2020 City Council agenda.

*2A: 845 6th St Letter:

A letter was received from a homeowner discussing concerns over a conditional use permit granted to property located at 837 6th St. The letter specifically stated that a public hearing was never held and that protocols addressed in the Proctor City Code were not adhered to. Mayor Ward confirms with Attorney Bray on both the public hearing previously held and addresses the protocols followed in accordance with City Code. Councilor Nowak confirms receiving a draft of the letters sent to property owners with reference to the public hearing.

6. NEW BUSINESS

A. Proctor Police Department Retirement Notifications

Motion by Benson, seconded by Nowak and carried (4-0) to accept with sincere appreciation the retirement letter submitted from Linnea Wiita with a retirement date of September 4th, 2020.

Motion by Benson, seconded by Nowak and carried (4-0) to accept with sincere appreciation the retirement letter submitted from Officer Thomas Wick effective immediately.

B. Police Civil Service Commission New Hire Recommendation

Motion: Johnson, seconded by Ward and carried (4-0) to accept the recommendation of the Police Civil Service Commission and hire Joseph Carter for the position of Police Officer.

Chief Gaidis states that a new hire and not a lateral hire has been completed.

C. SRO Officer

Councilor Benson addresses the current SRO position and agreement with ISD #704. Benson states there are current training sessions available and recommends an officer to be in attendance. Chief Gaidis addresses staffing needs stating the department is currently short in numbers, that he supports an officer attending the SRO trainings provided, but that he cannot guarantee the assigned officer wouldn't be pulled in order to staff patrol shifts accordingly. The exact status of the trainings is still in question due to the COVID-19 pandemic and the uncertainties of trainings sessions allowed to be held in person. Discussion follows regarding the MDH announcement at the end of July addressing the plan following COVID-19 opening procedures of schools across the state. At this time, there are several unknowns and a lot of variables with different scenarios. Discussion also follows with suggestions and strategies on funding the position with assistance from other communities and not relying solely on the citizens of Proctor.

Motion by Ward, seconded by Johnson, and carried (4-0) to direct Chief Gaidis to enroll an officer into the SRO training sessions dependent on department staffing needs.

Motion by Ward, seconded by Benson and carried (4-0) to direct Administrator DeWall and Chief Gaidis to continue contract negotiations with ISD #704 regarding the SRO position for the 2020-2021 school year.

D. Resolution 19-20 CDBG Grant Application

Administrator DeWall states that due to the timing and deadline of the requested application, this resolution was addressed and passed via an electric email submission. Administrator DeWall states that a total \$30,613.00 has been requested with this application to be divided among the food shelf, business development/assistance, and purchasing PPE. The application was completed and submitted prior to the deadline, and the city will be notified if the awarded the funds.

E. 213 5th St Raze Process

Mayor Ward addresses the report submitted from American Engineering Company which specifically stated the disposal of hazardous material due to the amount of asbestos in the waste. Contractor's bids have been received to continue with the razing process and seeking approval accepting the bid submitted by Shelton Excavating. Discussion follows about the total cost of the samples of materials taken, Councilor Nowak

confirms the total expense of sample collected of \$1,958.41. Administrator DeWall states the parameters were followed to draft a proposal of both the collection samples and razing of the building. Councilor Nowak asks if he needs to abstain due to relationship with the contractor, Attorney Bray and Administrator DeWall clarify that abstaining from voting is not necessary. Councilor Nowak discusses concerns over the costs and financial obligations of the razing process and feels this should not be the responsibility of the city. Attorney Bray confirms costs would be assessed against the property, discussion follows over the future development and building specifications of the lot once razed and assessed. Mayor Ward states this property has posed health and safety concerns and has been dilapidated since 2013, and the priority over the continuation of this process.

Motion by Ward, seconded by Johnson and carried (3-0, Benson abstaining) to accept the bid from Shelton Excavating in the amount of \$8,870.00 to continue with the razing process.

F. Speedway Racetrack Update

All July events have been cancelled. DeWall expresses gratitude for the exceptional communication efforts from everyone at the racetrack.

G. Field Agreement – Baseball, Softball

Public Safety Committee recommends approving the safety plan submitted from Proctor Area Youth Baseball to hold a tournament on July 17th- July 19th, 2020 and allowing the visiting team access to the park by the playground. Public Safety Committee also recommends approving the Proctor Area Youth Softball to hold scrimmages and allow the same access granted to visiting baseball teams. These baseball/softball events are in addition to the waivers, agreements, and

Motion by Johnson, seconded by Benson and carried (4-0) to accept the safety plan submitted by Proctor Area Youth Baseball to hold a tournament on July 17th-19th, 2020 contingent on Governor's orders.

Motion by Johnson, seconded by Ward to allow Proctor Area Softball to hold scrimmages and grant access the same as the baseball program.

H. Semper Fit Youth Camp Plan Approval

Motion by Johnson, seconded by Benson and carried (4-0) to accept the safety plan as submitted and approve the Semper Fit Youth Camp event provided it does not pose a scheduling conflict with the baseball tournament held July 17th-19th, 2020.

I. AA Hospitality North Shore, LLC

Administrator DeWall states that this was discovered during the audit process and was an agreement signed in 2014. The agreement is for the use of the right of way off Boundary Ave accessing the hotel. Two payments of \$10,000 were received in 2014, leaving a balance of \$20,000 unpaid. Attorney Bray recommends signing a long-term easement agreement with the hotel, record that on the land and then give notice to the convenience store.

Motion by Ward, seconded by Johnson and carried (4-0) to direct city attorney to draft a long-term easement agreement and bring back to council for approval.

J. Voting Equipment

The city previously submitted a grant for new voting equipment. While grant funding was received, the amount awarded will cover less than half of the cost to purchase the new equipment.

Motion by Johnson, seconded by Benson and carried (4-0) to proceed with the purchase of new voting equipment.

K. City Hall COVID-19 Plan

Administrator DeWall addresses City Hall staffing during the COVID-19 pandemic with some employees working remotely. Employees working remotely was in response to the Governor's orders and those orders have progressed into allowing staff to return to work in the building. There will be new protocols in place with temp checks, cleaning plans in individual workstations, and updated cleaning procedures within the entire building.

Motion by Benson, seconded by Johnson and carried (4-0) to have all employees report back to working in the building by July 13th, 2020.

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

Motion by Johnson, seconded by Ward and carried (4-0) to close the regular City Council meeting and open closed session per MN State Statutes 13D.05 Subdivision 3B for personnel matters city administrator position and non-union employee agreement at 7:14 pm.

Motion by Johnson, seconded by Ward and carried (4-0) to resume the regular City Council meeting at 7:38 pm.

6. NEW BUSINESS (Continued)

L. Motion by Benson, seconded by Ward and carried (4-0) to approve the non-union employee group to participate in the HCSP plan.

M. Motion by Johnson, seconded by Benson and carried (4-0) to accept the agreement between the City of Proctor and Jessica Rich naming the City of Proctor new City Administrator effective August 3, 2020 with corrections addressing funeral leave approval.

MEMBER CONCERNS

Benson: None

Johnson: Ulland, SEH, and city staff completed walk through of Alamac/6th St to address turf/grading issues and that went well.

Nowak: Welcomes Jessica Rich to the City of Proctor

Ward: Also welcomes Jessica Rich to the City of Proctor

Administrator DeWall: None

Attorney: None

BILLS FOR APPROVAL

General: \$70,072.04

Liquor: \$52,967.847

TOTAL BILLS FOR APPROVAL: \$123,039.88

Motion by Johnson, seconded by Nowak and carried (4-0) to approve the bills as submitted with clarification and naming itemized nuisance property charges.

Motion by Ward, seconded by Nowak and carried (4-0) to adjourn the regular city council meeting at 7:45 pm.

Chad Ward
Mayor

Troy DeWall
Interim City Administrator