

MINUTES OF THE PROCTOR CITY COUNCIL MEETING for Monday, July 20, 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

Motion by Johnson, seconded by Benson and carried (4-0) to suspend the regular City Council meeting and open the public hearing for garbage assessments at 6:01 pm.

Motion by Nowak, seconded by Ward and carried (4-0) to close the public hearing on garbage assessments at 6:04.

Councilor Benson asks if any letters were received at City Hall, Administrator DeWall confirms there were none.

Motion by Nowak, seconded by Johnson and carried (4-0) to approve the City Council minutes from Monday, July 6, 2020.

Motion by Johnson, seconded by Nowak and carried (4-0) to approve the agenda for Monday, July 20, 2020.

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, the City's Facebook page, and the direct line of 218-628-6289 provided for call-in comments.

Daniel Rohweder 9004 Johnson Rd

Addresses the information distributed from WLSSD and the City of Duluth regarding payment options for sewer lateral inspections and repairs to become compliant with new ordinances. Rohweder suggests the City of Proctor should consider similar options for residents that are selling their properties that need repairs or replacements.

Phil Larson 702 1st Ave

Addresses the property at 213 5th St and the razing process that is occurring. This has been an ongoing process for the last seven years and suggests that Councilor Benson steps up and does what is right for the citizens of Proctor in reference to paying for the costs associated with razing the building.

Motion by Johnson, seconded by Nowak and carried (4-0) to approve the consent agenda pulling items *1A and *1D 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)

***1A: Garbage Assessment Letter**

Councilor Nowak asks if this was the letter that was sent out to citizens on the recipient list that was received before the meeting. Administrator DeWall confirms the recipients of the letters addressing garbage assessments.

***1D: CARES Act Certification**

Councilor Benson asks if a special meeting will be necessary to discuss the allocation of funds once those are received. Mayor Ward confirms the process of distribution and allocation of tax dollars, expenses, and the total of funds. Mayor Ward confirms the funds received need to be spent on expenses related to COVID-19 and any unused funds need to be sent back to the county. Administrator DeWall confirms the amount of expenses related to COVID-19 and that funds received will cover those expenses with no remaining funds. He states the funds should be received during the last week of July 2020.

6. NEW BUSINESS

A. Resolution 20-20 Issuing non-objection of charitable gambling license

Motion by Johnson, seconded by Benson and carried (4-0) to issue a charitable gambling license to Proctor Area Hockey Association to hold a raffle at the Powerhouse on February 20, 2021.

B. 213 5th St

Councilor Nowak addresses this property along with other blighted properties within the city. He suggests combining the adjoining property with this property for assessment purposes. Attorney Bray states a consolidation of properties is possible. He also states that the property might allow for some grandfathering in due to it not being recorded as a nonconforming lot of record. He states not being able to forcibly join one parcel to another, however it can be completed with an agreement of common ownership with the property owner. Other options are discussed in accordance with state laws, assessments, and agreements of consolidation. Councilor Nowak confirms the options that the landowner has. Councilor Benson states the options available; he also gives a summary of his achievements and committee involvements while he has been on council. He agrees to meet with the city to develop a payment plan.

Motion by Nowak, seconded by Johnson and carried (3-0 Benson abstaining) to direct City Administrator and Mayor to negotiate a plan with property owner and to present plan back to City Council.

C. Commercial Zoning Code Change – 1st Reading

Administrator DeWall states the recommendation received from the Planning & Zoning Commission regarding changing C-1 classification to C-2 Classification. This removes any boat and/or truck storage from C-1 and adds boat and/or truck storage to C-2. This recommendation also removes auto or truck sales from C-2 and adds them to C-1. These allowances would require conditional use permits for operation. Councilor Benson asks the reasonings for the changes, and Administrator DeWall states the recommendation stems from a business

approaching vacant property in town. Existing C-2 zones include only two properties in town, and in reviewing the current zones, there were other accommodations that needed to be addressed.

D. Wildlife Community Control Plan

Mayor Ward addresses hiring a wildlife tracker to locate coyote dens around the area. There are additional parcels where dens are believed to be, and once these are located, the wildlife tracker will assess the state of the coyotes and what action will be taken next. Councilor Johnson asks about the intent of the tracker and if the coyotes will be live trapped and relocated or euthanized. Mayor Ward states the intent is to live trap and relocate the animals.

E. Sewer Lateral Grant Request

Councilor Benson submitted a memo in response to the WLSSD regulations involving sewer lateral repairs and replacements. Benson suggests implementing a loan program or another financial arrangement to assist property owners with the costs associated when bringing lateral lines into compliance. Councilor Nowak asks about specific grants for funding and Administrator DeWall states there have been no specific grants to assist with financing repairs or replacements. He also states that an ongoing search for specific grants is always being conducted, however currently there are no existing grant opportunities. He mentions there is an annual WLSSD grant that the city was awarded this grant in 2020 and those funds were used to update the GIS software and programming. This is possibility for the following years, any grant opportunities would be retroactive to past property owners that have paid for repairs or replacements. No action taken – item to be discussed further at a future meeting.

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

Motion by Johnson, seconded by Nowak 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 at 6:50 pm.

Motion by Nowak, seconded by Ward and carried (4-0) to resume the regular City Council meeting at 7:18 pm.

6. NEW BUSINESS (Continued)

MEMBER CONCERNS

Benson: Constant fireworks are becoming an ongoing nuisance, updates on the bonding bill and the delays until August.

Johnson: Proctor Area Food Shelf received \$1500.00 from CDBG to purchase a new refrigerator/freezer unit.

Nowak: None

Ward: MIC Transportation Committee held a second meeting. Mask mandate to be added to the next city council agenda.

Administrator DeWall: CDBG funds received for a new refrigerator/freezer unit for the food shelf. Addresses the turf/soil issues on Almac/6th St. currently working with city engineer and contractor for a timeline on when the repairs will occur.

Attorney: None

BILLS FOR APPROVAL

General: \$112,040.80

Liquor: \$50,738.54

TOTAL BILLS FOR APPROVAL: \$162,779.34

Motion by Johnson, seconded by Ward and carried (4-0) to approve the bills as submitted.

Motion by Nowak, seconded by Ward and carried (4-0) to adjourn the meeting at 7:29 pm.

Chad Ward
Mayor

Troy DeWall
Interim City Administrator