

MINUTES OF THE PROCTOR CITY COUNCIL MEETING for Monday, August 3, 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: City Administrator Jess Rich, Interim City Administrator Troy DeWall, City Attorney John Bray, Linnea Wiita, Ted Kiefat, Chief Gaidis

Mayor Ward administered the Oath of Office to new City Administrator Jessica Rich.

Mayor Ward thanked Administrator DeWall for his outstanding service as Interim City Administrator and presented him a Letter of Commendation plaque on behalf of the City.

Motion by Johnson, seconded by Nowak and carried (4-0) to approve the City Council minutes from Monday, July 20, 2020.

Motion by Ward, seconded by Benson and carried (4-0) to approve the agenda for Monday, August 3, 2020 adding item 6.I: Primary Election Update and removing item 6.D: City of Proctor Mask Mandate.

#### 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.

Phil Larson 702 1<sup>st</sup> Ave

Called in with questions about the wildlife management plan and if coyotes would be eradicated, trapped, or relocated. Mayor states this item is pulled for discussion. Larson addresses the subject of the sewer lateral grants and asks how the city is going to pay for that grant. Mayor Ward confirms discussion of this grant during member concerns at a previous meeting. Larson asks about the expense of the Johnson Control estimate. This expense covers preventative maintenance, general checkup, and cleaning.

Motion by Johnson, seconded by Nowak and carried (4-0) to approve the consent agenda pulling items \*1B, \*4A, \*5C, \*5D, and \*5E 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)

\*1B: T.G. Carroll Memo

Terry Carroll will vacate the city owned property on 8/31/2020. Carroll wished to sincerely thank the City for making the property available, especially former Mayor Dave Brenna, former City Administrator Jim Rohweder, all City staff, and departments for the nine years he has been at that location. He will be moving his business up the road to Adolph.

**\*4A. Police Civil Service Commission – Unofficial Minutes 7/23/2020**

Discussion of the SRO position and upcoming training. Chief Gaidis said they will be meeting with the school once the plans for the upcoming school year are decided. He also reported that the contract for the SRO would be the same as the previous agreement. The SRO training Councilor Benson inquired about was scheduled for this week, although officers were unable to attend due to a conflict with other assigned duties. Homeland Security is offering a free training session to be attended and completed in Proctor with officers and staff from the school at a later date.

**\*5C. Parcel 185-0130-00470**

The city is combining three parcels into one and is currently obtaining signatures stating this agreement.

**\*5D. 207 S 2<sup>nd</sup> Ave**

The city has received a quit claim deed from the owner for a piece of property adjacent to the Golf Course.

**\*5E. Wildlife Management Plan**

Mayor Ward addressed the public nuisance and safety issues regarding the presence of coyotes. Maps of the den locations were provided along with GPS points. The hired tracker estimates there are currently 10-15 coyotes within the city. The fairgrounds have become a priority area due to the woodlands, brush piles, and horse manure which are all coyote attractants. An attempt will be made to live trap and relocate the coyotes, although this can be difficult to execute. Mayor Ward states this is an ongoing issue and addresses safety concerns regarding using pet leashes and not leaving unattended pet food outside.

Motion by Johnson, seconded by Nowak and carried (4-0) to approve the wildlife tracker to pursue live trapping and relocation of the coyotes starting at the fairgrounds.

**6. NEW BUSINESS**

**A. Ordinance 01-20 2<sup>nd</sup> Reading**

Second reading of the ordinance with changes as shown.

Motion by Nowak, seconded by Benson and carried (4-0) to approve the second reading of Ordinance 1002.09 and 1002.10 of the City Code with noted change.

**B. Sewer Lateral Grant – Informational**

New City Administrator Rich will continually pursue sewer lateral grant options.

**C. PUC Commission Reappointment Request**

Motion by Nowak, seconded by Johnson and carried (4-0) to reappoint Jennifer Petersen to the PUC Commission.

**~~D. City of Proctor Mask Mandate~~**

Item removed – statewide mask mandate in effect with an Executive Order by Governor Walz.

**E. Police Records Tech Job Posting**

This will be a part-time position plus vacation relief with some flexibility. Position typically covers 24 hours a week, and up to 40 for vacation coverage.

Motion by Nowak, seconded by Johnson and carried (4-0) to approve the Part-Time Police Records Clerk position.

**F. Johnson Control Estimate**

This was obtained through the bidding process and covers semi-annual preventative maintenance and cleaning which will be performed with the change of seasons. An attempt to utilize spare parts will be administered for backup boiler performance.

Motion by Johnson, seconded by Benson and carried (4-0) to accept the bid from Johnson Controls for heating/cooling system maintenance and cleaning.

**G. Raymond Stevens Request**

Stevens made a request to cut a road with a minimum width of 20' and a turnaround in preparation for building a house next year on 14<sup>th</sup> Street.

Motion by Johnson, seconded by Nowak and carried (4-0) to approve the request to build the road and turnaround as requested.

**H. 102 Anchor St. Conditional Use Permit**

Dale Hansen explained his request and application for a Conditional Use Permit for his STR at 102 Anchor St. Property is in a neighborhood zoned R-1-A, which is a single-family zone. He had been renting the basement to a single tenant prior to turning the house into a STR which was exclusive of the basement. He is requesting the basement rental unit to be allowed with a sunset clause, terminating when the current tenant moves out. This request has been brought before Planning & Zoning Commission and no action was taken. City Attorney Bray advised that Council can not grant a request that goes against the existing City Code. However, a request to change the current zoning ordinance can be submitted for consideration.

Motion by Ward, seconded by Johnson and carried (4-0) to deny the conditional use permit application due to City Zoning Ordinance violations.

**6.I: Primary Election Update**

The Primary Election will be held Tuesday, August 11, 2020. City Administrator Rich reported that the City is getting ready with assistance from Carol Lind. Election training will be held Monday, August 10<sup>th</sup>, 2020 with the new election judges that will be replacing the judges that have resigned. Election training will include COVID-19 risk mitigation with Lind assisting Rich in developing a different election layout. Rich noted that plexiglass shields were constructed by Building Inspector Jay Boysen and Interim Admin Troy DeWall. Boysen and DeWall also assisted with the implementation of various COVID-19 voting protocols.

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

None

6. NEW BUSINESS (Continued)

MEMBER CONCERNS

Benson: Provides an update on the bonding bill which as of July 28<sup>th</sup> included the City of Proctor. A continuing Transportation Meeting was held and thanked Mayor Ward for attending. The Minnesota State Legislature will address bonding bills later in August.

Johnson: Welcomes City Administrator Jess Rich. Appreciation to Troy for stepping up in the interim.

Nowak: Welcome to Jess and is looking forward to working together.

Ward: Welcome to Jess. Thanks again to Troy for obtaining \$750,000.00 in grant money for the City.

DeWall: Welcome to Jess. Announced that he will be working with her for the next month, and thanks the City Council for helping him in his interim role. Extends gratitude for the plaque.

Administrator: Extended appreciation to the City Council to stay on the team with her as she transitions.

Attorney: It's been a pleasure to work with Troy and looking forward to working with Jess.

BILLS FOR APPROVAL

**General: \$121,917.20**

**Liquor: \$39,056.08**

**TOTAL BILLS FOR APPROVAL: \$160,973.28**

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

Discussion: Councilor Benson asks about the second half of the payment for the awning at Mountain Sprits, noted the delay in completion was caused by COVID-19.

Motion by Ward, seconded by Johnson and carried (4-0) to adjourn the meeting at 7:17 pm.

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Chad Ward  
Mayor

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Jess Rich  
City Administrator