

MINUTES OF THE PROCTOR CITY COUNCIL MEETING for Monday, February 1, 2021

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

Mayor Ward called the meeting to order at 6:01 p.m.

MEMBERS PRESENT: Jake Benson, Rory Johnson, Jim Rohweder, Chad Ward, Troy DeWall

OTHERS PRESENT: City Administrator Jess Rich, City Attorney John Bray, Megan Jordan, Chief Gaidis

Motion by Rohweder, seconded by DeWall and carried 5-0 to approve the City Council minutes from Tuesday, January 19, 2021.

Motion by Ward, seconded by Johnson and carried 5-0 to approve the agenda for Tuesday, January 19, 2021 with the following additions:

Item 6L: Legislative Agenda

Item 6K: Resolution 09-21 Local Government Aid

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.

NONE

Motion by Johnson, seconded by Rohweder and carried 5-0 to approve the consent agenda for Monday, February 1, 2021.

6. NEW BUSINESS

**A. Ordinance 01-21 Repealing Ordinance 03-19 – 2<sup>nd</sup> Reading**

Motion by Rohweder, seconded by DeWall and carried 5-0 to accept ordinance 01-21.

Discussion follows regarding a corrected legal description and resubmittal for annexation. Administrator Rich confirms the request will be resubmitted once a correct legal description matching the drawing of the intended annexation is received.

**B. 2020 Annual Bow Hunt Summary – Informational**

Chief Gaidis provided a summary of the 2020 city bow hunt as indicated per city ordinance. Included in the summary are suggestions for updating the number of harvested deer, licensing, and additional hunting areas.

Mayor Ward suggests discussing these prior to the 2021 bow hunt.

Motion by Benson, seconded by Ward and carried 5-0 to accept the 2020 bow hunt summary as submitted by the Proctor Police Department.

**C. Resolution 03-21 Nelson, LLC Conditional Use Permit**

The Planning & Zoning Committee reviewed a conditional use permit application submitted by Nelson, LLC for the addition of storage bins on their property located at 620 Hwy 2. The Planning & Zoning Committee

recommends granting Nelson, LLC a conditional use permit to place four (4) temporary storage bins on their property for eighteen (18) months in addition to other conditions met as agreed upon.

Motion by Ward, seconded by Johnson and carried 5-0 to approve the recommendation from the Planning & Zoning Committee and grant a conditional use permit to Nelson, LLC at 620 Hwy 2.

**D. Resolution 04-21 A Race Worth Winning – Charitable Gambling License**

Motion by Rohweder, seconded by DeWall and carried 5-0 to approve resolution 03-21 and grant a charitable gambling license to A Race Worth Winning – ALS to conduct a raffle at Blackwoods Event Center on December 21<sup>st</sup>, 2021.

**E. Resolution 05-21 Agreement for SWCD**

Annual agreement between the city and South St. Louis County Soil & Water Conservation district for the oversight and enforcement of the Wetlands Conservation Act.

Motion by Ward, seconded by Rohweder and carried 5-0 to approve resolution 04-21 agreement for professional services between the City of Proctor and South St. Louis County Soil & Water Conservation District.

**F. Resolution 06-21 Agreement with Lease Servicing Center – Proctor PD Squad Purchase**

Purchase of a squad car for the police department was approved in the 2021 budget. Motion by Johnson, seconded by Rohweder and carried 5-0 to approve resolution 06-21 agreement to enter into a lease-purchase agreement with Lease Servicing Center for the purchase of a 2021 Dodge Durango Pursuit and place a \$16,000.00 down payment as approved in the budget.

Discussion follows with Councilor DeWall asking if any existing equipment will be depleted. Chief Gaidis states that one forfeited vehicle and the camper will be depleted with the oldest squad car assigned to the SRO.

**6G. Resolution 07-21 Local Road Improvement Grant**

Administrator Rich states the approval of this resolution gives permission to submit a Local Road Improvement Program application to the State of Minnesota, working collaboratively with the St. Louis County Board as the fiscal agent. This grant program works with projects specifically associated with trunk highways and participation was recommended by SEH.

Motion by Rohweder, seconded by DeWall to approve resolution 07-21 to apply for a Local Road Improvement improvement grant program up to the maximum amount of \$1,125,000.00 to fund portions of the eligible costs for Second Street.

Discussion follows with clarification of the maximum amount and if participation in the grant program would affect any portions of the project without additional county participation. Administrator Rich clarifies the maximum amount of \$1,250,000.00 and SEH stated participation would not have any adverse effects. Any plans submitted by SEH are in draft form only and do not reflect any final planning on projects.

Motion amended by Rohweder, second amended by DeWall and carried 5-0 to approve resolution 07-21 participation in a Local Road Improvement Program to fund eligible portions of second street up to the maximum amount of \$1,250,000.00.

**6H. Resolution 08-21 Authorizing Donation to Proctor Area Historical Society**

Administrator Rich received a request from Russel Habermann to install an Engine 225 interpretive sign on the back side of the golf course entrance sign. A design has been drafted and solicited estimates are approximately \$700.00. Administrator Rich recommends approving a donation of up to \$750.00 payable upon invoice to the Proctor Area Historical Society for the purchase and installation of the sign from the 10% gambling fund. This is an approved use and expense from the gambling fund as stated in fund regulations. Motion by Ward, seconded by Benson and carried 5-0 to approve resolution 08-21 authorizing a donation of up to \$750.00 to the Proctor Area Historical Society for the purchase and installation of an Engine 225 interpretive sign on the back side of the golf course contingent on approval from the golf board and Mr. Gordy Downs.

**6I. City Staff resignation – Janitorial Position**

Motion by Johnson, seconded by Rohweder and carried 5-0 to accept the resignation from Aaron DeBaiso as janitor from the City of Proctor.

**6J. City Staff resignation – Police Officer Position**

Motion by Ward, seconded by Benson and carried 5-0 to accept the resignation as Police Officer from Gabrielle M. Colby.

Chief Gaidis confirms that all city owned equipment has been returned to the Proctor Police Department.

**6K. Police Civil Service Recommendation – Position Posting**

Motion by Rohweder, seconded by Johnson and carried 5-0 to accept the recommendation from the Police Civil Service Department and post for the hiring of a police officer from February 1, 2021 to February 26<sup>th</sup>, 2021.

Chief Gaidis states the process will be the same as previous posting and hiring process with the placement of the top four candidates valid for one year. Gaidis also confirms the previous list of active candidates has expired, and the hiring process will start from the beginning.

**6L. Legislative Agenda**

Councilor Bensons provides an update on the state legislative agenda. A deadline of action on all submitted bills has been set for Friday, March 12<sup>th</sup>, 2021. Several cities around Minnesota are submitting various bills for a variety of projects. Attorney Bray confirms that local sales tax submissions are held during general elections and do not qualify for special elections to be held.

**6M. Resolution 09-21 Local Government Aid**

Motion by Ward, seconded by Johnson and carried 5-0 to approve resolution 09-21 requesting the State of Minnesota to pay the funds allocated for local government aid on time and in full. The approved resolution has been requested to be submitted to state legislators.

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

Motion by Rohweder, seconded by Johnson and carried 5-0 to suspend the regular City Council meeting per MN State Statues 13D.05 Subd.3 for employee health/wage reopener and employee review at 6:33 pm.

8. NEW BUSINESS (Continued)

Motion by Ward, seconded by Johnson and carried 5-0 to resume the regular City Council meeting at 6:50 pm.

**8A. Employee Wage & Health Reopener**

Motion by Ward, seconded by DeWall and carried 5-0 to approve the agreement between the City of Proctor and UFCW as discussed.

**8B. Employee Review**

Motion by Johnson, seconded by Benson and carried 5-0 to approve the job review and accept the agreement between the City of Proctor and City Administrator Jessica Rich.

MEMBER CONCERNS

Benson: Suggests adding the City of Proctor to the list of available free COVID testing sites as offered by St. Louis County.

DeWall: None

Johnson: None

Rohweder: Addresses attending meetings virtually. Attorney Bray confirms virtual attendance is acceptable as the Emergency Declaration has not been rescinded.

Ward: None

Administrator Rich: General Cleaning Specialists have finished the deep cleaning of City Hall and will continue with weekly maintenance cleaning. An inventory of excess office furniture, broken items, and other miscellaneous items were compiled, and the fairgrounds was able to repurpose and reuse most of the items. Other leftover items were open to the public for pick-up. An inventory list of these items will be up for declaration of surplus items at the next council meeting. Camera installation at City Hall has begun, the sales tax exemption for construction materials on the sand and salt shed has been completed, and a virtual event held by the Hermantown Chamber was attended by her and Mayor Ward.

Attorney: Sent information pertaining from the League of MN Cities pertaining to sales tax process. Still operating under the initial emergency declaration as declared by Mayor Ward as it has not been rescinded.

BILLS FOR APPROVAL

**General: \$24,725.21**

**Liquor: \$35,969.82**

**TOTAL BILLS FOR APPROVAL: \$60,695.03**

Motion by DeWall, seconded by Rohweder and carried 5-0 to approve the bills as submitted.

Motion by DeWall, seconded by Johnson and carried 5-0 to adjourn the City Council meeting at 6:58 pm.

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Chad Ward  
Mayor

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Jess Rich  
City Administrator