

MINUTES OF THE PROCTOR CITY COUNCIL MEETING for May 3, 2021

*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, Chad Ward, Troy DeWall, Jim Rohweder

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

Motion by Johnson, seconded by Rohweder and carried 5-0 to approve the City Council minutes from Monday, April 19, 2021.

Motion by Rohweder, seconded by DeWall and carried 5-0 to approve the agenda for Monday, May 3, 2021 with the addition of item:

6E. Resolution 19-21 Conditional Use Permit

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.

Luke Lindstrom – 5652 N Cloquet Rd Duluth MN, 55810

Called in as one of the owners of Rogue Eagle Mini Golf, giving his contact information and availability to answer any questions when the conditional use permit is being addressed later in the meeting.

Motion by Ward, seconded by DeWall carried 5-0 to approve the consent agenda for Monday, May 3, 2021 pulling item *5C for discussion.

*5C: Committee and Commission Application/Appointment Discussion

This has been drafted and is under review for approval addressing the application process to serve on a city committee or commission. Council has been asked to submit recommendations for the final proposal to be approved at a future meeting. Councilor DeWall asks how the schedule of term expiration dates and application process has been determined. Administrator Rich states any committees or commissions without current bylaws addressing term lengths and expiration dates have been scheduled by member name in alphabetical order. The terms have been staggered so as to have one vacancy each year. Councilor Benson notes corrections on the membership, meeting schedule, and receipt of compensation to the section addressing the Police Civil Service Commission. The correction from the City of Rochester to the City of Proctor will be made in the section addressing duties and responsibilities. Councilor Benson suggests modifying the language in the membership qualifications for the Tourism Committee section.

6. NEW BUSINESS

A. Hoghead Fireworks Contract

Motion by Johnson, seconded by Rohweder and carried 5-0 to approve the agreement with Flashing Thunder, Inc for the purchase of fireworks for Hoghead Festival with \$5000 to be paid by the city and \$1000 to be paid by the Chamber of Commerce.

B. COVID-19 Policy Statement

Administrator Rich refers to the COVID-19 Preparedness Re-Opening Plan that received approval at the last meeting. She recommends approving a policy statement as an addendum to the approved plan. This policy statement addresses the latest COVID-19 safety information to industry specific guidelines and will be sent to all 2021 event applicants in order to provide event organizers with the latest safety protocols.

Motion by Ward, seconded by DeWall to approve the COVID-19 policy statement as an addendum to the City of Proctor Preparedness Re-Opening Plan and be sent to all 2021 event applicants and approve the opening of city parks and ball fields. Discussion follows including the opening of public restrooms at the parks and if those should be included in the re-opening of city facilities. Councilor DeWall suggests opening public restrooms once seasonal employees are back on staff in order to provide the manpower for successful sanitization methods. Original motion and seconded rescinded by Mayor Ward and Councilor DeWall. With seasonal employees starting at the street department on 5/1/2021, it is discussed to re-open public restrooms at that time. Chief Gaidis confirms an officer can close the restrooms at night and city staff can open them in the mornings and complete correct sanitization processes.

Motion by Ward, seconded by Benson and carried 5-0 to approve the COVID-19 Policy Statement as an addendum to the City of Proctor COVID-19 Re-Opening Preparedness Plan and be sent to 2021 event applicants. City parks, playgrounds, and fields open immediately effective as of 5/4/2021. Effective 5/17/2021, all public restrooms will be open for use with the facilities being closed in the evenings and opened daily after proper sanitization methods performed by city staff.

C. Open Meeting Law Advisory Opinion 21

Attorney Bray was asked to offer an opinion with respect to the resolution passed related to the presence of the public at in-person meetings the school district had passed. Attorney Bray states the resolution passed by the City of Proctor allows for more flexibility, allowing the city administrator to make the decision with regards to in-person meetings. Attorney Bray refers to one of the provisions included within state statute 13D.021, giving his opinion on the resolution passed by the city stating there is not a concern with violating any open meeting laws.

D. American Rescue Plan

Councilor Benson requests this to remain on the agenda with discussion including the allocation of funds at a later meeting.

Motion by Ward, seconded by DeWall and carried 5-0 to table item 6D American Rescue Plan.

E. Resolution 19-21 Conditional Use Permit

The Planning and Zoning Commission received an application for a conditional use permit from Rogue Eagle Mini Golf to operate a mini golf course at xxxx Waterview Drive – Parcel ID: 185-0236-00040/00050. The public hearing was held at the meeting on April 26th, 2021 and the commission recommends approving the conditional use permit and issuing it to Rogue Eagle Mini Golf.

After reviewing the commission meeting, Councilor DeWall is in favor of the conditions as set by the commission. Councilor Benson also attended the meeting and states the commission asked thorough questions. There are no questions for Luke Lindstrom who had previously called into the council meeting and gave his contact information.

Motion by Johnson, seconded by DeWall and carried 5-0 to approve the recommendation from the Planning & Zoning Commission and grant a conditional use permit to Rogue Eagle Mini Golf.

MEMBER CONCERNS

Administrator Rich: Received quotes for the Playground for EveryBody, will be presented at the next meeting. Currently in discussions with the school regarding softball field maintenance. LBAE meeting will be held on 5/13/21 at 10:00 am. The code book is available for review. Requests councilors to review and report back to city administration with any corrections or changes. It has also been given to committees and commissions for review. Hoping to have it approved and back on the webpage as a searchable document within the next few months. SEH has completed the GIS and training with city staff, with discussions to follow for public accessibility. City Hall has received many calls from citizens for the brush pickup program at the end of the month.

Benson: Extends congratulations to Blackwoods on celebrating their 25th Anniversary. Would like to contact SEH with regards to soil borings on the sand/salt shed cost estimate. Acknowledges Administrator Rich for her work as part of Municipal Clerk's Week. Discusses bills with regarding to city policy.

DeWall: Appreciative of Attorney Bray and Administrator Rich for following up on with the AA Hospitality agreement. Asks for an update on the parcel split at Almac Drive. Attorney Bray states it has been submitted for recording and is currently awaiting a response. The Fire Department will be submitting bylaw changes. They have received an additional resignation along with four new applications. They also completed a training burn with other departments, and it went well.

Johnson: Acknowledges Administrator Rich for her work regarding Municipal Clerk's Week.

Rohweder: None

Mayor Ward: Participated in a puck drop at the Duluth Warriors game along with a 92 year old WWII & Korean War Veteran. Has scheduled a blight ride a long with Chief Gaidis for 5/13/21.

Attorney: Letter has been submitted to AA Hospitality and is awaiting a response. The recent change in ownership may affect the response time. The ownership change has not been update on the county recorder's website.

BILLS FOR APPROVAL

General: \$39,150.77

Liquor: \$29,187.01

TOTAL BILLS FOR APPROVAL: \$68,337.78

Motion by Rohweder, seconded by Johnson and carried 5-0 to approve the bills as submitted. Councilor Benson asks about the bills from SEH, simulator training, and Todd Signs.

Motion by DeWall, seconded by Ward and carried 5-0 to adjourn at 6:47 pm.

Chad Ward
Mayor

Jess Rich
City Administrator