

**COOK CITY COUNCIL
REGULAR MEETING MINUTES
MARCH 26, 2015 – COOK CITY HALL – 6 PM**

TIME AND PLACE: A Regular Meeting of the Cook City Council was held at 6 PM on Thursday, March 26, 2015 at the Cook City Hall.

CALL TO ORDER: Mayor Harold Johnston called the meeting to order at 6 PM.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Harold Johnston.

ATTENDANCE: Present at roll call was Mayor Harold Johnston and City Councilors Jody Bixby, Kim Brunner and Karen Hollanitsch. Absent was City Councilor Elizabeth Storm. Also present were Deputy Clerk/Treasurer Cindy Palm, Maintenance Supervisor Bud Ranta, JPJ Engineering John Jamnick, Tom Musech, Melissa Taitt, Tiffany Briggs, George and Robin Pliml, Kathy Stevenson, Jim McCue, Mike Hanson, The Timberjay and Cook News Herald.

ADDs/DELETES: Mayor Harold Johnston read into the record the revisions to the original agenda.

Add: None

Move: None

PUBLIC FORUM:

JPJ Engineering Project Updates/Funding

JPJ Engineer John Jamnick reported that CDBG funding has been awarded for the design of the North River Street Bridge Replacement Project and anticipates project start for 2016.

The 2013 Street Improvement Project has minimal punch list items remaining and will be finalized in 2015.

Vermilion Motel – Reconstruction Project

Four bids were received for the Vermilion Motel Reconstruction Project with the low bid from Mesabi Bituminous for \$128,900 for the infrastructure portion of the project. Other bids received were Viita Excavating Inc. \$135,536, KGM Contractors Inc. \$237,500 and Low Impact Excavators Inc. \$258,784. A meeting was held with Mesabi Bituminous, Maintenance Supervisor Bud Ranta and JPJ Engineer John Jamnick, after bids were received, to discuss the scope and requirements of the project. JPJ Engineering recommends approval to accept the low bid of \$128,900 from Mesabi Bituminous and to award for the infrastructure portion of the project.

Motion by Brunner, second by Hollanitsch to accept and award the low bid of \$128,900 to Mesabi Bituminous for the infrastructure portion of the Vermilion Motel Reconstruction Project and to issue a land use permit to T Musech Enterprises DBA Vermilion Motel for the project. **MOTION CARRIED**

Planning and Zoning met prior to the regular council meeting to hear evidence in considering granting a Variance of 14 feet (as required rear setback of 20 feet is not met measuring 6 feet) to T Musech Enterprises DBA Vermilion Motel for the purpose of constructing a 5,866 Sq Foot, 15 unit (6 existing, 9 new), 1 story motel at 320 South Hwy 53, Cook MN 55723. Sec 18 Twsp 62 Range 18.

Proposed Variance requested from Ordinance NO. 901 – C-1 Building and Land Use Regulations, Subdivision 4 – Commercial Building Requirements.

Yard Setbacks:

1. 8 feet for front yard setbacks
2. 20 feet for rear yard setbacks
3. There shall be no side yard setbacks except when adjoining a residential district in which case, there shall be a side yard of not less than ten feet. If an unrequired yard is provided, it shall not be less than five feet.

There were no additional questions or concerns.

Planning and Zoning recommends to the City Council that a Variance be granted to Tom Musech Enterprises DBA Vermilion Motel for the needed footage to meet the city setback requirements for constructing an addition to the existing motel at 320 South Hwy 53 Cook MN 55723. Sec 18 Twsp 62 Range 18.

Motion by Bixby, second by Hollanitsch to accept a recommendation from Planning and Zoning to grant a Variance to Tom Musech Enterprises DBA Vermilion Motel for the needed footage to meet the city setback requirements for constructing an addition to the existing motel at 320 South Hwy 53 Cook MN 55723. Sec 18 Twsp 62 Range 18. **MOTION CARRIED**

Cook Chamber of Commerce – Timber Days

The Cook Chamber of Commerce – Timber Days Committee has requested permission for the Annual Timber Days event to be held June 12-14, 2015. The event will require use of Riverfront Park and closing a portion of River Street after businesses close on Friday, June 12-Sunday, June 14 after the parade and use of the softball fields. Law enforcement coverage does not need approval unless there is a change in coverage.

Motion by Brunner, second by Bixby to approve use of Riverfront Park, the softball fields, and to close a portion of River Street after businesses close on Friday June 12-Sunday June 14, 2015 after the parade for the annual Timber Days event sponsored by the Cook Chamber. **MOTION CARRIED**

The Cook Chamber of Commerce requested a gambling permit for selling raffle tickets with the drawing to be held during Timber Days.

Cook City Ordinance 601.01 subd. 4 (Referencing MN State Statute 340A) references that a Temporary Liquor License can be issued to only clubs, or charitable, religious, or other non-profit organizations, in existence for three years. A temporary license authorizes the on-sale of intoxicating liquor in connection with a social event within the city sponsored by the licensee and subject to restrictions imposed by the state liquor act.

The Timber Days Committee has requested the use of a for-profit catering service to sell alcohol at the softball event until a non-profit group is willing to commit, otherwise the event will re-locate out of town for Timber Days. The committee has and will continue to ask local non-profit groups to sponsor the alcohol sales at the annual softball event.

Attorney Mark Weir researched MN State Statute 340A (subd. 10), which currently allows for a non-profit licensee (Cook Chamber) to contract for intoxicating liquor catering services with the holder of a full-year, on sale intoxicating liquor license issued by any municipality.

Although, the current City Ordinance 601.01 subd. 4, does not specifically allow for the non-profit licensee to contract for intoxicating liquor catering services, it appears to be the ordinances intent to adopt MN Statute 340A, and believes this to be allowed.

Motion by Hollanitsch, second by Bixby to approve a gambling permit for the Timber Days Celebration sponsored by the Cook Chamber of Commerce to be held June 12-14, 2015 and to allow the Cook Chamber of Commerce to contract for intoxicating liquor catering services with the holder of a full-year, on sale intoxicating liquor license issued by any municipality (MN State Statute 340A subd. 10 as referenced in City Ordinance 601.01). **MOTION CARRIED**

Cook Area Farmer’s Market

Tiffany Briggs requested council approval to use River Street Park for a Cook Farmers’ Market on Saturdays from 8 AM to 1 PM during the summer months, starting after Timber Days until the end of September/early October. A \$25.00 fee will be paid with liability insurance coverage and vendor waivers provided.

Motion by Hollanitsch, second by Bixby granting approval of the Cook Area Farmer’s Market use of River Street Park on Saturdays from 8-1 contingent upon all necessary requirements met. **MOTION CARRIED**

APPROVAL OF MINUTES: See Consent Agenda.

CONSENT AGENDA: Motion by Brunner, second by Hollanitsch to approve the Consent Agenda. **MOTION CARRIED**

- A. Approval/correction of the Regular Council Minutes of February 26, 2015
- B. Bill Presentation Paid since last presentation \$ 58,146.08
 Presented for payment \$ 41,318.71
- C. Reporting of the February 2015 Liquor Store Sales

	<u>MTD</u>	<u>YTD</u>
2015	\$ 74,973.20	\$ 155,721.87
2014	<u>\$ 75,177.28</u>	<u>\$ 156,020.20</u>
	\$ (204.08)	\$ (298.33)
- D. Resolution – February 2015 Donations Designated
- E. Ambulance Service Report

COMMISSION AND STAFF REPORTS:

Airport

The Master Plan and Airport Layout Plan update process has started. An initial meeting was held at the airport with S.E.H. Engineering whom provided a power point presentation regarding the master plan process which is good for 20 years. S.E.H. staff will conduct surveys through airport based hangar and plane owners as well as other users to identify needs for the airport. Next meeting will be held in July 2015.

Ambulance and Fire

Annual Advisory Board Meetings were held in March with 2014 financials and minutes and 2015 budgets approved for ambulance and fire.

Ambulance Director, Jim Gray is requesting the following capital items for council approval for 2015 purchases:

Quotes were received for 4 laptops as a CAD Computer Aided System is needed for both ambulance rigs for communication requirements to 911. Director Jim Gray recommends purchasing them from OC Rugged for \$4336.

An organizational/medical supply storage structure up to \$3000. Director Gray is currently researching a Flow Wall system.

An Electronic Patient Care Reporting System from Image Trend for \$1525 for a site license and an initial web seminar for training. There is an additional annual fee of \$400 for software updates and support.

Physio Control provides a five year maintenance program for the ambulance departments two LUCAS and two LifePak 15 units. A five year quote for \$23,535, with annual installment payments of \$4707, was received, saving 17%.

Motion by Bixby, second by Brunner to approve the purchases for 4 laptops for a CAD Computer Aided System at \$4336, an organizational/medical supply storage unit up to \$3000, an Electronic Patient Care Reporting System site license for \$1525 (with additional software support annual fee of \$400) and approval of the Physio Control - 5 year maintenance program for the Lucas and Lifepak 15 units for \$23,535 (annual payments \$4707). **MOTION CARRIED**

Library

The library is promoting use, financial and book donations by utilizing communication tools such as a monthly newsletter, Facebook and a variety of programs.

Recreation

Commission Chair, Greg Burckhardt submitted quotes for hanging of drywall at the community center with a low quote of \$3600 for Sandberg Construction and Property Services Inc. and taping and finishing drywall to Aune and Keister Construction for \$4300.

Motion by Hollanitsch, second by Bixby to accept community center building quotes from Sandberg Construction and Property Services Inc. for \$3600 for hanging drywall and Aune and Keister Construction for \$4300 for taping and finishing drywall. **MOTION CARRIED**

OLD BUSINESS:

Governor's Opener – LV - The 2015 MN Governor's Fishing Opener is held on Lake Vermilion and there are no updates for this meeting.

Lake Vermilion Trail Efforts – Arrowhead Regional Development Commission (ARDC) provided an update from the March meeting regarding the forming of a Joint Powers Board requesting the possibility of local governments to serve as the Trail's owner and administrator.

NEW BUSINESS:

Archery Hunt – A past bow hunt participant requested council reconsideration for use of cross-bows for the city bow hunt. Opinion was expressed as to the use of cross bows, being the equipment is safe and it is the behavior of the operator that is unsafe.

Mayor Johnston commented that the decision against the use of crossbows is based upon what the residents' want and safety regulations from the MN DNR.

St. Louis County Open Book Meeting 2015

The City of Cook 2015 Open Book Meeting will be held April 8, 2015 from 10-11 AM at the St. Louis County Assessor's Office in Virginia, MN. Taxpayers can discuss their concerns regarding value and classification for the City of Cook. Local board requirements and training information can be obtained by contacting the St. Louis County Assessor's Office.

Mayoral Proclamation Request - MADD

Mothers' Against Drunk Driving (MADD) has requested support of a Mayoral Proclamation for PowerTalk 21 on April 21st, 2015 for Cook MN in support of a national effort to call on parents to discuss underage alcohol consumption with teens. The Mayor so proclaims.

Orr Recreation & Resource Center Inc.

Correspondence has been received seeking donations in support of the newly formed non-profit called the Orr Recreation & Resource Center Inc. which has recently purchased the old Orr High School from the City of Orr. An informational letter details the intentions for the former school building.

COUNCIL FORUM:

Councilor Brunner asked if anything could be done for large truck restrictions at the intersection of 5th Street and 3rd Ave. The Streets Department will be notified.

Councilor Hollanitsch thanked city staff for planning for the St. Louis County Board meeting held at the Comet Theater and said there was good attendance.

ADJOURNMENT:

There being no further business brought before the Council, motion to adjourn at 6:55 PM was made by Councilor Hollanitsch and second by Councilor Bixby. **MOTION CARRIED**

CITY OF COOK – Cook, MN 55723

Harold Johnston, Mayor

Recorder: Cindy Palm, Deputy Clerk/Treasurer