

**COOK CITY COUNCIL
REGULAR MEETING MINUTES
SEPTEMBER 26, 2013 – COOK CITY HALL – 6 PM**

TIME AND PLACE: A regular meeting of the Cook City Council was held at 6 PM on Thursday, September 26, 2013 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, Karen Hollanitsch and Elizabeth Storm. Absent were none. Also present were Administrator-Clerk/Treasurer Theresa Martinson, Deputy Clerk-Treasurer Cindy Palm, JPJ Engineering John Jamnick, The Timberjay, Dale Olson - Koochiching County Environmental Services and Rob Ecklund - District 4 Commissioner Koochiching County.

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

Add: None

Move: None

PUBLIC FORUM:

JPJ Engineer John Jamnick provided an update on the following projects:

2013 Wastewater Improvements – Ponds

JPJ Engineer John Jamnick recommends approval of Partial Pay Estimate 2 to Utility Systems of America for \$121,980.

Motion by Brunner, second by Storm to approve Partial Pay Estimate 2 to Utility Systems of America for \$121,980 for the 2013 Wastewater Improvements Project (Ponds). **MOTION CARRIED**

2013 Street Improvements

The paving project is to tentatively start by KGM Contractors anywhere from September 30 to October 7, 2013. KGM Contractors anticipates completing paving by neighborhood, with the goal to lay the base course this fall and finalize the wearing course and private driveways in the spring of 2014. Weather will be a deciding factor in completion.

2013 IRRRB Commercial Demolition Program-Cook Dollar Barn

A minor issue with the demolition was that when the water was draining from the basement of the Cook Dollar Barn, a foaming agent was agitated and rose above the water entering the sewer causing entrance to a minimal number of neighboring homes and businesses. The drainage of water was immediately stopped upon notification and there was no sewer backup to homes or businesses during this minor issue. The water was tested as there was food and other debris in the standing water and environmental recommendations were addressed giving clearance to continue with the remaining drainage of water.

The lot will be filled and seeded and is re-buildable even though it is in the floodplain flood fringe. Any new structure would need to comply with the City of Cook's flood plain ordinance.

The IRRRB grant funding for this demolition project is for \$46,000. Council approval is needed for administration to accept and sign grant.

Motion by Storm, second by Hollanitsch for approval and acceptance of IRRRB Grant Agreement (PO ID# 3000002385) in the amount of \$46,000 for the 2013 Commercial Demolition – Cook Dollar Barn Project and allowing Mayor and Clerk to sign all necessary documentation. **MOTION CARRIED**

2012 Drainage Improvements

The Sunrise Addition Drainage Ditch is complete and there are minimal punch list items remaining.

Miscellaneous

There are no public works priority projects for the IRRRB/CDBG funding cycles for 2014. Projects the city will work on do not qualify for this funding.

IRRRB Comprehensive Planning will be reviewed by JPJ Engineering and Administration for 2015 to meet funding request deadlines.

Dale Olson – Little Fork River Board

Dale Olson - Koochiching County Environmental Services and Rob Ecklund - District 4 Commissioner Koochiching County presented the purpose of the Little Fork River Board stating it was developed to manage area rivers and streams at a local level to avoid federal mandated changes. They have invited the City of Cook to get involved to form a joint powers initiative to form strength in numbers. Meetings are held twice a year. The council would like further research and discussion regarding the Little Fork River Board involvement.

APPROVAL OF MINUTES: See Consent Agenda.

CONSENT AGENDA: Motion by Hollanitsch, second by Storm to approve the Consent Agenda.

MOTION CARRIED

- A. Approval/correction of the Regular Council Minutes of August 22, 2013
- B. Approval/correction of Special Council Minutes of August 22, 2013-2014 Proposed Budget & Levy and 2014 Streets and Alleys Budget
- C. Bill Presentation Paid since last presentation \$231,842.25
 Presented for payment \$138,568.75
- D. Reporting of the August 2013 Liquor Store Sales

	<u>MTD</u>	<u>YTD</u>
2013	\$201,930.15	\$1,058,801.43
2012	<u>\$183,248.70</u>	<u>\$1,030,667.57</u>
	\$ 18,681.45	\$ 28,133.86
- E. Resolution – August 2013 Donations Designated
- F. Airport Monthly Report
- G. Ambulance Service Report
- H. Library Board Minutes of July 3, 2013

COMMISSION AND STAFF REPORTS:

Airport

Council approval is requested to allow S.E.H. Engineering and Administration to review the Capital Improvement Plan for the Cook Municipal Airport and to submit it to MNDOT Aeronautics. The Master Plan/Airport Layout Plan Update and Crack Repair for Runway 13/31 will be the next funding cycle projects.

S.E.H. Engineering has commented that the Cook Municipal Airport is one of the finest looking airports in the state.

Motion by Storm, second by Bixby to authorize Administrator Theresa Martinson, Airport Coordinator Ernie Seppala, Commission Chair Karen Hollanitsch and S.E.H. Engineering to review and submit the CIP Plan to MNDOT Aeronautics. **MOTION CARRIED**

City Attorney Mark Weir made a recommendation to change the “Line Item 7” hangar lease language regarding the storage of aircraft to protect the airport from jeopardizing future funding and to protect the Lessee of storage for non-aviation related purposes. Some hangar owners do not want the added protection for the Lessee and have requested the suggested language be removed.

Motion by Brunner, second by Bixby to accept a Blanket Lease Hangar Agreement with recommendations by City Attorney Mark Weir for the line item 7 language change in its entirety. **MOTION CARRIED**

Motion by Brunner, second by Storm to accept a Modified Lease Hangar Agreement including the recommendations by City Attorney Mark Weir for line item 7 excluding the last sentence which includes “In the event that it is determined that the hangar is not being used for aviation related purposes, then upon recommendation of the airport commission, Lessor may deem Lease to be in default”. **MOTION CARRIED**

EMS Appreciation

A note of appreciation was submitted to the ambulance and fire crews from a motel visitor from the Vermilion Motel fire.

Fire

The annual renewal of the St. Louis County Unorganized Township 62-17 and 63-17 Fire Protection Service Agreement is due and receives \$14,000 annually towards the Cook Volunteer Fire Department.

Motion by Bixby, second by Brunner to accept the St. Louis County Unorganized Township 62-17 and 63-17 Fire Protection Service Agreements and allow Mayor and Clerk to sign necessary documentation.

MOTION CARRIED

OLD BUSINESS:

Bow Hunt

The Bow Hunt season began September 14th and will end December 31st. The number of harvested deer was comparable to Zone 177 just outside of Cook. The hunt involved a lot of staff time and concerns with registration stations and residents as well. There were no direct issues with hunters and all were respectful when approaching city hall regarding questions about the hunt. Twenty four total hunters paid \$240 to city hall and almost all attended the orientation session.

Synthetic Marijuana/Smoke Shops

Synthetic Marijuana and Smoke Shop information was submitted to the council with research being done through the League of MN Cities and other cities. Mayor Johnston suggested that the State of Minnesota does not have a true defined law to protect the City of Cook against synthetic marijuana and smoke shops and costs would be excessive to create a specified ordinance and enforcement against synthetic marijuana. City Attorney Mark Weir also suggested an ordinance could be created but no legal enforcement is available to protect the city.

Lake Vermilion Trail Study

A recent meeting was held regarding the Lake Vermilion Trail Study to review trail study results and gather feedback from local stakeholders. The trail study will conclude in mid-October resulting in final documentation of the proposed trail alignment and expected cost estimates for construction.

NEW BUSINESS:

Cook Chamber – Cook’s Country Christmas

The Cook Area Chamber of Commerce will not be hosting Cook’s Country Christmas in December 2013. Their primary future focus is going to be community growth and economic development.

Chicken and Rooster Complaint

There were verbal complaints from the Balliets Addition neighborhood regarding chickens and a rooster. City Attorney Mark Weir noted there is no current city ordinance against the keeping of livestock. He recommended the nuisance ordinance be addressed directly to this individual and if no response then referred to Criminal Attorney Mike Kearney and treated as a misdemeanor. Attorney Weir recommends an ordinance preventing livestock and exotic pets be adopted. The council could consider allowing chickens but have exception to the livestock ordinance. Staff will address this current complaint.

Riley Holm – Licensing – Old Muni

Riley Holm has requested a New Liquor License for ARH Enterprises Inc., DBA The Old Muni, and has been given an application packet to complete for the city and state licensing requirements. The City has worked with the State of MN Alcohol and Gambling Enforcement Division and City Attorney Mark Weir to assure all necessary items have been addressed.

Motion by Brunner, second by Bixby to approve a New Liquor License for Riley Holm of ARH Enterprises Inc, DBA The Old Muni, contingent upon receipt of all required city and state licensing requirements.

MOTION CARRIED

Virgie Hegg Hospice Gambling Permit Request

Virgie Hegg Hospice Partners has requested a gambling permit to sell raffles for 3 prizes to be issued at the annual Lights of Love event held in December, 2013.

Motion by Hollanitsch, second by Bixby to approve a gambling permit for Virgie Hegg Hospice Partners to sell raffle tickets for 3 prizes to be issued at the annual Lights of Love event held in December, 2013.

MOTION CARRIED

COUNCIL FORUM:

Mayor Johnston provided a quiz regarding the street names in the City of Cook and recognized the inability to provide sufficient directions with lack of knowledge of street names by city officials.

Councilor Hollanitsch expressed concern regarding the speed limit on 5th Street SE.

ADJOURNMENT:

There being no further business brought before the Council, motion to adjourn at 7:30 PM was made by Councilor Storm and second by Councilor Bixby. **MOTION CARRIED**

CITY OF COOK – Cook, MN 55723

Harold Johnston, Mayor

Recorder: Cindy Palm, Deputy Clerk/Treasurer

Attest: Theresa Martinson, Administrator-Clerk/Treasurer