

**COOK CITY COUNCIL
REGULAR MEETING MINUTES
MARCH 28, 2019 – COOK CITY HALL – 6 PM**

TIME AND PLACE: A Regular Meeting of the Cook City Council was held at 6 PM on Thursday, March 28, 2019 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 Elizabeth Storm, Jody Bixby and Kim Brunner. Absent was City Councilor Karen Hollanitsch. Also present was Administrator-Clerk/Treasurer Theresa Martinson, Deputy Clerk/Treasurer Stephanie Beaudry, librarian Crystal Phillips, volunteer firefighter Shane Johnson, Timber Days committee members Diane Brunner and Carrolle Wood, and the Cook News Herald.

AGENDA:

Additions or Deletions – None

The public hearing on the establishment of fees for emergency protection/fire services was called to order. The hearing was held from 6:00 pm to 6:15 pm. Administrator Martinson shared that this is a time for discussion or the public to comment on Ordinance 211 which relates to charges for emergency services. Questions came up from guests not related to the ordinance. Carrolle Wood asked if the townships charged for a fire. Administrator Martinson answered that, no, the townships do not charge. If the City of Cook Fire Dept. services a particular township, it would be the City of Cook which charges for services. If the City of Cook Fire Dept. helps a service outside of our service area, we would not charge. Mayor Johnston inquired about the Lake Vermilion Fire Brigade and what they do. Firefighter Shane Johnson shared that they (the Brigade) are not firefighters, just boat operators. The Cook Fire Dept. currently has three current members who are trained to drive the LVFB boats.

Motion by Brunner, second by Storm to adjourn Public Hearing at 6:15 PM. **MOTION CARRIED**

Regular Council Meeting recommenced at 6:16 PM.

PUBLIC FORUM:

Timber Days

Timber Days committee member Carrolle Wood spoke regarding a couple of issues. She asked if there were new outlets outside of the library. Librarian Phillips said that new outlets were put in last year. Wood inquired again about a possible donation by the City for the Porta facilities. It was recommended to the Council that the City pay \$1000 towards the Porta Facility invoice but not give \$1000 directly to the Timber Days Committee. After discussion with other city officials and the City attorney, the Timber Days committee definitely needs event insurance. Wood stated that she will look into whether Friends of the Parks currently has insurance.

Timber Days continued

Finally, the Old Muni would like to get an Off-Premise Community Festival License to sell beer at the bean bag tournament on River Street and at the softball tournament at Doug Johnson Recreation Area. Motion by Brunner, second by Bixby to approve the \$1000 payment to the Porta facility company as well as approve a Temporary Off-site Liquor Community Festival Liquor License for the Old Muni for June 7-9, 2019, at the Timber Days bean bag tournament and softball tournament. **MOTION CARRIED**

John Jamnick – JPJ Engineering – Project updates

The City did receive a \$600,000 grant through the IRRRB on behalf of Zup’s.

River Street Bridge

The bridge is named Veterans Bridge. A ceremony will be held on Memorial Day this year. A sign has been ordered which will be placed on a bench. There will be more information to come regarding the ceremony.

APPROVAL OF MINUTES: See Consent Agenda.

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

MOTION CARRIED

A. Approval/correction of the Regular Council Minutes of February 28, 2019

B. Bill Presentation	Paid since last presentation	\$ 68,714.94
	Presented for payment	\$ 78,930.77

C. Reporting of the February 2019 Liquor Store Sales

	<u>MTD</u>	<u>YTD</u>
2019	\$ 65,663.37	\$ 131,925.53
2018	<u>\$ 80,137.76</u>	<u>\$ 163,384.39</u>
	\$ -14,474.39	\$ -31,458.86

D. Resolution – February 2019 Donations Designated

E. MMBA Conference attendance by liquor store staff

COMMISSION AND STAFF REPORTS:

Airport

Recommendation by S.E.H. Engineering to make final payment to KGM for Airport Access Road Project. Motion by Storm, second by Bixby to pay the final amount of \$16,118.09 to KGM for work on Airport Access Road Project. **MOTION CARRIED**

Ambulance

The Personnel Committee conducted interviews for the Ambulance Director position. Christina Rothleutner was offered the position. She starts at Pay Grade 6, Minimum Step, with an hourly wage of \$15.87/hour. Her start date will be April 16, 2019. Motion by Bixby, second by Brunner to approve the hiring of Christina Rothleutner, starting at Pay Grade 6, Minimum Step, at a rate of \$15.87/hour. **MOTION CARRIED**

Administrator Martinson summarized the Annual Ambulance Meeting. The City should be able to buy a new ambulance in 2019. The Ambulance Service is looking at purchases new pagers as well. Motion by Storm, second by Bixby to approve the 2019 Ambulance budget and 2018 Ambulance financial statements. **MOTION CARRIED**

Fire

It is recommended that the Council adopt Ordinance 211 regarding emergency service fees. Administrator Martinson summarized the Annual Fire Meeting. The Fire Department responded to 56 calls in 2018 and the City is currently working on updating mutual aid agreements. The Department is looking at buying more PPE this year. The Lake Vermilion Fire Brigade donated tanks to the Service. Firefighter Shane Johnson stated that the Department has had quite a few fire calls already in 2019. Martinson stated that the Department would like to purchase ten new pagers, as the current pagers are 10-15 years old. Administrator Martinson thanked Mr. Johnson and the Fire Department for their hard work.

VOTE ON ORDINANCE 211: Motion by Brunner, second by Bixby to adopt the City of Cook Ordinance No. 211 as presented:

ORDINANCE NO. 211.

AN ORDINANCE ESTABLISHING FEES FOR EMERGENCY PROTECTION, FIRE SERVICES

211.01. Purpose.

This ordinance is adopted for the purpose of authorizing the City of Cook to charge for fire service as authorized by Minnesota Statutes Section 366.011, Section 366.012, and Section 415.01.

Subdivision 1. Definitions.

- A. "Fire Service" means any deployment of firefighting personnel and/or equipment to extinguish a fire or perform any preventative measure in an effort to protect equipment, life or property in an area threatened by fire. It also includes the deployment of firefighting personnel and/or equipment to provide fire suppression, rescue, extrication, and any other services related to fire and rescue as may occasionally occur.
- B. "Fire service charge" means the charge imposed by the City for receiving fire service.
- C. "Motor vehicle" means any self-propelled vehicle designed and originally manufactured to operate primarily upon public roads and highways, and not operated exclusively upon railroad tracks. It includes semi-trailers. It does not include snowmobiles, manufactured homes, all-terrain vehicles, or park trailers.
- D. "Fire protection contract" means a contract between the City and a town, township, or other entity for which the City is to provide fire services.
- E. "Mutual aid agreement" means an agreement between the City and a town, township, or other entity for the City's fire department to provide assistance to the fire department of a town, township, or other entity.

Subdivision 2. Parties Affected.

- A. Owners of property within or outside the city limits who receive fire service.
- B. Anyone who receives fire service as a result of a motor vehicle accident or fire within or outside the city protection or mutual aid area.
- C. Owners of property in towns, townships, or entities to which the City provides fire service pursuant to a fire protection contract.

Subdivision 3. Rates.

Rates for any and all services provided by the City fire department shall be billed at the rate recommended by the Fire Advisory Board and approved by City Council and shall be incorporated in the City Fee Schedule.

Subdivision 4. Billing and Collection.

- A. Parties requesting and receiving fire services may be billed directly by the City. Additionally, if the party receiving fire services did not request services, but a fire or other situation exists which, at the discretion of the fire department personnel in charge requires fire service, the party will be charged and billed. All parties will be billed whether or not the fire service is covered by insurance.
- B. Parties billed for fire services will have thirty (30) days to pay. If the fire services charge is not paid by that time, it will be considered delinquent and the City will send a notice of delinquency.
- C. If the fire service charge remains unpaid for ninety (90) days after the notice of delinquency is sent, the City will use all practical and reasonable legal means to collect the fire service charge. The party receiving fire service shall be liable for all collection costs incurred by the City, including, but not limited to, reasonable attorney fees and court costs.
- D. If the fire service charge remains unpaid after the notice of delinquency is sent, the City Council may also, on or before October 15 of each year, certify the unpaid fire service charge to the county auditor in which the recipient of the services owns real property for collection with property taxes. The County Auditor is responsible for remitting to the City all charges collected on behalf of the City. The City must give the property owners notice of its intent to certify the unpaid fire service charge by September 15th.
- E. False alarms will be billed as a fire call at the false alarm rate.

Subdivision 5. Mutual Aid Agreement.

When the City fire department provides fire service to another fire department pursuant to a Mutual Aid Agreement, the billing, if any, will be determined by the Mutual Aid Agreement.

Subdivision 6. Application of Collections to Budget.

All collected fire charges will be city funds and used to offset the expenses of the City fire department in providing fire services.

Subdivision 7. Effective Date.

This ordinance shall become effective after its passage and summary publication.

Voting Aye: Mayor Johnston, Councilors Bixby, Brunner, and Storm.

Voting Nay: None

Absent: Councilor Hollanitsch

MOTION CARRIED

Fire continued

Motion by Storm, second by Brunner to increase both the seasonal dwelling and yearly per capita resident fees to \$17. **MOTION CARRIED.** Motion by Brunner, second by Storm to approve the 2019 Fire budget and 2018 Fire financial statements. **MOTION CARRIED.** Motion by Brunner, second by Storm to approve the purchase of 10 pagers for the Fire Department out of their capital fund. **MOTION CARRIED**

Lake Vermilion Trail

Councilor Storm shared that LVT board member and Cook resident, Tim Johnson, found an insurance company that will insure the trail.

Library

Librarian Crystal Phillips spoke to the City Council regarding the filing of the library’s Annual Library Report. The Annual Report is a requirement; if a library doesn’t meet the deadlines for this reporting, Arrowhead Library System will hold back funding. The report data can be found on the Minnesota Department of Education website. Phillips shared that library visits are up a lot, in part due to more programming. Computer use is down a little. E-book and audio check-outs are up. The library is trying to partner more with the school and other organizations.

There is a recommendation by the Cook Library Board to have the Cook Library open every Saturday in July 2019. Motion by Brunner, second by Bixby to approve the Cook Library being open every Saturday in July 2019. **MOTION CARRIED**

The moose sculpture should be in place this summer. The Pergola, ramp, and ADA Compliance Project will be completed this summer as well.

Maintenance

The Sanitary Survey Report is in the council packet.

Recreation

The Council discussed various rental rates for the Cook Community Center. Most of the discussion centered around whether the City should maintain “resident” and “non-resident” rental rates. Motion by Brunner, second by Bixby to have just one flat rate for full-day and one flat rate for 6-hour (or lesser) rental.

Voting Aye: Mayor Johnston, Councilors Bixby and Brunner

Abstain: Councilor Storm

Absent: Councilor Karen Hollanitsch

MOTION CARRIED

Motion by Bixby, second by Storm to approve the following rates and the elimination of ballfield rental rates as well as the elimination of the \$30 charge for bringing in own food during open hours:

<u>Regular rental:</u>	<u>Non-Profit:</u>
6 hrs. (or fewer) \$75	6 hrs. (or fewer) \$30
All-day \$150	All-day \$50

MOTION CARRIED

Deputy Clerk Beaudry will send a letter to the area townships this summer to alert them to the change. A marketing piece will be established regarding the lowering of rates – “One community – one center”!

OLD BUSINESS: None

NEW BUSINESS:

Gambling Permits

St. Mary's Church is requesting a gambling permit for bingo which is going to be held on Sunday, April 7. ReGen Northland is requesting a gambling permit for a raffle which is being held at NW Friends of the Arts on September 6, 2019. Motion by Bixby, second by Brunner to approve the aforementioned gambling permits.

MOTION CARRIED

COUNCIL FORUM:

Councilor Bixby inquired about the success of the first Last Chance Liquors flyer. Administrator Martinson shared that 49 coupons had been turned in. Bixby also commented about how more marketing might need to be done for the store whether it is signs, truckload sales, or a billboard. She thanked the employees for their hard work.

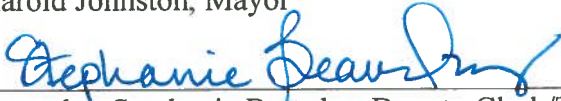
ADJOURNMENT:

There being no further business brought before the Council, motion to adjourn at 7:15 PM was made by Councilor Bixby and second by Councilor Storm. **MOTION CARRIED**

CITY OF COOK – Cook, MN 55723



Harold Johnston, Mayor



Recorder: Stephanie Beaudry, Deputy Clerk/Treasurer



Attest: Theresa Martinson, Administrator-Clerk/Treasurer