

Minutes of the regular Proctor City Council meeting held on February 16, 2016 in the Community Center Council Chambers

Mayor Brenna called the meeting to order at 6:00 p.m.

MEMBERS PRESENT: Councilors Jake Benson, Jim Schwarzbauer, Travis White & Shawn McGovern; Mayor David Brenna

OTHERS PRESENT: Mark Casey, City Administrator; Tammie Aanonsen; John Bray, City Attorney; Tim Peterson, Deputy Clerk; Jim Aird, Midway Township; Brian Walker; Eric Bingaman; Phyllis Hom, Wok & Grill; Chief Walter Wobig; Keenan McGovern

APPROVAL OF MINUTES

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the February 1, 2016 City Council Meeting Minutes.

APPROVAL OF AGENDA

Casey added 6G: Recommendation from PEDA for appointment of Eric Bingaman

Motion by Benson, seconded by Schwarzbauer and carried: To approve the agenda of February 16, 2016 as amended.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Phyllis Hom, Wok & Grill asked the council for a 4-way stop sign on 5th Street and 3rd Avenue. Brenna stated that Stauber is looking into signs with LED lights attached.

Hom also asked the council for a report about Walker's job duties this winter. Benson suggested that all managers submit a report for the next council meeting.

Hom wanted to thank the street department for a wonderful job that they have been doing with the plowing.

*APPROVAL OF CONSENT AGENDA (one Council motion can accept all items listed under this agenda, plus Council can pull any individual items out of this consent agenda and discuss/act on item separately - thus leaving others to be approved via consent agenda action) - bold print denotes need for Council action

Bray asked to pull 5B: Moving Street Department.

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the Consent Agenda as amended.

*1. COMMUNICATIONS

2. PLANNING & ZONING DEPARTMENT MATTER

*3. CLERK ADVISES COUNCIL

- A. Government Fund payroll period ended 02/07/16; Liquor Fund payroll ended 02/07/16 (attached).

*4. COMMITTEE REPORTS

5. UNFINISHED BUSINESS

- *A. Almac Drive Drainage
- *B. Moving Street Department

Bray stated that he had a discussion with the county attorney who will be having an upcoming meeting to discuss movement to the fairgrounds. Casey also stated that he will be meeting with County Attorney Grey.

- *C. Adopting Street Project Assessments
- *D. Flashing Stop Light at Kirkus and Boundary
- *E. Athletic Complex
- *F. Council Handbook

6. NEW BUSINESS

- A. Minnesota Municipal Clerk Institute ó May 2016

Peterson stated that this is the 3rd year of a 3 year training program that he would like to attend.

Motion by Benson, seconded by Brenna and carried: To approve Peterson to attend the Minnesota Municipal Clerk Institute in May 2016.

- B. Resolution 09-16 Authorizing Staff to Submit the Proctor-Hermantown Munger Trail Spur Study to the Greater Minnesota Parks and Trails Council for Designation as a Master Plan.

Casey stated that this resolution is in conjunction with the City of Hermantown resolution that was passed at their last meeting. The resolution will help the city to keep moving forward with the Munger Trail.

Motion by Benson, seconded by Schwarzbauer and carried: To approve Resolution 09-16 Authorizing Staff to Submit the Proctor-Hermantown Munger Trail Spur Study to the Greater Minnesota Parks and Trails Council for Designation as a Master Plan.

- C. Resolution 10-16 To Change the Name of the Beautification and Trees Committee to The Urban Forest Commission when applying for Grants and Reporting Purposes.

Benson said that he wanted to add this resolution to lesson confusion when the city applies for grants.

Motion by Schwarzbauer, seconded by McGovern and carried: To approve Resolution 10-16 To Change the Name of the Beautification and Trees Committee to The Urban Forest Commission when applying for Grants and Reporting Purposes

- D. Resolution 11-16 Declaring Surplus Equipment (Wobig)

Casey stated that the auditors recommend that the city declare a vehicle as surplus before the sale. McGovern asked how the city will be selling the vehicle. Wobig said that it will be sold at a local auction.

Motion by Benson, seconded by McGovern and carried: To approve Resolution 11-16 Declaring Surplus Equipment

- E. Replacement Police Vehicle ó Wobig (See attached)

Wobig said that he gave the council a breakdown of all the cost of the new vehicle, and some of the equipment can be used in the new vehicle.

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the purchase of a Replacement Police Vehicle as presented.

- F. MN State Statute Chapter 13D ó Benson (See attached)

Benson said that he wanted to continue the discussion about a potential violation at a Public Utility Commission meeting. Benson said that according to MN State Statute one reason a meeting cannot be closed is if the attorney is not present. Benson said that Attorney Bray was not at the meeting where pending litigation was to be discussed. Benson would like to see PUC come up with a course of action. Bray said that he doesn't see this issue happening again at a meeting.

White asked if the council knows what was talked about during the closed session. Bray will be reviewing the recording and report back at the next council meeting. Item tabled.

G. Recommendation of Eric Bingaman to Proctor Economic Development Authority

Brenna said that PEDA met earlier tonight and is recommending Eric Bingaman to begin serving as a commissioner. Benson asked Bingaman about his interest in PEDA. Bingaman stated that he would like to see business grow in Proctor and would help to promote businesses in Proctor. Bingaman said he was born and raised in Proctor, and is currently a Project Manager at Parsons Electric. Benson thanked Bingaman for his willingness to serve.

Motion by McGovern, seconded by Benson (Schwarzbauer absent): To approve Eric Bingaman to serve on the Proctor Economic Development Authority commission.

7. LABOR AND NEGOTIATIONS ISSUES

A. Hovland Annexation

Bray stated that there is nothing new to report.

MEMBER CONCERNS

Benson stated that at the most recent PUC meeting; Chairman Sweeney said that Benson, on behalf of Liquor Control, was preventing access to the public gaining documents. Benson wanted to make it clear that he would never prevent individuals from gaining access to public documents.

White asked if the city has received a response about the completion of the mural. Bray stated that the city has a copy of the letter he sent. Bray said there has not been a response.

BILLS FOR APPROVAL

Motion by Benson, seconded by White and carried: To approve the General Fund bills in the amount of \$72,250.67. Roll call vote: Schwarzbauer ó absent, White ó yes; Benson ó yes; McGovern ó yes, Brenna ó yes.

Motion by McGovern, seconded by Benson and carried (3-1, White opposed): To approve the Liquor Fund bills in the amount of \$29,795.92. Roll call vote: Schwarzbauer ó absent, White ó no; Benson ó yes; McGovern ó yes; Brenna ó yes.

ADJOURNMENT

Motion by White, seconded by Brenna and carried: To adjourn the City Council Meeting of February 16, 2016 at 6:45 p.m.