

Minutes of the regular Proctor City Council meeting held on May 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 McDonald; John Bray, City Attorney; Jim Aird, Midway Township; Brian Walker; Gary Nowak; Jay Boysen; Eric Bingaman; Nick Greenwood; Jan Rohweder; Jim Rohweder; Phil Larson; Jesse Annala; Dick Kari; Garry Hawkinson; Justin Otsea, ARDC; Kerry Helquist; Gordy Downs; Dick Ridgewell; Paula Peterson; Troy DeWall; Kathy Hannan; Joe Ward; Genny Hinnenkamp; Phyllis Hom

PUC MEMBERS PRESENT: Commissioners Sweeney, Lind and Larson; Char Jones

APPROVAL OF MINUTES:

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the May 2, 2016 City Council Meeting Minutes.

APPROVAL OF AGENDA

Casey added: 6R ó Lease Agreement with Troy DeWall LLC

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

JOINT PUC & CITY COUNCIL MEETING

- A. 2015 audit reports presentation by Wipfli, LLC (Formerly Eikill & Schilling) City/PUC Auditor - discussion and City/PUC review/approval (to be brought to meeting - Management Letter, Audited Financial Statements and Component Unit Financial Statements)

Jen Smith from WIPFLI, reported about the annual audit for the City of Proctor and Public Utility Commission. Smith said that the audit went smoothly and Tim Peterson and Loren Peterson do a great job for the city.

Motion by Benson, seconded by Schwarzbauer and carried (5-0): To accept the annual audit for the City of Proctor as presented by WIPFLI.

Motion by Larson, seconded by Lind and carried: To accept the annual audit for PUC as presented by WIPFLI.

Motion by Larson, seconded by Lind and carried: To adjourn the public utility commission at 6:25pm.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Joe Ward spoke to clarify that the Proctor School Board allows the public to speak at their meetings.

Dick Ridgewell, former president of the Golf Board distributed a resolution to the council. This resolution would provide all former golf board members lifetime passes, including golf carts, to the Proctor Golf Course.

Gordy Downs praised the golf course manager and his ability to work on the machinery. However, Downs does not agree with the new changes being implemented for the leagues which include prizes in the form of gift certificates to the golf course instead of cash.

Nina Bijold agreed with Downs. She stated that she has called other golf courses and did not find another one that used this payment system for the leagues.

Jim Rohweder stated that the golf board ran the golf course for many years and during that time, they were given free golf. Rohweder said that when the city took over last year, the board members were given one more year of golf and carts. The city does not give other committees free items.

Benson stated that this resolution was not on the agenda and recommends adding it to the agenda of the next council meeting.

Ken Bueller, speaking for the Friends of 261, asked to borrow a part off of the 225 locomotive. McGovern asked if it was in the best interest of the city to develop an agreement with the Friends of 261. Bray agreed to write an agreement. Bueller said it would involve about 30 minutes of time to remove the item from the train for the June 4th trip. White said that since the councilor tabled the previous item as it was not on the agenda, perhaps this item should also be tabled and added to the next agenda. Rohweder explained that he understood the idea of being consistent; however this is merely the removal of a piece of metal on the train. Casey suggested the council making a motion to lend the piece while Attorney Bray writes a draft. White agreed with Rohweder, he was trying to make a point of about inconsistencies. Bueller stated that he will find out from Steve Sandberg, the Executive Director of the Friends of 26 when they will retrieve the part.

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, Brenna opposed): To loan the mechanical oiler to the Friends of 261 with an agreement to be written by the city attorney.

Paula Peterson asked the council to erect signs specifying designated parking areas by the post office and other areas of the city.

*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

Schwarzbauer pulled item 5E off of the consent agenda

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

*1. COMMUNICATIONS

- A. Grandmaø Marathon Sponsorship thank you
- B. Traffic concerns on Stark Road
- C. Proctor P.D. Activity April 2016

2. PLANNING & ZONING DEPARTMENT MATTER

*3. CLERK ADVISES COUNCIL

- A. Government Fund payroll period ended 05/01/16; Liquor Fund payroll ended 05/01/16 (attached).

*4. COMMITTEE REPORTS

- A. Public Safety Committee Minutes dated April 29, 2016
- B. Public Safety Committee Minutes dated May 3, 2016
- C. Public Safety Committee Minutes dated May 12, 2016

5. UNFINISHED BUSINESS

- *A. Almac Drive Drainage
- *B. Moving Street Department
- *C. Adopting Street Project Assessments
- *D. Flashing Stop Light at Kirkus and Boundary
- *E. Athletic Complex

Schwarzbauer stated that he and Rory Johnson and Casey will be meeting in Duluth to hear more preliminary ideas. He also said that Casey has been very involved with the feasibility study.

*F. Council Handbook

6. NEW BUSINESS

A. Public Safety Committee Applicants ó For Council Selection

McGovern stated that there were five applicants interviewed and the panel chose two people for the open positions: Kerry Helquist and Garry Hawkinson. McGovern thanked all the applicants for their willingness to serve.

Motion by McGovern, seconded by White and carried: To approve Kerry Helquist and Garry Hawkinson as new members of the Public Safety Committee.

B. Special Event Application: Monster Truck Racing (approved by Public Safety)

Motion by Schwarzbauer, seconded by White and carried (5-0): To approve the special event application for the Monster Truck Racing as presented.

C. Special Event Application: Memorial Day Observance (approved by Public Safety)

Motion by McGovern, seconded by White and carried (4-1, Benson abstained): To approve the special event application for the Memorial Day Observance as presented.

D. Special Event Application: Car Show of August 17, 2016 (approved by Public Safety)

Casey stated that this application has also been approved by Liquor Control.

Motion by White, seconded by Schwarzbauer and carried: To approve the special event application for the Car Show on August 17, 2016 as presented.

E. Special Event Application: Special Needs Motorcycle Bike Run (approved by Public Safety)

Motion by White, seconded by Schwarzbauer and carried (5-0): To approve the special event packet for the Special Needs Motorcycle Bike Run as presented.

- F. Special Event Application: Derailed Outdoor Beach Party (approved by Public Safety)

Motion by White, seconded by Schwarzbauer and carried (4-0, Brenna abstained): To approve the special event application for the Derailed Outdoor Beach Party as presented.

- G. Special Event Application: 2016 MS 150 Bike Ride

Casey stated that this was approved by Public Safety.

Motion by Schwarzbauer, seconded by White and carried: To approve the special event application for the 2016 MS 150 Bike Ride.

- H. MS-150 Event Request for Police Overtime

Motion by Benson, seconded by Schwarzbauer and carried (5-0): To approve the MS 150 request for police overtime.

- I. Street Department Purchase of new ¾ Ton Pickup

McGovern asked if this purchase was a part of the budget. Casey said that it is part of the Capital Improvement Plan.

Motion by Schwarzbauer, seconded by McGovern and carried (5-0): To approve the Street Department purchase of a new ¾ ton pickup.

- J. Saturday Night Hoghead Street Dance of See Public Safety Minutes of May 3, 2016 (Numbers 6 & 7). Council decision about which establishment has band of see Public Safety Minutes of May 12, 2016

Benson stated that at the Liquor Control meeting earlier in the evening, Greenwood withdrew the Derailed Bar & Grill's application for a Saturday night street dance. Benson said the Powerhouse application will be forwarded to Public Safety committee.

- K. Resolution 29-16: Resolution of Non-Objection

Motion by McGovern, seconded by White and carried: To approve Resolution 29-16: Resolution of Non-Objection as presented.

Resolution No. 29-16
Resolution of Non-Objection
To Issuance of State of Minnesota
Charitable Gambling License

BE IT RESOLVED that the City Council of the City of Proctor hereby certifies that there are no objection to the issuance of a State of Minnesota Charitable Gambling Permit to The Proctor Amateur Hockey Association (PAHA) to conduct a raffle on Saturday, February 18, 2017 at Derailed Bar & Grill, 501-3rd Avenue Proctor, Minnesota.

L. Resolution 30-16: Resolution of Non-Objection

Motion by McGovern, seconded by Schwarzbauer and carried: To approve Resolution 30-16 as presented.

Resolution No. 30-16
Resolution of Non-Objection
To Issuance of State of Minnesota
Charitable Gambling License

BE IT RESOLVED that the City Council of the City of Proctor hereby certifies that there are no objection to the issuance of a State of Minnesota Charitable Gambling Permit to The ALS Association, MN/ND/SD Chapter to conduct a raffle on Saturday, February 1, 2017 at Black Woods Event Center Proctor, Minnesota.

M. Resolution 31-16: Resolution of Non-Objection

Motion by White, seconded by Schwarzbauer and carried: To approve Resolution 31-16 as presented.

Resolution No. 31-16
Resolution of Non-Objection
To Issuance of State of Minnesota
Charitable Gambling License

BE IT RESOLVED that the City Council of the City of Proctor hereby certifies that there are no objection to the issuance of a State of Minnesota Charitable Gambling Permit to The Proctor Fast Pitch Association to conduct a raffle commencing May 16, 2016 through September 29, 2016 at The Proctor Speedway, 800 N. Boundary Avenue, Proctor, Minnesota.

N. City of Proctor Proclamation ó National and Proctor Police Week

Casey read the proclamation to the council and audience.

Motion by McGovern, seconded by Schwarzbauer and carried: To accept the City of Proctor Proclamation ó National and Proctor Police Week as presented.

O. Lift gate for Park Truck

Peterson said that the city received two bids for the park truck. One bid is from Pine City and that would require driving two vehicles for the pickup. While that bid is less expensive, the other pickup location is local and it is a company (United Truck Body) that the city uses frequently for other purchases.

Motion by McGovern, seconded by White and carried: To approve the purchase of a lift gate for the city's park truck from United Truck Body.

P. Discussion on Possible Public hearing regarding Noise Pollution in the city.

Benson stated that he has received complaints and comments on the noise from the racetrack, the motorcycles on Bike Night, and music playing past midnight, he is suggesting discussion by the councilors.

McGovern stated that there is not enough information presented to council at this time. Brenna said that the city can review decibel meters and what other cities use for noise ordinances.

Q. Recind Resolution 22-16 Abolish the Position of Golf Course/Project Manager Reinstating the Position of Seasonal Golf Course Manager

Schwarzbauer stated that this resolution's intention is due to the fact that we are in the golf season and he would like to reintroduce this at the first council meeting in October 2016. Schwarzbauer said he would like to have the golf course manager take care of the golf course now during the golf season.

McGovern said that negotiations will continue and be resolved by October 31, 2016. White stated that with this resolution the city is running a big risk of losing the golf course manager before October.

Motion by Schwarzbauer, seconded by White and carried (5-0): To Recind Resolution 22-16 to Abolish the Position of Golf Course/Project Manager Reinstating the Position of Seasonal Golf Course Manager.

R. Lease between Troy DeWall LLC and the City of Proctor

Casey said that the approval of this lease will give DeWall the chance to move forward while waiting for the State approval.

Motion by McGovern, seconded by White and carried: To approve the lease agreement between Troy DeWall, LLC and the City of Proctor as presented.

7. LABOR AND NEGOTIATIONS ISSUES

A. Golf Course New Hires

Motion by McGovern, seconded by White and carried: To approve the seasonal golf course new hires as presented.

B. Increase Janitor Hours at Fire Hall

The councilors discussed the letter submitted by Fire Chief Pogatchnik.

Motion by White, seconded by Schwarzbauer and carried: To approve the increase in janitor hours at the Fire Hall as presented.

MEMBER CONCERNS

Schwarzbauer said that he traveled with a colleague to the area school and she asked about SRO positions and will be discussing those positions with Chief Wobig.

White thanked residents for their donation and participating in the annual letter carriers food Drive last week.

BILLS FOR APPROVAL

Motion by McGovern, seconded by Schwarzbauer and carried (5-0): To approve the General Fund bills in the amount of \$90,598.93. Roll call vote: Schwarzbauer ó yes, White ó yes; Benson ó yes; McGovern ó yes, Brenna ó yes.

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, White opposed): To approve the Liquor Fund bills in the amount of \$28,594.34. Roll call vote: Schwarzbauer ó yes, 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 May 16, 2016 at 8:10p.m.