

Minutes of the regular Proctor City Council meeting held on October 3, 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, Shawn McGovern, Mayor David Brenna

MEMBERS ABSENT: Councilor Travis White

OTHERS PRESENT: Mark Casey, City Administrator; Tammie McDonald; Jim Aird, Midway Township; Phil Larson, PUC; Charliene Jones, PUC; Carol Lind, PUC; Bill Sweeney, PUC; Gary Nowak; Gordy Downs; Jim Rohweder; Walter Wobig; Russell Habermann; Gary Nowak; Nancy Aldridge; Tom Vukelich; Phyllis Hom, Wok & Grill; Karl King; Jon Swor; Scott Cobb; Kathy Hannan; Bob Wilke; Mike Kramer

APPROVAL OF MINUTES:

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the September 19, 2016 City Council Meeting Minutes.

APPROVAL OF AGENDA

Brenna requested that Items 7A and 7B be removed from the Agenda.

Benson added: Nolan Office visit

McGovern added: 4B Parks & Recreation

Schwarzbauer added: Members Concerns Information from MN DOT

Motion by Benson, seconded by Schwarzbauer and carried: To approve the agenda of October 3, 2016 as amended.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Gordy Downs, Proctor Golf Board, stated that last year the water line was frozen at the golf course. He also asked the council about a resolution to the property line dispute and asked Councilor Benson why Candidate McGovern's answers were not included in the Proctor Journal.

Casey stated that the property issue is currently being worked on at City Hall. Benson reported that McGovern missed the deadline for submitting his responses.

Phyllis Hom, owner Wok & Grill, stated that she felt McGovern did not deserve to be Mayor.

TomVukelich stated that the men's golf league would like to use the money they contributed throughout the year for their banquet. He asked if the city could issue him a check for the expenses. Casey said that the City can issue a check before the next council meeting.

Karl King, Jon Swor, and Mike Kramer spoke on behalf of the Golf Course. They each praised the condition of the course this year.

JOINT MEETING WITH PUBLIC UTILITY COMMISSION

MEMBERS PRESENT: Carol Lind, Phil Larson, Bill Sweeney, Char Jones

Brenna asked the members of the Utility Commission if there were any comments about the Assessment Policy.

Casey stated that this is the revised assessment policy for the City of Proctor. This policy allows the city to bond for capital projects. This is a policy, not an ordinance, so it can be changed or revised.

Sweeney said that he has some suggestions for changes in wording in six different areas of the policy.

Motion by Larson, seconded by Lind and carried: To adjourn the PUC joint meeting at 6:48 p.m.

*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

McGovern pulled 4B

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

*1. COMMUNICATIONS

- A. St. Louis County residents invited to public meeting concerning emerald ash borer
- B. Letter from Administration to 207-2nd Avenue

2. PLANNING & ZONING DEPARTMENT MATTER

- A. Meeting time change to 5:00 p.m.

*3. CLERK ADVISES COUNCIL

- A. Government Fund payroll period ended 09/18/16; Liquor Fund payroll ended 09/18/16 (attached).

*4. COMMITTEE REPORTS

- A. Public Safety Meeting Minutes of September 27, 2016
- B. Park & Recreation meeting

McGovern stated that there was a meeting held last week, however there was not a quorum. He said that there is a family that would like to donate funds toward a pergola to be placed in Trainquility Park. McGovern said that the committee would like to find a group to take over the maintenance of this park. McGovern also reported that Dick Kieren resigned from the committee and would like administration to advertise for the open position.

Schwarzbauer asked administration to contact Northland Foundation to determine the grant was spent for this project.

5. UNFINISHED BUSINESS

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

6. NEW BUSINESS

- A. Membership into the Minnesota Association of Small Cities (see memo from Administration)

Casey said that this is a fine organization however the city gets the same issues addressed through the League of Minnesota Cities. No action taken.

B. Liquor Control Ordinance (Item discussed at Public Safety)

Brenna said that it was the consensus of the Public Safety committee to leave this ordinance as it is. He said that the way the ordinance is written, there should be enough time to get the establishments closed for the evening.

McGovern said he is a member of Liquor Control, and by listening to the bar owners, the establishments are in violation each night. He agrees with the owners that more time is needed at the end of the night.

Eric Bingaman, member of Liquor Control Board, said that the Derailed Bar has a policy to wait until all patrons are out before any cleaning or closing procedures are started. Without this change, it is very difficult for the owners and staff to clean and close.

Chief Wobig stated that from a Public Safety standpoint, he is concerned about the lack of closure or break for the establishment.

McGovern said that this can be brought back to Liquor Control at their next meeting.

Councilor Benson left the meeting at 7:45 p.m.

**C. Resolution 22-16: Abolish the Position of Golf Course/Project Manager
Reinstating the Position of Seasonal Golf Course Manager (Schwarzbauer)**

**Resolution 22-16
City of Proctor**

**ABOLISH THE POSITION OF GOLF COURSE/PROJECT MANAGER
REINSTITUING THE POSITION OF SEASONAL GOLF COURSE MANAGER**

WHEREAS, the City of Proctor during its regular meeting of October 29, 2015 had created the position of Golf Course and Project Manager duly appointed the current employee to fill said position; and,

WHEREAS, the City Council has deemed it prudent to abolish the position and reinstitute the position of Seasonal Golf Course Manager; and,

WHEREAS, the reinstated position will be offered to the employee currently filling the Golf Course/Project Manager at a salary deemed appropriate to the duties assigned.

NOW, THEREFORE, IT IS HEREBY RESOLVED: through the actions of the Council of the City of Proctor, the position of Golf Course/Project Manager will be abolished and the position of Seasonal Golf Course Manager will be offered to the employee currently holding the abolished position.

BE IT FURTHER RESOLVED: a salary will be established in accordance to the duties assigned the position of Seasonal Golf Course Manager.

McGovern stated that the golf course is in better condition since hiring Walker. With the change in his position, the intent was to be progressive with the City. Several councilors agreed that there were projects to be done, however Walker hasn't been utilized properly. McGovern said he doesn't want to lose Walker, but agrees there isn't enough work currently.

Brenna asked about a timeframe for a seasonal worker status. McGovern said that would be up for discussion during negotiations.

Motion by Schwarzbauer, seconded by McGovern defeated (1-2, Brenna and McGovern against): To approve Resolution 22-16 Abolishing the Position of Golf Course/Project Manager Reinstating the Position of Seasonal Golf Course Manager.

D. Resolution 51-16: Setting Public Hearing for No Parking Zone

**RESOLUTION 51-16
SETTING PUBLIC HEARING
FOR
NO PARKING ZONE**

WHEREAS, the City of Proctor through its Mayor and Council, has the authority, pursuant to statutes through the State of Minnesota, to establish parking regulations; and,

WHEREAS, the City of Proctor is in cooperation with area municipalities in establishing trails throughout the area; and,

WHEREAS, the County Rd, N. Boundary Ave west side has been discussed as a trail route through the City; and,

WHEREAS, the City of Proctor wishes to establish a "No Parking" on the west side of Boundary Ave between 5th St and 2nd St. and establish a public hearing date of October 17, 2016 at 6:00 p.m.

NOW THEREFORE BE IT RESOLVED, by the City Council of Proctor Minnesota a public hearing will be held to discuss no parking on the West Side of N. Boundary Ave from 5th St to 2nd St.

Motion by McGovern, seconded by Schwarzbauer and carried (3-0): To approve Resolution 51-16 as presented.

E. Review of Enforcement Procedures (Brenna)

Brenna stated that he would like to see the city and council do a better job of enforcing ordinances through tickets, fines, etc. Chief Wobig shared that there is not a penalty statement in the ordinances.

F. Resolution 52-16: Declaring Surplus Equipment

**RESOLUTION 52-16
DECLARING SURPLUS
EQUIPMENT**

STATE OF MINNESOTA)
COUNTY OF SAINT LOUIS)
CITY OF PROCTOR)

WHEREAS, the City Proctor Public Access (PACC) has items no longer in need by the department and been removed from service,

- 2 Large Bogan 3066 Video Tripods (for use only with Panasonic Analog Cameras)
- 2 Analog Panasonic Tube Studio Cameras, 5100 Models
- 3 Panasonic B/W Monitors
- 1 Panasonic B/W three monitor bank
- 1 Bank of 2 Camera Control Unit for Cameras
- 1 Traxis KU Band Satellite Receiver
- 1 HP Deskjet F4135 Printer
- 1 Magnavox DVD Recorder
- * Misc. Camera Cords

WHEREAS, the sale of such equipment and its proceeds will decrease operating costs of the department.

NOW, THEREFORE BE IT RESOLVED The City Council of the City of Proctor through the signature of its Mayor and Administrator authorizes to declare this equipment surplus and available for sale.

Motion by Schwarzbauer, seconded by McGovern and carried (3-0): To approve Resolution 52-16 as presented.

G. Overtime Costs for Events (Wobig)

Chief Wobig said that the statements in the packet were informational about the overtime police costs.

H. De-briefing of Hoghead Events (Wobig)

Wobig said this is information regarding Hoghead 2016. Schwarzbauer asked Wobig who else he shares this information. Wobig said that he shared this at Public Safety and will also share with Lions Club at their next meeting.

I. Administrator Contract

Item tabled.

7. LABOR AND NEGOTIATIONS ISSUES ó Closed Session

A. City Administrator Review ó Item removed

B. Contract Negotiation Strategies ó Item removed

MEMBER CONCERNS

Casey: WLSSD Ordinance

Casey and Jim Aird discussed the point of sale ordinance regarding WLSSD.

Brenna said that the racetrack wants to put up a reader board. The issue was presented to Planning and Zoning and a variance is required because this area is zoned Open/Recreation. Brenna asked for this to be placed on the next Council Agenda.

Schwarzbauer presented the information from the League of Minnesota Cities about MNDOT and available grants.

BILLS FOR APPROVAL

Motion by McGovern, seconded by Schwarzbauer and carried (3-0, White and Benson absent):
To approve the General Fund bills in the amount of \$17,591.34. Roll call vote: Schwarzbauer ó
yes, Brenna ó yes, McGovern ó yes.

Motion by Schwarzbauer, seconded by McGovern and carried (3-0, White and Benson absent):
To approve the Liquor Fund bills in the amount of \$30,875.85. Roll call vote: Schwarzbauer ó
yes, Brenna ó yes, McGovern ó yes.

ADJOURNMENT

Motion by McGovern, seconded by Brenna and carried: To adjourn the City Council Meeting of
October 3, 2016 at 8:20 p.m.