

Minutes of the regular Proctor City Council meeting held on January 20, 2015 in the Community Center Council Chambers

Mayor David Brenna called the meeting to order at 3:00 p.m.

MEMBERS PRESENT: Councilors Jake Benson, Shawn McGovern, Jim Schwarzbauer, Travis White and Mayor Dave Brenna

OTHERS PRESENT: Tim Peterson, Deputy Clerk; Tammie Aanonsen; John Bray, City Attorney; Jim Aird, Midway Township; Dick Ridgewell, Golf Board; Gordy Downs, Golf Board

APPROVAL OF MINUTES

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the January 5, 2015 Proctor City Council meeting minutes.

APPROVAL OF AGENDA

Schwarzbauer added: 7H: How does the City of Proctor Engage Youth
Schwarzbauer added: 7I: Mini bonds (\$500)

Motion by Benson, seconded by Schwarzbauer and carried: To approve the Agenda of January 20, 2015 as amended.

*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 asked to pull off 3D

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

Motion by Schwarzbauer, seconded by Benson and carried: To go to the audience for discussion.

***1. COMMUNICATIONS**

2. PLANNING & ZONING DEPARTMENT MATTER

***3. CLERK ADVISES COUNCIL**

- A. Government Fund payroll period ended 12/28/14; Liquor Fund payroll period ended 12/28/14; Government Fund payroll period ended 01/11/15; Liquor Fund payroll ended 01/11/15 (attached).
- B. Joint PUC & City Council Meeting Monday February 2, 2015.
- C. Minnesota Office of Administrative Hearing letter of January 5, 2015
- D. Letter dated January 13, 2015 from Proctor Public Schools

Schwarzbauer stated he thought Proctor School was ok with the removal of a member from the Tourism board. Brenna said that the reduction in members was to obtain a more manageable quorum. Benson stated that he attended the School Board meeting where this was to be discussed; however no one asked him any questions. Historically a representative from the school was part of Tourism committee to notify the city of tournaments and/or events, and that process hasn't happened.

***4. COMMITTEE REPORTS**

5. COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

6. UNFINISHED BUSINESS

- A. In service for Council and Department Heads - (11:30am on Jan. 22 @ Blackwoods)

Brenna reminded the council of the upcoming meeting.

- B. Agreement for Building Official Consulting Services with the City of Hermantown

Peterson stated that the city has been notified by our insurance that we cannot cover liability as requested by the contract. Peterson notified the Hermantown City Administrator and is waiting for a response.

- C. Request for additional Internet Connection

Peterson stated that the council discussed this last meeting, and he is now returning with 3 quotes. Air Fiber presents with the highest speed, lowest cost,

redundancy, and would allow the City to stream them council meetings.

Motion by Schwarzbauer, seconded by McGovern and carried: To select AirFiber as the secondary internet provider for the City of Proctor.

D. Golf Board Contract

Peterson stated that the Golf Board contract will expire in February 2015. The negotiating committee met with the golf board to discuss past operations and what to look forward to in the future. Peterson said it was determined that the best option would be for the golf board to transition to an advisory board, which then would report to City Council.

Dick Ridgewell, past president of the Golf Board, stated that everyone on the board has agreed with this decision. Peterson said that they would operate similar to the Liquor Store. Each meeting would have minutes, the employees would be city employees, and the board would operate like the liquor control meetings then relay information to the City Council.

It was also a consensus of the council members to provide season passes to board members, and for the golf board to make a list of items to discuss with the City as soon as possible.

Motion by McGovern, seconded by Brenna and carried: For the City of Proctor to not renew the golf contract as mutually agreed upon by the Proctor Golf Course Inc. and the City of Proctor.

E. Trail Grant (McGovern)

McGovern said that there was a public meeting with a presentation about three trails. One trail was unacceptable as it didn't run through Proctor. The group will be developing on a final package and McGovern will notify Council with an upcoming meeting date. This next meeting will be held in Proctor.

F. CDBG Presentations (Peterson)

Peterson reported that the city submitted an application to CDBG for downtown rehabilitation grants. CDBG committee has notified the city that the initial suggested funding level is \$25,000, opposed to \$75,000 that the City requested. CDBG will be evaluating the distribution of these initial funds and anticipate

Proctor returning with an additional funds request is this process is successful.

G. 2015 Official Designations & Committee Appointments

Benson stated that the city does not have protocol in place for committee members about roles and responsibilities of their terms. Schwarzbauer asked about the possibility of representation of youth with the city committees. Benson said that there is currently a student liaison on the school board and that may work with the City Council.

McGovern agreed with this idea and would like to create a youth advisory committee. Schwarzbauer would also like restore the Beautification Committee and he is volunteering to serve as chair.

Schwarzbauer also suggested reinstating a school board representative to the Tourism committee. McGovern agreed with Schwarzbauer that the school should be represented. Brenna said that he would like to see the council try it the way it is currently set up with a reduced number of members. Benson agreed with Mayor Brenna, and also stated that the school is welcome to attend the meetings as they are open to the public.

There was councilor discussion regarding the list of 2015 Official Designations and Committee appointments. Additions and subtractions to the list were noted. Benson also stated that he will be submitting meeting protocol in the next council packet.

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the 2015 Official Designations and Committee Appointments including the changes discussed.

7. NEW BUSINESS

A. Legislative Update (Benson)

Benson explained that he and Peterson testified before the Tax Division committee regarding the ½% increase Sales Tax.

B. Special Event Application ó Red Rock Radio Winterfest 2015

Peterson stated that this application is similar to the same request for 2014.

Motion by Schwarzbauer, seconded by Brenna and carried: To accept and approve the Special Event Application for Red Rock Radio Winterfest 2015.

C. MN Design Team 1st Visit 6 January 27, 2015

Peterson told the council that this will be the first official visit of the MN Design Team. They submitted a long list of items to discuss during this organizational meeting.

D. Commercial 3% Rebate

Peterson reported that at the last PEDDA meeting, the committee would like to offer a new hotel group a 3% Rebate. He asked if this program can be offered by PEDDA with blanket approval. Attorney Bray said he doesn't think that it should be an automatic offer to developers and that they should apply for the rebate and obtain approval.

Peterson said that the request from PEDDA is to offer the 3% Rebate to a hotel coming to property by Waterview Drive with the understanding that this rebate is pay-as-you-go. As the developer pays their property taxes, the city will return the money to them as the rebate.

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, White opposed): To invite Grand Stay Hotel development to apply for the commercial 3% Rebate Program.

E. LAMAR Property Purchase Agreement

Peterson stated that PEDDA also discussed the 5 acre parcel above LAMAR, which is the 5 acres next to the 35 acres that the city recently purchased. He said that PEDDA is requesting that the City enter into a purchase agreement with LAMAR in the amount of \$25,000 and a promise to look for a site for a billboard.

McGovern asked Peterson where the money would come from for this purchase. Peterson said that PEDDA can bond or the obtain a loan from PUC, and he stated that this is a low price for good benefit with access to this property.

Motion by Schwarzbauer, seconded by McGovern and carried (4-1, White opposed): To move forward with LAMAR property purchase agreement in the amount of \$25,000 and the promise to look for future billboard site that is mutually agreed upon.

F. Resolution for 40 Acre Reconveyance

Peterson said the meeting packet contains that resolution to be approved.

Motion by McGovern, seconded by Benson and carried: To approve Resolution 02-15 RESOLUTION AUTHORIZING AND DIRECTING THE CITY OF

PROCTOR ACQUIRE TAX FORFEITED PROPERTIES WITHIN THE CITY OF PROCTOR

**Resolution No. 02-15
City of Proctor**

**RESOLUTION AUTHORIZING AND DIRECTING
THE CITY OF PROCTOR ACQUIRE
TAX FORFEITED PROPERTIES WITHIN THE CITY OF PROCTOR**

WHEREAS, in the interest of the public, it is necessary for the City of Proctor, Minnesota, to construct a public park and portion of a public trail (öProjectö); and

WHEREAS, the City of Proctor, and St. Louis County and the City of Hermantown have agreed to work in conjunction with each other to construct the trail; and

WHEREAS, the property described on Exhibit A attached hereto (öPropertyö) is tax forfeited property; and

WHEREAS, the City is respectfully requesting the St. Louis County Board of Commissioners reconvey the property to the City of Proctor; and

WHEREAS, the construction of the park and trail will have long-term benefits by providing a public park and trail access to the general public; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Proctor, Minnesota as follows:

1. That the City Administrator is authorized to take what ever actions are necessary to effectuate this Resolution in order to complete the Project.
2. The parcel desired to be purchased is 185-0240-00070.

Councilor McGovern introduced the foregoing resolution and moved it adoption.

The motion for the adoption of such resolution was seconded by Councilor Benson and, upon a vote being taken thereon, the following voted in favor thereof: Councilors Schwarzbauer, Benson, White, and McGovern; Mayor Brenna.

And the following voted in opposition thereto: none

WHEREUPON, such resolution was declared duly passed and adopted.

Adopted by the City of Proctor this 20th day of January 2015

BY _____
David Brenna, Mayor

ATTEST: _____
Tim Peterson, Deputy Clerk

G. One-Ton Truck Purchase

Peterson said that the One-ton that the street department is using currently has is very old and costing the city a great deal of money in repairs. Peterson discussed the costs associated with a new vehicle. Peterson also stated that the cost of this would be covered within the Capital Improvement Plan that was approved with the 2015 Budget.

Motion by Schwarzbauer, seconded by McGovern and carried: To approve the purchase of a new one-ton vehicle following the costs matching the amounts presented with the money coming from the Capital Improvement fund.

H. How does the City of Proctor Engage Youth

Schwarzbauer shared with the council the newest publication of MN Cities magazine and the article about cities engaging youth.

I. Mini Bonds

Schwarzbauer discussed an article in the same magazine about cities taking out mini bonds in the amount of \$500.

8. LABOR AND NEGOTIATIONS ISSUES

Motion by Schwarzbauer and seconded by Benson and carried: To close the meeting at 4:55 p.m.

Motion by Schwarzbauer, seconded by Benson and carried: To reopen the meeting at 5:08 p.m.

A. Janitorial Contract

Motion by McGovern, seconded by Brenna and carried (4-1, White opposed): To terminate Peter Luke in the position of janitor, based on a recommendation by the Personnel Committee, effective in 30 days. Luke will remain as Media Director.

Consensus of councilors to direct city staff to advertise for a part-time janitor position.

MEMBER CONCERNS

Brenna had a discussion with Jan Resberg about cleaning out one side of the hallway where fingerprints are now being processed. Brenna said that this is for safety reasons, and to preserve the quality of the uniforms and other museum items. Brenna stated that he recommends the

museum remove these items within 2 weeks. Schwarzbauer agreed with Brenna. White asked about the \$20,000 loan the museum has with the City and when they will initiate repayment.

BILLS FOR APPROVAL

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, White opposed): To approve the General Fund bills in the amount of \$163,851.58. Roll call vote: Schwarzbauer ó yes, White ó no; Benson ó yes; McGovern ó yes; Brenna ó yes.

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, White ó opposed): To approve the Liquor Fund bills in the amount of \$29,836.20. 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 January 20, 2015 at 5:10 p.m.