

Minutes of the regular Proctor City Council meeting held on February 1, 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; Bridget & Jim Peterson; Kyle Borg; Brian Walker; Phil Larson; Keenan McGovern; Eric Bingaman; Nick Greenwood; Brian & Cara Towers; Matthew Erjavec; Chief Walter Wobig

### **APPROVAL OF MINUTES**

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

### **APPROVAL OF AGENDA**

Casey added 7K: Resolution 08-16 ó Resolution of Non-Objection

Motion by Benson, seconded by Schwarzbauer and carried: To approve the agenda of February 1, 2016 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.

Benson pulled 4D. to move to 7M.

Motion by McGovern, seconded by Benson 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 01/24/16; Liquor Fund payroll ended 01/24/16 (attached).

#### **\*4. COMMITTEE REPORTS**

- A. Planning & Zoning Meeting Minutes of December 21, 2015
- B. Proctor Economic Development Authority Meeting Minutes of November 10, 2015
- C. Liquor Control Meeting Minutes of December 21, 2015
- D. Public Utility Commission Meeting Minutes of December 14, 2105

#### **5. COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT**

#### **6. 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
- \*F. Council Handbook

#### **7. NEW BUSINESS**

- A. Special Event Packet ó S. St. Louis County Fair

Brenna stated that this appeared to be similar to the 2015 Event Packet. McGovern asked about a part of the packet changing and is it then brought back to council. Peterson said that it can be brought back as an addendum.

Motion by Brenna, seconded by White and carried: To approve the Special Event packet for the S. St. Louis County Fair as presented.

- B. Special Event Packet ó Winter Frolic (discussed at Public Safety 1/28/16)

Kyle Borg, President of the Proctor Chamber asked if the councilors had any questions about this event packet. Benson stated that the Chamber did not discuss the details with the golf course manager. Walker stated that he would like to be

made aware of the dog sled route on the course.

Motion by McGovern, seconded by White and carried: To approve the Special Event Packet for the Winter Frolic as presented.

C. Parliamentary Procedure for Meetings

Schwarzbauer stated that he would advise the council to follow Robert's Rules during the meetings. McGovern said that the procedure is already in City Code to follow them. White asked how audience members have the opportunity to speak. Schwarzbauer said that when the council gets to an agenda item, a motion and a second are made prior to discussion.

D. Resolution 05-16 In Support of Increasing Local Government Aid in the 2016 Legislative Session (Casey ó see enclosed documents)

Casey stated that this resolution is standard procedure and will be forwarded to our legislatures.

Motion by Schwarzbauer, seconded by Brenna and carried: To approve Resolution 05-16 In Support of Increasing Local Government Aid in the 2016 Legislative Session as presented.

E. Resolution 06-16 Approving Chamber Use of Public Properties for Special Events

Casey said that after speaking to staff, the Chamber is using the city properties and this resolution is proper protocol for council approval.

Motion by Schwarzbauer, seconded by Benson and carried: To approve Resolution 06-16 Approving Chamber Use of Public Properties for Special Events as presented.

F. Resolution 07-16 Establishing Council Meeting Time, Date, and Place (Casey)

Motion by Benson, seconded by Schwarzbauer and carried: To approve Resolution 07-16 Establishing Council Meeting Time, Date, and Place as presented.

G. Ordinance 01-16 Intrusive Lighting (2<sup>nd</sup> Reading and approval)

Benson asked Bray about enforcement if the ordinance is violated. Bray stated that it falls in the nuisance section of City Code and will be followed that same way.

Motion by McGovern, seconded by Schwarzbauer and carried: To approve Ordinance 01-16 as presented.

H. Councilors Working Meeting (Special Meeting Notice) 6 February 3, 2016

Casey stated that this is a reminder to council.

I. Peace Officer Agreement to Provide Services

Chief Wobig said that this is an agreement to provide police services for the ALS Blizzard Tour 2016.

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the Peace Officer Agreement to Provide Services as presented.

J. Resolution 02-16 Confirming the Appointment of to the Liquor Control Committee

Nick Greenwood, Derailed Bar, stated that he received a letter from City Hall removing him from Liquor Control Committee. Brenna said that the letter was sent as a resident thought the city should not have two owners from one bar on the committee. Greenwood said the purpose of the Liquor Control committee is to make recommendations to City Council. He joined to be more informed as a bar owner and believes that every bar owner should be on that committee as they are the most knowledgeable. Greenwood said removing the bar owners would be like removing the hotels from Tourism committee.

Benson said he would like to think about an alternative resolution. Bray suggested board members abstaining from certain motions. McGovern stated that he agrees with transparency and wants to have expert on the Liquor Control Board. Phil Larson said that he was trying to enlighten the council about the perception in the community. White said that he can support either way the board is comprised. Schwarzbauer would not comment as he felt the council was not following Parliamentary Procedure.

No action taken, item tabled.

K. Resolution No. 08-16 Resolution of Non-Objection To Issuance of State of Minnesota Charitable Gambling License

Matthew Erjavec of Whitetails Unlimited North Woods Chapter said this is the third year for the raffle at Blackwoods. He said the task of bringing it before council was delegated and never was completed.

Motion by McGovern, seconded by White and carried: To approve Resolution 08-

16 as presented.

L. Golf Course Plan

Walker presented his plan for the golf course for 2016. He also wanted council approval to move forward with the planning of the Veteranø Open on July 30 & 31. Walker said he is working with Bray about a 501C3, and will be completing an Event Packet.

Walker discussed the idea of a bar/counter in the clubhouse, equipment repairs and the need for more golf carts.

Motion by Brenna, seconded by White and carried: To allow Walker to move forward with the planning of the Veteranø Open on July 30 & 31, 2016.

M. Meeting Minutes from PUC Meeting of December 14, 2015.

Benson discussed the closure of the meeting for threatened litigation and to schedule a meeting. He said that this is a violation of MN Statute and should not have been done without the City attorney present. Bray said that he would discuss with the commission at their upcoming meeting.

## 8. LABOR AND NEGOTIATIONS ISSUES

A. Hovland Annexation

Bray stated there was nothing new to report.

### MEMBER CONCERNS

Schwarzbauer stated that ACTS would no longer like to meet with council on Feb. 16, but have their own meeting in the conference room. He also stated that the Historical Society is selling tickets for the Valentineø Day Waffle.

McGovern asked about the status of the Personnel Policy Handbook. Peterson stated that the Chief of Police found one dated 1991, but he would not recommend using it as it is outdated. Peterson said that currently the city is working with Chief Wobig to get the policies to mesh together.

### BILLS FOR APPROVAL

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the General Fund bills in the amount of \$41,874.74. Roll call vote: Schwarzbauer ø yes, White ø yes; Benson ø yes; McGovern ø yes, Brenna ø yes.

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, White opposed): To approve the Liquor Fund bills in the amount of \$20,146.02. 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 February 1, 2016 at 7:50 p.m.