

Minutes of the regular Proctor City Council meeting held on March 7, 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; Eric Bingaman; Phyllis Hom, Wok & Grill; Chief Walter Wobig; Kyle Borg, Proctor Chamber; Steve Anderson; Nick Greenwood; Harold Stevens; Bridget Peterson; Gary Skibinki

#### APPROVAL OF MINUTES

Casey stated that Item 6G. did not include the motion for approval.

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the February 16, 2016 City Council Meeting Minutes as amended.

#### APPROVAL OF AGENDA

Casey added 6M: Kirkus Street Plat and Assessment

Casey added 6N: Resolution 14-16

Motion by Benson, seconded by Schwarzbauer and carried: To approve the agenda of March 7, 2016 as amended.

#### COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Kyle Borg, Proctor Chamber President stated that previously the Council approved the easement for additional trails. He is asking for a copy to give to obtain grant aid. Casey said there was a small discrepancy in the map he was given, so he will get that corrected and give it to Borg at that time.

Phyllis Hom, Wok & Grill asked the council for a report about Walker's job duties this winter. Brian Walker said that this winter he has been working on plans for a hockey rink; the north 40 acres; researching Big Box stores to open in the Duluth/Superior Area; getting the Golf Course caught up with maintenance and equipment. He also stated that from April through November he worked a total of 2200 hours.

Casey said that he has had Walker attending additional meetings for the City and also gathering information about additional options of the Salt/Sand Shed. Casey said he continues to find areas for Walker to work on.

\*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

\*1. COMMUNICATIONS

2. PLANNING & ZONING DEPARTMENT MATTER

\*3. CLERK ADVISES COUNCIL

- A. Government Fund payroll period ended 02/21/16; Liquor Fund payroll ended 02/21/16 (attached).

\*4. COMMITTEE REPORTS

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

Benson pulled this item for discussion. He said that he has reviewed the 774 pages of bonding request and identified four hockey requests and seven civic center requests. White stated that he has received correspondence from an NHL team asking specific questions. He is asking Casey to write a resolution answering these questions and send to all NHL teams. Schwarzbauer said he will keep the council posted about the development of area Sports Commission.

- \*F. Council Handbook
- \*G. MN State Statute Chapter 13D - Shedding Light on Open Meeting Law (Benson)  
Benson tabled this item for the next meeting.

## 6. NEW BUSINESS

### A. Pickleball Court request (letter enclosed)

Gary Skibicki said that he would like to start teaching Pickleball through Community Education, however he would like to use the playground area near the old high school/junior high (between north 1<sup>st</sup> Avenue and north 2<sup>nd</sup> Avenue). He is asking for permission to use the area and paint lines on the court.

McGovern said that this item should be brought before Parks and Recreation. Item tabled until after upcoming Parks & Recreation meeting.

### B. Proctor Police Department 2015 Yearly Report (Wobig)

Chief Wobig described the report that he submitted in the packet. McGovern asked the Chief for a breakdown of calls at the school. Wobig said that there is a lot of patrol at the school, and he will submit a report to the council.

### C. Veterans Open 2016 (Walker)

Walker said that the Veterans Open is now a corporation and working on obtaining the 501C3. He is asking the city to help with the donation of the golf course and carts; donation of fairgrounds and electricity; donation of the cost of the police following the Matrix; the transfer of the liquor license; and for the city to pay for the extra insurance.

Casey said that as this is not a city entity, our insurance will not cover. They would have to purchase separate insurance through another agency. The city's insurance would only cover Walker as a city employee. He also stated that the transfer of liquor license has to be approved by the Liquor Control Committee and then the State Liquor Commissioner. Chief Wobig said that he would sit down with Walker to discuss the Matrix.

Walker asked to sit down with Casey, Bray and a councilor to discuss more details of the event and the possibility of the city co-sponsorship.

### D. 2016 Local Board of Appeal and Equalization meeting date

Casey said that the City of Proctor will have their meeting on April 26, 2016 at 9am. Brenna said he was not happy about that time.

Motion by Schwarzbauer, seconded by Benson and carried: To approve the meeting date and time for the 2016 Local Board of Appeal and Equalization.

### E. 2016 Official Designations & Committee Appointments

Benson asked to pull the Liquor Control Committee from this list as there is an open position. He is also hoping to develop and application for this position.

Motion by McGovern, seconded by Brenna and carried: To approve the 2016 Official Designations & Committee Appointments without including the Liquor Control Committee.

- F. Tourism Committee recommends that the City Council approve an increase in the 2016 Lodging Tax Fund Allocated Budget to \$100,000 (Benson)

Motion by Benson, seconded by Schwarzbauer and carried: To approve Resolution 13-16 as presented.

RESOLUTION NO. 13-16  
RESOLUTION GIVING APPROVAL TO REVISE THE TOURISM  
COMMITTEE ALLOCATED BUDGET

WHEREAS, The City of Proctor supports Proctor Tourism, and

WHEREAS, The City of Proctor understands the significance of the Tourism Industry to a wide variety of Proctor businesses including hotels, food and beverage establishments, service stations, and Mountain Spirits; and

WHEREAS, marketing and promotion of The City of Proctor has grown and has made a significant impact; with the potential of expanding; and

WHEREAS, Lodging Sales topped \$5 million for the first time in 2015; and

WHEREAS, Lodging tax collections showed a 6.22 percent increase over the preceding year and 22.99 percent increase between 2012 and 2015; and

WHEREAS, The Proctor Tourism Committee Allocated Budget needs to be revised to implement a comprehensive and extensive marketing and promotion campaign; and

WHEREAS, The Proctor Tourism Committee has recommended to The Proctor City Council to approve a revision in its Allocated Budget to \$100,000 by moving Lodging Tax Funds from Unallocated to Allocated; and

NOWHEREFORE, BE IT RESOLVED, that the city council of The City of Proctor hereby approves a revision in the Tourism Budget to \$100,000

Adopted by the City Proctor on this seventh day of March 2016.

- G. Process for Event Applications and the Funding Request (Approved by Tourism - Benson)

Benson described the process for events as presented in the council packet.

- H. Funding Request of \$12,000 of Unallocated Lodging Tax Funds for the 2016 South St. Louis County Fair (Tourism recommendation ó Benson)

McGovern asked Benson is the request was for \$15,000 in 2015. Schwarzbauer also thought the amount was \$15,000 for 2015. Both councilors recommend keeping the funding request for this event at \$15,000.

Motion by McGovern, seconded by White and carried: To accept the funding request of unallocated Lodging Tax Funds for the 2016 South St. Louis County Fair in the amount of \$12,000 or to match the 2015 request, whichever amount is greater.

- I. Sunshine Week Open Government Proclamation (Benson)

Benson stated that past councils have approved this proclamation for Sunshine Week.

Motion by Benson, seconded by White and carried: To accept the Sunshine Week Open Government Proclamation as presented.

- J. Decorative Light Poles in Business District (Benson)

Benson read through portions of the letter that was submitted in the packet. Kyle Borg stated that in 2003, Lee Harnell bought five additional light poles. As the poles needed to be replaced, he sold them to the chamber at a fixed rate. Borg said that the Chamber is now asking who should pay for new poles as Harnell no longer has a surplus.

Casey said that this style of light pole is now discontinued. The city insurance will not cover the light poles if the chamber owns them. The city would need official documentation from the Chamber donating the poles to the City. The City would make a resolution accepting them and then contact the League of Minnesota Cities for new insurance. Borg said he will have the Chamber Secretary write a letter.

- K. Resolution 12-16: Supporting the Installation of Electronic Traffic Sign at the Intersection of 5<sup>th</sup> Street and 3<sup>rd</sup> Avenue

Brenna explained that he spoke with Commission Stauber and this resolution is required for the installation of this sign. Brenna also said that this was approved by the Public Safety committee.

Motion by McGovern, seconded by Schwarzbauer and carried: To approve Resolution 12-16: Supporting the Installation of Electronic Traffic Sign at the Intersection of 5<sup>th</sup> Street and 3<sup>rd</sup> Avenue

RESOLUTION 12-16  
SUPPORTING THE INSTALLATION OF ELECTRONIC TRAFFIC SIGN AT THE  
INTERSECTION OF 5<sup>TH</sup> STREET AND 3<sup>RD</sup> AVENUE

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

WHEREAS, the City of Proctor intends to support improved safety throughout the community; and,

WHEREAS, the Public Safety Committee has determined that a flashing electronic stop signal at the intersection of St. Louis County maintained 5<sup>th</sup> street and City maintained 3<sup>rd</sup> avenue would improve the safety of the intersection; and,

WHEREAS, said improvements can be implemented with each public entity appropriating funds to pay half of the cost install; and,

WHEREAS, the surrounding community supports this request.

BE IT RESOLVED through actions taken by the Mayor and City Council of the City of Proctor hereby approves the use of public funds to pay for half of cost to install a flashing electronic stop sign at the intersection of 5<sup>th</sup> Street and 3<sup>rd</sup> Avenue.

L. 2016 Speedway Event Application (Public Safety Committee has approved)

Motion by White, seconded by Brenna and carried: To accept the 2016 Speedway Event Application as presented.

M. Kirkus Street Plat & Assessment

Steve Anderson spoke about the map of property on Kirkus Street. He worked with Jim Rohweder about the division of this property into four buildable lots. Anderson is asking the city to split the assessments for each lot based on front footage.

Motion by Schwarzbauer, seconded by Benson and carried: To allocate assessments amongst the four parcels based on front footage.

N. Resolution 14-16 ó Calling for Public hearing on Improvement

Motion by Benson, seconded by Schwarzbauer and carried: To adopt Resolution 14-16 as presented.

RESOLUTION NO. 14-16  
CALLING FOR PUBLIC  
HEARING ON IMPROVEMENT

STATE OF MINNESOTA)  
COUNTY OF ST. LOUIS)  
CITY OF PROCTOR)

WHEREAS, the City of Proctor has created a committee to develop and implement a City Comprehensive Plan (the Plan) and,

WHEREAS, the Plan has been developed through a series of meetings of a wide range of citizens and government officials; and,

WHEREAS, the City is required to hold a Public Hearing to hear input from additional citizens and government entities before the Plan can be adopted and implemented.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PROCTOR, MINNESOTA.

The City Council hereby does call for a Public Hearing and special meeting of the City Council, on the 29<sup>th</sup> day of March 2016 in the council chambers of city hall at 6:00 p.m. and the clerk shall give published notice of such hearing and improvement as required by law.

Adopted by the City Council on this 7<sup>th</sup> day of March, 2016.

7. LABOR AND NEGOTIATIONS ISSUES

A. Hovland Annexation

Bray stated there is nothing new to report. Benson recommended pulling this item off the agenda until there is new information to discuss.

MEMBER CONCERNS

White commented about the expired soda in the vending machine. Casey said the city will call the vendor.

Schwarzbauer discussed the handout he brought to the council meeting describing the Annual

Meeting of Townships on March 8, 2016.

#### BILLS FOR APPROVAL

Motion by Benson, seconded by Schwarzbauer and carried (4-1, McGovern opposed): To approve the General Fund bills in the amount of \$203,379.67. Roll call vote: Schwarzbauer ó yes, White ó yes; Benson ó yes; McGovern ó no, Brenna ó yes.

Motion by Benson, seconded by Brenna and carried (4-1, White opposed): To approve the Liquor Fund bills in the amount of \$37,048.43. 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 March 7, 2016 at 8:22 p.m.