

Minutes of the regular Proctor City Council meeting held on March 20, 2017 in the Community Center Council Chambers

Deputy Mayor Gary Nowak called the Public Hearing to order at 5:00pm.meeting to order at 6:00 p.m.

MEMBERS PRESENT: Councilors Jake Benson, Jim Schwarzbauer, Troy DeWall, and Acting Mayor Gary Nowak

MEMBERS ABSENT: Mayor Philip Larson

OTHERS PRESENT: Mark Casey, City Administrator; Tammie McDonald; John Bray, City Attorney; Jim Aird, Midway Township; Nancy Smith; Thomas Blazejak; Cathy Miller; Alyssa Silverness; Howard Peterson; George Lee; Dorothy Lee; Brandy Meadows; Dave Martinek; Elmer Engman; Sharon Jugasek; Anders Silverness; Fred Nylander; Betty Nylander; Peg & Bill Sweeney; Mike & Liz Harty; Beth & Scott Johnson; Steve Bennett; Carla Warmington; Bart & Erin Bergland; Rory Johnson; Noreen Pyle; Kevin Bahr; Gregory Sminesvik; Michael Nelson; Susan Nowak; Russell Haberman; Ray Sundin

Casey stated that this Public Hearing is to describe the overall project and hear from the residents. He stated that the project has not been ordered or approved by Council.

Matt Bolf, SEH, stated that he is the contracted City Engineer for Proctor. He gave the project Background from data gathered to use to prioritize reconstruction projects. Bolf said in general, the City of Proctor will pay 70% and the benefitting property will pay 30%. Bolf went on to describe the Project Procedure and the Project Introduction. He said that with council approval the design scheduled to be completed in 2017 with the bidding to begin in 2017 with construction completed in 2018.

Bill Sweeney, Chairman of the Public Utilities Commission stated that the PUC will assess up to 30%.

Many residents asked questions about the proposed project and based on the recommendation of Commissioner Sweeney, the hearing was extended until 6:30p.m.

CALL TO ORDER - CITY COUNCIL MEETING AT 6:35PM

APPROVAL OF MINUTES:

Motion by DeWall, seconded by Schwarzbauer and carried: To approve the March 6, 2017 City Council Meeting Minutes.

APPROVAL OF AGENDA

Nowak tabled 6F

Schwarzbauer added comments to Members Concerns

Motion by Schwarzbauer, seconded by DeWall and carried: To approve the agenda of March 20, 2017 as amended.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Russell Haberman stated that he is interested in organizing a Spring Clean Up for the City of Proctor. He asked for permission to use the city's garbage dumpsters. Item to be added to the next agenda.

*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

Motion by Schwarzbauer, seconded by DeWall and carried: To approve the Consent Agenda.

*1. COMMUNICATIONS

*2. PLANNING & ZONING DEPARTMENT MATTER

*3. CLERK ADVISES COUNCIL

- A. Government Fund payroll period ended 03/05/17; Liquor Fund payroll period ended 03/05/17

*4. COMMITTEE REPORTS

*5. UNFINISHED BUSINESS

- *A. Council Handbook

6. NEW BUSINESS

A. Resolution 09-17 ó Small Community Air Service Development grant

Casey stated that this request was sent by the Duluth Airport Authority and Visit Duluth to expand tourism to the Duluth area. Schwarzbauer said that he has been involved in the process also.

Motion by Schwarzbauer, seconded by DeWall and carried (4-0): To approve Resolution 09-17 as presented.

B. Resolution 10-17 ó Resolution of Non-Objection

Adam Jaros, with the Confidence Learning Center stated that the money raised by selling the pull tabs at the Moose will help people with disabilities to pay for their time at the Center. Casey asked if he was aware of the reporting requirements, and Jaros stated that he was aware.

Motion by Benson, seconded by Schwarzbauer and carried (4-0): To approve Resolution 10-17 as presented.

C. Resolution 11-17 ó Ordering of Plans and Specifications for Almac Drive and 6th Street

Casey stated that this would help the city be a step ahead if the sales tax bill is successful during the state's legislative session. Benson asked for clarification of preparation of plans. Matt Bolf, SEH, stated that they would prepare to order and design the plans for the project. Bold said it would also include a topographical survey. DeWall asked Bolf the cost of the next step. Bolf stated that the costs are wrapped in the assessment fees. The council also discussed who should abstain from voting on the ordering of plans based on their residence.

Motion by DeWall, seconded by Nowak and carried: To table this item until the next City Council meeting.

D. For Consideration ó Appraisal of PEDA property (PEDA Meeting Minutes of 03/14/17 and appraisal from Ann Heimbach)

Casey stated that PEDA is exploring options for appraisals, and only received one quote. DeWall stated that he would like to see more estimated. Item table until next meeting.

E. Recommendation from Liquor Control regarding Golf Course Liquor License Application

Nowak stated that the Liquor Control Committee unanimously approved the Liquor License application for the Golf Course.

Motion by Schwarzbauer, seconded by DeWall and carried (4-0): To accept the Liquor Control Committee recommendation and approve the Liquor License Application for the Proctor Golf Course.

- F. Recommendation from Liquor Control Committee regarding payment plan from Moose Lodge

Item Tabled

- G. For consideration - RFP for Web Design and Hosting

Casey stated that the City has received phone calls and comments about the incomplete city website. He would like to compose and RFP for website design and hosting. Schwarzbauer stated that his daughter is knowledgeable in this service.

- H. Request for approval from Police Department - Master Subscriber Agreement for Minnesota Court Data Services - Resolution 12-17

Casey stated that the council approves this agreement every three years for the Police Department. This is for a site that the police use to collect data.

Motion by Schwarzbauer, seconded by DeWall and carried (3-1, Benson opposed): To approve the Request for approval of the Master Subscriber Agreement for Minnesota Court Data Services and Resolution 12-17 as presented.

Motion by Nowak, seconded by DeWall and carried: To recess the City Council meeting at 7:22pm and go to a closed meeting to discuss labor and negotiation issues along with pending litigation.

Motion by Nowak, seconded by DeWall and carried: To adjourn Closed Session

Motion by Benson, seconded by DeWall and carried: To reopen the City Council Meeting at 7:45pm

7. LABOR AND NEGOTIATIONS ISSUES (Closed Session)

- A. Union and Negotiations Update

6. NEW BUSINESS (continued)

I. Labor Agreement

Motion by DeWall, seconded by Nowak and carried (4-0): To accept the post-employment agreement as discussed.

MEMBER CONCERNS

Benson attended the MN House Session and reminded the council that Friday was the deadline for all the bills to be heard. Casey stated that a number of communities are asking for changes in Sales & Use Tax

Schwarzbauer distributed a flier and gave an update from the Township Meeting. He also discussed the need for the council to come together. Nowak agreed and stated that he does not want a divided council. DeWall stated that the voters voted for change and that's why he is on the council. During the council meetings he is a city councilor doing the best for the city. Benson stated that he too takes this position very seriously and wants to do what is best for the community.

BILLS FOR APPROVAL

General Fund	Liquor Fund
\$141,451.23	\$34,191.70

\$175,642.93 TOTAL BILLS FOR APPROVAL

Schwarzbauer asked Attorney Bray if the councilors should abstain from bills to their place of business. Bray said that they could vote yes for all the bills, and still abstain from that one particular invoice.

Motion by Schwarzbauer, seconded by DeWall and carried (3-1, Benson opposed; DeWall abstained from Troy's Amoco invoice): To approve the bills in the amount of \$175,642.93.

ADJOURNMENT

Motion by Nowak, seconded by DeWall and carried: To adjourn the City Council meeting at 8:15pm.