

Minutes of the regular Proctor City Council meeting held on July 17, 2017 in the Community Center Council Chambers

Mayor Larson called the meeting to order at 6:00pm.

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

OTHERS PRESENT: Mark Casey, City Administrator; Tammie McDonald; Jennifer Crown; John Bray, City Attorney; Jim Aird, Midway Township; Officer Kent Gaidis; Leon Asbury; Nicole Swanson; Nick Greenwood; Eric Bingaman; Heidi Olson; Dick Kari; Kris Bryant; Steve Anderson; Russell Habermann; Travis and Jakob White; Matt Swanson; Ian Swanson

APPROVAL OF MINUTES:

Schwarzbauer noted that item 6C. should include wording that the council should look next year at the appropriate funding for Tourism.

Benson noted that item 2A. Should specify that he voted against because of the violation of statute 1343, sub 5 about the city not releasing the names of the applicants.

Benson also noted that item 6N should read that the vote was 3-1, Benson opposed.

Motion by DeWall, seconded by Schwarzbauer and carried: To approve the June 19, 2017 City Council Meeting Minutes and the July 10, 2017 Special Meeting Minutes as amended.

APPROVAL OF AGENDA

Larson stated that item 6G was to be removed.

Motion by Schwarzbauer, seconded by Nowak and carried: To approve the agenda of July 17, 2017 as amended.

SWEARING IN OF NEW OFFICERS

Chief Gaidis gave the Oath of Office to Officer Thomas Wick and also Officer Nicholas Moder.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

*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

- A. WLSSD Letter dated July 6, 2017
- B. Letter to Anthony Wood dated June 30, 2017
- C. 2017 Hoghead Alcohol Consumption maps (discussed at Public Safety Meeting and Liquor Control)

*2. PLANNING & ZONING DEPARTMENT MATTER

*3. CLERK ADVISES COUNCIL

- A. Government Fund payroll period ended 06/25/17; Liquor Fund payroll ended 06/25/17 (attached).
- B. Government Fund payroll period ended 07/09/17; Liquor Fund payroll ended 07/09/17 (attached)

*4. COMMITTEE REPORTS

- A. Planning and Zoning Meeting Minutes of June 26, 2017

*5. UNFINISHED BUSINESS

- A. Personnel Handbook
- B. SRO

6. NEW BUSINESS

- A. 6:00pm – 2016 Delinquent Garbage Assessment Hearing/ Resolution 26-17
Certifying Garbage Assessments

Leon Asbury stated that he has been paying his bill regularly and does not have additional money for this assessment. Casey advised Asbury to contact Hartel's directly.

Jake Benson stated that his name was on this assessment list in error.

Nicholas Eaton, 718 4th Street, stated that he bought this property three months ago, and was never told that there was a delinquent garbage assessment; it was not caught at his closing. He asked council to give him a little time to rectify the situation with Hartels'. Casey advised Eaton to contact Hartels' directly.

The council decided to certify the assessments at the next council meeting.

B. Consideration Requests to the City of Proctor from ISD #704

Casey stated that Steve Anderson and Kris Bryant were present from ISD #704 to answer any questions from the council. Casey also stated that the city is currently working on item #1. Larson also stated that a few of the items will need to be discussed by PUC. Benson asked that when this comes back to council, he would appreciate associated costs with each line item. Anderson stated that they would like to work with the Event Coordinator.

C. Resolution 27-17 Resolution of Non-Objection

Mayor Larson read the resolution aloud.

Motion by Benson, seconded by Schwarzbauer and carried (5-0): To approve Resolution 27-17 as presented.

D. Request from Proctor Lions Club

Casey read the letter from the Lions Club requesting \$1200 for Hoghead banner and buttons. Benson asked from which fund the money would be paid. Casey said that he and Crown would look at the budget; possibly Parks and Recreation. Casey said that the Lions have donated to the Proctor Fire Department so a donation would be acceptable from an auditors standpoint. Item tabled until next council meeting. DeWall and Nowak objected to the funds coming out of Parks and Recreation.

E. 2nd Reading - Ordinance ATV/Snowmobile

DeWall stated that this was approved by the Public Safety committee. Benson asked how similar this is to the county wording, and Larson stated that it is very similar.

Motion by Benson, seconded by DeWall and carried (5-0): To approve Ordinance 06-17 as presented.

F. Mesabi Misses (Schwarzbauer)

Schwarzbauer described the literature that he presented to council about the proposal by Timothy Cleary. Cleary will be designing the monument of the Mesabi Misses to be placed in Trainquility Park.

G. Excavation/Land Erosion Fees

Item tabled.

H. Train Estimate (Schwarzbauer)

Schwarzbauer stated that there are Tourism dollars specifically designated for repairs on the train and plane. Casey confirmed that there are those designated funds.

Motion by Benson, seconded by DeWall and carried (5-0): To approve the \$1200 to repair the Train as presented.

I. Special Event Packet – 2017 MN Forest Zone Assn Gun Show/Gun Sales
(Approved at Public Safety 07/12/17)

Larson stated that this event has taken place at the Fairgrounds in the past and approval recommendation by Public Safety committee.

Motion by DeWall, seconded by Nowak and carried (5-0): To approve the Special Event packet for the 2017 MN Forest Zone Assn Gun Show/Gun Sales as presented.

J. Arbor Day Observance – Tree City Designation – Proclaim September Arbor Day Month with students from Bay View Elementary helping plant trees
(Benson)

Benson stated that typically there is a celebration in the spring, but he suggests having the observance in September to include students from Bay View school. Benson stated that he would leave it up to city staff to figure out the details of the gathering.

Motion by Benson, seconded by Nowak and carried (5-0): To proclaim September Arbor Day Month with students from Bay View Elementary helping to plant trees.

K. Resolution 28-17 Resolution of Non-Objection

Mayor Larson read the resolution aloud. Motion by Schwarzbauer, seconded by DeWall and carried (5-0): To approve Resolution 28-17 as presented.

L. Change of Venue – Derailed Bar & Grill Aug. 16-Aug 20, 2017

Casey stated that the Derailed is asking for an extension of venue. He said that he was in contact with the State Liquor Board today, the only way that someone can leave a licensed premise is if the city declares a Community Festival. Benson stated that he always took the week as a festival. Casey said that it has to be a declaration. Dick Kari, Powerhouse Bar, stated that on Wednesday night he hosts the car show and he serves meals with many volunteers. Nick Greenwood, Derailed Bar, stated that Wednesday night they are hosting a raffle and giving away food. Casey explained the language from the State Liquor Board.

Motion by Benson, seconded by Schwarzbauer and carried (4-1, Larson opposed): To name a Community Festival from Wednesday, August 16, 2017 at 12noon through Sunday, August 20, 2017 at 3am under the conditions of the maps presented relating to the Car Show, and events Friday/Saturday/Sunday.

Motion by DeWall, seconded by Nowak and carried: To move to closed session Per Ch. 13D of MN Statutes to discuss labor and pending litigation.

Motion by Benson, seconded by Larson and carried: To Open Closed Session

7. LABOR AND NEGOTIATIONS ISSUES (Closed Session)

- A. Union and Negotiations Update
- B. Annexation Update

Motion by Benson, seconded by DeWall and carried: To close the Closed Session

Motion by Benson, seconded by DeWall and carried: To resume the regular City Council Meeting

6. NEW BUSINESS (continued)

- N. Labor Agreement

MEMBER CONCERNS

Schwarzbauer would like to add an agenda item titled Shard Vision for the next council meeting. He also discussed developments to Trainquility Park.

BILLS FOR APPROVAL

General Fund

\$81,482.84

Liquor Fund

\$32,187.96

\$113,670.80 TOTAL BILLS FOR APPROVAL

Motion by Nowak, seconded by Schwarzbauer and carried: To approve the General Fund and Liquor Fund bills list as presented.

ADJOURNMENT

Motion by Nowak, seconded by DeWall and carried: To adjourn the city council meeting at 8:45pm.

Respectfully submitted,

Philip Larson, Mayor

Mark Casey, City Administrator