

Minutes of the regular Proctor City Council meeting held on August 7, 2017, 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; Chief Kent Gaidis; Nick Greenwood; Kathy Hannan; Mary Murphy; Dick Kari; Kris Bryant; Steve Anderson; Nicole Swanson; Gordon Downs; Terry Carroll

APPROVAL OF MINUTES:

Benson asked that the minutes explain the entire Resolution of Non-Objection.

Motion by Schwarzbauer, seconded by DeWall and carried: To approve the July 17, 2017 City Council Meeting Minutes as amended.

APPROVAL OF AGENDA

Motion by Benson, seconded by Schwarzbauer and carried: To approve the agenda of August 7, 2017 as amended.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Gordon Downs would like to see the Golf Advisory Board meet more regularly, especially during the busy months.

*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 Nowak, seconded by Schwarzbauer and carried: To approve the Consent Agenda.

*1. COMMUNICATIONS

A. Memorandum from Arrowhead Regional Development Commission

*2. PLANNING & ZONING DEPARTMENT MATTER

*3. CLERK ADVISES COUNCIL

- A. 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 July 24, 2017

*5. UNFINISHED BUSINESS

- A. Personnel Handbook
- B. SRO

6. NEW BUSINESS

- A. Resolution 34-17 Recognizing Representative Murphy

Mayor Larson read the resolution aloud and presented Representative Murphy with a certificate of recognition.

Murphy described the recent Restoration of the State Capitol Building and encouraged everyone to see the art work that is displayed at the Capitol.

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

Casey stated that this certification is done every year.

Motion by Nowak, seconded by Larson and carried (5-0): To approve Resolution 26-17 Certifying the 2016 Delinquent Garbage Assessments.

- C. Resolution 29-17: Ordering Plans and Specifications for 6th Street

Casey stated that the council previously discussed this item, and now it being brought before council in separate resolutions. Matt Bolf – SEH City Engineer stated that he would like to see a small group meet and discuss smaller items. He would recommend Mayor Larson and Councilor Schwarzbauer along with the Street Department Foreman.

Motion by DeWall, seconded by Benson and carried (4-0, Larson abstained): To approve Resolution 29-17 Ordering Plans and Specifications for 6th Street.

D. Resolution 30-17: Ordering Plans and Specifications for Almac Drive

Schwarzbauer stated the Streets Committee met, but without a quorum, and did discuss vacating Bee Street. Bolf said that was an item to be discussed by the subcommittee.

Motion by DeWall, seconded by Larson and carried (4-0, Schwarzbauer abstained): To approve Resolution 30-17 Ordering the Plans and Specifications for Almac Drive.

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

Mayor Larson suggested that the council have a special meeting with ISD 704 regarding this item. Anderson stated that he would like to have the meeting soon than later.

Motion by Schwarzbauer, seconded by Larson and carried: To hold a Special Council Meeting with representatives from on Friday, August 11, 2017 at 8am in the Conference Room at City Hall.

F. Request from Proctor Lions Club for \$1200

Casey stated that these funds would be taken out of the City Clerks fund budget. Benson stated that he is concerned about the precedent that this would set.

Motion by Nowak, seconded by Larson and carried (3-2, Benson and Schwarzbauer opposed): To honor the request for \$1200 from the Proctor Lions Club with the funds coming from the City Clerk's Fund Budget.

G. Excavation/Land Erosion Fees (from Planning and Zoning)

Casey said that he is asking the council to consider adjusting the Excavation/land Erosion fees. Larson asked administration to see what other neighboring communities are charging. No action taken.

H. Bid from Duluth – Boundary Avenue

Bolf stated that St. Louis County has asked to combine the mill and overlay project with Boundary Avenue. Benson confirmed that there are no assessments payable from residents for this project.

Motion by Schwarzbauer, seconded by DeWall and carried (5-0): To accept the St. Louis County proposal for the north half of Boundary Avenue (5th to 9th) for

mill and overlay in the amount of \$123,320.00.

I. Resolution 31-17: Resolution of Non-Objection

Motion by Benson, seconded by Schwarzbauer and carried (5-0): To approve Resolution 31-17 - Resolution of Non-Objection to Issuance of State of Minnesota Charitable Gambling License to Welch Center Inc to hold a raffle at Proctor Speedway on August 31, 2017.

J. Resolution 32-17: Resolution of Surplus Equipment

Motion by Nowak, seconded by Larson and carried (5-0): To approve Resolution 32-17 Declaring Surplus Equipment

K. Resolution 33-17: Resolution Requesting the St. Louis County Board to Table the Sale of State Tax Forfeited Property

Benson said that he was asked to bring this resolution to council which would ask the county to hold off putting that property up for sale until a joint meeting can be scheduled.

Shane Stokke, 3708 Midway Road said that he would like to see this pass as it seems like there hasn't been any consideration given to Proctor. Larson said that he is mixed as they are trying to mend relationships with the City of Duluth. Schwarzbauer said that he is concerned with the property owners. Benson said that the council needs to look at corridor development. DeWall said it looks like the county is trying to get rid of parcels.

Motion by Benson, seconded by Schwarzbauer and failed (2-3, Nowak, Larson, and DeWall opposed): To approve Resolution 33-17 Resolution Requesting the St. Louis County Board to Table the Sale of State Tax Forfeited Property.

Motion by DeWall, seconded by Larson and carried: To Move to Close Session Per Chapter 13D of MN Statutes at 7:33 p.m.

Motion by DeWall, seconded by Larson and carried: To go back to the regular council meeting at 7:51 p.m.

Motion by Nowak, seconded by Benson and carried: To Open the Regular council meeting at 7:52 p.m.

7. LABOR AND NEGOTIATIONS ISSUES (Closed Session)

- A. Union and Negotiations Update
- B. Annexation Update
- C. Letter of Understanding

6. NEW BUSINESS (continued)

L. Labor Agreement

Motion by DeWall, seconded by Nowak and carried (5-0): To Radify the Labor Agreement with the Retail Clerks (Liquor Store Employees).

M. Letters of Understanding

Motion by DeWall, seconded by Nowak and carried (5-0): To approve the Letter of Understanding to change the wording in the Teamsters 346 - Streets contract to read "Health Care Savings Plan" from "Health Savings Account".

Motion by Nowak, seconded by DeWall and carried (5-0): To approve the Leter of Understanding to change the contract wording in the Teamsters 346 - Clerical contract to read "Health Care Savings Plan" from "Health Savings Account".

N. Annexation Continuation

Motion by Nowak, seconded by DeWall and carried (5-0): To file related appeal.

MEMBER CONCERNS

Schwarzbauer stated that Lake Superior College added a clay target team with George Pappas. He also thanked the Proctor Street Department for their help at the museum; and discussed information to give to the Yellow Ribbon Community.

BILLS FOR APPROVAL

General Fund	Liquor Fund
\$57,425.12	\$39,704.62

\$97,129.74 TOTAL BILLS FOR APPROVAL

Motion by Schwarzbauer, seconded by Nowak and carried (5-0): To pay the bills from the General Fund and Liquor Fund as presented.

ADJOURNMENT

Motion by Nowak, seconded by DeWall and carried: To adjourn the City Council meeting at 8:01 p.m.

Respectfully submitted,

Philip Larson, Mayor

Mark Casey, City Administrator