

Minutes of the regular Proctor City Council meeting held Monday April 15, 2019 in the Community Center Council Chambers.

Mayor Ward called the meeting to order at 6:00 p.m.

MEMBERS PRESENT: Jake Benson, Troy DeWall, Rory Johnson, Gary Nowak and Chad Ward.

OTHERS PRESENT: City Attorney John Bray, City Administrator Mark Casey, City staff Sally Hedtke, Chief of Police Kent Gaidis, Jim Aird, Kathy Hannan, Branden Mosiniak, Tristan Mosiniak, Daniel Harnell, Jenifer Peterson, Chrissy Thiry, Wesley Thiry, Dick Kari and

Pledge of Allegiance led by Scouts from Proctor Troop 84.

APPROVAL OF THE MINUTES:

Motion by Dewall, seconded by Johnson and carried (5-0) to approve the City Council Meeting Minutes of Monday April 1, 2019.

APPROVAL OF THE AGENDA:

Motion by Benson, seconded by Johnson to approve the Agenda as presented. Mayor Ward added a Proclamation under 6, S. New Business.
Motion with agenda addition carried (5-0).

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:

Jennifer Peterson gave the Council an update on the Yellow Ribbon Community Program in Proctor. The Yellow Ribbon Group started in 2016 and became a charter program in 2017. This program works for military families by supporting military children, raising money to support military families in financial trouble, plan and attend local events that support military families. Upcoming events include April is the month of Military Children, event at Black Woods May 1st, Moose Burger Night fundraiser May 5 and Military Services Night May 9th with Congressman Stauber at the High School.

***APPROVAL OF THE 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 Benson, seconded by Johnson, and carried (5-0) to approve the Consent Agenda.

***1. COMMUNICATIONS**

- A. WLSSD Correspondence
- B. PUC Income Statement

C. City of Proctor Events (subject to change)

2. PLANNING AND ZONING DEPARTMENT MATTER

None.

***3. CLERK ADVISES COUNCIL**

A. Government Fund Payroll and Liquor Fund Payroll Period Ended 03/31/19

***4. COMMITTEE REPORTS**

A. Proctor Economic Development Authority Minutes of April 9, 2019.

B. Proctor Liquor Control and Public Safety Joint Meeting of April 3, 2019

***5. UNFINISHED BUSINESS**

A. Purchasing Policy

6. NEW BUSINESS

A. League of MN Cities Proposal was discussed by Administrator Casey. In Council packets was a current proposal by the League for re-codification of City Code. The cost would be \$10,500, with 10% down.

Motion by Benson, seconded by Johnson. Benson asked when the last time the code was updated, and Bray stated before 1975 with a few updates in 2002. Benson asked how long it will take, and Casey felt it would be at least 6-9 month.

Motion carried (5-0).

B. Organizational Chart

Administrator Casey reviewed an updated city staff organizational chart. Motion by Nowak, second by Johnson to approve the city organizational chart. Benson asked whether the approval of this chart reached the level of needing to be approved by the Personnel Committee. Dewall and Nowak discussed whether the custodial position should be supervised by the Finance Director. Motion by Nowak, second by Johnson to approve the organizational chart with the custodial position being supervised by the Finance Director. Motion carried (5-0).

C. Part-Time Custodial Position

Casey reported to Council that the position has been open for a while and the city has only received one application. He asked for Council approval to accept the application and offer employment to the one application.

Motion by Benson, seconded by Dewall to accept the application of the one person for the position. Motion carried (5-0).

D. Select Hiring Committee

Casey discussed whether the council would recommend having a hiring committee.

Council discussed who would be on the committee both from council and others. Casey felt that city staff should be available during interviews and to meet candidates, but not vote on hiring. Motion by Ward, seconded by Dewall to approve forming a hiring

committee to be made up of Troy Dewall, Mark Casey and the Department Head supervising the position to be hired. Motion carried (5-0).

E. Post Open Position

Casey asked Council for approval to post the open city position for a confidential administrative secretary. Motion by Nowak, seconded by Dewall and carried (5-0) to approve the posting of the position of confidential administrative secretary.

F. City Hall Water Infiltration

G. Casey provided the Council with a report and assessment done by the city's engineer and their architect on the building and roof conditions, and deals only with structural issues. The report provided a rough estimate on costs to fix the immediate problems. Casey and Council discussed the need to have a thorough report on all problems, costs estimates, time estimates, the value of the building currently and other factors. Casey suggested that he invite the City Engineers form, their architect and their community development staff to give the Council a more comprehensive report.

H. Event Proctor Speedway

Council reviewed the Speedway Media Day and Car Show event. Benson had a number of questions that needed clarification: he Moose property was included in the map but asked if they were a part of the event. Chief Gaidis clarified that they were not. Hedtke also clarified that the maps were not to scale and that there was no mention of the Moose being a part of the event in the application or the Joint Committee Minutes. Benson also asked why the Liquor Control Board did not make a motion. Gaidis and Johnson said that because it was a joint meeting with public safety, there were four councilors in attendance, and the committees felt that Liquor Control would not make motions or vote so they didn't violate the open meeting law. Bray clarified that the committees are not required to make a recommendation, and that Council has the option to approve events on their own. Benson stated that the Liquor Control Board needs to be changed in the future to avoid this problem. Benson asked Gaidis how many police officers were on duty at event, and noted that because there were no additional officers assigned it went against the city code. Gaidis said that the event did not rise to the level that the matrix was needed. Benson also noted that there was not liability insurance coverage included. Hedtke explained that every event application brought to city committees has both the release and indemnification signed, and has proof of current liability insurance as required by city code. Hedtke wrote on each applicaiton before council that both requirements met, but she did not include them in the packets to reduce the number of materials the Council received.

Motion by Dewall, seconded by Nowak and carried (5-0) to approve the Speedway Media Day and Car Show.

I. Powerhouse Bike Nights

Benson noted that he had the same issues and questions about this event as the Speedway Media Day and Car Show. Motion by Johnson, seconded by Nowak, and carried (5-0) to approve the Powerhouse Bike Nights.

J. Powerhouse June Car Show

Motion by Johnson, seconded by Dewall and carried (5-0) to approve the Powerhouse June Car Show.

K. Powerhouse Hoghead Car Show

Benson noted that he had the same issues he has with the Powerhouse Bike Nights and Speedway Media Day & Car Show. Chief Gaidis said that he would have two officers at the Car Show. Benson asked why there was no \$500 clean-up deposit as required. Hedtke noted that only the Street Dance required a deposit.

Motion by Johnson, seconded by Nowak, and carried (5-0) to approve the Powerhouse Car Show.

L. Powerhouse Street Dance

Benson asked if traffic and crowd control were discussed, and Gaidis stated they were. He also noted that the changes included moving the gates and making the fenced in area larger for safety reasons. He also discussed that he would have 8 officers on duty, but that the Powerhouse would also hire private security companies that could search and look in bags. Benson noted that a resolution was mentioned in the committee minutes, and it was clarified that the minutes referred to both a change in city code and that a resolution will come before the Council to approve the Hoghead Festival area and events.

Motion by Johnson, seconded by Dewall, and carried (5-0) to approve the 2019 Powerhouse Hoghead Festival Street Dance.

M. Proctor Speedway Stock Car Racing

Motion by Nowak, seconded by Dewall and carried (5-0) to approve the 2019 Speedway Weekly Stock Car Racing.

N. Speedway Monster Trucks

Nowak asked how many officers would be at this large event that also served alcohol, and Gaidis confirmed that he would have 4, the Speedway would provide private security and that they will also provide traffic control.

Motion by Johnson, seconded by Benson and carried (5-0) to approve the 2019 Speedway Monster Trucks Event.

O. Speedway Midsummer Night of Mayhem

Gaidis confirmed that he would have 4, the Speedway would provide private security and that they will also provide traffic control.

Motion by Benson, seconded by Nowak and carried (5-0) to approve the 2019 Speedway Midsummer Night of Mayhem.

P. Speedway Silver 1000

Motion by Benson, seconded by Nowak and carried (5-0) to approve the 2019 Speedway Silver 1000.

Q. Hylla 5 K Green White Mile

Motion by Dewall, seconded by Johnson and carried (5-0) to approve the Hylla 5 k Green White Races.

R. Electronic Security Proposal

Casey gave a report on the current security issues at City hall. Motion by Johnson, seconded by Dewall and carried (5-0) to table this item until Council has additional information.

S. Proclamation

Ward informed the council that both the mayors of Hermantown and Proctor will present a Proclamation to Glen Gildermann on April 19, 2019. Motion by Johnson, seconded by Benson and carried (5-0) to approve the Proclamation to honor Glen Gildermann.

T. Golf Course Properties

Bray gave a summary report on the status of property questions between the golf course and city property and homeowners. He stated that the legal description of the property lines was correct, but that the St. Louis County map was incorrect.

7. LABOR AND NEGOTIATIONS

NONE

MEMBER CONCERNS

Benson: Some future agenda items to be addressed include spring clean-up day and working with St. Louis County and Hartels on hazardous water removal; accepting the annual police department report; mayor's association annual conference; 125th Anniversary, updating the city logo; forming a facility committee; Kirkus Street is being

build according to plans; Comp Plan update, Trails update, and Proctor land that may have some issues.

DeWall: Nothing

Johnson: Johnson clarified with Attorney Bray how to post joint committee meetings in the future to avoid any violations of open meeting law.

Nowak: Nowak discussed a meeting last week with Congressman Stauber and whether that also violated an open meeting law, since three Councilors were in attendance. Benson said he was there as a journalist.

Ward: Ward noted some upcoming events; April 18th Moose burger night for Military Youth; Glen Gildermann Day April 19th, May 1st is the re-opening of the McDonalds, and May 1st is the Military fundraiser at Black Woods. He would also like to be part of the MN Mayorial Active Transportation Caucus.

BILLS FOR APPROVAL

General: \$75,720.64

Liquor: \$44,549.88

Total: \$120,270.52

TOTAL BILLS FOR APPROVAL: \$120,270.52

Motion by Johnson, seconded by Benson and carried (5-0) to approve the bills for payment as listed.

ADJOURNMENT

Motion by Dewall , seconded by Johnson and carried (5-0) to adjourn the City Council meeting at 7:31 p.m.

Respectfully submitted,

Chad Ward, Mayor

Mark Casey, City Administrator