

Minutes of the regular Proctor City Council meeting held on November 7, 2016 in the Community Center Council Chambers

Mayor Brenna called the meeting to order at 6:00 p.m. Boy Scout Troop 84 led the Council in the Pledge of Allegiance.

MEMBERS PRESENT: Councilors Jake Benson, Jim Schwarzbauer, Shawn McGovern, Travis White, and Mayor David Brenna

OTHERS PRESENT: Mark Casey, City Administrator; Tammie McDonald; Jim Aird, Midway Township; Phil Larson, PUC; Gordy Downs; Jim Rohweder; Walter Wobig; Russell Habermann; Gary Nowak; Kevin Bahr; Diane Giuliani; Cory & Jackson Collison; Daniel Harnell; Troy DeWall; Kathleen Hannan

APPROVAL OF MINUTES:

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the October 17, 2016 City Council Meeting Minutes.

APPROVAL OF AGENDA

Brenna added 6O: Resignation of Officer Kneeland

McGovern added 7A: Negotiation Strategies

Benson added 5G. Trails

Benson added 5H. PUC Meeting Minutes

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

PUBLIC HEARING

Notice is hereby given that the City of Proctor City Council will conduct a public hearing inviting the public to comment on the proposed Assessment Policy.

Motion by Benson, seconded by McGovern and carried: To open the Public Hearing at 6:12 pm.

Kevin Bahr, 910 Almac Drive, asked if the assessment would be spread throughout the city. Casey said that just the abutting properties would be assessed fees. Kathy Hannan stated that she was assessed on her own property and the assessments should be shared by all residents.

Matt Bold, SEH ó City Engineer, gave some background about assessments following the guidelines set forth by the League of Minnesota Cities. These included wording that only the

affected property is to be assessed, and not more than the added value of that property; or about charging a user fee if the whole city is assessed.

Motion by Benson, seconded by Schwarzbauer and carried: To close the Public Meeting at 6:22pm

\*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

Benson pulled items 5G and 5H.

Motion by Benson, seconded by Schwarzbauer and carried: To approve the Consent Agenda as amended.

#### \*1. COMMUNICATIONS

- A. September ó P.D. report

#### 2. PLANNING & ZONING DEPARTMENT MATTER

#### \*3. CLERK ADVISES COUNCIL

- A. Government Fund payroll period ended 10/16/16; Liquor Fund payroll ended 10/16/16 (attached).

#### \*4. COMMITTEE REPORTS

- A. PEDA Meeting Minutes of September 13, 2016
- B. Planning & Zoning Meeting Minutes of August 22, 2016

#### 5. UNFINISHED BUSINESS

- \*A. Council Handbook
- \*B. Moving Street Department
- \*C. Adopting Street Project Assessments
- \*D. Flashing Stop Light at Kirkus and Boundary

- \*E. Athletic Complex
- \*F. Almac Drive Drainage
- \*G. Trials

Benson stated that this is the perfect time to clean up the north 40 acres. Bolf asked if there was a Trail or Parks and Recreation committee to determine what type of trail the city is looking to develop. Bold stated that there should be a bigger picture of what the city is trying to accomplish in order to proceed.

McGovern said that there is a Parks and Recreation committee and ideas have been discussed, they are just not written down formally. He said that there are grants available and agrees that an initial plan should be in place.

- \*H. PUC Meeting Minutes

Benson said that in 2014 a Resolution was passed for committees and commissions to submit all meeting minutes to the council. The council has not seen minutes from PUC since March 2016.

## 6. NEW BUSINESS

- A. Night to Shine (Guest asking for donation of Police services during event)

Molly spoke on behalf of this group. They are asking for donation of police service for this event from 5:30-9:30pm. Wobig said that it would cost \$58/hour.

Motion by McGovern, seconded by Schwarzbauer and carried: To authorize the donation of police service for the four hours during the Night to Shine event.

- B. JPA and Court Services Amendment Renewal-Proctor Police Department

### RESOLUTION 58-16: RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF PROCTOR ON BEHALF OF ITS CITY ATTORNEY AND POLICE DEPARTMENT

Wobig stated that this resolution provides the city to have access to the same data that the stated is able to view.

Motion by Benson, seconded by Brenna and carried: To approve Resolution 58-16 as presented.

- C.** ISD 704 All Sports Passes given to Officers to be used during off duty (Gratuity/Gift)

Benson said he would like to see the motion include the wording stating good for the 2016-2017 school year.

Motion by Schwazbauer, seconded by McGovern and carried: To approve the sports passes given to the police officers good for the 2016-2017 school year.

- D.** Police Civil Service Commission's request to move forward on replacement officer

Diane Guilani, Chair of the Civil Service Committee, stated that they would like to proceed with the hiring process of a new police officer.

Motion by McGovern, seconded by White and carried (5-0): To authorize the Civil Service Committee to move forward with the hiring process for a new officer.

- E.** RESOLUTION 60-16: RESOLUTION OF NON-OBJECTION TO ISSUANCE OF STATE OF MINNESOTA CHARITABLE GAMBLING LICENSE

Resolution No. 60-16  
Resolution of Non-Objection  
To Issuance of State of Minnesota  
Charitable Gambling License

BE IT RESOLVED that the City Council of the City of Proctor hereby certifies that there are no objection to the issuance of a State of Minnesota Charitable Gambling Permit to The Proctor Area Chamber of Commerce to conduct a raffle on April 18, 2017 at Derailed Bar & Grill, 501 Third Avenue, Proctor, Minnesota.

Motion by White, seconded by McGovern and carried (5-0): To approve Resolution 60-16 as presented.

- F.** Sno-Cross 2017 (Wobig)

Wobig presented council with data about the Sno Cross event that will cost \$5394.00 for police services.

Motion by Benson, seconded by Schwarzbauer and carried (5-0): To approve police services during Sno Cross on November 25-27 in the amount of \$5394.00

**G.** City Hall Holiday Closure Schedule (Thanksgiving, Christmas, & New Year's)

Casey notified the council that City Hall will be closed the day after Thanksgiving and some days for Christmas. He also stated that the first meeting of 2017 will be Tuesday, January 3, 2017.

Motion by Benson, seconded by Schwarzbauer and carried (5-0): To authorize the closure of City Hall on the Holiday dates as presented.

**H.** New Proctor Economic Development Authority Bylaws (approved by PEDA - original and updated versions emailed to Councilors)

Motion by Schwarzbauer, seconded by McGovern and carried (5-0): To approve the updated PEDA Bylaws as presented.

**I.** Assessment Policy

Motion by Schwarzbauer, seconded by Brenna and carried (4-1, White opposed): To approve the Assessment Policy as presented.

**J.** E3 ó Education, Eat and Exercise (Schwarzbauer)

Schwarzbauer described the handout in the packet and how he would like to take on diabetes as a community.

**K.** Set date of Canvassing and Certification of General Election results (between Nov. 11-Nov. 18)

Motion by White, seconded by Brenna and carried (5-0): To set the Canvassing and Certification of General Results date of Monday, November 14, 2016 at 3:30 p.m.

**L.** Copier for City Hall (quotes included)

Casey discussed the two quotes in the packet for a new copier at City Hall. He is recommending the IOS and the C368.

Motion by McGovern, seconded by Schwarzbauer and carried: To authorize the purchase of the IOS copier for City Hall as presented.

**M.** Resolution 57-16 Authorizing Execution of Agreement For the City of Proctor (2017 ó Toward Zero Death Campaign)

Resolution No. 57-16  
Authorizing Execution of Agreement  
For the City of Proctor

BE IT RESOLVED, that the City Council of Proctor agrees to enter into a cooperative agreement with the Minnesota Department of the Public Safety for the project entitled "2017 - Toward Zero Death Campaign".

Walter Wobig is hereby authorized to execute agreement and amendments, as are necessary to implement the project on behalf of the City of Proctor Police Department.

Motion by Benson, seconded by White and carried (5-0): To approve Resolution 57-16 as presented.

- N. Fire Relief Association Pension & Resolution 59-16: RESOLUTION APPROVING INCREASE IN FIRE PENSION BENEFIT

CITY OF PROCTOR  
RESOLUTION NO. 59-16

RESOLUTION APPROVING INCREASE  
IN FIRE PENSION BENEFIT

WHEREAS, the Proctor Fire Relief Board has reviewed the pension fund performance and future liabilities; and

WHEREAS, the Fire Relief Board recommends the plan be 100% vested; and

WHEREAS,; the Fire Relief Board recommends that the annual pension benefit be increased to \$2,000 per year of service; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Proctor, Minnesota, hereby approves the benefit level recommended by the Fire Relief Board of \$2,000 per year of service..

DeWall stated that there has been budgeting for seven years toward this agreement. McGovern asked if the bylaws were changed too. DeWall said that there was a meeting last week where the voting took place, and now the changes will be made.

Motion by McGovern, seconded by Brenna and carried (5-0): To approve Resolution 59-16 as presented.

- O. Resignation of Officer Kneeland

Brenna stated that Officer Ben Kneeland has submitted his resignation effective November 21, 2017.

Motion by White, seconded by Schwarzbauer and carried (5-0): To accept the resignation of Officer Kneeland effective November 21, 2017.

## 7. LABOR AND NEGOTIATIONS ISSUES

Motion by McGovern, seconded by Benson and carried: To the Public Meeting at 7:25pm

At 8:00pm public meeting was re-opened.

Motion by Brenna, seconded by White and carried (5-0): To allow the negotiating committee to proceed with offers as discussed.

## MEMBER CONCERNS

REIF Breakfast ó Schwarzbauer

Schwarzbauer described the handouts that were included in the packet.

McGovern advised the council about the Beyond the Yellow Ribbon on Thursday, November 10 at 4:30 p.m.

## BILLS FOR APPROVAL

Motion by McGovern, seconded by Schwarzbauer and carried (5-0): To approve the General Fund bills in the amount of \$83,955.99. Roll call vote: Schwarzbauer ó yes, Brenna ó yes, McGovern ó yes. Benson ó yes. White ó yes.

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, White opposed): To approve the Liquor Fund bills in the amount of \$33,801.44. Roll call vote: Schwarzbauer ó yes, Brenna ó yes, McGovern ó yes, Benson ó yes, White ó no.

## ADJOURNMENT

Motion by White, seconded by McGovern and carried (5-0): To adjourn the City Council meeting of November 7, 2016 at 8:03p.m.