

Minutes of the regular Proctor City Council meeting held on February 6, 2017 in the Community Center Council Chambers

Mayor Larson called the meeting to order at 6:03 p.m.

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

OTHERS PRESENT: Mark Casey, City Administrator; John Bray, City Attorney; Jim Aird, Midway Township; Kathy Hannan; Kaye Anderson, Moose Lodge 1302; Ray Sundin, Moose Lodge 1302; Walt Wobig, Proctor Police Chief; Pam Sarvela

APPROVAL OF MINUTES:

Motion by Schwarzbauer, seconded by Benson and carried: To approve the January 17, 2017 City Council Meeting Minutes.

APPROVAL OF AGENDA

Motion by Benson, seconded by Schwarzbauer and carried: To approve the agenda of February 6, 2017 as amended.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Kay Anderson, Moose Lodge 1302, asked the council to waive the Moose Lodge membership fee for the Proctor Fire Department, Police Department, and EMS staff. They are holding an international membership campaign and willing to waive fees for one year. Anderson said that have provided this opportunity to the surrounding cities and throughout the county also.

Bray recommended approving this process through a resolution. This item can be added to the next council agenda.

Motion by Benson, seconded by Larson and carried: To move to Item 6A.

\*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 Larson, seconded by Schwarzbauer and carried (5-0): To move Items 5A and 5C to 6H and 6I and then approve the Consent Agenda as amended.

\*1. COMMUNICATIONS

## 2. PLANNING & ZONING DEPARTMENT MATTER

### A. Board of Appeal

Casey discussed email from Planning and Zoning Chairman Tom Aldridge

## \*3. CLERK ADVISES COUNCIL

- A. Next Council Meeting Tuesday, February 21, 2017 due to President's Day
- B. Government Fund payroll period ended 01/08/17; Liquor Fund payroll period ended 01/08/17
- C. Government Fund payroll period ended 01/22/17; Liquor Fund payroll period ended 01/22/17

## \*4. COMMITTEE REPORTS

## 5. UNFINISHED BUSINESS

- \*A. Council Handbook
- \*B. Flashing Stop Light at Kirkus and Boundary

## 6. NEW BUSINESS

### A. MN Energy Resources Ordinance 01-17 (2<sup>nd</sup> Reading and Approval)

Pam Sarvela, MN Energy Representative, here to ask that the City renew the Franchise Agreement. MN Energy has served Proctor for 25 years. Councilors discussed the agreement with Sarvela.

Casey asked Sarvela if the City charge a franchise fee. Sarvela said that the city can charge a fee, but that amount is passed on to the customers and specified by a line item on the statements.

Motion by Schwarzbauer, seconded by Novak and carried (5-0): To approve Ordinance 01-17 - MN Energy Franchise Agreement as presented.

**B. Resolution 03-17: Requesting St. Louis County to Convey Tax for Real Property To The City of Proctor for a Specific Purpose**

Kathy Hannan asked where the Resolution is sent at the county. Benson stated that it will be forwarded to Tony Mancuso.

Motion by Schwarzbauer, seconded by Larson and carried (5-0): To approve Resolution 03-17 as presented.

**RESOLUTION 03-17  
RESOLUTION REQUESTING ST. LOUIS COUNTY  
TO CONVEY TAX FOR REAL PROPERTY  
TO THE CITY OF PROCTOR FOR A SPECIFIC PURPOSE**

WHEREAS, the City of Proctor is attempting to acquire land to complete a trail located within the City of Proctor; and

WHEREAS, there are six (6) twenty-five (25) foot wide parcels which will be needed for the completion of said trail system; and

WHEREAS, the parcels are tax forfeit parcels of real property legally described as follows:

1. Lot 12 Block 1 of Proctor Heights 185-0210-00120
2. Lot 15 Block 1 of Proctor Heights 185-0210-00150
3. Lot 12 Block 10 of Quinns Addition to Proctor 185-0220-02720
4. Lot 13 Block 10 of Quinns Addition to Proctor 185-0220-02750
5. Lot 11 Block 4 of Quinns Addition to Proctor 185-0220-00970
6. Lot 12 Block 4 of Quinns Addition to Proctor 185-0220-00980

WHEREAS, the intended use of said parcels constitutes a public purpose;

NOW, THEREFORE, be it resolved by the City Council of the City of Proctor, Minnesota as follows:

1. That, the City of Proctor is requesting the County of St. Louis to remove the above described parcels from the list of tax forfeit properties to be auctioned;
2. That, the County of St. Louis convey the above referenced parcels for no consideration to the City of Proctor, as said parcels will be used for a public purpose, to wit, the construction of a public trail system.

**C. Fund Transfers ó 2016**

Casey stated that this is some cleanup bookkeeping for 2016 from the General Fund which is done every year.

Motion by Schwarzbauer, seconded by DeWall and carried: To approve the Fund Transfers for 2016 as presented.

**D. Comprehensive Plan Beautification & Trees (Schwarzbauer)**

Schwarzbauer said that Casey notified him that the city received a bill for decorations done over the holidays. Casey told him that the city will pay for it under the Beautification fund ó however there isn't any money budgeted for this item. Schwarzbauer asked council how they are supposed to beautify the city without any funds.

Casey said that the city received an invoice from a business of a purchase not made by a city employee. Casey said that the city is working on a purchasing policy. DeWall suggested having a line item under Parks and Recreation budget for beautification.

**E. Annual Meeting of Townships**

Schwarzbauer said that he will be attending the Annual Meeting in Midway Township. Jim Aird said that the meeting is run by the townspeople, not the Supervisors. Schwarzbauer asked if other councilors would be attending and if the City Administrator could write up talking points for consistency.

**F. Resolution 04-17: Supporting Dedicated State Funding for City Streets**

Casey stated that it would be advantageous to forward this resolution to our local officials.

Motion by Benson, seconded by Schwarzbauer and carried (5-0): To approve Resolution 04-17: Supporting Dedicated State Funding for City Streets as presented.

**RESOLUTION 04-17  
A RESOLUTION SUPPORTING DEDICATED STATE FUNDING  
FOR CITY STREETS**

**STATE OF MINNESOTA)  
COUNTY OF ST. LOUIS)  
CITY OF PROCTOR)**

**WHEREAS**, Minnesota contains over 141,000 miles of roadway, and over 22,500 miles or 16 percent-- are owned and maintained by Minnesota's 853 cities; and

**WHEREAS**, almost 85 percent of municipal streets are ineligible for dedicated Highway User Tax Distribution Fund dollars; and

**WHEREAS**, the more than 700 Minnesota cities with populations below 5,000 are ineligible for dedicated Highway User Tax Distribution Fund dollars; and

**WHEREAS**, existing funding mechanisms, such as Municipal State Aid (MSA), property taxes and special assessments, have limited applications, leaving cities under-equipped to address growing needs; and

**WHEREAS**, city cost participation in state and county highway projects diverts resources from city-owned streets; and

**WHEREAS**, maintenance costs increase as road systems age, and no city--large or small--is spending enough on roadway capital improvements to maintain a 50-year lifecycle; and

**WHEREAS**, for every one dollar spent on maintenance, a road authority--and therefore taxpayers--save seven dollars in repairs; and

**WHEREAS**, cities need greater resources, including an additional dedicated state funding source for transportation, and flexible policies in order to meet growing demands for street improvements and maintenance.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PROCTOR** that the City of Proctor, supports an omnibus transportation funding bill that provides additional dedicated state funding for city streets including funding that can be used for non-MSA city street maintenance, construction and reconstruction.

**G.** Approval to Attend Clerks Conference

Casey asked for approval for himself or Jennifer Crown to attend this conference.

Motion by Larson, seconded by Schwarzbauer and carried: To authorize Mark Casey and/or to attend the seminar.

**H.** Council Handbook

The City has been researching this for a couple of years. In addition to the council handbook, a Personnel Handbook was also being developed. When a handbook is distributed to employees, they need to sign receipt of each copy.

Schwarzbauer stated that council never received a handbook for review. Larson asked Casey to continue to complete this process and bring it for approval to the council. Casey said that three of the council will be attending a League of Minnesota cities conference that may cover some of this information and suggested that we review the policies after that time for Employee Handbook and Council Handbook.

**I.** Flashing Stop Light at Kirkus and Boundary

DeWall stated that there have been several accidents at this location. He said a suggestion has been made to put a flashing light similar to the one on 3<sup>rd</sup> Street.

Casey stated that there was correspondence with Commission Stauber last year. Casey said that if the city wants to put a sign that says stop ahead, it has to be 30-35 feet back from the stop sign and out of the right-a-way. DeWall stated that since it would be at the corner of Kirkus and a county road, we need to get

permission from the County.

Casey asked the councilors if they would be interested in a stoplight at that intersection. DeWall said he would like to see the cost of this sign. Casey will investigate this process.

#### 7. LABOR AND NEGOTIATIONS ISSUES (Closed Session)

Motion by Benson, seconded by DeWall and carried: To Close the City Council meeting at 7:34pm for closed session for Union and Negotiation updates.

Motion by DeWall, seconded by Schwarzbauer and carried: To reopen the City Council meeting.

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

#### MEMBER CONCERNS

Mayor Larson: Heating and Cooling System

Larson said that this building has lost all in-floor heat and the city currently does not have a maintenance contract to repair. There are many issues with keeping the building equally heated. Larson also said that one boiler is currently not working. Larson said that he and Casey have contacted many different companies about the repairs and maintenance. Larson described several issues with the current system. Larson said that we need repairs to both the front end and the back end of the heating/cooling system. He and Casey will proceed and bring information to council when appropriate.

#### BILLS FOR APPROVAL

General Fund  
\$179,873.23

Liquor Fund  
\$37,155.29

\$217,469.52 TOTAL BILLS FOR APPROVAL

Motion by Schwarzbauer, seconded by Nowak and carried (4-1, Benson opposed): To approve the General Fund and Liquor Fund bills list

#### ADJOURNMENT

Motion by Nowak, seconded by DeWall and carried (5-0): To adjourn the City Council meeting at 8:06 p.m.