

Minutes of the regular Proctor City Council meeting held Monday, May 21, 2018 in the Community Center Council Chambers.

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

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

**OTHERS PRESENT:** Administrator Mark Casey; City Attorney John Bray; Chief Gaidis; Jim Aird, Midway Township; Peggy Vanderscheuren; Travis White, Chad Ward Paul Steinman Springsted Inc.

**APPROVAL OF THE MINUTES:**

Motion by DeWall, seconded by Schwarzbauer and carried (5-0): To approve the May 7, 2018 Council Meeting Minutes.

**APPROVAL OF THE AGENDA:**

Motion by Larson, seconded by Benson and carried (5-0): To approve the agenda for May 21, 2018, with the following additions: Member Concerns/Larson 1. Approval for Rick Lalonde to accept reclaim materials, from road projects; Member Concerns/Benson 1. Minutes of 4/16/18 meeting; 6.I. Police Week Proclamation; Member Concerns/Dewall Closed Meeting Recordings; Members Concers/Schwarzbauer Beautification Committee working with another group to make the area at the intersection of Hwy 2 and 3<sup>rd</sup> Ave better.

**COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:**

Travis White; Thanked everybody involved in the food drive from contributors to those picking up the items. Total weight of food collected exceeded 2017.

**\*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 Schwarzbauer, seconded by Nowak and carried (5-0): To approve the Consent Agenda,

**\*1. COMMUNICATIONS**

- A. MAOSC 2018-2019 Membership Drive
- B. Northland Law Enforcement K-9 Foundation Thank You
- C. Moody's Press Release

**2. PLANNING AND ZONING DEPARTMENT MATTER**

**\*3. CLERK ADVISES COUNCIL**

- A. Government and Liquor Fund Payroll Period Ended 05/13/2018
- B. Government and Liquor Fund Payroll Period Ended 05/13/2018

**4. COMMITTEE REPORTS**

- A. Proctor Beautification & Trees Committee Meeting Minutes -None
- B. Liquor Control Meeting Minutes – None
- C. 2018 Committee/ Commission Appointment List – None

**5. UNFINISHED BUSINESS**

- \*A. SRO

**6. NEW BUSINESS**

- A. **Resolution 19-18** – Providing for the Issuance, Sale, and Delivery of \$2,580,00 General Obligation Improvement Bonds, Series 2018A  
This Bond is being issued for the projects of Almac Drive and 6<sup>th</sup> Street reconstruction.

Paul Steinman from Springsted Inc. commented on the City's A1 Bond rating from Moody's Investors of New York. Also commented on the number of bids received was better than expected.

Motion by Larson, seconded by Nowak and carried (5-0): To award the bids for the General Obligation Bonds of \$2,580,000 to Northland Securities Inc. and their underwriters with a percentage rate of 3.4240%.

Resolution is hereby declared adopted this 21st day of May, 2018.

- B. **Friends of Animals** – Contract for Stray Animal Services.

Chief Gaidis presented three payment options offered by Friends of Animals. He also corrected the amount of animals taken in last year to 21. Discussion ensued by Mayor Larson as to who is responsible for the medical treatment of the animals and it was determined the animal owner is ultimately responsible if the animal owner is located. Chief Gaidis was not in favor of payment option 3 as that is a pay as you go type scenario. Councilman DeWall also stated his concerns for option 3. Administrator Casey stated that option 2 and the break even point would be approximately 19 animals

Motion by DeWall, second by Nowak and carried (5-0, ): To accept the contract with Friends of Animals with payment option #2. This option is for a contract fee of \$1704 annually for a total of 8 animals and any amount in excess of 8 with be charged at a rate of \$265 per animal.

**C. Resolution 18-18 Entering into Agreement with the State of Minnesota DNR and Accepting a Grant**

The Proctor Fire Department submitted a grant for \$5,000 to be matched by the City for equipment to suppress wildland fires. Councilman DeWall stated we have received this grant in the past and about every two to three years but have never had to accept the grant through resolution. Administrator Casey stated any grant or donation to the city should be formally accepted through resolution.

Motion by DeWall, second by Larson and carried (5-0): to accept the \$5,000 grant and enter into agreement with MN DNR.

**D. Ordinance 1-18 Amending Sec. 1000 of City Code Entitled “Land and Building” Regulation Second Reading**

This ordinance and discussion was to allow existing residential homes in a previously designated Commercial district. Mayor Larson explained that existing homes that may have been once a business and are now residential in the commercially zoned district, have difficulties selling their homes as insurance is difficult to acquire. It was further explained by attorney Bray that commercial zones will not allow the rebuild of a residential building should damage occur to the home.

Motion by Benson, second by Schwarzbauer and carried (5-0): To approve the second reading of Ordinance 1-18 and enacting its actions.

**E. Ordinance 2-18 Amending Sec. 200 of the City Code Entitled “Council and Administration” Second Reading**

The resolution will reduce the number of members on the Liquor Control Board to three members. Two of the members will be from the council and the other member will be the Chief of Police. This will also include as an advisory member the Municipal Liquor Store Manager. Discussion by Attorney Bray and Councilmen DeWall and Mayor Larson were looking for additional advisory members to be added to the ordinance.

Motion by Schwarzbauer, second by DeWall (no vote taken): To approve Ordinance 2-18. Further discussion as to how to proceed with the ordinance if the council were to add other advisory members. Attorney Bray suggested to table the action

with the additional language and bring back for a second reading at the next Council meeting.

Motion by Mayor Larson, seconded by DeWall to Table the agenda item to next council meeting for a second reading and carried (5-0).

#### **F. Arbor Day Proclamation**

Mayor Larson read the Arbor Day Proclamation celebrating Arbor Day on June 5, 2018. The City will celebrate its twenty five years as a tree city by planting a silver maple in memoriam of Tod Huff who served the city of Proctor for many years.

Motion by Benson, second by Schwarzbauer and carried (5-0): To approve the Arbor Day Proclamation and declare June 5, 2018 as Earth and Arbor Day Celebration Day.

#### **G. Set Audit Report Meeting Date**

Casey reported the Auditor thought the Council might prefer a special meeting to discuss the 2017 audit. Casey also stated he, the auditor, PUC secretary, and Loren Peterson met to discuss the draft audit report.

No action was taken to make a special meeting and the auditor will be at the next regular council meeting.

#### **H. Posting of the Police Records Technician I position**

Councilman Dewall stated he met with the Civil Service Commission and discussed the new position with job duties and making it from a part time position to a full time 40 hour a week position. Discussion ensued as to why the need for the full time position is needed. Dewall went on to explain the position is more created to replace the position of Linnea Wiita when she retires. Dewall also stated the funds for the position will be coming from the Police Department Budget and their need to “sharpen their pencils” to make it work. The need to train for 40 hours per week with experienced staff will assist in the transition. It was also discussed as to who will post the position, the council or the civil service commission. Administrator Casey discussed that he believes the Civil Service Commission will post, conduct interviews, and selection process.

Motion by DeWall, seconded by Nowak and carried (5-0) to post the position of Police Records Technician I as a full time position.

Motion by Nowak, seconded by Larson and carried (5-0), to move to Closed Session per MN Statutes 13D to discuss Labor Negotiation Issues. Time of motion 6:53 p.m.

## **7. LABOR AND NEGOTIATIONS – Closed Meeting**

Police Records Coordinator Contract  
Remaining Open Contracts.

Motion by DeWall, seconded by Larson and carried (5-0) to end the closed meeting and resume the regular council meeting at 7:25 p.m.

## **6. NEW BUSINESS (continued)**

### **I. Contract Proposal for the Police Records Coordinator Contract**

No action was taken on this item.

### **J. Police Week Proclamation**

Mayor Larson read the proclamation to designate a Police Officers recognition week in Proctor. Discussion on which date(s) to select as to not interfere with any other event. Councilman Schwarzbauer commented on recent tragic events and the safety issues our officers have go through each day.

Motion made by Schwarzbauer, seconded by DeWall and carried (5-0) to declare the week of June 10 through June 16 as Police Recognition Week in Proctor.

## **MEMBERS CONCERNS:**

### **Benson**

Commented on the council meeting minutes of 4/16/18, stating that the minutes should be more detailed as there were no committee reports noted, when reports were given. No mention of members concerns and comments from citizens present.

### **Nowak**

### **DeWall**

Commented on the closed meeting recordings and the procedures that need to be in place. He would like this on the next council agenda.

### **Mayor Larson**

Made notice to council that Streets Department Foreman Rick Lalonde should have authority to accept reclaim material from road projects if there is no cost. These materials have been used at the fairgrounds, parks, and on St. Louis River Road.

**Schwarzbauer**

Made mention the Beautification Committee would like to spruce up the triangle area that is located on Hwy 2 and 3<sup>rd</sup> Ave. Some discussion took place as to who owns the property and what type of future use the property will serve.

**BILLS FOR APPROVAL**

General Bills:	\$91,511.47
Liquor Bills:	\$36,894.41
Total	\$128,405.88

\$128,405.88 TOTAL BILLS FOR APPROVAL

Councilman Dewall and Mayor Larson had some questions on a credit card bill and the designation of purchased boots. Also, questions on a police squad charge. Both bills were explained.

Motion by Schwarzbauer, seconded by Larson and carried (4-0 Benson Abstained): To approve the bills for payment as listed.

**ADJOURNMENT**

Motion by DeWall seconded by Larson, and carried (5-0): To adjourn the City Council meeting at 7:44 pm.