

Minutes of the regular Proctor City Council meeting held on June 19, 2017 in the Community Center Council Chambers

Deputy Mayor Gary Nowak called the meeting to order at 6:00pm.

MEMBERS PRESENT: Councilors Jake Benson, Jim Schwarzbauer, Troy DeWall, and Deputy Mayor Gary Nowak

MEMBERS ABSENT: Mayor Philip Larson

OTHERS PRESENT: Mark Casey, City Administrator; Tammie McDonald; Jennifer Crown; John Bray, City Attorney; Jim Aird, Midway Township; Officer Kent Gaidis; Tim Rohweder; Jim Rohweder; Russell Habermann; Kathy Hannan

APPROVAL OF MINUTES:

Motion by Schwarzbauer, seconded by DeWall and carried: To approve the June 5, 2017 City Council Meeting Minutes.

APPROVAL OF AGENDA

Benson added 6J: Trees and Plants

Motion by Nowak, seconded by DeWall and carried: To approve the agenda of June 19, 2017 as amended.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Kathy Hannan stated that she wanted to remind the council that the county is coming through Proctor and if the city can ask for a curb cut by the St. Louis River Road for access to the trails.

Jim Rohweder, 9001 Johnson Road, asked the council what the city is planning to do with the 40 acres with parks and trails. He stated that two years ago the county took the land back as the city had not started any development with it. Rohweder said that the land was given back to the city with the understanding that it would be developed into trails. He also asked about the Food and Beverage Tax funds that are to be allocated to Trails. Schwarzbauer stated that the trail has been marked; but Rohweder said that SEH only marked the boundaries. Casey also discussed Trainquility Park and the council voted no to move forward with pergolas. Schwarzbauer discussed the Mesabi Misses and how he has been working on the Trainquility park area. Kathy Hannan said that she spoke to someone that has worked on the Duluth trails and he would help in Proctor.

Russell Habermann asked how the city can make a walkway from Black Woods to Proctor Builders. He suggested that it would be beneficial for tourists also.

*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 Schwarzbauer, seconded Nowak and carried: To approve the Consent Agenda of June 19, 2017.

*1. COMMUNICATIONS

- A. Bay View Elementary Letter of Support Boundary Avenue Sidewalk
- B. Coalition of Greater Minnesota Cities letter of June 12, 2017
- C. MN Department of Human Services letter of June 8, 2017

2. PLANNING & ZONING DEPARTMENT MATTER

*3. CLERK ADVISES COUNCIL

- A. Government Fund payroll period ended 05/28/17; Liquor Fund payroll ended 05/28/17 (attached).
- B. Government Fund payroll period ended 06/11/17; Liquor Fund payroll ended 06/11/17 (attached)

*4. COMMITTEE REPORTS

- A. Police Civil Service Commission meeting minutes of June 5th and June 9th, 2017
- B. PUC meeting minutes of May 8, 2017

5. UNFINISHED BUSINESS

- *A. Personnel Handbook

6. NEW BUSINESS

- A. 2nd Reading - Ordinance 04-17 - Amending Section 701 of the City Code Entitled "Liquor and Beer"

Casey stated that unlike Duluth, the City of Proctor will not have a waiting period. This Ordinance will take effective July 2, 2017. Casey read it aloud. Benson asked about the cost to keep the store open on Sunday, and Casey said he was unsure. Casey said that the manager of the Liquor Store feels that this will be very beneficial.

Motion by Benson, seconded DeWall and carried (4-0): To approve Ordinance 04-17 – Amending Secition 701 of the City Code entitled “Liquor and Beer”

B. Hylla 5K (From Public Safety mtg. June 15, 2017)

Nowak stated that this item was discussed and an approval recommendation was made at the Public Safety meeting of June 15, 2017.

Motion by DeWall, seconded by Nowak and carried (4-0): To approve the Special Event packet for the Hylla 5K as presented.

C. Fireworks (From Public Safety mtg. June 15, 2017)

Nowak stated that this item was also discussed and an approval recommendation was made at the Public Safety meeting of June 15, 2017. Benson suggested that Fireworks be on Friday with a rain date on Saturday. Casey stated that the dates were selected by Serbus based on his availability. Schwarzbauer stated that there is usually a movie on that location on Friday night. Schwarzbauer also stated that he would like the council to review the appropriate Tourism funding for these types of projects next year.

Motion by DeWall, seconded by Schwarzbauer and carried (4-0): To approve the Special Event packet for Fireworks as presented

D. Bidding for Storm Sewer - Proctor Ditching Work – Summer 2017

Casey stated that there are three bids attached for the work described. The administration would recommend approving the bid from Sinnott in the amount of \$7975.00.

Motion by DeWall, seconded by Schwarzbauer and carried (4-0): To approve the bid from Sinnott in the amount of \$7975.00 for the work described in the packet.

E. 1st Reading - Ordinance ATV/Snowmobile

Casey said that the City of Proctor does not have an Ordinance and ours will include the Snowmobile with the ATV wording. He also said that any changes will be made by resolution. Casey read the Ordinance aloud. Benson asked for the changes to the Ordinance be underlined for the 2nd Reading.

F. Fire Department Request (DeWall)

DeWall stated that this is a budgeted item for the Fire Relief Fund pension.

Motion by Schwarzbauer, seconded by Benson and carried (3-1, DeWall abstained): To approve the Fire Department request in the amount of \$10,000 as specified.

G. SRO Proposal for ISD #704

Tim Rohweder, Principal of Proctor High School discussed the proposal that was submitted in the packet about an SRO. He stated that the current Dean of Students is returning to the classroom and following a needs assessment; the school worked with Chief Gaidis and drew up this proposal together. Benson asked about the possibility of a grant to assist with the salary. Benson also asked if the School Board or Police Civil Service have heard about the proposal. Rohweder said that this was the first step in the process.

Motion by Schwarzbauer, seconded by Nowak and carried (4-0): To direct the city administration work with the Proctor Schools on the SRO proposal.

H. Certificate of Approval of Special Law by Governing Body

Casey stated that this was additional paperwork required for the additional 1/2 % Sales Tax approved by law.

Motion by Schwarzbauer, seconded by DeWall and carried (4-0): To approve the Certificate of Approval of Special Law by Governing Body as presented.

I. 2nd Reading – Ordinance 05-17 – An Ordinance Adopting an Additional One-Half Percent Sales and Use Tax

Casey stated that previously and Ordinance was not required for the process of adopting the additional ½% Sales and use Tax.

Motion by Schwarzbauer, seconded by Nowak and carried (4-0): To approve the 2nd Reading of Ordinance 05-17 adopting an additional one-half percent sale and use tax as presented.

J. Trees and Plants

Benson asked about the trees on 6th Street with the upcoming project –will they be saved or replaced? Casey said that it is difficult to answer as the council hasn't

approved the ordering of plans or specifications for the project. Benson also said that he had a conversation with Sam's Florist and they are willing to donate flowers to Proctor. He is asking the city to accept the donation. DeWall asked if the beautification Committee could assist in the planting and then ask the local businesses to water the flowers.

Motion by DeWall, seconded by Nowak and carried (4-0): To accept the donation of flowers by Sam's Florist.

Motion by DeWall, seconded by Nowak and carried (4-0): To recess at 7:13 pm to closed session for labor discussion and develop new strategies.

7. LABOR AND NEGOTIATIONS ISSUES (Closed Session)

A. Union and Negotiations Update

Motion by Nowak, seconded by Schwarzbauer and carried: To close the closed session at 7:29pm.

6. NEW BUSINESS (continued)

N. Labor Agreement

Benson stated that he wanted to see the bargaining group named on the agenda and this was in violation of statute 1343 sub 5 regarding releasing the names of the applicants.

Motion by DeWall, seconded by Nowak and carried (3-1, Benson opposed): To ratify labor agreement with Teamster Clerical.

MEMBER CONCERNS

Schwarzbauer asked for a motion to move forward with the Mesabi Misses in Trainquility Park. Casey asked for specific project costs, site prep costs, dimensions, etc. with the formal request.

BILLS FOR APPROVAL

General Fund
\$56,508.58

Liquor Fund
\$32,102.34

\$88,610.92 TOTAL BILLS FOR APPROVAL

Motion by Schwarzbauer, seconded by Nowak and carried (4-0): To approve the general and liquor fund bills in the amount of \$88,610.92.

ADJOURNMENT

Motion by Nowak, seconded by DeWall and carried: To adjourn the City Council meeting of June 19, 2017 at 7:45pm.

Respectfully submitted,

Philip Larson, Mayor

Mark Casey, City Administrator