

Minutes of the regular Proctor City Council meeting held Monday, July 2, 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; Nick Greenwood, Peggy Vanderscheuren, Police Chief Gaidis, Kathy Hannan, Chad Ward, Margaret Taylor (Midway Township), Noelle Lent

APPROVAL OF THE MINUTES:

Motion by, DeWall seconded by Schwarzbauer and carried (5-0): To approve the June 18, 2018 City Council Meeting Minutes. Schwarzbauer did comment on the minutes and the fireworks donation process. Benson did have one change of the minutes for informational purposes as to who advised him on the sod of the county project.

APPROVAL OF THE AGENDA:

Motion by Schwarzbauer, seconded by DeWall and carried (5-0): To approve the agenda for July 2, 2018, with the following additions: 6J: Fire Department Engine #1 Transmission; 6K: Metropolitan Interstate Council Survey; From Old Business 5B: Resolution 24-18 Appointing Advisory Member to the Liquor Control Board.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:

Gordon Downs made mention of the donations he has given to the golf course and was concerned the sales tax needed to be paid for the fairway mower his trust purchased. Casey explained what types of materials and equipment are exempt from the State Sales Tax and equipment for golf courses does not qualify for sales tax exemption. Nancy Smith- is concerned about all the fireworks being discharged in town and those residents with PTSD, and pets are affected. She would like the City to pick a date to have the fireworks blown off.

Kathy Hannan-Not enough agendas set out on the table.

Chad Ward- Sod that was laid on 5th street is not taking due to being placed on class 5 gravel. Also, fireworks for Hog Head Festival donations could be made through the PUC "Round Up" program on the utility bills. Mayor explained that donations can be made for the fireworks but not through the "Round Up" program.

***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 Larson and carried (5-0): To approve the Consent Agenda, with item 5B to be pulled and added as item 6L Resolution 24-18 (Appointing Advisory Member to Liquor Control Board).

***1. COMMUNICATIONS**

- A. St. Louis County Communications on Comprehensive Plan
- B. MN DNR RE: Fy 2019 Outdoor Recreation Grant Program
- C. Thank you from United Lutheran Church
- D. Coalition of Greater Minnesota Cities Summer Conference
- E. WLSSD Reduction Program

2. PLANNING AND ZONING DEPARTMENT MATTER

***3. CLERK ADVISES COUNCIL**

- A. Government and Liquor Fund Payroll Period Ended 06/24/2018

***4. COMMITTEE REPORTS**

- A. Benson asked if we can put the Construction Minutes in this section.

***5. UNFINISHED BUSINESS**

- A. SRO
- B. Resolution 24-18 Appoint Advisory Member to Liquor Control Board

Motion by DeWall, second by Larson and carried (5-0) to suspend the agenda and move to closed session under MN Statutes 13D to discuss Attorney Client Privilege, Annexation, and Finance Director Appointment. Time 6:24 p.m.

Motion by Schwarzbauer, second by DeWall and carried (5-0) to adjourn the Closed Session and resume the regular council meeting. Time 6:35 p.m.

6. NEW BUSINESS

A. Appoint Finance Director/Accountant/Deputy Clerk.

Motion by DeWall, second by Schwarzbauer and carried (5-0) to approve the appointment of Noelle Lent to Finance Director/Accountant/Deputy Clerk and ratify her contract for the term of 7/9/2018 to 12/31/2019 at an annual salary of \$62,000 prorated for 2018 and \$63,860 for the year 2019.

B. Construction Meetings:

This item was brought by Councilman Benson as to where and when the weekly construction meetings take place. Benson asked that the construction minutes be included in the meeting minutes of Committees. No Action taken as this item was informational.

C. Dead Sod Follow Up

Councilman Benson gave a follow up to the sod conditions for the county projects of 2017. The County has stated to him and the administrator there have been some issues with the vendor of the sod and the County is following up on this matter. No Action taken on this item.

D. CDGB Grant Cycle –

Councilman Benson would like the City to consider applying for 2019 CDBG funds for commercial and residential redevelopment/demolition. Stating the Mayor had brought this concern to the Council at a previous meeting. He also stated the City was unsuccessful in the last application process and believes there may be a better chance in 2019. Benson also provided information as to how CDBG dollars are leverage against city funds. No Action taken.

E. Call for Public Hearing on Garbage Assessments

Motion by Larson, second by DeWall and carried (5-0): To call for a Public Hearing on Garbage Assessments for July 18, 2018 at 6 p.m. in Council Chambers.

F. Temporary IT Proposals CW Technologies and Compudyne

Motion by Larson, second by DeWall and carried (5-0): to enter into an agreement with Compudyne Inc. of Duluth for temporary IT services.

Discussion by Chief Gaidis and Administrator Casey giving the pros and cons of each company and the needs of the police department and having to be BCA compliant.

G. Appoint Temporary Personnel Committee

Motion by Larson, second by DeWall and carried (5-0) to approve Diane Guliani, Gary Nowak, and Jim Schwarzbauer to be the temporary Personnel Committee to address personnel issues named in a investigative report.

Discussion by Larson as to a conflict of him being on the committee. DeWall stated that he appreciates the support to be on the committee but someone else should get an opportunity to handle some the on going issue.

H. Northland Trust Service Agreement

Motion by Nowak, second by Schwarzbauer and carried (5-0) to approve the agreement to have Northland Trust be the paying agent, registrar and transfer agent services for the 2018A GO Improvement Bonds.

I. Set Special Council Meeting for Fire Department Presentation

Motion by Schwarzbauer, second by DeWall and carried (5-0) to hold a special council meeting on July 16, 2018 at 5:00 p.m. in council chambers.

Discussion by the council as to the needs of a Ladder/Pumper truck by the fire department. DeWall stated the person giving the presentation will provide information as to the need and what effect it may have on the ISO ratings. Also NFPA rules that may require this type of apparatus.

J. Engine #1 Transmission Quote

Motion by Larson, second by DeWall and carried (5-0) to accept the quote from Nuss Truck in the amount of \$12,800 to replace the transmission to Engine #1

Casey stated that due to the fact this is an emergency service vehicle and has been inoperable for over a week, the normal two quotes will not be adhered to. Acquiring other quotes will only lengthen the time the engine is out of service.

K. Transportation Survey

This was an informational item brought forth by Councilman Benson in regards to a survey the Metropolitan Interstate Council is looking for feedback. Benson asked the Administrator to disseminate the flyer and website to the Council for their input.

L. Resolution 24-18 Naming Advisory Member to Liquor Control Board

Motion by Larson, second by Nowak and carried (4-1 Benson voting Nay) to name Dick Kari to the Liquor Control Board as an advisory member.

Benson stated the Council never talked about the qualifications needed to fill this position. Larson reviewed Kari's qualifications. Benson also stated how do we quantify the qualifications and its process.

7. LABOR AND NEGOTIATIONS – Per MN Statutes 13D Closed Meeting

Discuss attorney client privilege
Annexation Report

Finance Director Appointment

MEMBERS CONCERNS:

Schwarzbauer: Summary of the four types of incentives:

Purpose Driven

Social

Status

Material

Also stated he would like to address some of these issues at the next council meeting.

Benson:

Nowak:

DeWall:

Mayor Larson and Administrator Casey:

BILLS FOR APPROVAL

General Bills:	\$80,815.29
Liquor Bills:	<u>\$30,350.06</u>
Total:	\$111,165.35

Motion by Larson, seconded by Schwarzbauer and carried (5-0): 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 7:24 pm.