

Minutes of the regular Proctor City Council meeting held Monday, July 16, 2018 in the Community Center Council Chambers.

Mayor Larson called the meeting to order at 6:12 p.m.

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; Peggy Vanderscheuren, Police Chief Gaidis, Chad Ward, Margaret Taylor (Midway Township), Jim Aird, Earl Elde, Travis White, Nancy Aldridge, City Prosecuting Attorney Ron Envall.

APPROVAL OF THE MINUTES:

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

APPROVAL OF THE AGENDA:

Motion by Schwarzbauer, seconded by DeWall and carried (5-0): To approve the agenda for July 16, 2018, with the following additions:

- 6I: Cable Commission Minutes;
- 6H: Sales Tax Posting
- 6J: Health and Safety
- 6K: Fireworks

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:

Nancy Aldridge- Cable Commission

Concerns on the broadcasting of meetings of not only Council meetings but others as well. She also brought forth the suggestion of possibly training a few members of the Cable Commission on how to use the cameras etc. Ms. Aldridge also would like the fireworks to continue and where the donations for fireworks are going.

Casey and Benson stated they both have spoken with Ted Kiefat from the school to consider taping council meetings and Mr. Kiefat is taking it under consideration.

***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. WLSSD Letter to MPCA
- B. Why REI Should Build in Proctor

2. PLANNING AND ZONING DEPARTMENT MATTER

***3. CLERK ADVISES COUNCIL**

- A. Government and Liquor Fund Payroll Period Ended 7/16/2018

***4. COMMITTEE REPORTS**

- A. Planning and Zoning Minutes of June 25, 2018.
- B. PEDDA Meeting Minutes of July 10, 2018
- C. SEH Construction Meeting Minutes of July 11, 2018

***5. UNFINISHED BUSINESS**

- A. SRO

6. NEW BUSINESS

A. Resolution 28-18 Certify Garbage Assessments and Liens to County

This item was discussed during the Public Hearing and during this hearing the council moved to suspend the hearing and decision until the August 6, 2018 meeting.

**CITY OF PROCTOR
RESOLUTION NO. 28-18
CERTIFY ASSESSMENTS AND LIENS TO COUNTY**

WHEREAS, pursuant to notice duly given as required by law, the City Council has met and passed upon all objections to the proposed assessments for the following delinquent accounts of 2017-2018:

SOLID WASTE REMOVAL

and has amended such proposed assessments as it deems just:

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Proctor, Minnesota as follows:

1. Such proposed assessments, a copy of which are attached hereto and made a part hereof is hereby accepted and shall constitute the special assessments against the land named therein, and each tract of land therein is hereby found to be benefited by the City.
2. Such assessments shall be as follows:
 - a. The assessments shall be payable including principal and \$50 City collection fee upon ratification of this resolution. Said payment to be payable prior to October 1, 2018 thereafter a 10% penalty shall apply.
 - b. The owner of the property so assessed may at any time prior to the November 15th of this year, pay to the Solid Waste Collector, or City Clerk, the whole of the principal amount of the assessment on such property, provided that no such prepayment shall be accepted without payment of all installments due to the City, County, and Solid Waste Collector.
3. The City Clerk shall forthwith transmit a certified duplicate copy of this assessment to the County.
4. The past due accounts for solid waste removal (as the term is defined in the City Code 505.13) services be certified by the City Clerk of the City of Proctor, Minnesota to the County Auditor, and the City Clerk in so certifying shall specify the amount thereof, the description of the premises served, and the name of the owner thereof. The amount so certified shall be extended by the County Auditor on the tax rolls against such premises in the same manner as other taxes, and collected by the County Treasurer, and paid to the City along with other taxes.

Moved by Councilperson _____ and supported by Councilperson _____ that the above resolution be adopted.

Voting Aye:

Voting No:

Absent:

WHEREUPON said resolution was adopted this 16th day of July 2018.

Attest:

Philip Larson
Mayor

Mark Casey,
City Clerk/Administrator

B. First National Bank Corporate Authorization

Motion made by Larson, seconded by Nowak and carried (5-0) authorizing Noelle Lent, Administrator Casey, Mayor Larson, and PUC Clerk Char Jones to be signators on bank documents.

C. Civil Service Commission Request

This item was suspended until after the Closed Session portion of the council meeting for action. Council acting on the request by the Civil Service Commission for the Council to consider a lateral pay for a new officer. No action was taken.

D. City Involvement with ISD 704 on Outdoor Rinks –

Councilman Benson asked the Administrator as to what involvement the City has with ISD 704 in developing outdoor rinks at the new hockey arena. Casey advised there have been no discussion on the City being involved with outdoor hockey rinks and he was invited to a meeting with the members of Proctor Amateur Hockey Association (PAHA) and representatives of the school. He was not asked for involvement nor for any opinions.

This was an informational item and no action taken.

E. City Involvement with ISD 704 in Planning for Future of Old Arena at the Fairgrounds

Councilman Benson asked the Administrator what involvement the City has had in the development and planning for future uses of the hockey arena at the Fairgrounds. Administrator Casey advised there was a brainstorming meeting with representatives of the school, PAHA, the City, and the Fairboard and various ideas were discussed and both the school and Fairboard had shown an interest in the facility, but nothing formal. Casey advised if a proposal is presented, it will be brought to the Council for action.

This was an informational item and no action taken.

F. Governing Body

Councilman Schwarzbauer presented a handout and gave an explanation of “Qualities of an Effective Governing Body.” Schwarzbauer proposing what can we do or look at to change how we run our government. What are the goals of the council and what can be done as a group?” Larson stated the need to discuss the past to move forward. Benson suggested bringing in a facilitator through the League of MN Cities, to get everyone to move forward.

No action taken.

G. Letter of Understanding with Teamsters 346

Motion by DeWall, seconded by Schwarzbauer and carried (5-0) to establish a wage for the new Police Technician at \$18/hr and enter into a Letter of Understanding with the Teamsters Local 346.

H. Sales Tax Posting

Benson suggested the city website be updated to reflect the sales tax within the city to include the state, county, and city tax rates.

This was an informational item.

I. Cable Commission Minutes

Motion by Schwarzbauer, seconded by Larson and carried (5-0) to accept the minutes of the Cable Commission meeting of July 2018

J. Liability Concerns/Safety

Benson pointed out there was a business notification sign in the sidewalk area on 5th St and 2nd Ave. stating the safety concerns and liability issues with this and the need to move the sign. Benson also made mention of four dead trees on the City Hall property that need to be removed.

Casey will have the Streets Department move the sign and noted the Streets Foreman was having the dead trees tested for any type of disease.

This was an informational item.

K. Fireworks

Larson spoke of the fireworks for the Hoghead Festival and the lack of funds available from the city. Discussion took place in regards to the fundraiser that is going on to keep the tradition alive. Larson and Benson both stated the Chamber of Commerce has donated \$1,000 and Irving Community Center has donated in the past. Larson went on to say the Irving Community Center can no longer donate funds for fireworks.

This was an informational item.

Motion by DeWall, seconded by Larson and carried (5-0) to go into "Closed Session" at 6:56 p.m.

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

Discuss attorney client privilege personnel issue
Contract Discussion with Teamsters

Motion by DeWall, seconded by Nowak and carried (5-0) to adjourn the Closed Session and resume to the regular Council meeting: Time 7:59 p.m.

L. Personnel

Motion by Schwarzbauer, seconded by Nowak and carried (5-0), to terminate the employment of the IT personnel immediately under Article 13 of the Teamsters Collective Bargaining Agreement.

MEMBERS CONCERNS:

Schwarzbauer: Summary of the four types of incentives:

Benson:

Nowak:

DeWall:

Mayor Larson and Administrator Casey:

BILLS FOR APPROVAL

General Bills:	\$115,679.39
Liquor Bills:	<u>\$37,143.06</u>
Total:	\$152,822.45

Motion by Nowak, seconded by DeWall and carried (5-0): To approve the bills for payment as listed.

ADJOURNMENT

Motion by Nowak, seconded by Larson and carried (5-0): To adjourn the City Council meeting at 8:03 p.m.