

Minutes of the regular Proctor City Council meeting held on December 19, 2016 in the Community Center Council Chambers

Mayor Brenna called the meeting to order at 6:05 p.m.

MEMBERS PRESENT: Councilors Jake Benson, Jim Schwarzbauer, Shawn McGovern, Travis White, and Mayor David Brenna

OTHERS PRESENT: Mark Casey, City Administrator; Tammie McDonald; John Bray, City Attorney; Jim Aird, Midway Township; Gordy Downs; Jim Rohweder; Gary Nowak; Chris Brenna; Troy DeWall; Kathy Hannan; Phil Larson; Jakob White; Bob Lambert

APPROVAL OF MINUTES:

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the December 5, 2016 City Council Meeting Minutes.

APPROVAL OF AGENDA

Benson added 6N: Fixing 225
Benson added 6O: Repealing Censure

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the agenda of December 19, 2016 as amended.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Brenna read a thank you to the public regarding his last meeting as Mayor of Proctor.

Bob Lambert spoke about his concerns regarding the trail along Boundary Avenue.

Kathy Hannan asked how to apply for boards and commissions.

*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 McGovern, seconded by Schwarzbauer and carried: To approve the consent agenda.

***1. COMMUNICATIONS**

A. Mediacom Rate Adjustments

2. PLANNING & ZONING DEPARTMENT MATTER

- A. Variance (Approved by Planning & Zoning Commission)

Casey stated that the Planning & Zoning Commission met at 5pm and approved the variance request from Proctor Speedway. Casey reminded the council that they waived the variance fees during their meeting in October 2016.

Motion by McGovern, seconded by White and carried (5-0): To approve the variance request for a reader board at the Proctor Speedway following the recommendation from the Planning and Zoning Commission

*3. CLERK ADVISES COUNCIL

- A. Government Fund payroll period ended 12/11/16; Liquor Fund payroll ended 12/11/16 (attached).

*4. COMMITTEE REPORT

- A. PUC 2017 Budget

5. UNFINISHED BUSINESS

- *A. Council Handbook
- *B. Moving Street Department
- *C. Flashing Stop Light at Kirkus and Boundary

6. NEW BUSINESS

- A. 2017 Home Occupation Permits (approved by Planning & Zoning)

Casey stated that Planning & Zoning approved the 2017 Home Occupation Permits during their meeting at 5:00 pm.

Motion by White, seconded by Schwarzbauer and carried (5-0): To approve the 2017 Home Occupation Permits as presented.

- B. 2017 Liquor Licenses (approved by Liquor Control)

McGovern stated that three businesses are not up to date with taxes or utility

payments. Liquor Control recommends that city staff send letters to these three businesses asking for the accounts to be brought up to date by December 28, 2016.

Motion by Benson, seconded by McGovern and carried (5-0): To accept the recommendation of the Liquor Control committee and approve the liquor licenses as presented, following the submission of all requested data.

C. 2017 PEDA Appointments (approved by PEDA Commission ó unofficial minutes included in packet)

Benson asked that the application be included in the packets for future appointments. Casey stated that there were two open positions on the PEDA commission, and they received two applications. Wayne Pulford reapplied for his positions, and Nicholas Greenwood applied for the open position left by Jan Rohweder. PEDA commissioners recommended approval of these two applicants at their December 13, 2016 meeting.

Motion by McGovern, seconded by White and carried (5-0): To accept the recommendation of PEDA and approve the two applications of Wayne Pulford and Nicholas Greenwood to serve a term as PEDA Commissioners.

D. Next Council Meeting ó Tuesday, January 3, 2017

Casey also stated that the meeting of January 16, 2017 will be moved to January 17, 2017 due to the Martin Luther King holiday

E. Street Truck Purchase

Casey said that this will be a five year lease of a new truck through a local dealer. White acknowledged LaLonde's letter regarding the purchase and how his explanation was very thorough.

Motion by Schwarzbauer, seconded by Brenna and carried: To approve the purchase of a street department vehicle with a five year lease as presented.

F. Approval of Insurance Broker

Casey stated that this document is from the League of Minnesota Cities.

Motion by McGovern, seconded by Schwarzbauer and carried: To approve the Liability Coverage ó Waiver Form as presented.

G. Sewer Budget

Motion by Benson, seconded by McGovern and carried (4-1, White opposed): To approve the 2017 Sewer budget as presented in the amount of \$592,000.23.

H. Resolution 65-16 Approving County Project within Municipal Corporate Limits

Casey reported that this resolution came from the county regarding the 2017 road projects. He also stated that there will be a public hearing on January 10, 2017 at 6pm.

Motion by Benson, seconded by McGovern and carried: To approve Resolution 65-16 as presented from St. Louis County

I. Comprehensive Plan Follow Up ó Benson

Item Tabled.

J. MN Design Team Follow Up ó Benson

Item Tabled.

K. Soliciting Developer for City Site ó Benson

Item Tabled.

L. Greater Minnesota Regional Parks and Trails Grant ó Benson

Casey said that earlier this year the city was unsuccessful with a greater Minnesota application. However, he is now working with the City of Hermantown mayor on a new application.

M. LCCMR Grant Application Improving Community Forests Through Citizen Engagement ó Applications must be postmarked on or before Monday, February 8, 2017 - Benson

Consensus of the councilors to have city staff move forward in the application process which is to be completed by February 8, 2017.

N. Fixing 225

Benson stated that there is money available to do some repairs on the mallet. Schwarzbauer stated that he would like to check with the students at Lake Superior College.

O. Repealing of Censure

Benson stated that he is recommending repealing the censure of PUC of May 2,

2016 and of Mayor Brenna of November 16, 2015.

Motion by Benson, seconded by Schwarzbauer and carried (3-2, White and Brenna opposed): To repeal the censures of May 2, 2016 and November 16, 2015.

7. LABOR AND NEGOTIATIONS ISSUES ó Closed Meeting

A. Negotiating Team

Benson stated that there is a new council is not taking their seats for a while, he is recommending adding an alternate to the negotiating team for those that want to settle employment contracts prior to January 1, 2017.

Brenna stated that the new council should do the negotiating. McGovern agreed and stated that an alternate is not needed. He is willing to continue to serve when he is not working.

Motion by McGovern, seconded by White and carried (4-1, Brenna opposed): To nominate Benson as negotiating team alternate until January 3, 2017.

Motion by Benson, seconded by Schwarzbauer and carried: To close the public meeting at 7:32pm due to discussion regarding pending litigation.

B. Updates on Negotiations

C. Hovland Annexation

At 7:55pm the public meeting was reopened.

Motion by Schwarzbauer, seconded by White and carried: Any contract ending at the end of 2016, whether individual or a labor unit, will be extended until negotiations or contracts are agreed upon and ratified by both parties or an impass.

MEMBER CONCERNS

White said that as a postal carrier, and now that it is winter, he is asking all residents to please shovel all sidewalks.

Schwarzbauer said that he represented the city at Cirrus today for the unveiling of their new facility.

Benson said thank you to White, McGovern, and Brenna for their service to the City of Proctor.

BILLS FOR APPROVAL

Motion by McGovern, seconded by Schwarzbauer and carried (5-0): To approve the General Fund bills in the amount of \$98,475.11. Roll call vote: Schwarzbauer ó yes, Brenna ó yes, McGovern ó yes. Benson ó yes. White ó yes.

Motion by McGovern, seconded by Schwarzbauer and carried (4-1, White opposed): To approve the Liquor Fund bills in the amount of \$26,116.70. Roll call vote: Schwarzbauer ó yes, Brenna ó yes, McGovern ó yes, Benson ó yes, White ó no.

ADJOURNMENT

Motion by White, seconded by Brenna and carried: To adjourn the City Council meeting at 7:57pm.

Respectfully submitted,

Mark Casey, City Administrator