

Minutes of the regular Proctor City Council meeting held Monday December 3, 2018 in the Community Center Council Chambers.

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

MEMBERS PRESENT: Mayor Larson and Councilors DeWall, Nowak, Benson and Schwarzbauer

OTHERS PRESENT: City Attorney Bray, City Administrator Casey, Finance Director Noelle Lent, Chief Gaidis, Chad Ward, Rory Johnson, Kathy Hannan, Nick Greenwood, Mr. Pelawa of Bolten Menk, Jason Lofdahl, Tammy Lofdahl, Peggy Vanderscheuren, Laura Vu and Steve Anderson of Independent School District 704

APPROVAL OF THE MINUTES:

Motion by Schwarzbauer, seconded by DeWall and carried (5-0) to approve the City Council Meeting Minutes of Monday, November 19, 2018.

APPROVAL OF THE AGENDA:

Motion by Schwarzbauer, seconded by Nowak and carried (5-0) to approve the agenda for December 3, 2018.

Motion by Schwarzbauer, seconded by DeWall and carried (5-0) to suspend the regular meeting at 6:05 p.m. and call to order the Truth In Taxation Hearing.

TRUTH IN TAXATION HEARING 6:05PM

Motion by Benson, seconded by Schwarzbauer and carried (5-0) to open the Truth In Taxation Hearing at 6:05 p.m.

Finance Director Noelle Lent gave a presentation on projected expenditures and revenues for the year 2019, and also mentioned the budget.

Motion by Schwarzbauer, seconded by DeWall and carried (5-0) to close the Truth In Taxation Hearing at 6:15 p.m. and reconvene the regular City Council Meeting.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:

None.

***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 Benson, seconded by Schwarzbauer and carried (5-0) to approve the consent agenda.

Mayor Larson made a request to move Item 5 B. and 5 C. to be a part of the regular agenda.

***1. COMMUNICATIONS**

A. Dryer & Overom Invitation

2. PLANNING AND ZONING DEPARTMENT MATTER

***3. CLERK ADVISES COUNCIL**

A. Government Fund Payroll and Liquor Fund Payroll Period Ended 11/11/18

***4. COMMITTEE REPORTS**

A. Proctor City Council Special Budget Meeting Minutes of Monday, November 26, 2018

***5. UNFINISHED BUSINESS**

*A. SRO

B. Resolution No. 52-18 Appointing A Governing Body Liaison to Civil Service Commission

Larson discussed term limits and the meeting minutes of the Proctor Civil Service Commission.

Benson brought a record of the ordinance. He gave a synopsis of the Civil Service Commission and the law governing it under Statues 419 and 419.02.

Motion by Larson, seconded by Nowak, motion failed (2-3, DeWall, Schwarzbauer and Benson Nay) to approve Resolution No. 52-18 Appointing A Governing Body Liaison to Civil Service Commission.

C. Resolution No. 53-18 Appointing A Governing Body Liaison to South St. Louis County Fairboard

Liability issues were discussed. Larson explained that what the Fairboard does affects the City, and Bray stated they are required to get permission from the City.

Benson said any elected official can be a member.

Motion by Larson, seconded by Nowak, motion failed (2-3, DeWall, Benson and Schwarzbauer Nay) to approve Resolution No. 53-18 Appointing A Governing Body Liaison to South St. Louis County Fairboard.

6. NEW BUSINESS

A. City of Proctor 2019 Budget Summary

Motion by Schwarzbauer, seconded by Dewall and carried (5-0) to approve the following budgets for 2019:

| Revenues | Expenses |
|-------------------------------|----------------|
| • General Fund \$3,763,014.94 | \$3,748,718.16 |
| • Cable \$ 24,150 | \$ 18,300 |
| • Sewer Fund \$ 533,000 | \$ 549,744. |
| • Golf Fund \$ 45,000 | \$ 39,084.72 |

B. Resolution No. 57-18 Levy for 2019

Motion by Benson, seconded by Schwarzbauer and carried (5-0) to approve the Levy for 2019: \$1,121,068 for the General Fund; \$431,527 for Bonded Debt; \$0 for Other Debt; Total \$1,552,595

C. City of Proctor Resolution No. 55-18 Resolution Accepting Donations to the Fire Department

Motion by Benson, seconded by Dewall and carried (5-0) to accept the donations in the amount of \$1650.

D. State Aid for Local Transportation Resolution 54-18 – Approving County Project within Municipal Corporate Limits

Casey stated St. Louis County would like to replace the traffic signal at the intersection of US-2 and 2nd Street and is seeking the approval of the City. Benson asked if the county is working with C&N regarding the cross-arms and Casey stated it was not mentioned.

Motion by Benson, seconded by Dewall and carried (5-0) to approve State Aid for Local Transportation Resolution 54-18 – Approving County Project within Municipal Corporate Limits

E. City of Proctor Resolution No. 56-18 Resolution Authorizing and Directing the Mayor and City Administrator to Execute and Deliver A Real Estate Purchase Agreement and Conveyance of Real Property by the City of Proctor to Independent School District 704

Casey stated City Attorney Bray, ISD 704 and engineering worked on the legal description.

Motion by Schwarzbauer, seconded by Nowak and carried (5-0) to approve the City of Proctor Resolution No. 56-18 Resolution Authorizing and Directing the Mayor and City Administrator to Execute and Deliver A Real Estate Purchase Agreement and Conveyance of Real Property by the City of Proctor to Independent School District 704.

F. Application and Permit for A 1 Day to 4 Day Temporary On-Sale Liquor License

Casey stated Liquor Control has seen this permit request, and Steve Anderson said the school board as a whole is in support of it. Schwarzbauer replied REA3D is separate from the school, statute allows it, but he wonders if it should be allowed on school property. DeWall explained the City is responsible for the liquor license and the school is responsible for the rest.

Motion by Benson, seconded by Nowak and carried (4-1, Schwarzbauer Nay) to approve the Application and Permit for A 1 Day to 4 Day Temporary On-Sale Liquor License at the St. Luke's Event Center on February 22, 2019.

G. League of Minnesota Cities Liability Coverage Waiver Form

Casey stated this is done every year and the insurance company recommends the council not to waive monetary limits.

Motion by Nowak, seconded by DeWall and carried (5-0) to approve the League of Minnesota Cities Liability Coverage Waiver Form and not waive monetary limits.

H. WIPFLI Engagement Letter

Casey stated they do a fine job as in the past and the fee is the same as last year.

Motion by Nowak, seconded by DeWall and carried (5-0) to approve the WIPFLI Engagement Letter.

I. Towing Permits

1. DeWall Service Center Inc., d.b.a. Troy's Amoco

Motion by Benson, seconded by Schwarzbauer and carried (4-0, DeWall abstained) to approve the towing permit for DeWall Service Center Inc., d.b.a. Troy's Amoco.

2. Troy's Towing, d.b.a. U.S.A. Towing & Recovery

Motion by Benson, seconded by Schwarzbauer and carried (4-0, DeWall abstained) to approve the towing permit for Troy's Towing, d.b.a. U.S.A. Towing & Recovery.

J. County Letter of Support for Bridge Repair

Casey stated the Minnesota Department of Transportation is asking council to support the funding request for federal financing.

Motion by Benson, seconded by Schwarzbauer and carried (5-0) to support the Minnesota Department of Transportation funding request for bridge repair.

K. Resolution 01-18 of the Proctor Public Utilities Commission of the City of Proctor

Casey explained the Public Utilities Commission has already passed this resolution, but needs concurrence for the resolution from the City Council.

Motion by Nowak, seconded by DeWall and carried (5-0) to concur with the Public Utilities Commission Resolution 01-18 entering Northeastern Minnesota Municipal Power Agency.

Motion by Nowak, seconded by Larson and carried (5-0) to recess the regular meeting to a Closed Meeting per MN Statutes 13D to discuss attorney client privilege and Labor Negotiations. 7:00 p.m.

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

A. Attorney Client Privilege

Motion by Benson, seconded by Dewall and carried (5-0) to adjourn the closed meeting and reconvene the regular city council meeting. Time 7:08 p.m.

MEMBERS CONCERNS:

Schwarzbauer: Gave a synopsis of the materials passed out at previous meetings on an athletic facility and the need to have one in Proctor. Also, stated this is one of the reasons he ran for Mayor. Reflected on the lack of response of emails and phone calls sent to others after he was not elected as Mayor. Spoke of the revenue the city is missing out on and is going to try his hand on getting something of an event center in Superior, WI.

Benson:

Nowak:

DeWall:

Mayor Larson:

BILLS FOR APPROVAL

| | |
|----------------|------------------|
| General Bills: | \$130,668.77 |
| Liquor Bills: | <u>52,052.50</u> |
| Total: | \$182,721.27 |

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

ADJOURNMENT

Motion by Dewall, seconded by Nowak and carried (5-0): To adjourn the City Council meeting at 7:21 p.m.