

Minutes of the regular Proctor City Council meeting held Monday December 17, 2018 in the Community Center Council Chambers.

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

**ACKNOWLEDGMENT OF SERVICE:** Deputy Mayor Nowak presented outgoing Councilman Schwarzbauer and outgoing Mayor Larson plaques of appreciation for their service to the city council and community.

**MEMBERS PRESENT:** Mayor Phil Larson and Councilors Jake Benson, Troy Dewall, Gary Nowak and Jim Schwarzbauer

**OTHERS PRESENT:** Administrator Casey, Attorney Bray, Chad Ward, Rory Johnson, Peggy Vanderscheuren, Mick Ward, Jim Rohweder, Jim Aird of Midway Township, John Talarico, Tammy Lofdahl of the Proctor Speedway, and Jason Lofdahl of the St. Louis County Fair Board.

**APPROVAL OF THE MINUTES:**

Motion by Dewall, seconded by Schwarzbauer and carried (5-0) to approve the City Council Meeting Minutes of December 3, 2018. Schwarzbauer did want to clarify his comments of the 12/3/18 meeting stating that he is not abandoning Proctor, and will continue to work on getting another sports facility.

**APPROVAL OF THE AGENDA:**

Motion by Schwarzbauer, seconded by Dewall and carried (5-0) to approve the agenda as presented.

**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 Nowak, seconded by Schwarzbauer and carried (5-0) to approve the Consent Agenda.

**\*1. COMMUNICATIONS**

- A. Mediacom 2019 Rate Adjustments
- B. Northern Natural Gas Notice

**2. PLANNING AND ZONING DEPARTMENT MATTER**

- A. 2019 Home Business Occupation – Northern Lights Disc Golf Design L.L.C.  
Motion by Schwarzbauer, seconded by Dewall and carried (5-0) to approve the Northern Lights Disc Golf Design L.L.C. home occupation permit for 2019.

B. 2019 Home Business Occupation – Body Sweets Massage Therapy  
Motion by Benson, seconded by Schwarzbauer and carried (5-0) to approve the Body Sweets Massage Therapy home occupation permit for 2019.

C. 2019 Home Business Occupation – Dana Carroll’s Music Studio  
Motion by Benson, seconded by Dewall and carried (5-0) to approve Dana Carroll’s Music Studio home occupation permit for 2019.

D. 2019 Home Business Occupation – Bill’s Gun Repair  
Motion by Benson, seconded by Schwarzbauer and carried (5-0) to approve Bill’s Gun Repair home occupation permit for 2019.

E. 2019 Home Business Occupation – Birch Hill Kennels  
Motion by Schwarzbauer, seconded by Benson and carried (5-0) to approve Birch Hill Kennels home occupation permit for 2019.

**\*3. CLERK ADVISES COUNCIL**

A. Government Fund Payroll and Liquor Fund Payroll Period Ended 11/25/18

**\*4. COMMITTEE REPORTS**

**\*5. UNFINISHED BUSINESS**

\*A. SRO

**6. NEW BUSINESS**

A. 2019 Liquor Budget

Motion by Dewall, seconded by Schwarzbauer and carried (5-0) to approve the 2019 Liquor Store Budget: Revenues \$919,000; Expenses \$918,686

B. Transfer of Funds

Casey stated this is an end of the year bookkeeping issue, and comes before the council each year.

Motion by Schwarzbauer, seconded by Nowak and carried (5-0) to approve the transfer of funds as described.

Liquor Fund to General	5,286.00
Cable to General	900.00
General to Fund 493	80,000.00
General to Golf Fund 550	15,000.00
General to Kirkus Fund 492	60,000.00
Sewer to Fund 491	5,300.00
Sewer to General	34,153.00
General to Fund 325	49,686.05
Sewer to Fund 325	40,847.00
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	291,172.05

**Transfers In:**

General Fund from Liquor	5,286.00
General fund from Cable	900.00
Fund 493 from General	80,000.00
Golf 550 from General	15,000.00
Kirkus 492 fr General	60,000.00
Fund 491 from Sewer	5,300.00
General from Sewer	34,153.00
Fund 325 from General	49,686.05
Fund 325 from Sewer	40,847.00
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	291,172.05

- C. Resolution No. 58-18 Resolution of Non-Objection To Issuance of State of Minnesota Charitable Gambling License

Motion by Larson, seconded by Nowak and carried (5-0) to approve the gambling permit for Duluth Area Softball Association with operations in the Moose Lodge.

- D. 2019 TZD Agreement City of Duluth Lake Superior Traffic Enforcement Team Casey stated this is a grant that we apply for each year to cover the city's costs during the "Toward Zero Deaths" program.

Motion by Benson, seconded by Schwarzbauer and carried (5-0) to approve the TZD agreement.

- E. Duluth Lawn and Sport, John Deere Mower Quote

Mayor asked questions as to whether we can donate the used piece of equipment to PAHA. Benson asked that PAHA make notice of events to businesses and the paper which may increase revenue to local businesses.

Motion by Larson, seconded by Nowak and carried (5-0) to accept the state bid quote from Duluth Lawn and Sport for a John Deere Mower, Blower, and Sweeper and to donate the old equipment to Proctor Area Hockey Association PAHA. With the bid for equipment \$39,805.69.

- F. Resolution No. 59-18 Establishing/Designating Election Polling Place

Motion by Benson, seconded by Schwarzbauer and carried (5-0) to designate Proctor's polling place as 100 Pionk Drive, Proctor, Minnesota.

Motion by Dewart, seconded by Nowak 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. Time 6:26 p.m.

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

- A. Attorney Client Privilege
- B. Negotiations

Motion by Nowak, seconded by Dewall and carried (5-0) to adjourn the closed meeting and reconvene the regular city council meeting. Time 6:45 p.m.

**MEMBERS CONCERNS:**

**Schwarzbauer:** Stated it will be interesting to be untethered after 16 years on the school board and 8 years on the city council. He is thinking of applying for PEDDA and wanting to get people interested in Proctor again. Thanked everyone for the opportunity to serve.

**Benson:** Thanked Mayor Larson and Councilman Schwarzbauer for the time and efforts they put into serving. Also stating it can be difficult to serve.

**Nowak:** Thanked Schwarzbauer for his dedication and keeping the Comprehensive Plan before the council. Also for his volunteering in keeping Tranquility Park mowed and weed free and for operating the Beautification Committee with no budget. Thanked Mayor Larson for what has been a difficult two years and explained there is a learning curve that many people don't understand. Thanked the Mayor for working hard on the infrastructure, and acquiring county mill material at no cost and the work he has done with the county.

**DeWall:** Reiterated the sentiments of Councilmen Benson and Nowak thanking the Mayor and Councilman Schwarzbauer for their hard work and dedication.

**Mayor Larson:** Believes there is much unfinished business yet to do and would like to see "length of terms for Police Civil Service Commission" back on the agenda and continued meetings with the Fair Board addressing the City and Fair Board contract. Stated it's been an interesting two years and made some good friends and is very proud of the staff at city hall. Thanked the administrator for his work in collecting on accounts that were not being paid on. Making some progress in streets infrastructure and that the two years was plenty.

**BILLS FOR APPROVAL**

General: \$108,126.89  
Liquor: 31,197.31  
Total: \$139,324.20

Motion by Schwarzbauer, seconded by Nowak to approve the bills for payment as listed. Discussion took place for a reimbursement request from 2012 on check number 037740. Mayor Larson and Dewall both stated the reimbursement should be done in a timely manner, as these items were under a different council. Benson made an amendment to the motion to pull check 037740, seconded by Dewall and carried (5-0) to approve the bills minus \$1,388.36 on check 037740 with total bill for:

General: \$106,738.53  
Liquor: \$31,197.31  
Total: \$137,935.84

**ADJOURNMENT**

Motion by Nowak, seconded by Dewall and carried (5-0): To adjourn the City Council meeting at 7:06 p.m.