

Minutes of the regular Proctor City Council meeting held Monday May 6, 2019 in the Community Center Council Chambers.

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

MEMBERS PRESENT: Jake Benson, Troy DeWall, Rory Johnson, Gary Nowak and Chad Ward.

OTHERS PRESENT: City Attorney John Bray, City Administrator Mark Casey, City staff Sally Hedtke, Chief of Police Kent Gaidis, Jim Aird, Dick Kari, Jim Schwarzbauer, Peggy Vanderschuern, Laura Vu, Russell Haberman, Tracey Haberman, Phil Larson, Jan Resberg

**APPROVAL OF THE MINUTES:**

Motion by Johnson, seconded by Dewall and carried (5-0) to approve the City Council Meeting Minutes of Monday April 15, 2019.

**APPROVAL OF THE AGENDA:**

Motion by Benson, seconded by Dewall to approve the Agenda with Benson wanting to remove item 6J and move 6N to 6Ka; 6K to 6Kb. Also pulling 1A, 1B, 4C from the Consent Agenda for discussion

Motion by Benson, seconded by Dewall and carried (5-0) to approve the May 6, 2019 Agenda with revisions.

**COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:**

Phil Larson – commented on a possible Open Meeting violation when Councilman Benson, Johnson, and Mayor Ward, attended a meeting with Congressman Stauber. He also commented on how the local paper “chastised” the Public Utilities Commission for a violation. Asked Benson if he attended as a councilman or press and would like a LMC opinion. Benson rebutted that it is not a violation if no motions are made or leads to discussion. Stated its always a learning opportunity to know the differences between councilman and press.

**\*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 Johnson, and carried (5-0) to approve the Consent Agenda.

**\*1. COMMUNICATIONS**

A. 2018 Police Dept Annual Report

Benson thanked the Chief for providing the report. He had questions as to where the Civil Service Commission was on the Organization Chart, and he pointed out

some discrepancies in the number of incidents, and the decrease in serious crimes. Benson wanted more breakdown in numbers of school incidents v. self initiated, as well as motorcycle incident reports.

Johnson pointed out to Benson that these questions should be asked prior to the meeting. Dewall suggested accept the numbers as is and lets move forward to 2019.

Motion by Benson, seconded by Ward to accept the annual report. Roll call vote taken:

Ayes: Benson, Dewall, Ward: Nays: Johnson, Nowak Motion carried (3-2).

B. 1<sup>st</sup> Quarter Budget Status

Motion by Benson, seconded by Dewall and carried (5-0) to accept the 1<sup>st</sup> quarter budget report.

**2. PLANNING AND ZONING DEPARTMENT MATTER**

Notice of Public Hearing to Rezone Property now within corporate boundaries of the City of Proctor for May 28<sup>th</sup> in Council Chambers.

**\*3. CLERK ADVISES COUNCIL**

A. Government Fund Payroll and Liquor Fund Payroll Period Ended 4/14/19 and 4/28/19

**\*4. COMMITTEE REPORTS**

A. Proctor Public Utilities Commission Minutes of 3/11/19.

B. Proctor Beautification Minutes of 4/30/19

**C. Proctor Tourism Minutes for 4/3/19**

Benson clarified that the committee vote on the Fair Funding request was not a majority since Frank Siiro did not vote.

Motion by Benson, seconded by Chad and carried (5-0) to approve the April 3, 2019 Tourism Committee Minutes.

**\*5. UNFINISHED BUSINESS**

A. Purchasing Policy

**6. NEW BUSINESS**

**A. League of Minnesota Cities Annual Conference 2019**

Casey stated the League of MN Cities is in Duluth this year and stated it is a good event and council should attend. He needs to know how many councilors would attend. Ward said he planned to, and Johnson said he may as well.

Motion by Benson, seconded by Johnson and Motion carried (4-0) with Ward abstaining to allow council to attend on behalf of the City of Proctor.

## **B. Kingsbury Creek**

Administrator Casey stated the Soil and Water Conservation District is in the process of acquiring funds to improve the quality of Kingsbury Creek and SWCD needs city approval to do so. Motion by Johnson, second by Nowak and carried (5-0) to approve the SWCD to make such improvements needed to Kingsbury Creek in Proctor.

## **C. Resolution 24-19 Accepting Donations**

Casey reported that the Proctor McDonald's had a grand re-opening, and at the event gave both the Proctor Police and Fire Departments a \$500 donation.

Motion by Dewall, seconded by Benson and carried (5-0) to approve Resolution 24-19 Accepting Donations.

## **D. Hiring Committee Recommendation**

Motion by Benson, seconded by Dewall and carried (5-0) to approve the Hiring Committee's recommendation to hire Alex Anderson for the position with the Street Department.

## **E. City Logo**

Benson explained that the city logo may need to be updated, and wanted Council thoughts on whether to move forward with this. No motions or action by Council.

## **F. County Tax Forfeited Property**

Casey reported on the status of the county tax forfeited property, with the county offering the city 4 parcels at the same cost as the two parcels the city wants.

Motion by Johnson, seconded by Dewall and carried (3-2) to have the city contact the County to discuss possible purchase of the parcels. Roll call: Ayes: Ward, Dewall, Johnson. Nays: Benson, Nowak.

## **G. Museum Loan**

Dewall discussed the March 2013 loan of \$20,000 between the City and the Museum. Jan Resberg, Museum President, gave a summary of the work the Museum does and asked the city to forgive the \$20,000 loan. Dewall clarified that the Museum has paid on other loans, but that they have not paid the city any money on this loan. Council will not take action at this time, but will place the museum loan under Unfinished Business on the Council agenda.

## **H. Tourism Committee Recommendation**

Benson pointed out that the committee motion for the Fairgrounds funding was defeated since Frank Siiro did not vote.

Motion by Benson, seconded by Dewall and carried (5-0) to approve the Tourism Committee funding recommendations.

**I. Resolution 23-19 Non Objection Gambling Permit**

Motion by Johnson, seconded by Dewall and carried (5-0) to approve Resolution 231-Non Objection Gambling Permit.

**J. Fairway Greens – Item removed**

**K. (a) Reconsideration of Votes and Motions**

Benson said that the Public Safety Committee recommendations to the Council on April 15, 2019 to approve events lacked a majority vote. Nowak noted that the events were already approved by Council on April 15, and also that the committee minutes were unofficial and could be revised by the committee.

**(b) Call for a Joint Meeting of the City Council/Safety and Liquor Control Committees.**

Information only, confirming that the City Council and Public Safety/Liquor Control Committees will meet for a joint meeting on Monday, May 20, 2019 at 5:00 p.m. in council chambers before the regular Council meeting.

**L. Minnesota Mayors Association**

Casey noted that the League of Minnesota Cities offers much of information available. The Association may offer networking opportunities.

Motion by Ward, seconded by Dewall and carried (5-0) to table this item.

**M. Spring Clean-Up Day**

Council talked about three separate city clean up events: May 4 Clean Up day, City-wide brush pick up and Benson mentioned the S. St. Louis County electronics and hazardous waste program. Dewall suggested that the city may coincide doing the hazardous waste clean-up during the National Night Out event in August.

**O. CDBG Program-**

Casey discussed the CDBG Program and asked for Council approval to maintain our

agreement and renew the city membership in the program.

Motion by Benson, seconded by Dewall and carried (5-0) to renew our agreement for membership in the CDBG Program.

## **MEMBER CONCERNS**

Benson: Noted the Performance Measurement System was on Consent Agenda, and because of the way that is approved, was defeated twice and passed once. Bray explained that some items are included in consent agenda to act as placeholders so the Council will review when needed. He clarified that if there is no policy the Council is voting on it can remain on consent agenda. Also stated the Performance Survey should have also been approved.

DeWall: Wanted to the City Administration and Council to address the facility issues and make a decision on the plan of action as soon as possible, considering the June 14 bonding deadline. He asked that this remain on council agenda until a decision is made.

Johnson: Noted the great work done by the Habermanns on Beautification, Russell on the Clean-up Day and that the McDonalds' reopening event was great for the community.

Nowak: Gave a summary of achievements made by the previous council which included current Councilors Dewall, Benson and himself. Report noted 22 major achievements between 2017-2019.

Ward: Reported that he will address the Proctor School Board on May 13<sup>th</sup> regarding an SRO position. He would like to talk about events for the city's 125<sup>th</sup> Anniversary, and the purchasing policy.

## **BILLS FOR APPROVAL**

General: \$147,781.18

Liquor: \$38,171.93

Total: \$185,953.11

**TOTAL BILLS FOR APPROVAL: \$185,953.11**

Motion by Ward, seconded by Benson and carried (5-0) to approve the bills for payment as listed.

## **ADJOURNMENT**

Motion by Dewall , seconded by Johnson and carried (5-0) to adjourn the City Council meeting at 7:28 p.m.  
Respectfully submitted,

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Chad Ward, Mayor

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Mark Casey, City Administrator