

Minutes of the regular Proctor City Council meeting held Monday, August 20, 2018 in the Community Center Council Chambers.

Mayor Larson called the meeting to order at 6:00 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, Margaret Taylor, Phylis Hom; Jim Rohweder; Nick Greenwood; Steve Anderson; David McNamee; Doug Anderson; Ashley Anderson; Joseph Pelawa; Rick McArtur; Andy Pasak; Ken Jensen; Susan Nowak; Kathy Hannan.

**APPROVAL OF THE MINUTES:**

Motion by, Schwarzbauer, seconded by DeWall and carried (5-0): To approve the August 6, 2018 City Council Meeting Minutes..

**APPROVAL OF THE AGENDA:**

Motion by Schwarzbauer, seconded by Benson and carried (5-0): To approve the agenda for August 20, 2018, with the following:

- 6G: Night to Shine was removed

Motion by Benson, seconded by Schwarzbauer and carried (5-0) to suspend the agenda and move forward with New Business item 6K.Arena Purchase.

**COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:**

Phylis Hom spoke in regards to how the Hoghead barricades and construction has hindered her business and something must be done different for next year. Kathy Hannan spoke to how we can move the trail forward and get things going on the forty acres.

**\*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 Dewall, and carried (5-0): To approve the Consent Agenda.

**\*1. COMMUNICATIONS**

A. WLSSD update on sanitary generators bonding request

**2. PLANNING AND ZONING DEPARTMENT MATTER**

**\*3. CLERK ADVISES COUNCIL**

A. Government and Liquor Fund Payroll Period Ended 8/5/2018

B. Next City Council meeting will be September 4, 2018 due to the Labor Day holiday.

**\*4. COMMITTEE REPORTS**

**\*5. UNFINISHED BUSINESS**

A. SRO

B. Parks and Playgrounds – Benson

C. Beautification and Trees Committee - Plan

**6. NEW BUSINESS**

**A. Resolution 31-18 Non Objection Duluth Softball Players Association**

**Resolution No. 31-18  
Resolution of Non-Objection  
To Issuance of State of Minnesota  
Charitable Gambling License**

**BE IT RESOLVED** that the City Council of the City of Proctor hereby certifies that there are no objection to the issuance of a State of Minnesota Charitable Gambling Permit to The Duluth Softball Players Association - Duluth to conduct pull-tabs and tipboards starting September 1, 2018 at Derailed Bar & Grill Proctor, MN

Passed by a majority vote of the Proctor City Council, this 20th day of August, 2018.

BY: \_\_\_\_\_

Philip Larson  
Mayor

ATTEST: \_\_\_\_\_

Mark Casey  
City Administrator

Motion by Benson, seconded by Schwarzbauer and carried (5-0) to approve the Resolution 31-18 of Non Objection to allow Duluth Softball Players Association to conduct pull tabs at the Derailed Bar

**B. Resolution 32-18 Non Objection**

**Resolution No. 32-18  
Resolution of Non-Objection  
To Issuance of State of Minnesota  
Charitable Gambling License**

BE IT RESOLVED that the City Council of the City of Proctor hereby certifies that there are no objection to the issuance of a State of Minnesota Charitable Gambling Permit to Welch Center Inc. dba Valley Youth Center to hold a raffle at Proctor Speedway, 800 N. Boundary Avenue, Proctor, Minnesota on August 30, 2018.

Passed by a majority vote of the Proctor City Council, this 20<sup>th</sup> day of August, 2018.

BY: \_\_\_\_\_  
Philip Larson  
Mayor

ATTEST: \_\_\_\_\_  
Mark Casey  
City Administrator

Motion by Benson, seconded by DeWall and carried (5-0) to pass a resolution of non objection allowing Welch Center d/b/a Valley Youth Center to conduct a raffle at Proctor Speedway.

**C. Resolution 33-18 Non Objection**

**Resolution No. 33-18  
Resolution of Non-Objection  
To Issuance of State of Minnesota  
Charitable Gambling License**

BE IT RESOLVED that the City Council of the City of Proctor hereby certifies that there are no objection to the issuance of a State of Minnesota Charitable Gambling Permit to Augustana Lutheran Church to hold a raffle at Derailed Bar and Grill 501 3<sup>rd</sup> Avenue, Proctor, Minnesota on November 24, 2018.

Passed by a majority vote of the Proctor City Council, this 20<sup>th</sup> day of August, 2018.

BY: \_\_\_\_\_  
Philip Larson  
Mayor

ATTEST: \_\_\_\_\_  
Mark Casey  
City Administrator

Motion by Benson, seconded by Schwarzbauer and carried (5-0) to approve Resolution 33-18 to pass a resolution of non objection allowing Augustana Lutheran Church to hold a raffle at the Derailed Bar on 11/24/2018

**D. Resolution 34-18 2018 Budget Amendment**

Casey gave an explanation that during the 2017 budget process the Levy was passed but not an initial budget. Per the Auditor this is a required item and will be sent to the state.

Motion by Larson, seconded by Benson and carried (5-0) to approve the 2018 amended budget.

**Resolution 34-18**  
**ADOPTING A BUDGET AMENDMENT 2018**

CITY OF PROCTOR)  
COUNTY OF ST LOUIS)  
STATE OF MINNESOTA)

**WHEREAS**, the local municipal General Fund Budget for the year 2018 was not approved during the public hearing in December of 2017, and,

**WHEREAS**, it is desired to amend/approve a 2018 budget; and,

**WHEREAS**, the document attached marked Exhibit "A: 2018 Amended Budget is the desired 2018 Revenues and Expenses for the General Fund;

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Proctor, MN that the attached amendments to the budget of 2018 be made:

Upon vote taken thereon, the following voted

For:

Against:

Whereupon said Resolution was declared duly passed and adopted this 20<sup>th</sup> day of August, 2018.

\_\_\_\_\_  
Philip Larson  
Mayor

Attest: \_\_\_\_\_  
Mark Casey  
Clerk/ Administrator

**E. CompuDyne Back up Agreement -\$5,000**

Casey explained due to the reason we have no IT staff the City does need computer services and until the City either replaces the position or brings in a permanent outside source we will continue to have these back up agreements.

Motion by Dewall, seconded by Schwarzbauer and carried (5-0) to approve the Compudyne Backup Agreement Retainer for \$5,000.

**F. Hoghead Festival Review – Councilman Benson**

Benson gave a brief review of the Hoghead Festival events and what was successful and events that need to be worked on. He also stated that the list of vendors needs to be approved prior to the event. Schwarzbauer also stated in the past the Lions will give a review to the Council. All these items are necessary with the 125<sup>th</sup> anniversary coming in 2019.

This item was treated as informational.

**G. Night to Shine**

This item was pulled from the agenda.

**H. Downtown Improvement District**

Benson suggested that with the 125<sup>th</sup> anniversary in 2019 the Council needs to consider going to funding sources such as CDBG to allow business's to acquire loans for storefront renovation and other items. He also commended the Habermann's for their hard work.

This item was treated as informational

**I. Set Budget Meeting Date**

Casey explained the initial levy needs to be set by September 30, 2018 and the Council should continue the process started last year with budget meetings...

Motion by Nowak, seconded by Schwarzbauer and carried (5-0) to hold a budget meeting on September 4, 2018 at 4:00 p.m. in Conference Room A/B

Motion by Nowak, seconded by DeWall and carried (5-0) to recess the regular meeting and enter into a Closed Meeting per MN Statutes 13D to discuss labor issues and property matters: Time 6:50 p.m.

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

Discuss attorney client privilege personnel issue  
Property Matters

Motion by Nowak, seconded by Dewall and carried (5-0) to adjourn the Closed Session and reconvene to the regular Council meeting: Time 7:24 p.m.

**New Business (Continued)**

**J. Property Sale 185-0240-00540/545**

No action was taken on this item

**K. ISD 704 Arena Purchase**

This agenda item was moved and action taken at the beginning of the Council Meeting.

Motion by Nowak, seconded by Schwarzbauer and carried (5-0) to appoint the committee of the City Administrator, City Attorney, and Councilman Schwarzbauer to flush out the details of an agreement. Motion was amended to call for a Public Hearing on September 4, 2018 at 6:00 p.m. to hear comments from citizens.

**MEMBERS CONCERNS:**

**Schwarzbauer:**

**Benson:**

**Nowak:**

**DeWall:**

**Mayor Larson:**

**BILLS FOR APPROVAL**

General Bills:	\$117,409.93
Liquor Bills:	<u>\$36,902.80</u>
Total:	\$154,312.73

Motion by Schwarzbauer, seconded by Nowak 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 7:20 p.m.