

*Proctor's Vision*  
*Proctor, rich with railroad heritage, values above all, its people and their environment. Working together*  
*is our pathway to a safe, secure and progressive community*

*Slogan: "You Have A Place In Proctor"*

**AGENDA**  
**PROCTOR CITY COUNCIL MEETING**  
**Monday, March 19, 2018 6:00pm**  
**Council Chambers - Community Activity Center - 100 Pionk Drive**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**OTHERS PRESENT**

**APPROVAL OF MINUTES**                      March 5, 2018 City Council Meeting Minutes

**APPROVAL OF AGENDA**

**COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT**

**\*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.**

**\*1. COMMUNICATIONS**

- A. "Night to Shine" February 9, 2018
- B. Lake Superior Zoological Society Donation Request
- C. St Louis County, Classification of State Tax Forfeited Land – Board Resolution #18-66
- D. Minnesota Municipal Beverage Association Annual Meeting and Annual Conference
- E. Correction to February 21, 2017 Meeting Minutes

**2. PLANNING & ZONING DEPARTMENT MATTER**

**\*3. CLERK ADVISES COUNCIL**

- A. Government Fund payroll period ended 03/04/18; Liquor Fund payroll ended 03/04/18

**4. COMMITTEE REPORT**

- A. Public Safety Committee Unofficial Minutes of February 13, 2018
- B. Joint Public Safety and Liquor Control Meeting Minutes of March 5, 2018

## **\*5. UNFINISHED BUSINESS**

### **\*A. SRO**

## **6. NEW BUSINESS**

- A. Repair and Insulation of Men's and Women's Restroom at the Proctor Fire Hall
  - a. C.J. Construction Bid
  - b. Kalenowski Construction Inc. Bid
- B. Proctor Firemen's Relief Association Reinstated and Amended By-Laws
- C. Resolution – Playground for EveryBody Grant Application
- D. Volunteers/Training for Events
- E. Resolution – Approval of Summer Events
- F. PEDA Resignation
- G. LMC Mayor's Conference
- H. Fairgrounds Management Agreement
- I. Resolution Accepting LRIP (MN DoT) Grant
- J. County Agreement – To Administer LRIP Grant
- K. Discussion PACTV-Public Cable Access Television
- L. Boundary Avenue Corridor Study – Resolution Included
- M. Support for WLSSD

## **7. LABOR AND NEGOTIATIONS ISSUES – Closed Meeting**

### **MEMBER CONCERNS**

#### **Schwarzbauer**

- A. Talking Points

#### **Benson**

- A. ADA
- B. Proposed Property Tax Notice
- C. Presiding Officer

### **BILLS FOR APPROVAL**

General: \$70,204.49  
Liquor: 35,823.35  
Total: \$106,027.84

### **ADJOURNMENT**

Minutes of the regular Proctor City Council meeting held on March 5, 2018 in the Community Center Council Chambers.

Mayor Larson called the meeting to order at 6:02 p.m.

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

**OTHERS PRESENT:** City Attorney John Bray, Administrator Mark Casey, Confidential Administrative Assistant Robin Hansen, Chief Gaidis, Midway Township Supervisor Jim Aird, Dick Kari and Kathy Hannan.

**APPROVAL OF THE MINUTES:**

Benson would like the January 16, 2018 Meeting Minutes to reflect that the Proctor Journal did the City a favor when they printed the City Council Meeting Minutes.

Benson also stated an error in the February 20, 2018 Meeting Minutes, “*6 Q. Rotating Schedule for Complainant and Subject*” should reflect the rotating schedule as 3 on, 2 telecommute for opposite schedules for complainant and subject.

Schwarzbauer wanted it corrected in the February 20, 2018 Meeting Minutes that it was Benson who wanted it noted that when the council is closing the meeting for Labor Negotiations we need to state what labor group we are closing for.

Motion by Schwarzbauer, seconded by DeWall and carried (5-0): To approve the February 20, 2018 City Council Meeting Minutes.

**APPROVAL OF THE AGENDA:**

Attorney Bray asked to add “6 M. Part-time Temporary Position” to the Agenda.

Motion by DeWall, seconded by Schwarzbauer and carried (5-0): To approve the March 5, 2018 Agenda with addition of *6. M. Part-time Temporary Position* listed under the “New Business” category.

**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.

### **\*1. COMMUNICATIONS**

- A. 2017 Wastewater Treatment Year-End Adjustments

### **\*2. PLANNING AND ZONING DEPARTMENT MATTER**

- A. Letter to ISD #704 Regarding Variance Request

### **3. CLERK ADVISES COUNCIL**

- A. Government Fund payroll period ended 02/18/18; Liquor Fund payroll ended 02/18/18 (*attached*).

Benson had questions in regard to the Payroll Summary – General Funds Report, as to why there was a payment of \$15,179.77 for “Police Operations” which Casey replied this was for the regular payroll and the other Police fees were for overtime and stipend. Benson also inquired as the fee amount of \$164.93 for Police Liaison ISD #704, Full-time Employee Overtime when we have no agreement with the school. Casey stated this amount was for the “Night To Shine” event, and we needed to label it as something.

Motion by Schwarzbauer, seconded by DeWall and carried (5-0): To approve the Government Fund Payroll for the period of 02/18/18, and also the Liquor Fund Payroll for the period of 02/18/18.

### **\*4. COMMITTEE REPORTS**

- A. Planning & Zoning Meeting Minutes of February 26, 2018

Benson had questions regarding the Building Permit Fees.

Motion by DeWall, seconded by Schwarzbauer and carried (5-0): To approve the Planning & Zoning Meeting Minutes of February 26, 2018.

### **\*5. UNFINISHED BUSINESS**

- \*A. SRO

### **6. NEW BUSINESS**

- A. Event Application: **Bike Night 2018** – Thursday Nights, May 17 through September 13, 2018

Motion by Nowak, seconded by Mayor Larson and carried (5-0): To approve the event by itself.

- B. Event Application: **Playground for Everybody (Fundraiser)** – Saturday, May 19, 2018

Motion by Nowak, seconded by Mayor Larson and carried (5-0): To approve the event by itself.

C. **Event Application: Car Gathering, Wednesday Night Car Guys – Wednesday, June 6, 2018**

Motion by Nowak, seconded by Mayor Larson and carried (5-0): To approve the event by itself.

D. **Event Application: Power House Car Show 2018 – Wednesday, August 15, 2018**  
*(Rain date August 16, 2018)*

Motion by Nowak, seconded by Mayor Larson and carried (5-0): To approve the event by itself.

Mayor Larson stated that the Public Safety Committee met tonight and approved all four events. Benson stated *New Business* line items A, B, C and D all have a letter attached which should be signed and dated to be a part of the packet. Attorney Bray explained that the event packet does not need to be labeled Exhibit 1, 2, etc. Gary Nowak thought the letter was a part of the packet which had signatures within them.

Benson asked if the events are listed online, as the application did not state a website address under the Marketing section. Dick Kari stated the events will be marketed using social media such as Facebook.

Benson also had questions with regard to the map included in the event packets and also on the road closures. Mayor Larson stated the Public Safety Committee addressed the barricades. Benson then asked if the Fire Department is ok with the coning-off of the streets and if ECFE, PFCU and the DTA will be notified. Chief Gaidis stated the neighbors will be notified, and Dick Kari said he will take care of the notifications. DeWall directed the council to have a Resolution for the events, and City Administrator Casey said he will get a Resolution together to cover all four events by the next council meeting.

City Attorney John Bray advised the council that all four events are asking to use public property, and in order to allow alcohol consumption on City-owned property and streets a “festival” should be declared. This can be done at a later date. Upon discussion it was decided by council to approve items A, B, C and D each as the event by itself.

E. **Council Role in Events (*Informational*) – Schwarzbauer**

Schwarzbauer distributed a hand-out titled ‘What is Public Participation?’ He asked if the City Council has a role in promoting events and suggested for the council to read the portion written by Russell Habermann for a previous council meeting in 2016. This article speaks about the collaboration between groups of people to create something that one group could not do alone. Councilor Schwarzbauer would like to encourage the community and other organizations to come together to collaborate, create and promote events, and to buy from the local businesses.

**F. Fuel Purchases (*Informational*) – Benson**

Benson stated a vendor came to him regarding fuel purchases and would like to see those purchases spread around within the local businesses. Mayor Larson replied we do not dictate where to purchase fuel. Chief Gaidis explained that some of the gas stations are open twenty-four hours a day, and he wants the officers to visit with the clerks and check on the businesses. He also stated they try to be fair.

**G. Fire Department Resignations**

Motion by DeWall, seconded by Schwarzbauer and carried (5-0): To accept the Fire Department resignations from Devin Shaw and Joseph W. Dardis.

**H. Current Arena Future Use Committee – Schwarzbauer**

Commissioner Schwarzbauer would like to see a committee come together to discuss future use of the current arena, and Mayor Larson agreed that there is a need to appoint a committee. DeWall suggested to get the talks going soon. Nowak thought someone from the Parks & Recreation Committee might be interested and said they would discuss it at the next committee meeting. Benson asked if this item should go to PEDa.

Upon further discussion it was decided for City Administrator Mark Casey to send an introductory letter to the Fair Board, PAHA, ISD #704, City of Proctor and PEDa, and will copy in the City Council.

**I. Planning & Zoning Request**

Planning & Zoning had submitted a request to the City Council for specific language on banners and signs.

The council agreed banners need to be temporary in nature and there also needs to be an ordinance on signs. Attorney Bray suggested to, share some communication on length of time to display the banners and the size of signs.

Motion by DeWall, seconded by Schwarzbauer and carried (5-0): To send this item back to Planning & Zoning to write a draft with recommendations on banners and signs for an ordinance.

Motion by DeWall, seconded by Nowak and carried (4-0, Benson voted “No” stating the exact statue was not referenced): To move to close the regular session per MN SS 13D. at 7:10 p.m. for discussion on labor and strategy negotiations.

**7. LABOR AND NEGOTIATIONS ISSUES – Closed Meeting**

**A. Contract Negotiations**

**B. Attorney Client Privilege**

Motion by DeWall, seconded by Nowak and carried (5-0): To move to reopen the regular meeting to the general public at 8:05 p.m.

## **6. NEW BUSINESS (continued)**

- J. Police Records Coordinator Contract  
Motion by DeWall, seconded by Schwarzbauer and carried (5-0): To approve the contract for Michelle Francisco/ Police Records Coordinator Contract
- K. LELS Local 21 Contract  
Motion by DeWall, seconded by Schwarzbauer and carried (5-0): To approve the contract with Law Enforcement Labor Services Local 21 for Proctor Police Department Patrol Officers.
- L. Posting Open Position  
Motion by Schwarzbauer, seconded by DeWall and carried (5-0): To post open position and directing the City Administrator to do so.
- M. Part-time Temporary Position  
Motion by Schwarzbauer, seconded by DeWall and carried (5-0): To offer a part-time temporary accounting position to Steve Anderson on same terms as existing position.
- N. Schedule of Hours  
Moved by Larson, seconded by DeWall and carried (5-0): To approve the Schedule of Hours. Starting the week of March 12-16, 2018 the schedule of hours will have the City Administrator working Monday-Wednesday in City Hall, and telecommuting on Thursday-Friday. The Assistant City Administrator will telecommute Monday-Wednesday, and work at City Hall on Thursday and Friday.

The following week, March 19-23, 2018, the City Administrator will work Monday-Tuesday at City Hall, and telecommute on Wednesday-Friday. The Assistant City Administrator will telecommute on Monday-Tuesday, and work at City Hall on Wednesday-Friday.

### **MEMBERS CONCERNS:**

None

### **BILLS FOR APPROVAL**

General: \$197,698.79  
Liquor: \$38,808.35  
Total: \$236,507.14

Motion by Schwarzbauer, seconded by Dewall and carried (5-0): To approve the bills in the amount of \$236,507.14.

### **ADJOURNMENT**

Motion by Dewall, seconded by Nowak and carried (5-0): To adjourn the City Council meeting at 8:10 p.m.



300 Guests - 240 Volunteers  
Countless Smiles

February 9, 2018



"Wow, what a beautiful event. I was impressed. The level of teamwork and the common goal for this special evening was unbelievable. What a polished and top notch, star studded event you all were able to create! Thank you for your message, for your time on this event and for your genuine care in the message of love."

Orlacio Parent

- M.







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## LAKE SUPERIOR ZOOLOGICAL SOCIETY

*Our mission: to provide close-up animal experiences which inspire connections to wildlife and action toward conservation in our region and around the world.*

### Board Officers

Mark Brown  
President

Jonathan Bailmer  
1st Vice President

Zane Bail  
2nd Vice President

Jesse Frye  
Treasurer

Michael Polzin  
Secretary

Diane Bouschor Dodge  
Past President

### Board Members

Toni Fladmark-Foster  
Tracy Carlson  
Jodi Grayson  
Noah Hobbs  
Joey Moore  
Carole Newkumet  
Deb Otto  
Susan Quam  
John Scott  
Terra Stenberg  
Patricia Stolee  
Julie Thoreson

### Emeritus Member

Tim Meininger  
Russ Smith

**Ex Officio Member**  
Parks & Rec Manager  
City of Duluth

### Honorary Members

Stephen Lewis  
Mark McShane

### Greetings!

I'd like to take a few moments of your time on behalf of the Lake Superior Zoo. The zoo has been an integral part of the Duluth area for nearly 100 years, and we are in the midst of the strongest effort ever to revitalize our zoo in order to preserve it for generations to come.

The zoo was formed in 1923 when Burt Onsgard asked the city if he could place a fence around a single deer – and the evolution into a small, but strong regional zoo began. Throughout years of challenges, not the least of which was the devastating flood of 2012, the zoo continues to persevere; however, we know it is time for significant upgrades, and a revitalization effort has begun!

The zoo has made significant headway already by securing a ten year management agreement with the City of Duluth, receiving recent accreditation from the Association of Zoos and Aquariums, and implemented a restructuring of our operation to more closely align with our current revenue stream – all done with the interest of preserving the zoo in mind!

Our first major project lies ahead of us – demolishing the condemned Polar Shores exhibit and replacing it with a world class, modern brown bear exhibit. Our mission of educating the public with respect to conservation, sustainability, and species survival will not change – and in fact our educational programs reached nearly 20,000 people last year alone!

We also know that this transformation cannot occur without a public/private financial partnership. Our goal is to raise \$1 million dollars in private funds to supplement \$3.8 million public dollars in order to finally construct what we are calling "Bear Country". I am enclosing some fact sheets about the exhibit, which will also include new and upgraded habitat for our snow leopard and lynx – both incredibly popular animals already here at the Lake Superior Zoo!

I am reaching out to your business personally – to ask for a tax deductible contribution to our construction effort. We need to raise a million dollars – and \$500,000 of that by June 1<sup>st</sup> of this year in order to get this project started. We cannot do it without your help!

We want to partner with you – and that includes recognition and promotion of your business here at the zoo in ways that we can tailor to your particular needs. It can also include corporate memberships which you can use to provide your employees and their families visits to the zoo. We are moving ahead with this revitalization, and we want to work with our corporate and community partners to help meet everyone's needs.

Please take a moment and review the attached documents – which includes a breakdown of potential contribution levels. I am a simple phone call or email away if you want to talk more about the zoo, this project or how we can perhaps partner to make this project happen!

Erik Simonson, CEO



## HISTORY

1923 - Bert Onsgard opens the Duluth Zoo with Billy the white-tailed deer as its first animal.

1959 - The Arrowhead Zoological Society is formed.

1962 - Mr. Magoo, an Indian mongoose donated to the zoo by a merchant seaman and sentenced to euthanasia by the US government, is granted a presidential pardon by John F. Kennedy.

1985 - The zoo is awarded its first Association Zoos and Aquariums (AZA) accreditation.

2009 - The City of Duluth transfers operations to the Lake Superior Zoological Society.

2012 - Torrential rains and flash flooding severely damage the zoo.

2016 - The City of Duluth and Lake Superior Zoological Society work together to create a new master plan for the zoo.

## FACTS

20,000 people attend educational programs annually

*Zoo camps - Zoomobiles - Field Trip Programs - Zoo Tots - Overnights*

81,000 visitors in 2017

*Easter Eggstravaganza - Earth Day - MAD Safari - Boo at the Zoo - Noon Years Eve*

10-year contract with the City of Duluth

Awarded accreditation from the AZA again in 2017

Bear Country plans are designed and in the development phase

**Our Mission: To provide close-up animal experiences which inspire connections to wildlife and action toward conservation in our region and around the world.**



# Saint Louis County

Land and Minerals Dept. • www.stlouiscountymn.gov • landdept@stlouiscountymn.gov

February 28, 2018

**Mark Weber**  
Land Commissioner

City of Proctor  
Mark Casey, Clerk  
City Hall, 100 Pionk Drive  
Proctor, MN 55810

Re: Classification of State tax forfeited land - Board Resolution # 18-66 dated February 06, 2018

Dear Mark Casey, Clerk

The St. Louis County Board of Commissioners has completed the classification of State tax forfeited properties to non-conservation. Under Minn. Stat. 282.01, once the County Board has classified or reclassified and listed the property, each city or town in which the property is located must have the opportunity to approve the classification and listing for properties within their jurisdiction.

The goals of the classification and listing process are: 1) to encourage the most economical and efficient use of the property for transportation, roads, water supply, drainage, sanitation, education, and recreation; 2) to reduce local and state government expenses; 3) to conserve and develop the state's natural resources; and 4) to encourage both agricultural and nonagricultural economic development in the areas of the state best suited for each.

If your council or board disagrees with the classification of any parcel(s), please provide detailed information on the enclosed form number LD.Disapproval.9/02, setting forth the rationale and statutory basis for such disapproval.

If your municipality wishes to acquire any parcel(s) listed, please complete the form number LD.withhold.9/02, to withhold the property from sale for up to six months while your municipality completes the acquisition of the property. This application must be received within 60 days of the date of this letter. After six months and absent acquisition of the property by the municipality, the County will be free to sell the property.

Please respond with any of your concerns within 60 days. If no response is received within that time period, the submitted classification and listing will be deemed approved.

Sincerely,

  
Karen Zeister  
Tax Forfeited Land Coordinator

KZ/pb  
Enclosure  
cc: File



☒ Land Commissioner's Office  
320 W 2nd Street, GSC 302  
Duluth, MN 55802  
(218) 726-2606  
Fax: (218) 726-2600

☐ Pike Lake Area Office  
5713 Old Miller Trunk Hwy  
Duluth, MN 55811  
(218) 625-3700  
Fax: (218) 625-3733

☐ Virginia Area Office  
7820 Highway 135  
Virginia, MN 55792  
(218) 742-9898  
Fax: (218) 742-9870

*"Trust Lands, Managed For The People Of This County"*

CVT	Plat	Parcel	Plat Name/City	Block	Lot	Description	Und	Forfeit Date	LD_Key
90	110	1900	NORTH SIDE ADDITION TO VIRGINIA	8	2	LOT: 0002 BLOCK:008	N	10/3/2017	123183
90	110	1950	NORTH SIDE ADDITION TO VIRGINIA	8	7	LOT: 0007 BLOCK:008	N	10/3/2017	123194
90	150	3130	ROONEYS ADDITION TO VIRGINIA	10	17	LOT: 0017 BLOCK:010	N	10/3/2017	123195
90	153	20	SUNSET ADDITION TO VIRGINIA	1	2	LOT: 0002 BLOCK:001	N	10/3/2017	123196
105	10	1650	BABBITT 1ST DIVISION CITY OF BABBITT	7	33	LOT: 0033 BLOCK:007	N	10/3/2017	123198
115	20	440	BUHL 1ST ADDITION	2	19	LOT: 0019 BLOCK:002	N	10/3/2017	123084
115	20	450	BUHL 1ST ADDITION	2	20	LOT: 0020 BLOCK:002	N	10/3/2017	123085
120	30	160	BALLIETS ADDITION TO COOK	1	0	LOTS 16 AND 17	N	10/3/2017	123200
125	10	3490	FLOODWOOD	25	2	LOT: 0002 BLOCK:025	N	10/3/2017	123081
125	30	630	SAVANNA ADDITION TO FLOODWOOD	41	13	LOT: 0013 BLOCK:041	N	10/3/2017	123202
125	30	635	SAVANNA ADDITION TO FLOODWOOD	41	14	LOT: 0014 BLOCK:041	N	10/3/2017	123203
140	50	3290	BROOKLYN C OF HIBBING	17	0	LOTS 25 THRU 27	N	10/3/2017	123204
140	50	3320	BROOKLYN C OF HIBBING	17	28	LOT: 0028 BLOCK:017	N	10/3/2017	123205
140	60	1250	BROOKLYN FIRST ADDITION TO C OF HIBBING	33	0	LOTS 10 THRU 16	N	10/3/2017	123206
140	105	580	HIBBING HEIGHTS	2	0	LOTS 22 AND 23	N	10/3/2017	123207
140	105	1360	HIBBING HEIGHTS	5	0	LOT 1 AND N 1/2 OF 2	N	10/3/2017	123208
140	120	2450	KITZVILLE HIBBING	10	0	LOTS 19 AND 20	N	10/3/2017	123209
140	200	2265	ROOSEVELT ADDITION TO HIBBING	9	0	NLY 15 FT OF LOT 29 AND ALL OF LOT 30	N	10/3/2017	123210
140	200	2980	ROOSEVELT ADDITION TO HIBBING	12	0	LOTS 12 AND 13	N	10/3/2017	123211
140	210	200	RYANS ADDITION TO HIBBING	2	8	E 50 FT OF N 200 FT EX HIGHWAY RT OF WAY	N	10/3/2017	123212
140	240	2220	SUNNYSIDE	8	0	LOTS 5 AND 6	N	10/3/2017	123213
141	160	530	KELLY LAKE FIRST ADDITION CITY OF HIBBING	7	1	WEST 50 FT	N	10/3/2017	123216
142	24	1310	HOYT LAKES SUBDIVISION NO 4	23	4	LOT: 0004 BLOCK:023	N	10/3/2017	123217
165	10	130	MEADOWLANDS REARRANGEMENT	1	0	NLY 2 FT OF LOT 12 ALL LOTS 13 14 & 15 BLK 1	N	10/3/2017	123218
175	51	630	PARKVILLE MOUNTAIN IRON	4	1	WEST 1/2	N	10/3/2017	123219
175	51	635	PARKVILLE MOUNTAIN IRON	4	1	EAST 1/2	N	10/3/2017	123220
185	10	550	PROCTORKNOTT TOWNSITE OF	8	4	LOT: 0004 BLOCK:008	N	10/3/2017	123222
185	130	500	PROCTORKNOTT MAGOFFINS DIVISION	23	0	LOT 18 AND WLY 4 FT OF LOT 19	N	10/3/2017	123223

Stock Piles: Description is Highlighted

**Date:** \_\_\_\_\_

**To:** St. Louis County Board  
c/o Land and Minerals Department  
320 West 2nd Street, Suite 302  
Duluth, MN 55802

**From:** \_\_\_\_\_  
City/Town Clerk

**Re:** **Application to Withhold Tax Forfeited Land From Sale Pending Acquisition**

The \_\_\_\_\_ of \_\_\_\_\_ does hereby request the following-described  
City Council/Town Board City/Town  
parcel of tax forfeit land be withheld from public sale for six (6) months.

**Legal Description**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Type of Acquisition**

- ☐ Free conveyance for an authorized public use.
- ☐ Purchase for appraised value for an authorized public purpose.

**Describe public purpose or use in detail:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Note:** Please attach a certified copy of a City Council/Town Board Resolution specifying the means of acquisition and a description of the proposed public *purpose* (for purchase) or proposed public *use* (for free conveyance), and a copy of the statute, law, or local charter which authorizes the intended public purpose or use.



*Resolution  
of the  
Board of County Commissioners  
St. Louis County, Minnesota  
Adopted on: February 6, 2018 Resolution No. 18-66  
Offered by Commissioner: Boyle*

**Classification of October 3, 2017 Forfeitures (Non-Conservation)**

WHEREAS, The parcels described in County Board File No. 60759 forfeited to the State of Minnesota on October 3, 2017, for nonpayment of real estate taxes; and

WHEREAS, All parcels of land becoming the property of the State of Minnesota in Trust through forfeiture for nonpayment of real estate taxes shall be classified as 'conservation' or 'non-conservation' as required by Minn. Stat. § 282.01, Subd. 1; and

WHEREAS, The Land and Minerals Department has recommended that these parcels be classified as 'non-conservation' after considering many factors including the present use of adjacent land, the productivity of the soil, the character of forest or other growth, the accessibility of lands to established roads, schools, and other public services, the suitability or desirability for particular uses and the suitability of the forest resources on the land for multiple use and sustained yield management; and

WHEREAS, The forfeited parcels may be located inside the boundaries of a municipality or town and Minn. Stat. § 282.01 provides that notice of the classification or reclassification and sale of lands situated within a municipality or town must be transmitted to its governing body; and

WHEREAS, The classification of the forfeited parcels will be deemed approved if the County Board does not receive notice of a municipality's or town's disapproval within 60 days of the date on which this resolution is delivered to the clerks of the municipalities or towns in which the parcels are located;

THEREFORE, BE IT RESOLVED, That the St. Louis County Board classifies the state tax forfeited parcels described in County Board File No. 60759 as 'non-conservation', and a notice of the classification shall be transmitted by the Land and Minerals Department to the clerks of the municipalities or towns in which the parcels are located.

Commissioner Boyle moved the adoption of the Resolution and it was declared adopted upon the following vote:

Yeas – Commissioners Boyle, Olson, Rukavina, Stauber, Jugovich and Chair Nelson – 6

Nays – None

Absent – Commissioner Jewell – 1

STATE OF MINNESOTA  
Office of County Auditor, ss.  
County of St. Louis

I, DONALD DICKLICH, Auditor of the County of St. Louis, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 6<sup>th</sup> day of February, A.D. 2018, and that this is a true and correct copy.

WITNESS MY HAND AND SEAL OF OFFICE at Duluth, Minnesota, this 6<sup>th</sup> day of February, A.D., 2018.

DONALD DICKLICH, COUNTY AUDITOR

By

*Paul Chagnon*  
Deputy Auditor/Clerk of the County Board





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# Minnesota Municipal Beverage Association

INCORPORATED

An organization composed of the municipally-operated dispensaries of Minnesota

## OFFICERS

**PRESIDENT**  
Gary Buysse  
Rogers

**VICE PRESIDENT**  
John Jacob  
Vice President

**SECRETARY/  
TREASURER**  
Nancy Raines  
Longville

## DIRECTORS

Chris Arnold  
Bagley

Michael DeBoris  
Beaver Bay

Tom Agnes  
Brooklyn Center

Kariisa Kurth  
Buffalo Lake

Brenda Visnovac  
Lakeville

Sarah Olsen  
Mapleton

Nanette Serbus  
Olivia

Bill Ludwig  
Paynesville

Joe Audette  
Windom

Paul Kaspszak  
Executive Director

Box 32966  
Minneapolis, MN 55432  
763-572-0222  
1-866-838-3925  
Fax: 763-780-0424

[www.municipalbev.com](http://www.municipalbev.com)

Date: February, 2018

To: MMBA Members

From: Paul Kaspszak 

The MMBA Annual Meeting will be held on Tuesday,  
May 1, 2018, 9:00 AM at Arrowwood Resort, Alexandria,  
Minnesota.

The purpose of the meeting is to elect members to the board of  
directors and transact any other business that may properly  
come before the meeting.

Four director positions are open.

If you would like to be considered for a position, please send me  
a short note explaining why you are interested in serving.

MMBA is looking for individuals who approach their operation  
with:

- Passion
- Resiliency
- Decisiveness
- Fearlessness
- Flexibility
- Balance
- Passion for Improvement
- Customer Advocacy
- Desire to Give Back

Representatives from all sectors (Greater Minnesota, Metro,  
Combination, Off-Sale) are encouraged to apply.

According to the MMBA Articles of Incorporation:

*Only liquor operation directors, liquor store managers, liquor facility assistant managers or other liquor facility management level personnel of a member city shall be eligible for election to the Board of Directors and shall remain eligible as long as he or she remains in such position and his or her member city remains in good standing in the association. No more than two representatives from any member city are eligible to serve at the same time.*

All applicants will be contacted by a member of the Nominating Committee to further discuss the opportunity.

Applications must be received in the MMBA office by March 16, 2018.

MMBA  
PO Box 32966  
Minneapolis, MN 55432

Or

[kaspszak@visi.com](mailto:kaspszak@visi.com)

Or

Fax: 763-780-0424

Let me know if you have questions.



# 2018 MMBA Annual Conference



The 2018 MMBA Annual Conference will be held on Saturday, April 28 – Tuesday, May 1, at Arrowwood Resort, in Alexandria, Minnesota.

## WCCO's Mike Max

During his 27 years in broadcast journalism, Mike Max has met hundreds of people who have overcome incredible odds to achieve great success – from small-town teenagers to international celebrities.

A captivating storyteller, Mike inspires people to action by linking these stories to his “5 reasons people succeed,” drawn from his conversations with resilient and inspiring people from all walks of life.

Mike says, “One thing I know with certainty is that when it comes to reaching our goals, the biggest obstacle we face is a lack of belief in ourselves.”

## MIKE'S PRESENTATION WILL:

Encourage you to confront the fear of failure  
Underscore your own ability to succeed  
Motivate you to set your goals high  
Inspire you to overcome obstacles

## Mike McKinley, Author *They Have the Money: A Simple Equation for Keeping Your Customers*

Mike McKinley draws on his lifetime of leading companies, working with businesses, and being a customer to help you and your business grow and succeed.

Mike will help you succeed in getting customers to:

- **Remain with your business**, preferring you to your competition, every time
- **Return to your business**, to give you more opportunities to serve them
- **Refer their friends**, creating growth through positive word-of-mouth

With clear examples and easily understood explanations, Mike will lead you through the simple formulas to help you better serve your customers—and enjoy greater customer loyalty and profits.

- **Add value** to every transaction
- **Subtract** anything that detracts from customer satisfaction
- **Divide** encounters with customers into segments that help them buy—happily
- **Multiply** customers' surprise at how well they've been treated



## **Shoplifting, Bar Fights, Active Shooter & Everything In-Between**

Unfortunately, businesses and their staff face a variety of hazards including those from humans, including acts of violence.

Lakeville Police Lieutenant and 3D Response Systems owner Jason Polinski will discuss what a business leader can do to prepare his or her organization for the most likely situations.

## **ADA Compliance Issues**

The American Disability Act (ADA) is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.

Complying with ADA regulations is important for both older buildings and new facilities.

Presenter Julee Quarve-Peterson founded Julee Quarve-Peterson, Inc. (JQP, Inc) in 1985 and has been involved exclusively in accessibility since 1979.

JQP, Inc. focuses on clients requiring assistance in performing self evaluations, facilities, and transition planning related to accessibility.

## **By Member Request: Concurrent Sessions**

*Wine Basics & High End Wines* offers education for those with limited and advanced knowledge.

*How Customers Shop at a Liquor Store* provides detailed analysis of customer purchasing patterns.

*Improving Bar Operations* will examine current industry trends, issues and successful ways to increase profitability.

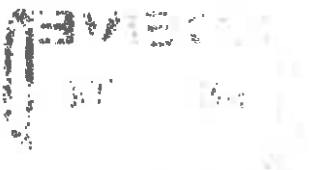
## **Succeeding in the 2018 Competitive Environment**

This is the place for interactive discussion on industry trends, operational best practices and more!

## **It's All About the Numbers**

Experience has shown that understanding the financial statement is a major challenge of small business owners and managers. By member request, this seminar will explore various aspects of a liquor operation financial statement and numerous ways managers can positively impact the bottom line.

**There will also be great educational tasting dinners, an alcohol awareness training, Vendor Showcase and time to have fun and develop relationships with other attendees & industry representatives.**



**COUNCIL LETTER**

**FROM: Jake P. Benson**  
**City Councilor**

**RE: Correction to February 21, 2017 minutes**

**RELATED GOAL:**

To correct errors in the official minutes of the city council.

**ACTION REQUESTED:**

It is requested to consider a recommendation to the city council minutes of February 21, 2017.

**BACKGROUND:**

Before going into the closed meeting for labor and negotiations Councilor Jake Benson added 13D to the motion made by other city councilors. It was listed in the minutes as 13B which is MATCHING PROGRAMS and COMPUTERIZED COMPARISON OF DATA. The error was discovered doing video research.

**RECOMMENDATION:**

It is recommended that the Proctor City Council consider correcting the minutes.

PR 18-05

2/19/18 - 3/4/18

3A

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## CITY OF PROCTOR

## Payroll Summary - General Funds

Comments: Labor Distribution

FUND Descr	DEPT Descr	ACTIVITY Descr	OBJECT Descr	Amount
General Fund	Tourism	Tourism Expenditures	Full-Time Employee Regular	\$1,860.99
	City Administrator	Municipal Operations	Full-Time Employee Regular	\$3,461.54
	City Administrator	Government Building	Part-Time Employee	\$725.20
	City Clerk	Administrative	Full-Time Employee Regular	\$2,541.00
	City Clerk	Administrative	Full-Time Employee Regular	\$136.00
	City Clerk	Administrative	Full-Time Employee Regular	\$119.00
	City Clerk	Administrative	Full-Time Employee Overtime	\$488.09
	Financial Administration	Accounting	Full-Time Employee Regular	\$2,230.40
	Police	Operations (Police)	Full-Time Employee Regular	\$14,864.70
	Police	Operations (Police)	Full-Time Employee Regular	\$887.55
	Police	Operations (Police)	Full-Time Employee Regular	\$337.10
	Police	Operations (Police)	Full-Time Employee Regular	\$676.60
	Police	Operations (Police)	Full-Time Employee Regular	\$802.70
	Police	Operations (Police)	Full-Time Employee Overtime	\$1,273.58
	Police	Operations (Police)	Full-Time Employee Overtime	\$1,324.44
	Police	Admin Secretary (Police)	Full-Time Employee Regular	\$174.51
	Police	Admin Secretary (Police)	Full-Time Employee Regular	\$1,389.19
	Police	Admin Secretary (Police)	Full-Time Employee Regular	\$155.12
	Police	Admin Secretary (Police)	Full-Time Employee Regular	\$155.12
	Police	Admin Secretary (Police)	Part-Time Employee	\$87.17
	Police	Admin Secretary (Police)	Part-Time Employee	\$290.56
	Police	Admin Secretary (Police)	Part-Time Employee	\$290.56
	Police	Police Grant Labor	Full-Time Employee Overtime	\$349.20
	Building Inspection	Operations (Bldg Inspection)	Part-Time Employee	\$192.31
	Streets & Roadways	Street Department	Full-Time Employee Regular	\$73.89
	Streets & Roadways	Street Department	Full-Time Employee Regular	\$911.31
	Streets & Roadways	Street Department	Full-Time Employee Regular	\$394.08
	Streets & Roadways	Street Department	Full-Time Employee Regular	\$24.63
	Streets & Roadways	Street Department	Full-Time Employee Regular	\$983.46
	Streets & Roadways	Street Department	Full-Time Employee Regular	\$49.26
	Streets & Roadways	Street Department	Full-Time Employee Regular	\$625.68
	Streets & Roadways	Sanding	Full-Time Employee Regular	\$98.52
	Streets & Roadways	Snow Removal	Full-Time Employee Regular	\$4,744.89
	Streets & Roadways	Snow Removal	Full-Time Employee Overtime	\$1,071.15
	Operations (PUC)	Administrative and General	Temporary Employees Regular	\$24.63
FUND 100 General Fund				\$43,814.13
Sewer Fund	Public Works	Storm Drainage	Full-Time Employee Regular	\$181.05
	Public Works	Sewer	Full-Time Employee Regular	\$115.80
FUND 500 Sewer Fund				\$296.85
				\$44,110.98

**CITY OF PROCTOR**  
**Payroll Summary - Liquor Fund**

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Comments: Labor Distribution

FUND Descr	DEPT Descr	ACTIVITY Descr	OBJECT Descr	Amount
Liquor Fund	Mountain Spirits Liquor	Manager - Off Sale	Full-Time Employee Regular	\$262.20
	Mountain Spirits Liquor	Manager - Off Sale	Full-Time Employee Regular	\$1,485.80
	Mountain Spirits Liquor	Clerks - Off Sale	Part-Time Employee	\$2,123.79
FUND 600 Liquor Fund				\$3,871.79
				\$3,871.79

**CITY OF PROCTOR**  
**Council Packet - Gen/Liq**  
Pay Group Description: City -BI-wk  
Pay Period: 6

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Location Description	Hours	Shift Multiplier	Amount	Pay Group Description
Location Description CITY HALL				
Shift Multiplier 1.5				
CITY HALL	18.00	1.5	\$459.00	City -BI-wk
CITY HALL	6.00	1.5	\$188.19	City -BI-wk
Shift Multiplier 1.5	24.00		\$647.19	
Location Description POLICE				
Shift Multiplier 1.5				
Police	12.00	1.5	\$404.82	City -BI-wk
Police	12.00	1.5	\$523.80	City -BI-wk
Police	12.00	1.5	\$395.82	City -BI-wk
Police	12.00	1.5	\$395.82	City -BI-wk
Police	7.00	1.5	\$353.96	City -BI-wk
Police	12.00	1.5	\$523.80	City -BI-wk
Police	8.00	1.5	\$349.20	City -BI-wk
Police	1.00	1.5	\$29.09	City -BI-wk
Shift Multiplier 1.5	76.00		\$2,976.31	
Location Description Street Department				
Shift Multiplier 2				
Street Department	18.50	2	\$1,071.15	City -BI-wk
Shift Multiplier 2	18.50		\$1,071.15	
Pay Group Description City -BI-wk	118.50		\$4,694.65	
	118.50		\$4,694.65	

Public Safety Committee  
February 15, 2018  
Unofficial Minutes

**CALL TO ORDER:** Meeting was called to order at 4:05 p.m.

**MEMBERS PRESENT:** Kent Gaidis, Rick LaLonde, Kerry Helquist, Dick Kari, Phil Larson, Troy Dewall, and Sally Hedtke.

**MEMBERS ABSENT:** Debra Madson

**NEW BUSINESS:**

1. 2018 S. ST. LOUIS COUNTY FAIR APPLICATION was reviewed by Committee. Kerry noted that the Fair Association should place the ticket booth so that emergency vehicles have access. **Motion by Kerry, second by Rick to recommend that the City Council approve the 2018 S. St. Louis County Fair Event Application. Motion passed.**
2. 2018 MEMORIAL DAY OBSERVANCE APPLICATION was reviewed by Committee. **Motion by Phil, second by Troy to recommend that the City Council approve the 2018 Memorial Day Observance Event Application. Motion passed.**
3. WINTER FROLIC APPLICATION was reviewed by Committee. Committee confirmed that the Lions Club will provide the required liability insurance for the event, and will submit a current insurance certificate to the city prior to the event. Kerry and Troy discussed whether there should be a fire permit issued for the outdoor bonfire. Kerry will issue a permit for the event and submit to the city prior to the event. **Motion by Dick, second by Troy to recommend that the City Council approve the Winter Frolic. Motion passed.**
4. COMMITTEE MEMBERSHIP was discussed by the Committee. Kent reviewed the city policy, noting that the only requirements are each committee have one councilor and two non-councilors. Gary Hawkinson has resigned from the committee, leaving seven members. The Committee confirmed that the Public Safety Committee will stay at the current seven members, which includes Kent Gaidis, Kerry Helquist, Rick Lalonde, Dick Kari, Phil Larson, Troy Dewall and Debra Madson. **Motion by Troy, second by Kerry to recommend approval of the current committee membership. Motion passed.**

**MEMBERS CONCERNS:**

1. Kerry Helquist discussed the need for the Emergency Management Committee to schedule a meeting soon. Members discussed the committee make-up and the necessity of this team. Committee members will include Police Chief, Fire Chief, Street Foreman, Mayor, Assistant Fire Chief, and two community members. Rick, Kent and Kerry will meet to coordinate a meeting in the future.

2. Phil brought up the issue of the 2017 Hoghead Street Dance and wondered why there has been no discussion on what happened at that event. Members discussed whether this is an issue for the Public Safety Committee. No action taken.

3. Committee discussed the need to schedule a Public Safety meeting to review four event applications. Committee felt it would be best to have a joint Liquor Control and Public Safety meeting to review the event applications. As Committee Chair, Dick will send Liquor Control Committee a notice of the meeting. **Motion by Phil, second by Kerry to schedule a Joint Meeting between Liquor Control and Public Safety on Monday, March 5<sup>th</sup> at 4:00 p.m. to review and make recommendations for approval of event applications. Motion passed.**

ADJOURN: Meeting was adjourned at 5:15 p.m.

*Next Public Safety meeting Monday, March 5, 2018 at 4:00 p.m. at City Hall.*



## **Minutes from the March 5, 2018 Joint Public Safety and Liquor Control Meeting**

**Public Safety Members Present:** Chief Gaidis, Rick LaLonde, Kerry Helquist, Phil Larson, Troy DeWall

**Members Absent:** Debra Madson,

**Liquor Control Members Present:** Dick Kari, Gary Nowak, Bill Blackwood, Nick Greenwood, Phil Larson, Jennifer Peterson (arrived at 4:25)

**Members Absent:**

**Others Present:** Linnea Wiita, Nicole Swanson, David Hamil, Kaye Anderson

### **CALL TO ORDER:**

Chief Gaidis called the Public Safety Meeting to order at 4:03 p.m.

Chair Kari called the Liquor Control Committee to order at 4:03 p.m.

### **APPROVAL OF MINUTES:**

Motion by DeWall, seconded by Helquist, and carried: To approve the Public Safety Committee Meeting minutes of February 15, 2018.

No minutes from Liquor Control Committee were available.

**COMMUNICATIONS:** none

**UNFINISHED BUSINESS:** none

### **NEW BUSINESS:**

Chief Gaidis reported that City Attorney John Bray had advised him that the Event Packets for the four events all look good. As such, they will have to be declared as "festivals" in order to allow alcohol consumption on City-owned property and streets. Attorney Bray further recommended that in the future, if the event holders leased the City parking lot for a fee, they could avoid having to declare a "festival."

#### **1. Playground For Everybody Fundraiser**

Chief Gaidis stated he saw no need for law enforcement for this event.

Dick Kari reported that Jennifer McDonald will be getting the state permit and motion of non-objection from the City Council for the raffle that is part of this event.

**Public Safety:** Motion by Larson, seconded by Helquist, and carried (Kari abstained): To recommend that the City Council approve the Playground for Everybody fundraiser.

**Liquor Control:** Motion by Nowak, seconded by Greenwood, and carried (Kari abstained): To recommend that the City Council approve the Playground for Everybody fundraiser

## **2. Bike Night**

Dick Kari stated the event will be the same as last year, and that his people will set up and take down the barricades

Kerry Helquist added that there need to be no vehicles allowed to park on the outside of the barricades, as they block access for any emergency response if needed. Any vehicles parked there either need to be asked to move or towed.

In addition, vehicles need to not be parked into the driving lane on 5<sup>th</sup> Street.

**Public Safety:** Motion by Larson, seconded by Gaidis, and carried (Kari abstained): To recommend that the City Council approve the Powerhouse Bike Nights.

**Liquor Control:** Motion by Nowak, seconded by Blackwood, and carried (3 Aye, 1 Nay (Greenwood),(1 abstained (Kari)): To recommend that the City Council approve the Powerhouse Bike Nights.

## **3. Powerhouse June Car Show**

Dick Kari reported this would be similar to Bike Night, except the hours would run a little earlier.

Discussion of issues with parking along 5<sup>th</sup> Street. Decided that Kari will put up the orange 'No Parking' signs along 5<sup>th</sup> Street from the Body Shop to Second Avenue. (and take down same after event.)

**Public Safety:** Motion by Helquist, seconded by DeWall, and carried (Kari abstaining): To recommend that the City Council approve the Powerhouse June Car Show.

**Liquor Control:** Motion by Greenwood, seconded by Nowak, and carried (Kari abstaining): To recommend that the City Council approve the Powerhouse June Car Show.

## **4. Powerhouse Hoghead Car Show**

Dick Kari reported that Thursday will be a rain date for this event. He added that he and the Car Club will be setting up and taking down the barricades, and concurred with Rick LaLonde that the streets will be closed at noon that day.

Chief Gaidis stated he recommends having two officers at this event, same as last year. Kari agreed.

Kari also stated he would notify the DTA in advance for all of his events. He also stated he would get notification in advance to the 8 homes involved with closing the street.

LaLonde advised that that the barricades need to be placed straight across the streets, and not at any angle, especially because 5<sup>th</sup> Street is a County Road.

Discussion of the map for this event and noted that on the map provided, the barricade was missing for 4<sup>th</sup> Street/ 2<sup>nd</sup> Avenue – this will be added.

Public Safety: Motion by Larson, seconded by Gaidis, and carried (Kari abstained): To recommend that the City Council approve the Powerhouse Hoghead Car Show.

Liquor Control: Motion by Nowak, seconded by Greenwood, and carried (Kari abstained): To recommend that the City Council approve the Powerhouse Hoghead Car Show.

#### OTHER MEMBER CONCERNS:

Nick Greenwood thanked the Committee for allowing him to serve, but announced that this will be his last meeting. He stated that he had heard concerns from the public about liquor license holders serving on Liquor Control, and therefore he is stepping away.

#### ADJOURN:

Public Safety: Motion by Larson, seconded by Helquist, and carried: To adjourn the Public Safety Meeting at 4:28 p.m.

Liquor Control: Motion by Blackwood, seconded by Nowak, and carried: To adjourn the Public Safety Meeting at 4:34 p.m.

# Proposal

Page # \_\_\_\_\_ of \_\_\_\_\_ pages

CJ CONSTRUCTION  
CHRIS A. JURKANIS  
218-393-3768

6Aa

PROPOSAL SUBMITTED TO:

PROCTOR CITY Council

ADDRESS

PROCTOR FIRE HALL

JOB NAME

JOB LOCATION

DATE

3/2/18

DATE OF PLANS

PHONE #

FAX #

ARCHITECT

We hereby submit specifications and estimates for: REPAIR AND INSULATION OF MENS & WOMEN'S BATHROOM AT PROCTOR FIRE HALL.

Will do the following repairs -

- TEAR OUT SHEETROCK IN EXTERIOR WALLS IN BOTH BATHROOMS AND INSULATE WITH CLOSED CELL FOAM INSULATION.
- WILL REMOVE SHOWER STALLS AND REPAIR AND INSULATE BROKEN SHOWER TRAPS. WILL REPLACE FAUCETS IN BOTH STALLS IF NEEDED.
- WILL SHEETROCK, TAPE AND DRYWALL MUD WALLS TO PREVIOUS SHAPE AND REPAINT ALL NEW WALLS.
- WILL REPLACE ALL CEILING TILE AND GRID TO FORMER SHAPE.
- WILL REPLACE ALL TRIM AND CAULK WHERE NEEDED.
- WILL Haul AWAY ALL DEBRIS.

Bid does not include shower stall replacement if they cannot be removed without damage.

We propose hereby to furnish material and labor - complete in accordance with the above specifications for the sum of: \$5600.<sup>00</sup>  
\$2500 TO START AND REST UPON COMPLETION.

Dollars

with payments to be made as follows:

Any alteration or deviation from above specifications involving extra costs will be submitted only upon written order and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted

Note - this proposal may be withdrawn by us if not accepted within 90 days.

## Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature

Date of Acceptance

Signature

6A6

# Estimate

Kalenowski Construction Inc.

5520 Morris Thomas Rd  
Hermantown, MN 55810  
218-591-6792  
20630315

Date	Estimate #
3/2/2018	1
Customer	Job
City of Proctor	Bath repair

## Customer Information

City of Proctor  
Proctor Fire Hall

Description	Qty	Rate	Amount
Bathroom repair. R+R exterior wall sheetrock, shower stalls and ceiling tiles as necessary. Insulate exterior walls and rim joist with 2# closed cell sprayfoam insulation. Repair shower drain traps as necessary.			
Shower stalls may not come out intact. Price does not include replacements.			
1			
Project subcontract Subcontract, per job	1	7,000.00	7,000.00
*Project Subtotal			7,000.00
*Project Total			7,000.00
		Total	7,000.00

**RESTATE AND AMENDED     March 2016**  
**BY-LAWS OF THE PROCTOR FIREMEN'S RELIEF ASSOCIATION**

**ARTICLE 1**

**OFFICERS, TRUSTEES AND COMMITTEES**

**Section 1. Board of Trustees.** The Board of Trustees shall be composed of the President, Vice-President, Secretary and the Treasurer of this Association and two General Trustees elected for the same term, at the same time, and in the same manner as the Officers of the Association. The Mayor, City Administrator/City Clerk, the Chief of the Fire Department of the City of Proctor, Minnesota, shall be ex-officio members of the Board of Trustees and shall have the same rights, privileges, duties and liabilities as the other members of the Board of Trustees.

**Section 2. Term:** Each Officer and each General Trustee elected at the organizational meeting of the members shall hold office until the date of the first annual meeting of the Association and until a successor has been elected and has qualified. Thereafter each Officer and each General Trustee shall hold office for the term of one year and until a successor has been elected and has qualified.

**Section 3. Election:** Each Officer and each General Trustee shall be a member of the Association and shall be elected by the members at the regular annual meeting.

**Section 4. Vacancies:** Vacancies in office or any other vacancy on the Board of Trustees shall be filled by the members for the unexpired portion of the term at a regular or special meeting of the members.

**Section 5. Removals:** Any Officer or General Trustee may be removed for cause at a special meeting of the members by a majority vote of those entitled to vote at an election of officers and trustees. No Officer or General Trustee shall be removed unless notice of the meeting at which removal is to be considered states such purpose. When an Officer or General Trustee has been removed, new Officers or General Trustees may be elected at the same meeting to serve until the next annual meeting of the members and until their successors have been elected and qualified.

**Section 6. Compensation:** Trustees as such and the President and Vice-President shall receive no compensation for their services. The compensation of the Secretary and Treasurer shall be fixed and may be changed from time to time by the members at any annual or special meeting.

**Section 7. Executive Committee:** At its first meeting following the annual meeting of the members of this Association, the Board of Trustees may appoint an Executive Committee of three (3) members of the Board to serve until the next annual meeting of the members and until their successors have been appointed. The Executive Committee shall have such supervision of the affairs of the Association during the intervals between meetings of the Board of Trustees as the Board may delegate as is consistent with law. Meetings may be called by any member by a Written notice filed with the Secretary who shall thereupon give notice of the time and place of meeting to each member at least one (1) day before the time of the meeting.

**Section 8. Other Committees:** The President may, and upon direction of the Board of Trustees or the members, shall appoint any additional committees necessary or expedient for the successful operation of this Association.

## **ARTICLE II**

### **POWERS AND DUTIES OF OFFICERS AND BOARD OF TRUSTEES**

**Section 1. Powers and Duties of Officers and Board of Trustees:** The Board of Trustees shall have exclusive control and management of all property and funds of the Association, from whatever source derived and shall constitute the governing body of the Association with full power and authority to carry out the objects and purposes of the Association as set forth in the articles of Incorporation and their by-laws and the laws of the State of Minnesota.

**Section 2. President's Duties:** The President shall preside over all meetings of this Association and at all meetings of the Board of Trustees; sign all checks drawn by the Treasurer for the payment of such sums of money as may from time to time be disbursed by the Association; sign such certificates and notices as may need Presidential signature to authenticate them; and have general supervision over the Association and its affairs.

**Section 3. Vice-President's Duties:** The Vice-President shall assist the President. Vice-President shall perform the duties of President during the absence or disability of the President and, in the case of a vacancy in the office of the President, until a successor has been chosen and has qualified.

**Section 4. Secretary's Duties Subdivision 1:** The Secretary shall give the required notice of all meetings of the Association and all meetings of the Board of Trustees. The Secretary shall notify each officer and each General Trustee of their election or appointment to office. The Secretary shall keep (1) a minute book, noticing therein the proceedings at all meetings of the Association and the Board of Trustees; (2) a membership roster listing the names and addresses of all members of the Association together with the date when each member became or ceased to be such; and (3) an account book in which the Secretary shall enter all money transactions of the Association including the dates and amounts of all receipts and the source from which derived and the dates and amounts of all expenditures with the payee and object. The Secretary shall act as custodian of the seal and records of the Association, sign its official papers, give such notices as may be required, and perform such other appropriate duties as may be imposed upon the Secretary by the Board of Trustees.

**Subdivision 2:** At each regular meeting of the Board of Trustees the Secretary shall submit a report in writing, showing the names of all persons who have become or ceased to be members since the last report, the names of all persons to whom money has been paid, and the amount paid to each, the amount of money received since the last report and the source thereof, the amount of money on hand, and where the same is invested or deposited, and such other information as will show the financial condition of the Association.

**Subdivision 3:** At the end of each year the Secretary and Treasurer shall jointly prepare a detailed annual report of the receipts and expenditures for the year showing to whom and for what purpose all money has been paid and on or before February 1, file such report with Clerk of the City of Proctor, Minnesota, and a duplicate with the State Commissioner of Insurance.

**Section 5. Treasurer's Duties: Subdivision 1:** The Treasurer shall receive and safely keep all money belonging to the Association from whatever source derived, and shall promptly enter in a book showing the source and objects thereof with the date of each transaction. The Treasurer shall pay out money only upon checks signed by the Treasurer and countersigned by the President. Such checks when paid and cancelled shall be retained as vouchers. Such accounts and vouchers shall be exhibited to the Board of Trustees upon request.

**Section 5. Subdivision 1a: Assistant Treasurer Duties:**

The Assistant Treasurer, under the guidance of the Treasurer, shall receive and safely keep all monies belonging to the General Relief Association fund, from whatever sources derived. Assistant Treasurer shall promptly enter into a book showing the source and object thereof with the date and object of each transaction. The Assistant Treasurer shall pay out money only upon checks signed by the Assistant Treasurer and/or by the President or Treasurer for the General Fund. Such checks, when paid and cancelled shall be retained as vouchers for the General Fund.

**Subdivision 1b:** The Assistant Treasurer shall produce monthly reports on General Fund account and vouchers shall be exhibited to the Board of Trustees upon request and at the monthly business meeting of the Proctor Fire Department. The Assistant Treasurer, Secretary and Treasurer shall jointly prepare a detailed annual report of the receipts and expenditures for the year showing to whom and for what purpose all money has been paid out of the General Fund on or before February 1, file such report with Clerk of the City of Proctor, Minnesota, and a duplicate with the State Commissioner of Insurance.

**Subdivision 2:** At each regular meeting of the Board of Trustees the Treasurer shall make a report showing the balances and receipts and expenditures by funds since the last report. At the end of each year the Treasurer and Secretary shall jointly prepare a detailed annual report of the receipts and expenditures of the association for the year showing to whom and for what purpose all money has been paid, and on or before February 1st, file such report with the Clerk of the City of Proctor, Minnesota and a duplicate with the State Commissioner of Insurance.

**Subdivision 3:** Before entering upon the duties of the Treasurer, the Treasurer shall file with the Secretary a good and sufficient bond, with sufficient surety approved by the Board of Trustees, in double the amount, which may be received and held by the Treasurer at any one time. At anytime the Board of Trustees may require the Treasurer to file an additional bond.

### **ARTICLE III**



## **FUNDS**

**Section 1. Special Fund:** All funds received by this Association from the tax levied by the City Council of Proctor for Fire Department Relief, all funds received from the gross premiums tax levied by the State on fire insurance and related insurance policies, and all funds or property donated, granted, or devised to this Association for the benefit of this fund shall be kept in a Special Fund on the books of the Secretary and Treasurer and shall not be disbursed for any purpose except those authorized by law.

**Section 1a. General Fund:** All money received into this fund shall be used for the daily operations of the Relief Association. This fund shall contain monies received from donations and fundraiser events and member's dues if there are dues charged to its members.

**Section 2. Disbursements:** No disbursements of the Special funds of this Association shall be made except by checks drawn by the Treasurer and countersigned by the President. Except when issued for salaries, pensions, and other fixed charges, the exact amount of which has previously been determined by the Board of Trustees or the members, no check shall be issued until the claim to which it relates has been approved by the Board of Trustees.

**Section 3. Deposits:** All money belonging to this Association shall be deposited to the credit of the Association in such banks, trust companies, or other depositories as the Board of Trustees may designate.

**Section 4. Investments:** The funds of this Association may be invested by the Board of Trustees in such income-paying properties and securities as may be authorized by the Council of the City of Proctor. With regard to deferred members, interest shall accrue at the rate actually earned if invested in a sequestered account or vehicle for the deferred benefit amount.

**Section 5. Investment Policy:** This investment policy applies to all financial assets of the Proctor Volunteer Firemen's Relief Association. The general investment policy and objective of the Trustees of the Relief Association shall be to provide the highest possible investment yield and preserve capital by investing in accordance with applicable provisions of law. Investments are made for the purpose of providing benefits to participants and beneficiaries of the Proctor Volunteer Firemen's Relief Association.

The Treasurer of the Proctor Volunteer Firemen's Relief Association is authorized to make investments of Relief Association Funds after approval of the investment(s) by the Board of Trustees.

The focus of the Proctor Firemen's Relief Association investment policy is a diversified allocation of assets. This allocation may include, but is not limited to: savings accounts (demand deposits); certificates of deposit (time deposits); money market accounts; United States Government securities and mutual funds.

## **ARTICLE IV**

### **MEMBERSHIP**

**Section 1. Membership:** All active members of the Fire Department of the City of Proctor, except those serving as substitutes ~~or on probation~~ shall be members in this Association. As a condition before being hired or returning from a resignation, any new members of the Fire Department of Proctor, is subject to a full physical, at City expense. Any member who voluntarily resigns may apply for reinstatement; provided that said former member must pass a physical as set forth in this section. Also, whenever any member is out on sick leave or out due to injury of any kind for forty (40) or more consecutive days that member is subject to a full physical at City expense before being allowed to return to active duty.

**Section 2. Age Requirements:** No person under the age of eighteen (18) shall be accepted as a member of this Association from and after the date of adoption of these By-Laws.

**Section 3. Expulsion from Membership:** Any member may be expelled from this association for cause by a two-thirds (2/3) vote of all the members of the board of trustees at a regular or special meeting. Notice of the meeting and a written statement of charges shall be given to such member and the member shall be given an opportunity to be heard at such meeting. Cause for expulsion shall include, but shall not be limited to: resignation or discharge from the Fire Department of the City of Proctor; failure to account for money belonging to the Association; or feigning illness or injury for the purpose of defrauding the Association.

**Section 4. Termination of Membership:** Any member of this Association who may be discharged from the Proctor Fire Department for cause, or who may resign from said Department, may be dropped from the roll of membership of this Association. Any member of this Association who shall move permanently from the City of Proctor, St. Louis County, Minnesota, may be dropped from the roll of membership and forfeit all claims to benefits from the Association. Any member who shall absent themselves from the City of Proctor for a period of six (6) months, with a six (6) month extension, not to exceed one (1) year, shall be considered to have moved permanently from said City. Nothing herein shall prevent the Board of Trustees from granting leaves of absences in proper cases; provided, however, that any member, to whom a leave of absence has been granted, shall waive all claim to any benefits from the Association during such leave of absence.

**Section 5. Reinstatement of Membership:** Any member reinstated after a leave or resignation, if accepted back into Membership upon approval of the Board of Trustees, shall be entitled to full applicable benefits for all prior years of service minus years of absence.

**Section 6. Active Membership.** A year of active service will be defined as 12 months of active service in accordance to Fire Department Policy. A "month" is a completed calendar month of active service measured from the member's date of entry to the same date in the subsequent month. Service pensions and ancillary benefits will be prorated monthly for fractional years of service. At the end of each calendar year the Fire Chief will certify active months of each member in accordance to Fire Department active membership policy. A member will only be eligible for pension benefits for the said certified months of that calendar year.

## **ARTICLE V**

### **MEETINGS**

**Section 1. Meetings of the Board of Trustees:** Meetings of the Board of Trustees may be called by the President or by any member of the Board in writing filed with the Secretary, who shall thereupon give notice to all the members of the time and place of meetings, at least one (1) day before the meeting date.

**Section 2. Annual Meeting:** The annual meeting of this Association shall be held on the last Thursday of December of each year. The place of meeting shall be designated and may be changed from time to time by the Board of Trustees. If the date of the annual meeting falls on a legal holiday, it shall be held on the Thursday of the preceding week.

**Section 3. Special Meetings:** Special meetings of the members may be called at any time upon the written order of the President and one other member of the Board of Trustees or five (5) members of this Association. In either case, the order shall be filed with the Secretary and the Secretary shall thereupon give notice of the meeting to each member of the Board of Trustees and to each member of this Association entitled to vote at the meetings. No other business shall be transacted at a special meeting than that specified in the notice of meeting.

**Section 4. Quorums:** A majority of the members of the Board of Trustees shall constitute a quorum for the transaction of any business at meetings of the Board and ten (10) members of the Association shall constitute a quorum of the transaction of any business at the annual or at any special meeting of the members. A number less than quorum may adjourn any meeting of the Board of Trustees, the annual or any special meeting of the members.

**Section 5. Notice of Meetings:** Except as provided otherwise in these By-Laws, notice of each meeting of the Board of Trustees and of each meeting of the members shall be given by the Secretary to each officer, each General Trustee and to each member entitled to vote at the meeting.

**Section 6. Order of Business:** At the annual and all special meetings, the order of business shall be as follows:

- a. Call to Order f. Committee reports
- b. Roll call g. Unfinished business
- c. Reading of Minutes h. New business
- d. Secretary's report i. Election of officers
- e. Treasurer's report j. Adjournment

**Section 7. Voting:** Each member in good standing shall be entitled to one vote upon any matter presented for a vote by the membership. Cumulative voting and voting by proxy shall not be permitted.

**Section 8. Order at Meetings:** In all deliberations of this association, Robert's Rules of Order shall govern.

## **ARTICLE VI**

### **APPLICATIONS FOR BENEFITS**

**Section 1. Form:** All applications for Relief or Pension Benefits shall be made in writing on forms supplied by the Secretary.

**Section 2. Applications for Disability Benefits:** Subdivision 1: All applications for disability benefits shall be submitted to the Board of Trustees at a regular or special meeting of the board. The application shall be accompanied by a certificate from the attending physician or surgeon setting forth the nature of the illness or injury, the cause and duration thereof, and the length of time the applicant has been unable to perform their duties as a fireman.

Subdivision 2: No member is allowed to draw a Pension unless said member accrues a minimum of 10 years of service. The member may retire prior to age 50 but must be at least 50 years of age to draw said Pension. No interest will be paid from the time of retirement until the age of 50. If the said member accrues less than 20 years of service the paid pension will be at a pro-rated rate, as stated below.

Completed full years of good time service:	Percentage of the full service Pension:
--	---

10 years	60%
11 years	64%
12 years	68%
13 years	72%
14 years	76%
15 years	80%
16 years	84%
17 years	88%
18 years	92%
19 years	96%
20 years or more	100%

**Benefit Example:** If a fireman had 12 years and 10 months of good time service credit and "retired". At age 50 that firefighter would receive a lump sum benefit of ~~\$9,596.84~~ \$17,453.33 that is calculated by multiplying the number of years and months of good time service credit (12.83 in this example) times the benefit level (2,000.00 per year) times the non-forfeitable percentage of the service plan (68% in this example) since the firefighter had less than 20 years of service. 12.83 (years of service) X 2,000.00 (Per year of service) X 68% (full years of service per the schedule) = ~~\$9,596.84~~ \$17,453.33

**Section 3. Applications for Pension:** All applications for Pensions shall be submitted to the Board of Trustees at a regular or special meeting of the Board. Applications shall be verified by an oath of the applicant and shall state the following:

- a. The age of the applicant.
- b. The period of service in and the date of retirement from the Fire Department of the City of Proctor, Minnesota.
- c. The length of time the applicant has been a member of this Association.
- d. Such other and further information as the Board of Trustees may require.

**Section 4. Approval of Application:** No Benefits or Pension shall be paid until the application before the Board of Trustees has been approved by a majority vote of the Board. Decisions of the Board shall be final as to the payment of such benefits or pensions, and if the Board deems it for the best interest of the Association, it may suspend or reduce the amounts paid for benefits or pensions. No person receiving a pension shall be paid any other benefits by this Association.

## **ARTICLE VII**

### **DEFINITIONS**

**Section 1. Definitions:** For the purpose of Articles VIII and IX, of these By-Laws, the terms defined in this section shall have the meanings ascribed to them.

**Section 2: RETIRED MEMBER** means a member:

- a. Who has retired from the Fire Department of the City of Proctor, Minnesota; and
- b. Who has had an active period or periods of service in such fire department of 10 years or more, although such service need not be continuous; and
- c. Who has been a member of this Association in good standing for at least 10 years prior to member's retirement.

**Section 3: DISABLED MEMBER** means a member of this association who becomes physically incapacitated for active duty in the Fire Department of the City of Proctor, Minnesota because of illness or injury.

## **ARTICLE VIII**

### **SERVICE PENSIONS**

**Section 1. Service Pensions:** Upon approval of the application for a retired member, after 1999 the retiree shall be paid the sum of One Thousand One Hundred Dollars (\$2,000.00) per year based on total years and accrued months of active service in the Proctor Fire Department.

## **ARTICLE IX**

**Section 1. Disability Benefits:** Upon approval of the application, the applicant will be paid the sum of the total number of fire calls missed due to disability times the percentage of fire calls made the previous year not to exceed a life time benefit of \$500.00. No member shall be entitled to receive such disability benefits unless member is continuously disabled for seven (7) full days.

**Section 2. Disability Benefits:** If a member of this Association shall become totally and permanently disabled to the extent that a physician or surgeon acceptable to the Board of Trustees shall certify that such disability will permanently prevent said member from performing said member's duties in the Proctor Fire Department; the disabled firefighter will receive two thousand dollars per year and accrued months of active service.

The total number of years and months of accrued service times \$2,000.00 a year times the percentage based on completed years of service. *Benefit Example: If a fireman had 12 years and 10 months of good time service credit at the time that they became disabled that firefighter would receive a lump sum benefit of \$25,660.00 that is calculated by multiplying the number of years and months of good time service credit (12.83 in this example) times the benefit level (2,000.00 per year.*

## ARTICLE X

### **DEATH SURVIVOR BENEFITS**

**Section 1. Death Benefits:** Upon proper proof of death, benefits will be paid the surviving spouse. If there is no surviving spouse, the survivor benefit will be paid to the surviving child or children. If there is no surviving children, the survivor benefit is paid to the deceased member's designated beneficiary. If no beneficiary was designated, the survivor benefit is paid as a death benefit to the estate of the deceased active or deferred member. ~~the beneficiary on the certificate of any member of the Association shall receive as a death benefit as hereinafter set forth, to wit: based on total years and accrued months of active service in the Proctor Fire Department One Thousand One Hundred Dollars (\$1,100.00) per year of membership based on the total years and accrued months of active service in the Proctor Fire Department.~~

## ARTICLE XI

### AMMENDMENTS

Section 1. Method of Amendment: All amendments to the By-Laws shall be proposed by a resolution adopted by the Board of Trustees setting forth the proposed amendment or amendments and directing that they be submitted for adoption at a meeting of the members. Notice of the meeting of members stating the purpose shall be duly given to each member entitled to vote on the proposed amendment or amendments and to each Officer or Trustee regardless of members voting rights.

Dated: 3/8/2018   
President Andrew Paszak

Dated: 3-8-2018   
Vice-President Brad Johnson

Dated: 3-8-2018   
Secretary Craig Talbot

Dated: 3-8-2018   
Treasurer Jesse Annala

Dated: 3/8/18   
Trustee Ben Lalone

Dated: 3/8/18   
Trustee Luke Fontaine

Dated: 3-8-18   
Fire Chief Kerry Helquist

Dated: \_\_\_\_\_  
Mayor Phil Larson

Dated: \_\_\_\_\_  
City Administrator Mark Casey

### RESOLUTION

BE IT RESOLVED by the Board of Trustees of the Proctor Firemen's Relief Association at a meeting thereof duly called and legally held at the Fire Hall in the City of Proctor, on the 8 day of March, 2018, that the following amendments of the By-Laws of the Proctor Firemen's Relief Association be proposed to the members for adoption:

The Board of Trustees of the Proctor Firemen's Relief Association having Duly adopted a resolution proposing amendments to the By-Laws of the Proctor Firemen's Relief Association and due notice thereof having been given for consideration of such amendments at a regular meeting of the Proctor Firemen's Relief Association, after discussion duly had:

It was moved by Ben Lalone and supported by Brad Johnson that the proposed amendments to the By-Laws of the Proctor Firemen's Relief Association be adopted.

The motion to adopt the foregoing amendments was put to a vote with the following results:

Ayes 5 Nays 0 Absent and not voting NA

President Andy Paszak thereupon declared said amendments duly adopted.

Dated: 3-8-2018  
Secretary Katy Talbot



Minnesota  
Outdoor  
Recreation  
Grant  
City of Proctor –  
Resolution 10-18

## ***ATTACHMENT A -RESOLUTION***

**BE IT RESOLVED** that the City of Proctor act as legal sponsor for the project contained in the Outdoor Recreation grant application to be submitted on 20 May, 2018, and that Jennifer McDonald is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of the City of Proctor.

**BE IT FURTHER RESOLVED** that the applicant has read the Conflict of Interest Policy contained in the Outdoor Recreation Grant Program Manual and certifies it will report any actual, potential, perceived or organizational conflicts of interest upon discovery to the state related to the application or a grant award.

**BE IT FURTHER RESOLVED** that the City of Proctor has the legal authority to apply for financial assistance, and financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

**BE IT FURTHER RESOLVED** that the City of Proctor has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section on this application.

**BE IT FURTHER RESOLVED** that the City of Proctor has or will acquire fee title or permanent easement over the land described in the site plan Included in the application.

**BE IT FURTHER RESOLVED** that, upon approval of its application by the state, the City of Proctor may enter into an agreement with the State of Minnesota for the above-referenced project, and that the City of Proctor certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

**I CERTIFY THAT** the above resolution was adopted by the City Council, of the City of Proctor on 19 May, 2018.

**SIGNED:**

**WITNESSED:**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

Philip G. Larson  
Mayor

Mark Casey  
Administrator

# City of Proctor

*You Have A Place In Proctor*

COUNCILORS  
Jake P. Benson  
Troy R. DeWall  
Gary Nowak  
James R. Schwarzbauer

100 Plonk Drive • Proctor, Minnesota 55810-1700 • (218) 624-3641 • Fax (218) 624-9459 • email: cityhall@proctormn.gov

## **RESOLUTION 09-18** **AUTHORIZING CONSUMPTION OF ALCOHOLIC BEVERAGES** **IN PUBLIC PLACES IN PROCTOR IN CONJUNCTION WITH FESTIVALS**

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

**WHEREAS**, festivals and special events play a vital role in promoting tourism, invigorating community spirit, celebrating cultural diversity, and contributing to the economy of our community; and,

**WHEREAS**, the City Council does recognize the value of special events and festivals and the rich history and responsibility businesses have shown in the sponsorship of said events.

**WHEREAS**, dates and sites have been determined by Attachment "A" to warrant the special event/festival.

**WHEREAS**: pursuant to Minn. Statute 340A.404 Subd 4 paragraph (b) the governing body of a municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by the municipality to dispense intoxicating liquor off premises at a community festival held within the municipality.

**NOW THEREFORE, BE IT RESOLVED** through actions taken by the Mayor and City Council of the City of Proctor and pursuant to Minn. Stat. Sect 340A.404 Subd. 4 paragraph (b), the Proctor City Council hereby authorizes consumption of alcoholic beverages in public places designated by the City Council in Attachment A, during community festivals and events.

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: by: \_\_\_\_\_

Voting Aye:

Voting Nay:

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

Gary Nowak, Deputy Mayor

ATTEST:

\_\_\_\_\_  
Mark Casey, City Administrator

6E

**ATTACHMENT A**  
**FESTIVAL DATES and LOCATIONS**

1. Thursday Evenings May 17<sup>th</sup> through September 13<sup>th</sup> 6 p.m. to 9 p.m.; Powerhouse Bar
2. May 19<sup>th</sup> Powerhouse Bar- 10 a.m. to 8 p.m.
3. June 6<sup>th</sup> Powerhouse Bar 3:00 p.m. to 9 p.m.
4. August 15<sup>th</sup> Powerhouse Bar 11:30 a.m. to 9:30 p.m.



# Minnesota Mayors Association 2018 Annual Conference

**Building Responsive Cities—Building Relationships**

**April 27-28**

**REGISTER NOW!**

How does a mayor respond to pressing priorities? What do you do? How do you plan?

One is leading in an emergency. Another is building relationships across the state, connecting with colleagues you can call on for advice, and developing partnerships to speak in a united voice for all cities.

Join mayors from across Minnesota for the Minnesota Mayor's Association 2018 Annual Conference as together we explore how to be the leaders our communities require in times that can be challenging.

During the 2018 MMA Annual conference you will:

- Discover how mayors from across the state have been building relationships and bridging gaps
- Explore your crucial role as mayor in critical incident management
- Learn about the Mayor's Challenge to End Veteran Homelessness
- Create partnerships and share ideas with mayors from across the state
- Get to know the companies who have generously supported the 2018 MMA Annual Conference
- Lend your voice to the MMA annual meeting

**Date/Location:**

**April 27-28**

**Perham Lakeside Golf Club**

**320 17th Street NW (view map)**

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## Management Agreement

This Management Agreement is made and entered into on 1/12/18 Between the So. St. Louis County Fair Ass'n-Proctor MN.

**ST 19 WILL BE FILLED OUT WITH MANAGEMENT AGREEMENT EVERY YEAR.**

**RACING ASSN MUST AGREE TO PAY ALL TAXES FOR DESCRIBED PREMISES.**

By and between the SO. ST. LOUIS COUNTY FAIR ASSOCIATION-PROCTOR A body corporation politic existing under the laws of the State of Minnesota, hereinafter referred to as the FAIR ASSOCIATION and LAKEHEAD RACING ASSOCIATION, hereinafter to as the RACING ASSOCIATION.

WITNESSED, FAIR ASSOCIATION in consideration of the rent and covenant hereinafter contained does hereby demise management agreement and let unto the RACING ASSOCIATION, the following described premises to wit:

The GRANDSTAND, RACE TRACK AREA and CONCESSION, all located on the SO. ST. LOUIS COUNTY FAIRGROUNDS - PROCTOR . IN THE CITY OF PROCTOR, MN, from January 1st, 2018 until and including the last day of December, 2018.

1 The RACING ASSOCIATION agrees to pay as RENT for the privilege of this Management Agreement as said premises with the sum of three hundred dollars, (\$300.00) per race event, plus tax on Rent for each event.

The RACING ASSOCIATION will pay \$300.00 a year for camping on grounds during the race year.

2 The RACING ASSOCIATION agrees to confine its activities on said premises, to automobile racing, including auto thrill shows, destruction derbies, enduro, snowmobile racing, plus other events mutually agreed upon by both parties. The rental terms of this agreement shall not apply to any other uses. No subletting of any of the property unless mutually agreed upon by both parties. If Concession is sublet out to 3rd party, rent for building will be mutually agreed upon by Fair Association. All state and local licenses must be up to date. Copies of all State Food Certificates must be provided to Fair Association before opening.

3 The RACING ASSOCIATION does hereby agree to assume and accept all liability for any injuries sustained on said premises to spectators, employees, racing personal, participant and/or to said property. The RACING ASSOCIATION Shall insure itself and the FAIR ASSOCIATION against all such liabilities and damages resulting in the operation of said events, except weather or fire losses.

4 The RACING ASSOCIATION shall at its own expense, pay its own tax liabilities for all events that the RACING ASSOCIATION engages. The RACING ASSOCIATION shall at its own expense: Keep and maintain liability insurance coverage throughout the entire term of this lease agreement. Add extensions thereof, for any and all personal or property damage occurring on the lease premises. All liability insurance shall be for at least the minimum amount of \$500,000.00 per person and \$1,500,000.00 per occurrence, or as otherwise set forth as the Statutory Liability Limits of MN. Stat. Chapter 466. Further, all insurance policies shall name the So. St. Louis County Fair Assn - Proctor and the City of Proctor, MN as co- insured with the RACING ASSOCIATION. Duly executed Certificate of Insurance shall be attached to this Agreement.

5 The RACING ASSOCIATION hereby agrees to assume and accept the responsibility for repairs and maintenance to any equipment owned by the So St Louis County Fair Board and being used by the RACING ASSOCIATION for any event. No equipment owned by the So. St. Louis County Fair Assn may be removed from the property without approval of the So. St. Louis County Fair Assn - Proctor. The RACING ASSOCIATION hereby agrees to assume and accept the responsibility to supply and pay for sufficient help to sell and collect all tickets for admission and taxes to said events, and to have enough security to keep order among patrons and employees. Maintenance records shall be kept on all repairs and maintenance of equipment of SO. ST. LOUIS COUNTY FAIR ASSOCIATION- PROCTOR

6 The RACING ASSOCIATION hereby agrees to furnish fire equipment and EMT at all races. Maintain and keep the race track in good condition during race season. Pay for the costs of all utilities. Maintain all supplies, (sanitary, etc.) and clean the washrooms, except for five days of the fair. The washrooms shall be cleaned by 8:00 a.m., the morning after an event. The grounds shall be cleaned and ALL garbage cans emptied within twenty-four (24) hours of event

7 It is expressly understood and agreed to by the FAIR ASSOCIATION and the RACING ASSOCIATION that the RACING ASSOCIATION shall have the right to remove upon termination of the AGREEMENT for any reason the temporary portable bleacher, (approximately sixty-six (66) feet in length), which belongs to the RACING ASSOCIATION.

8 The RACING ASSOCIATION further agrees to limit the racing and similar activities to CONCLUDE NO LATER THEN 10:30 P.M. (EXCEPTIONS BEING THREE DESIGNATED SPECIALS AND THE SILVER 1000)

9 The RACING ASSOCIATION further agrees to keep and maintain at their cost, the lighting system associated with the race track, including any maintenance on concessions and all materials or labor necessary to repair said systems.

10 It is agreed that during the exclusive occupancy term of the The Racing Association, the Fair Association may use said premises for other activities so long as said activities do not interfere with the needs and requirements of the Racing Association hereunder. Further, should Fair Association use said premises and kitchen equipment it shall be responsible for maintenance and utilities during said activity and shall thereafter put the premises back into the condition existing prior to said activity, at no cost or expense of Racing Association. Fair Association and Racing Association shall exchange activity schedule to facilitate orderly scheduling of activities for both parties. Sublessees shall also provide Fair association with activity schedules.

IN WITNESS THEREOF, the parties hereto have hereunto affixed their respective

Signatures This \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

SO ST LOUIS COUNTY FAIR -PROCTOR

PRESIDENT Amel Seino

DATE 1/18/18

SECRETARY Ray Kuch

DATE 1/17/18

LAKEHEAD RACING ASS

PRESIDENT Michael J. Donohue

DATE 1-10-18

SECRETARY Johnny Fitzgerald

DATE 1-10-18

Proctor City Administrator

City of Proctor, Attorney

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

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

Mark Casey

John Bray

Phillip G. Larson  
Mayor

Mark Caséy  
Administrator

# City of Proctor

*You Have A Place In Proctor*

61  
COUNCILORS  
Jake P. Benson  
Troy R. DeWall  
Gary Nowak  
James R. Schwarzbauer

100 Plonk Drive • Proctor, Minnesota 55810-1700 • (218) 624-3841 • Fax (218) 624-9459 • email: cityhall@proctormn.gov

## RESOLUTION 08-18

### Grant Agreement to State Transportation Fund (Local Road Improvement Program) Grant Terms and Conditions

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

**WHEREAS**, the City of Proctor has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Local Road Improvement and

**WHEREAS**, the Commissioner of Transportation has given notice that funding for this project is available; and

**WHEREAS**, the amount of the grant has been determined to be \$750,000 by reason of the lowest responsible bid;

**NOW THEREFORE**, be it resolved that the City of Proctor does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge(gap) but not required. The proper county officers are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

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

Nays:

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

Philip Larson  
Mayor

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

Mark Casey  
City Administrator



6J

St. Louis County  
City of Proctor  
6th Street, Almac Drive & Bee Street, and 8th Avenue Road Reconstruction  
CP 0000-388268 / SAP 069-596-011 & CP 0000-388269 & CP 0000-388270

### AGREEMENT

THIS AGREEMENT is between the City of Proctor, a municipal corporation in the State of Minnesota, hereinafter referred to as the "City", and the COUNTY OF ST. LOUIS, a duly organized county within the State of Minnesota, hereafter referred to as the "County".

WITNESSETH:

WHEREAS, the City has applied for and secured Local Road Improvement Program (LRIP) funding and Local Proctor funds for reconstruction of 6th Street (0000-388268 / SAP 069-596-011), Almac Drive & Bee Street (CP 0000-388269), and 8th Avenue (CP 0000-388270) in the City of Proctor, hereafter referred to as the "Project" and,

WHEREAS, the County is required to act as the funding agent and contract administrator on this Project since cities fewer than 5,000 in population are not allowed to administer LRIP funds and shall administer the construction contract for the Project, hereafter referred to as the "Contract", under the Minnesota Department of Transportation 2016 Edition of the Minnesota Department of Transportation "Standard Specifications for Construction" and,

WHEREAS, the City shall prepare a plan for construction of the Project, hereafter referred to as the "Plan";

THEREFORE, IT IS MUTUALLY AGREED AND UNDERSTOOD, with regard to the Project, the parties hereby agree to the following:

1. The City shall take all actions necessary to prepare the project for construction, including, but not limited to obtaining any and all applicable environmental permits as required by law, temporary storage sites, temporary or permanent easements, site restoration, and coordination with utilities, including relocation of existing facilities at its cost and expense.
2. The City shall acquire and pay the cost for all right-of-way and construction easements required for construction in accordance with the Plan.
3. The City shall prepare the Plan and specifications for said project in accordance with the 2016 Edition of the Minnesota Department of Transportation "Standard Specifications for Construction".
4. The City shall assist the County in preparation of bidding documents for the Plan.
5. The Plan shall meet the Minimum Geometric Design Standards approved by MnDOT Office of State Aid prior to the County advertising the Project for bids. If the Plan does not meet these Standards or is not approved by MnDOT, Office of State Aid and the City

**St. Louis County  
City of Proctor**

**6th Street, Almac Drive & Bee Street, and 8th Avenue Road Reconstruction  
CP 0000-388268 / SAP 069-596-011 & CP 0000-388269 & CP 0000-388270**

wants to proceed with the Project, the City shall secure alternate funding prior to the County advertising the Project for bids. If the alternative funding does not require County administration, the agreement will be terminated and the County will invoice the City for the expenses incurred for the Project.

6. After contract letting and prior to contract award, the County will provide the City with an abstract of all bids received and upon written approval of such costs by the City, the County may award the bid to the low bidder and enter into a construction contract for the construction of the Project. The County must obtain the concurrence of the City prior to awarding the Contract. Such concurrence or rejection shall be provided to the County by the City within 5 working days.
7. In the event that the City rejects all bids, the City shall reimburse the County for all direct and administration costs incurred by the County to that date.
8. In the Contract, pay items eligible for LRIP funds shall be shown as "participating" items and those pay items not eligible shall be shown as "non-participating" items. The City shall pay to the County, within 30 days after the award of the Contract 95% of the total cost of non-participating unit prices and the amount greater than the LRIP available funding in the "participating" items as contained in the successful Contractor's bidding documents. Any portion of the Contract that is not covered by LRIP funds shall be the responsibility of and paid for by the City.
9. The County shall advertise, receive bids, award the Contract to the lowest responsible bidder, make payments to the contractor and assist in processing of the final payment documentation in accordance with current specifications. For these services, the City shall reimburse the County for all direct and indirect costs incurred to complete the work not to exceed \$25,000. The County will bill the City in regular intervals for these services.
10. The City will make final payment to the County after final acceptance of the project. Final payment shall include all required funds for participating and non-participating items and reimbursement for County services. Payment will be due within thirty (30) days of receipt of a valid statement of final contract quantities for the City's cost for the project. In the event that the amount of funds advanced by the City is in excess of the required funds, the excess funds shall be returned to the City without interest.
11. The City shall perform the necessary construction administration and administer the terms of the Contract from award to the certification of final payment.
12. The City's Consultant shall use the OneOFFICE software and use it to manage the Project and provide all Project related data (i.e. contract changes, pay requests, engineer's estimate, estimated quantities, MnDOT pay items, any other items as need) to the

**St. Louis County  
City of Proctor**

**6th Street, Almac Drive & Bee Street, and 8th Avenue Road Reconstruction  
CP 0000-388268 / SAP 069-596-011 & CP 0000-388269 & CP 0000-388270**

County.

13. The City shall perform all necessary construction engineering and staking, material testing, record keeping and construction inspection for items contained in the Plan. Construction recordkeeping for the Project shall follow the MnDOT Contract Administration Manual (the current edition as of the date of letting) for project diaries and fieldbooks, documentation of pay item quantities and documentation and method of measurement. Project pay item quantities submitted for payment through One Office shall reference where the pay item quantities are documented. The City shall report any observed deficiencies to the County immediately.
14. The County shall make payments to the Contractor for the work completed based on Contract items and quantities provided to the County by the City.
15. If the Project is in the County's right-of-way, the City shall provide the County with a copy of an "As Built" plan of the Project, within ninety (90) days after project quantities are verified and submitted for final payment. The "As Built" plan will accurately depict final quantities and any construction features which were revised during construction.
16. Each party designates an Authorized Representative for the purpose of administering this Agreement. A party's authorized representative has the authority to give and receive notices, and to make any other decision required or permitted by this Agreement.
  - a. For the County:

Steve Krasaway, P.E.  
Public Works Department / Resident Engineer  
4787 Midway Road  
Duluth, MN 55811  
(218) 625-3841
  - b. For the City of Proctor:

Mark Casey  
City Administrator  
100 Pionk Drive  
Proctor, MN 55810  
218-628-6261  
mcasey@proctormn.gov
17. This Agreement may be terminated only as follows:
  - a. At any time by mutual agreement of the parties;
  - b. By any party at any time upon 30 days' notice in the event of default by a party, provided however that such termination shall not be effective if the defaulting party cures such default by end of the 30-day notice period. In the event of such termination, the County, Duluth and Proctor shall be entitled to pro-rata payment for

**St. Louis County**  
**City of Proctor**

**6th Street, Almac Drive & Bee Street, and 8th Avenue Road Reconstruction**  
**CP 0000-388268 / SAP 069-596-011 & CP 0000-388269 & CP 0000-388270**

work and services performed up to the effective date of such termination.

18. To the full extent permitted by law, actions by the Parties pursuant to this Agreement are intended to be and shall be construed as a "cooperative activity" and it is the intent of the Parties that they shall be deemed a "single governmental unit" for the purpose of liability, as set forth in Minnesota Statutes, Section 471.59, Subd. 1a.
19. The City agrees that it shall indemnify, save, and hold harmless the County and all of its employees and agents from any and all claims, demands, actions or causes of action of whatever nature or character arising out of or by reason of the City's execution or performance of the work provided for herein. The City further agrees to defend at its own cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatever character arising from the County's execution or performance of the work provided for herein.
20. Each of the parties hereto hereby agrees that it shall defend, indemnify and save harmless the other parties and all of their employees and agents from any and all claims, demands actions or causes of action of whatever nature or character arising out of or by reason of their negligent or intentional acts or omissions in the execution or performance of the work provided herein.
21. Any and all employees of the County, while engaged in the performance of any work or service which the County is specifically required to perform under this Agreement, shall be considered employees of the County, and not the City, and that any and all claims that may or might arise under the Workers Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any claims made by any third parties as a consequence of any act of said employees, shall be the sole obligation of the County.
22. Any and all employees of the City, while engaged in the performance of any work or service that the City is specifically required to perform under this Agreement, shall be considered employees of the City, and not the County, and that any and all claims that may or might arise under the Workers Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any claims made by any third parties as a consequence of any act of said employees, shall be the sole obligation of the City.

**St. Louis County  
City of Proctor**

**6th Street, Almac Drive & Bee Street, and 8th Avenue Road Reconstruction  
CP 0000-388268 / SAP 069-596-011 & CP 0000-388269 & CP 0000-388270**

**COUNTY OF ST. LOUIS**

\_\_\_\_\_  
Chair of the County Board

By \_\_\_\_\_  
Public Works Director/Highway Engineer

Dated \_\_\_\_\_

APPROVED AS TO FORM AND EXECUTION:

\_\_\_\_\_  
County Auditor

By \_\_\_\_\_  
County Attorney  
Damion No.

**CITY OF PROCTOR**

COUNTERSIGNED:

\_\_\_\_\_  
Mayor

By \_\_\_\_\_  
City Administrator

62

Philip G. Larson  
Mayor

Mark Casey  
Administrator

# City of Proctor

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*You Have A Place In Proctor*

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COUNCILORS  
Jake P. Benson  
Troy R. DeWall  
Gary Nowak  
James R. Schwarzbauer

100 Pionk Drive • Proctor, Minnesota 55810-1700 • (218) 624-3641 • Fax (218) 624-9459 • email: cityhall@proctormn.gov

## **RESOLUTION 11-18 Boundary Avenue Corridor Management Plan**

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

**WHEREAS**, Boundary Avenue is an important St. Louis County corridor between the City of Duluth and the City of Proctor, and

**WHEREAS**, it is important to prepare a long range plan for the corridor by examining future land use, transportation and access issues between Interstate 35, Ninth Street and the South St. Louis County Fairgrounds, and

**WHEREAS**, Boundary Avenue connects two major arterials, Interstate 35 and U.S. Highway 2, as well as providing a connection to three major collectors; Skyline Parkway, Westgate Boulevard and 5th Street East/Vinland Street and it provides access to downtown Proctor and the Bay view Heights neighborhood of Duluth and also to major attractions such as the South St. Louis County Fairgrounds, Spirit Mountain and the Thompson Hill scenic overlook, and

**WHEREAS**, St. Louis County will be conducting a major repaving of Boundary Avenue that could impact traffic, and

**WHEREAS**, the last major Boundary Avenue Corridor Management Plan was completed in July 2004, and

**THEREFORE, BE IT RESOLVED**, a construction moratorium be put in place by the City of Duluth and City of Proctor along Boundary Avenue until a corridor management plan is enacted, and

**RESOLVED FURTHER**, corridor management study be guided by an advisory committee consisting of representatives from the cities of Proctor and Duluth, Minnesota Department of Transportation and St. Louis County to review and analyzed technical data and assisted in the development of recommendations.

Philip G. Larson  
Mayor

Mark Casey  
Administrator

# City of Proctor

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6m  
COUNCILORS  
Jake P. Benson  
Troy R. DeWall  
Gary Nowak  
James R. Schwarzbauer

100 Plank Drive • Proctor, Minnesota 55810-1700 • (218) 624-3641 • Fax (218) 624-9459 • email: cityhall@proctormn.gov

## Resolution 12-18

### **SUPPORTING H.F.925, S.F.876 WLSSD BONDING REQUEST**

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

**WHEREAS**, The City of Proctor located in St. Louis County, State of Minnesota, desires to maintain services throughout the community; and,

**WHEREAS**, Western Lakes Sanitary Sewer District (WLSSD) serves the Proctor, Duluth, Hermantown area in the treatment of wastewater; and,

**WHEREAS**, WLSSD is requesting \$5.28 million to purchase generators to generate electricity from the treatment of wastewater; and,

**WHEREAS**, the generators and the creation of electricity will have environmental benefits and help stabilize treatment rates for Proctor and the area; and,

**WHEREAS**, the improvements will contribute to meeting renewable energy goals for WLSSD and the area; and,

**WHEREAS**, legislation has been introduced through the introduction of H.F.925, S.F.876 to help meet these goals.

**NOW, THEREFORE, BE IT RESOLVED**, The City of Proctor through the City Council and its Mayor does hereby support the legislation as introduced under H.F.925, S.F.876 to assist WLSSD in meeting their goals for the entire area.

Upon vote taken thereon, the following voted:

For:

Against:

Whereupon said Resolution 12-18 was declared duly passed and adopted this 19<sup>th</sup> day of March, 2018

\_\_\_\_\_  
Gary Nowak  
Deputy Mayor

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

Phillip G. Larson  
Mayor

Mark Casey  
Administrator

# City of Proctor

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100 Pionk Drive • Proctor, Minnesota 55810-1700 • (218) 624-3641 • Fax (218) 624-9459 • email: cityhall@proctormn.gov

March 19, 2018

Senator Bakk  
3113 Minnesota Senate Bldg.  
95 University Avenue W  
St. Paul, MN 55155

**RE: Support for Western Lake Superior Sanitary District Generators Bonding Request**

Dear Honorable Senator Bakk,

We write to you today to urge your support for funding for the WLSSD Combined Heat and Power Energy Project: Engine Generators bonding request in 2018 (H.F.925, S.F.876).

Proctor is one of 17 communities served by the Western Lake Superior Sanitary District (WLSSD) regional wastewater treatment plant. Incorporated in 1984, Proctor is located in northeastern Minnesota in St. Louis County adjacent to the cities of Duluth and Hermantown. Proctor prides itself on a sense of community, and is perched overlooking Lake Superior.

In the 2018 legislative session, WLSSD is requesting \$5.28 million to purchase generators to generate electricity using methane-rich biogas produced during wastewater treatment and recapture heat for use in its wastewater facilities. This project has many positive economic and environmental benefits, including stabilizing rates for Proctor's 3,057 residents and many employers. It helps contain costs for future wastewater rates in the region, improves the resiliency of the region's wastewater treatment system and contributes to state and local goals for renewable energy.

Since WLSSD's Combined Heat and Power Energy Project was first introduced in the 2015 legislative session, energy rates have continued to climb. The time has come to provide funding for the purchase of engine generators that will produce clean, renewable energy, support our regional economy and stabilize wastewater rates.

Please support the inclusion of \$5.28 million in the 2018 Legislative Session for the WLSSD Combined Heat and Power Energy Project: Engine Generators.

Sincerely,

Gary Nowak  
Deputy Mayor, Proctor



Phillp G. Larson  
Mayor

Mark Casey  
Administrator

# City of Proctor

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6M  
COUNCILORS  
Jake P. Benson  
Troy R. DeWall  
Gary Nowak  
James R. Schwarzbauer

100 Plonk Drive • Proctor, Minnesota 55810-1700 • (218) 624-3641 • Fax (218) 624-9459 • email: cityhall@proctormn.gov

March 19, 2018

Representative Murphy  
343 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd  
St. Paul, MN 55155

**RE: Support for Western Lake Superior Sanitary District Generators Bonding Request**

Dear Honorable Representative Murphy,

We write to you today to urge your support for funding for the WLSSD Combined Heat and Power Energy Project: Engine Generators bonding request in 2018 (H.F.925, S.F.876).

Proctor is one of 17 communities served by the Western Lake Superior Sanitary District (WLSSD) regional wastewater treatment plant. Incorporated in 1984, Proctor is located in northeastern Minnesota in St. Louis County adjacent to the cities of Duluth and Hermantown. Proctor prides itself on a sense of community, and is perched overlooking Lake Superior.

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Since WLSSD's Combined Heat and Power Energy Project was first introduced in the 2015 legislative session, energy rates have continued to climb. The time has come to provide funding for the purchase of engine generators that will produce clean, renewable energy, support our regional economy and stabilize wastewater rates.

Please support the inclusion of \$5.28 million in the 2018 Legislative Session for the WLSSD Combined Heat and Power Energy Project: Engine Generators.

Sincerely,

Gary Nowak  
Deputy Mayor, Proctor

**ANNUAL TOWNSHIP MEETING****March 2018****PROCTOR CITY COUNCIL TALKING POINTS**

- **St. Louis County Road Construction:** The County will mill and overlay to include Boundary Ave from I-35 to 5<sup>th</sup> Street. Cooperative paving effort with Duluth from 5<sup>th</sup> to 9<sup>th</sup> Street.
- **The City:** Will receive a \$750,000 Local Road Improvement Grant for the reconstruction on 6<sup>th</sup> Street. Almac Drive did not qualify for the grant. Two new officers were hired in 2017. Tom Wick and Nick Moder. Robin Hansen was hired replacing Tammie McDonald as the administrative assistant. Kerry Helquist is the new fire chief.
- **Accountant:** The City's long time accountant Loren Peterson retired and we are looking to fill his position.
- **Arena:** The City is looking to form a committee consisting of representatives from PAHA, School Board, the Fair Board, and City to discuss future use of the old arena. On the new arena, the City has been working with the School Board to help defray some costs such as permitting, public notices.
- **Golf Course:** Management for the golf course went well in 2017 and the school golf coach is looking to use the course more. In addition, some repairs have been made to the train and we are now monitoring the elevation to see if the train is actually sinking.
- **PUC:** Have reached a tentative agreement with Duluth in regards to water rates, which will affect some of the Midway residents. More information to follow.
- **TRAC 7:** Cable Commission is always looking for new ideas as what to broadcast.
- **Community Center:** We have seen an increase in the community room rentals. Sundays from April through mid-September, the community room is booked. Caitlyn Barbour is the new Community Education contact replacing Sherri Amundson.
- **School:** Discussion continues between the City and the School on funding for a School Resource Officer.
- **Website:** New website is up and running. Continually try to add items of substance.

**COUNCIL LETTER**

**FROM:** Jake P. Benson  
City Councilor

**RE:** Property Tax Notice

**RELATED DEPARTMENT GOAL:**

Notification of failure to publish notice

**ACTION REQUESTED:**

Unknown at this time.

**BACKGROUND:**

MS 275.065 (f) Proposed Property Tax ; Notices state: *At the meeting at which a taxing authority, other than a town, adopts its proposed tax levy under this subdivision, the taxing authority shall announce the time and place of any subsequent regularly scheduled meetings at which the budget and levy will be discussed and at which the public will be allowed to speak. The time and place of those meetings must be included in the proceedings or summary of proceedings published in the official newspaper of the taxing authority under section 123B.09, 375.12, or 412.191.*

**RECOMMENDATION:**

Recommendation is pending.

## CITY OF PROCTOR

03/16/18 1:54 PM

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## \*Check Summary Register©

February 2018 to March 2018

Name	Check Date	Check Amt
<b>10100 First National Gen</b>		
Paid Chk# 037000 AMERICAN FAMILY LIFE ASSUR	3/8/2018	\$62.70 AFLAC
Paid Chk# 037001 EQUI-VEST	3/8/2018	\$369.40 EQUITABLE - DEWALL
Paid Chk# 037002 NCPERS MINNESOTA	3/8/2018	\$16.00 MN NCPERS
Paid Chk# 037003 AMERITAS	3/16/2018	\$250.75 VISION INSURANCE
Paid Chk# 037004 BLUE CROSS BLUE SHIELD OF	3/16/2018	\$23,238.20 HEALTH INSURANCE
Paid Chk# 037005 EMC NATIONAL LIFE COMPANY	3/16/2018	\$497.34 LIFE INSURANCE
Paid Chk# 037006 NORTHERN MN DENTAL	3/16/2018	\$1,287.00 DENTAL INSURANCE
Paid Chk# 037007 AMERIPRIDE SERVICES	3/20/2018	\$76.05 TOWELS & MATS
Paid Chk# 037008 BOYSEN, JAY	3/20/2018	\$40.00 TELEPHONE REIMBURSEMENT - FEB
Paid Chk# 037009 CONSOLIDATED COMMUNICATI	3/20/2018	\$381.79 TELEPHONE
Paid Chk# 037010 DAVID FORNERIS	3/20/2018	\$40.00 TELEPHONE
Paid Chk# 037011 GOPHER STATE ONE-CALL	3/20/2018	\$71.55 EMAIL TICKETTS
Paid Chk# 037012 GREAT AMERICA FINANCIAL SV	3/20/2018	\$199.12 KONICA MINOLTA BIZHUB COPIER
Paid Chk# 037013 HANSEN, ROBIN B.	3/20/2018	\$30.90 NOTARY REGISTRATION & MILEAGE
Paid Chk# 037014 HARTEL'S/DBJ DISPOSAL COMP	3/20/2018	\$610.78 TRASH REMOVAL & RECYCLE SERVIC
Paid Chk# 037015 HEDTKE, SALLY	3/20/2018	\$282.60 STATE TOURISM CONFERENCE LUNCH
Paid Chk# 037016 INTEGRATED OFFICE Solutio	3/20/2018	\$271.41 KONICA/C368 EQUIPMENT AGREEMEN
Paid Chk# 037017 JOSHUA RUHNKE	3/20/2018	\$40.00 TELEPHONE
Paid Chk# 037018 LALONDE, RICK	3/20/2018	\$50.00 TELEPHONE
Paid Chk# 037019 LEAGUE OF MINNESOTA CITIES	3/20/2018	\$515.00 MCSC ANNUAL FEE
Paid Chk# 037020 MN CONTINUING LEGAL EDUCA	3/20/2018	\$151.02 MN DWI DESKBOOK 4TH EDITION
Paid Chk# 037021 MN STATE FIRE DEPT ASSOCIA	3/20/2018	\$187.00 2018 MSFDA MEMBERSHIP DUES PRO
Paid Chk# 037022 MOUNTAIN SPIRITS	3/20/2018	\$118.51 CLEAR OUT 2017 FROM OTHER FUND
Paid Chk# 037023 MSR WIRE WORKS	3/20/2018	\$849.74 EQUIPMENT REPAIR
Paid Chk# 037024 NORTHEAST LAW ENFORCEME	3/20/2018	\$75.00 NLEAC MEMBERSHIP RENEWAL
Paid Chk# 037025 PETERSON, LOREN W	3/20/2018	\$1,974.65 ACCOUNTING SERVICES
Paid Chk# 037026 PROCTOR JOURNAL	3/20/2018	\$253.37 ADV FOR VARIOUS BOARDS
Paid Chk# 037027 PROCTOR MILK HOUSE	3/20/2018	\$111.88 POLICE DEPT PONTIAC GS
Paid Chk# 037028 PROCTOR VIDEO/DBA FIELD ST	3/20/2018	\$107.38 TURNOUT GEAR - 4
Paid Chk# 037029 PROCTOR PUBLIC UTILITIES	3/20/2018	\$12,437.19 UTILITIES-GOLF COURSE
Paid Chk# 037030 RANGE PAPER	3/20/2018	\$164.63 MOP KLEENEX TOWEL & FLOOR CLEA
Paid Chk# 037031 SPRINGSTED INCORPORATED	3/20/2018	\$1,400.00 PREPARATION FILING ISSUES FEES
Paid Chk# 037032 THOMSON REUTERS-WEST	3/20/2018	\$99.23 POLICE DEPT INVESTIGATIVE SUIT
Paid Chk# 037033 TROY'S AMOCO	3/20/2018	\$260.99 AIR GUARD SET & GO TPM SYSTEM
Paid Chk# 037034 VERIZON WIRELESS	3/20/2018	\$853.14 TELEPHONE-POLICE DEPT
Paid Chk# 037035 WILLIAM SAMPLE	3/20/2018	\$300.00 LABOR AGREEMENTS
Paid Chk# 037036 WILLIS SUPPLY COMPANY	3/20/2018	\$45.37 PLASTIC LINERS
Paid Chk# 037037 ZIEGLER, INC	3/20/2018	\$769.38 PARTS: EDGES BOLTS NUTS
Total Checks		\$48,289.07

# 8456236 City of Proctor

#21915.42 PR18-04 WH

# 70204.49

## CITY OF PROCTOR

03/16/18 12:43 PM

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## \*Check Summary Register©

March 2018

Name	Check Date	Check Amt	
<b>10110 First National Liq</b>			
Paid Chk# 028159 CITY OF PROCTOR	3/6/2018	\$1,475.71	PR18-04L wh PERA
Paid Chk# 028160 UFCW Local 1189	3/6/2018	\$89.72	UFCW UNION DUES
Paid Chk# 028161 PROCTOR PUBLIC UTILITIES	3/9/2018	\$1,699.05	
Paid Chk# 028162 AMERICAN BOTTLING COMPAN	3/20/2018	\$108.92	
Paid Chk# 028163 ARCTIC GLACIER ICE USA, INC	3/20/2018	\$75.20	
Paid Chk# 028164 BERNICK'S PEPSI	3/20/2018	\$3,499.05	
Paid Chk# 028165 BREAKTHRU BEVERAGE	3/20/2018	\$1,031.01	
Paid Chk# 028166 COCA COLA BEVERAGES OF DU	3/20/2018	\$164.98	
Paid Chk# 028167 JOHNSON BROTHERS INC	3/20/2018	\$4,531.35	
Paid Chk# 028168 MEDIACOM	3/20/2018	\$220.62	
Paid Chk# 028169 MICHAUD DISTRIBUTING COMP	3/20/2018	\$1,935.00	
Paid Chk# 028170 PHILLIPS WINE & SPIRITS CO	3/20/2018	\$2,564.12	
Paid Chk# 028171 ROHLFING INC	3/20/2018	\$3,383.95	
Paid Chk# 028172 SOUTHERN GLAZER'S OF MN	3/20/2018	\$3,835.37	
Paid Chk# 028173 SUPERIOR BEVERAGE	3/20/2018	\$10,192.45	
Paid Chk# 028174 AMERITAS	3/16/2018	\$4.90	VISION INSURANCE
Paid Chk# 028175 BLUE CROSS BLUE SHIELD OF	3/16/2018	\$962.87	HEALTH INSURANCE
Paid Chk# 028176 EMC NATIONAL LIFE COMPANY	3/16/2018	\$41.13	LIFE INSURANCE
Paid Chk# 028177 NORTHERN MN DENTAL	3/16/2018	\$26.95	DENTAL INSURANCE
<b>Total Checks</b>		<b>\$35,823.35</b>	