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, February 5th, 2024

Council Chambers - Community Activity Center - 100 Pionk Drive

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

OTHERS PRESENT

APPROVAL OF MINUTES City Council Meeting minutes from Tuesday, January 16th, 2024

APPROVAL OF AGENDA

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:

*APPROVAL OF CONSENT AGENDA One motion accepts all items listed under this agenda, plus Council can pull any individual items out of this consent agenda and discuss/act on items separately leaving others to be approved via consent agenda action.

*1. COMMUNICATIONS

- A. Membership Renewal in the Minnesota Cities Stormwater Coalition
- B. Regional Safety Group Membership Increase
- C. Dolly Parton Imagination Library February 2024 Sponsorship

*2. PLANNING & ZONING DEPARTMENT MATTER

*3. COMMITTEE REPORTS

A. Tourism Committee Minutes – Jan 22nd, 2024

4.CLERK ADVISES COUNCIL

- A. Agenda Memo
- B. Mixed Use Zoning Update
- C. Pickleball Court Update
- D. Police Retention Efforts Update
- E. 2024 Committees & Commission Updates
- F. Local Board of Appeals Meeting: April 30th, 2024 at 10:00 -11:00 am

5. UNFINISHED BUSINESS

- A. City of Proctor Blight Policy
- B. Legislative Agenda Officer Recruitment and Training Reimbursement

6. NEW BUSINESS

- A. Tourism Committee Sponsorship Recommendation
- B. Resolution 07-24: Gambling Premises Approval
- C. Resolution 08-24 DPSA Gambling Permit Approval
- D. Resolution 09-24: Appointing Election Officials
- E. Resolution 10-24: Pay Equity Report
- F. Resolution 11-24: Accepting a Donation
- G. ISD #704: Parking at 704 Kirkus St

7. CLOSED MEETING PURSUANT to §13D.06 Subd. 1(b)

A. Labor Negotiations - Finance Director and Police Chief Contracts

Rohweder: DeWall: Johnson:

MEMBER CONCERNS

Ward:

Benson:

Attorney Bray:

Chief Gaidis:

BILLS FOR APPROVAL

General: \$ 232,062.35 Liquor: \$ 65,057.41

TOTAL BILLS FOR APPROVAL: \$ 297,119.76

ADJOURNMENT

MINUTES OF THE PROCTOR CITY COUNCIL MEETING JANUARY 16, 2024

Meeting was streamed live on the Trac 7 YouTube channel.

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

Pledge of Allegiance

PRESENT: Mayor Chad Ward, Councilor Troy DeWall, Councilor Rory Johnson, Councilor Jake Benson, Councilor Jim Rohweder

OTHERS PRESENT: Administrator Rich, Attorney John Bray, Administrative Assistant Megan Jordan, Chief Gaidis, Chief Helquist, Sergeant Riebel, Russell Habermann, Phil Larson, Chris Bryant M/S/P: Rohweder/Johnson to approve the City Council minutes from Tuesday, January 2, 2024 with the following corrections: adding Councilor DeWall under Member Concerns and Mayor Ward has been duplicated.

M/S/P: Ward/Benson to approve the agenda for Tuesday, January 16th, 2024, adding the following item:

7B: Attorney Client Privilege

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:

Phil Larson: In attendance at the meeting to address blight concerns at 102 6th St, listing several items in non-compliance. Notes sidewalk infringements, no violations, no tickets for winter parking violations. Attorney Bray states an injunction has been served to the property owner previously discussed.

M/S/P: Johnson/Rohweder to approve the consent agenda for Tuesday, January 16th, 2024 with Councilor Benson asking if any updates are ready for item 5A with Mayor Ward confirming an additional meeting has not been scheduled.

4. Clerk Advises Council

A. 2024 Committee and Commission Appointments

Administrator Rich states applications have been received for the open positions, with recommendations to come to council at a later meeting.

B. MN Department of Health Food Shelf Grant Request

City of Proctor was not an awarded recipient, with Administrator Rich adding additional food shelf improvements have been discussed with food shelf volunteers.

5. UNFINISHED BUSINESS

A. City of Proctor Blight Policy

B. Legislative Agenda – Officer Recruitment and Training Reimbursement

6. NEW BUSINESS

A. Annual Report: Proctor Police Department

M/S/P: Ward/Johnson to approve the 2023 annual report as submitted.

B. Resolution 02-24: Rice Lake Rd Corridor Project Support

M/S/P: Benson/Rohweder to approve Resolution 02-24: Rice Lake Rd Corridor Project Support and accompanying letter as submitted.

C. Resolution 03-24: Purchase of Pursuit Vehicle

M/S/P: Ward/Rohweder to approve Resolution 03-24: Purchase of Pursuit Vehicle as submitted. Discussion: 2024 budgeted funds totaling \$65,000 with the estimate of the buildout equaling approximately \$67,250. Chief Gaidis states EATI is a preliminary bid noting there can be some additional specifics to be removed from the quote to keep within the budgeted amount. With the impending deadline for ordering the vehicle, Chief Gaidis stresses the importance of getting in before the January 24th, 2024 deadline. This vehicle will replace one of the chargers out of service in 2023. Additional discussion follows, noting to increase annual transfer amounts to the Public Safety Fund.

M/S/P: DeWall/Johnson to approve the transfer of sale proceeds from squad vehicles to the Public Safety Fund for the police department.

D. Resolution 04-24: Approving 3rd St Park Final Plan

M/S/P: Rohweder/Johnson to approve Option #2 for the 3rd St Park design.

Councilor Benson brings forward a citizen's observation of adding a bike rack, parking modifications, green space maintenance, pet waste responsibilities, and to leave the park "as-is". Councilor DeWall offers additional suggestions for additional parking spots within the design concept.

Administrator Rich states the design concept has been given to SEH, who has also noted this project would be an LCCMR grant opportunity. Russell Habermann notes design concepts can be modified as needed or necessary. Mayor Ward extends appreciation and gratitude to Russell Habermann and the committee for their efforts in the completion of this phase of the project. Councilor Johnson adds designated handicap parking spots have been included, with gratitude extended to Essentia Health for project correlation and partnership.

E. Resolution 05-24: Fire Department Officer Appointments

M/S/P: Johnson/Benson to approve Resolution 05-24 Proctor Fire Department Officers as submitted.

F. Resolution 06-24: Fire Department Vehicle Purchase

M/S/P: Benson/Rohweder to approve resolution 06-24: Fire Department Vehicle Purchase in the amount of \$518,000.00 as submitted.

Councilor DeWall states this vehicle will replace Engine #2, as Engine #1 is inoperable and requires costly repairs. Engine #2 will be maintained and operable for another 8-10 years, noting another vehicle would need to be purchased at that time. Discussion follows to include vehicle rotation purchases, pumper maintenance, trade-in values, increased call volume, and equipment needs. Chief Helquist provides the council with additional information about purchasing a stock option vehicle, ordering deadlines, price increases, noting the purchase price is \$518,000.00. Further discussion follows to include other equipment needs and purchases for other departments in the city.

Mayor Ward adds the importance of planning for equipment purchases, with Councilor DeWall suggesting an equipment bond purchase combined with grader and loader. The council requests a finance summary and payment proposal, also requests Finance Director Brunfelt to prepare bond and purchasing options prior to the second council meeting in February.

Chief Helquist summarizes the 2023 call volume report, noting the total of 537 calls, including 23 missed medical calls.

M/S/P: Rohweder/DeWall to suspend the regular council meeting and open a closed session pursuant to §13D.06 Subd. 1(b) for labor negotiations and attorney client privilege at 7:01 pm.

7A: CLOSED MEETING PURSUANT to §13D.06 Subd. 1(b)

- A. Employee Contract Negotiation
- B. Attorney Client Privilege

M/S/P: Ward/Rohweder to resume the regular council meeting at 8:16 pm.

MEMBER CONCERNS

Rohweder: Requests a discussion regarding any necessary changes regarding the winter parking

ordinance.
Johnson: None
Benson: None
DeWall: None
Ward: None

Attorney Bray: None Administrator Rich: None

Chief Gaidis: None General: \$101,456.02 Liquor: \$40,893.28

TOTAL BILLS FOR APPROVAL: \$142,349.30

M/S/P: Rohweder/Johnson to approve the bills as submitted.

M/S/P: DeWall/Ward to adjourn the regular council meeting at 8:24 pm.





To: Current MCSC member cities

From: Elizabeth Stout, MCSC Steering Committee Chair and Craig Johnson, LMC

Date: January 1, 2024

Re: Membership renewal in the Minnesota Cities Stormwater Coalition (MCSC)

*1A

Thank you for being one of the more than 120 member cities of the Minnesota Stormwater Coalition (MCSC), a service of the League of Minnesota Cities (LMC). Founded in 2006, MCSC has been successful in advocating for the interests of MS4 cities with the Minnesota Pollution Control Agency (MPCA) and other state regulatory agencies. Our work has resulted in more reasonable and efficient state regulations and stormwater programs. MCSC is an example of how cities, by working together, can share regulations, policy, and programs at the state and national levels.

We are writing today to remind you that your city's annual MCSC membership is due for renewal on January 1, 2024. As an MS4 city and MCSC member, your continued membership, contribution, and input are critical to creating successful outcomes for all regulated cities in Minnesota. MCSC's work is supported by your annual membership and includes the following benefits:

- MS4 permit program implementation, permit compliance, and MPCA audit support.
- Advocacy for commonsense stormwater regulations and fees on behalf of our member cities.
- Legislative engagement, including rulemaking and formal comment submissions on draft permits and regulations, at the state and national levels.
- Support for stormwater research and innovations.

Examples of our 2023 initiatives include:

- Storm Sewer Surcharge Rulemaking. MCSC supported city concerns and led the rulemaking efforts to clarify the State Building and Plumbing Codes with the Minnesota Department of Labor (DLI) and Minnesota Plumbing Board to eliminate redundant and conflicting agency reviews and permitting costs for our member communities following the Board's interpretation and prohibition of storm sewer surcharge on public and private properties.
- Stormwater Capture and Reuse Advocacy. MCSC is an active participant on the Minnesota Department of Health (MDH) stakeholder engagement group and offers MS4 cities the opportunity to voice concerns directly to the Interagency Coordination Team as they continue to develop public safety recommendations for stormwater capture and reuse systems in Minnesota. MCSC believes that these systems are vital in preventing the degradation of our state's surface and groundwater resources as an alternative compliance strategy, with appropriate treatment measures based on sound scientific evidence.
- Member Engagement. This year the MCSC Steering Committee embarked on developing a
 vision and strategic action plan to continue supporting MS4 cities, increase transparency, and
 create meaningful member engagement opportunities. One recent example is the addition of
 MCSC subcommittees that will allow our members to become more active in MCSC advocacy
 efforts related to stormwater reuse, MPCA audits, and outreach.

The MCSC membership annual fee schedule is based on population and has been largely unchanged since 2017. After careful consideration, the MCSC Steering Committee determined it was necessary to implement a one-time 30 percent increase to the annual fee structure, with more moderate annual adjustments in future years to re-establish the MCSC working budget and balance.

MCSC Annual Dues Schedule				
City Population Range	2023 Annual Fee	2024 Annual Fee		
0 - 3,000	\$440	\$570		
3,001 - 6,000	\$560	\$730		
6,001 - 10,000	\$670	\$870		
10,001 - 20,000	\$820	\$1,070		
20,001 - 30,000	\$1,050	\$1,370		
30,001 - 50,000	\$1,340	\$1,740		
50,001 - 100,000	\$1,940	\$2,520		
Saint Paul	\$4,860	\$6,320		
Minneapolis	\$5,940	\$7,720		

The invoice for MCSC annual dues for the period of January 1, 2024, to December 31, 2024, for your city is enclosed. Your participation and membership are essential to keep MCSC's important work moving forward.

As you may already know, 2023 has been a year of change at MCSC, with the retirement of Randy Neprash and Nico Cantarero returning to public service. Randy has been a staple as the MCSC staff person during his tenure since 2006 and will return in an advisory role in 2024 to support MCSC local and national efforts; Nico has graciously agreed to stay involved with MCSC and support the transition to the new MCSC staff person, Katy Thompson.

MCSC has great plans for invigorating its offerings for member cities in 2024. Please look for a 2024 membership survey, regular communications and updates, as well as a new MCSC website. Please consider joining one of the new subcommittees or attending the monthly Steering Committee meetings, held on the first Thursday of each month.

If you have questions about the annual dues or the attached invoice, please contact Craig Johnson at cjohnson@lmc.org. For any MCSC or MS4 related questions, please contact Katy Thompson at katy.thompson@stantec.com.

Thank you,

Elizabeth Stout (City of Minneapolis) MCSC Steering Committee Chair

Clizabeth Stout

(612) 673-5284

elizabeth.stout@minneapolismn.gov

Craig Johnson (League of Minnesota Cities)

League of Minnesota Cities

Craig a. Cohuson

(651) 281-1259

cjohnson@lmc.org



FX: (651) 281-1298

www.lmc.org

TF: (800) 925-1122

January 30, 2024

Dear Regional Safety Group member,

Greetings from the League of Minnesota Cities Insurance Trust Regional Safety Group Program Coordinator Ashley Edwardson. I am writing to inform you that the Board has approved a threeyear contract renewal with the Minnesota Municipal Utilities Association (MMUA) for Regional Safety Group (RSG) trainers. Under the contract terms, the cost of MMUA training meetings will increase from \$1,650 to \$1,732.50 per meeting in 2024 and a 5% increase yearly in 2025 and 2026. LMCIT will continue to pay 55% of the cost, leaving each group to pay the remaining 45%.

The program's cost increase went into effect on January 1, 2024.

The Board believes these cost increases contribute to maintaining the RSG program's reputation as a personalized, top-tier, and affordable training program. Please feel free to contact me if you have any questions about the decision to renew our contract with MMUA.

Sincerely,

Ashley Edwardson 651-281-1268 Aedwardson@lmc.org

Ashley Edwardson

From: Russell Habermann

To: CityHall
Subject: Dolly Parton"s Imagination Library

Date: Dolly Parton's Imagination Library Wednesday, January 31, 2024 1:14:32 PM

Attachments: PosterFeb23.pdf

Hi Megan,

I'm writing to let you know the City of Proctor is our February Month Sponsor for Dolly Parton's Imagination Library in the Proctor School District! I'm so grateful for the City's support; thank you!!

City of Proctor is acknowledged on the mailing labels of 135 books going out to families this month. In addition, we included your logo on our <u>website</u> and will tag you in a Facebook post tomorrow, 2/1.

*1C

If you'd like to celebrate your month sponsorship at City Hall, I also prepared a branded poster (attached) you can print and display if you so choose. If you want me to provide printed color copies, please let me know and I'll drop them off within the week.

Thank you once again for your support of this program!

--

Russell Habermann 218-269-4158 russhabermann@gmail.com





February 2024 Sponsor for Proctor School District:





PROCTOR TOURISM COMMITTEE MINUTES Monday, January 22, 2024 American Hotel

Meeting was called to order by Mary Korich at 3:02 p.m.

Members present were Jake Benson, Bryn Pollard, Mary Korich, and Sally Hedtke. Members absent were Ryan Jones, Mary Nikko, and Duluth Inn & Suites staff. Also present was Amelia Schilla from the Dirt Floor Arena.

Motion by Bryn, seconded by Mary and passed to approve the Minutes of October 23, 2023.

Motion by Mary, seconded by Bryn to approve the Agenda of January 22, 2024.

FINANCIAL BUSINESS

Committee members discussed the 2023 Financial Report, noting that revenue was down the first half of the year, but increased the second half. Members also discussed the challenges with all three hotels undergoing renovations in 2023. Duluth Inn & Suites did not have the Best Western brand and was not on any booking platforms for the first quarter of 2023, and their lodging tax revenue was down substantially. Currently both America's Best Value Inn and Duluth Inn & Suites are planning extensive renovations through 2024, and lodging taxes will be impacted.

The Committee also reviewed the 2024 Budget approved by Council.

Motion by Mary, seconded by Bryn and passed to approve the 2023 Financial Reports.

NEW BUSINESS / EVENTS

Mary Korich gave a report on the 2024 Fair. The dates are July 2-7th. The Fair Association is hiring a security company for the evenings this year. They signed a two-year contract with the carnival and are working on additional events. There will be a printed Fair Book again.

Members discussed the need to have hotel bookings, and because the hotels fill up during the summer and over the July 4th holidays, Mary will let vendors and visitors know that they should book hotel rooms early.

The committee discussed the use of the two soccer fields at the Fair property that can be used for extra trailer parking for vendors and people coming to participate in events.

Mary gave an update on the new 4-H staff and events. She discussed the Arabian horse show and what changes that can be made to that event. The 2024 Speedway contract and events were also discussed. There will be a new event in October this year with a Fall Swap Meet, and about 150 vendors expected.

Mary introduced Amelia Schilla from the Dirt Floor Arena. Amelia gave an update on the activities and events that will be held at the DFA this year. She talked about the Bulls & Barrels Rodeo that was sponsored by Visit Proctor last year, noting that the stands were full, and she received many compliments about the Rodeo. This year she has booked the same rodeo company and they will have a two day rodeo on July 4-5. She will have vendors who will sell products and have demonstrations specifically for those coming for DFA events. Amelia anticipates that the vendors will help pay for a portion of the Rodeo costs.

Mary and Amelia asked that Visit Proctor Tourism again sponsor the Rodeo in 2024. Members noted that there will need to be some hotel stays and that the event will need to become sustainable in the future. Since the event will be two days this year it is possible to get visitors to stay overnight in Proctor. Amelia said that she will promote Proctor businesses in her marketing and plans to start marketing earlier this year.

Motion made by Jake, seconded by Mary and passed to recommend approval for a \$3,000 sponsorship to the Dirt Floor Arena for the 2024 two-day Bulls & Barrels Rodeo.

Meeting was adjourned at 4:21 p.m.



CITY COUNCIL AGENDA DATE: Feb 5th, 2024

TO: City Council

FROM: Tourism Committee	ee	6A
SUBJECT: Event Sponsors	hip	
OTHER:	RESOLUTION:	ORDINANCE:
REQUESTED ACTION:		
Approval of a marke	eting and promotion sponso	orship in the amount
of \$3000.00 for the	Bulls & Barrels Rodeo held	on July 4th/5th, 2024.
BACKGROUND		
	rst Bulls & Barrels Rodeo in 2023. The Tourising grant of \$1,500. An additional \$3,000 wa	
	Rodeo in conjunction with the St. Louis Coun	
two-day rodeo in 2024 during th	ne Fair. A representative from the DFA came	to Tourism and gave an update on
Tourism for sponsorship of the tw	or fair and other funding they will receive to ro-day event. Because the DFA has secured recommended that Council approve a sponso	additional funds in order to sustain
SOURCE OF FUNDS (if applic	able)	_

ATTACHMENT

NONE

NONE



CITY COUNCIL AGENDA DATE: February 5, 2024

TO: City Council

FROM: Admin. Assistant - Megan Jordan

SUBJECT: Raffle Resolutions

other: Resolution 07-24 Gan		ORDINANCE:
REQUESTED ACTION:		
Approval for the Keyboard Lou	unge, LLC 304 3rd Ave to becom	ne a premises for lawful gambling.
BACKGROUND		
Duluth Softball Players	Association would like to	continue to sell pull-tabs
at the new location of	the Keyboard Lounge	

6B

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENT

Resolution 07-24 and application

Chad Ward Mayor

City of Proctor

COUNCILORS Jake P. Benson Troy R. DeWall Rory Johnson James Rohweder

Jess Rich City Administrator

City Clerk

You Have A Place in Proctor

100 Pionk Drive · Proctor, Minnesota 55810-1700 · 218-324-3641 · Fax 218-624-9459 · email: cityhall@proctormn.gov

RESOLUTION 07-24 A RESOLUTION APPROVING LAWFUL GAMBLING PREMISES PERMIT

WHEREAS, the City Council of the City of Proctor allows gambling licenses to be issued within the city;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PROCTOR, MINNESOTA AS FOLLOWS:

The KEYBOARD LOUNGE request for a premises permit at 304 3rd Ave hereby be approved.

Passed by the City Council of Proctor, Minnesota this 5th day of February, 2024

Mayor

Attested:

Annual Fee \$150 (NON-REFUNDABLE)

REQUIRED ATTACHMENTS TO LG214 1. If the premises is leased, attach a copy of your lease. Use LG215 Mail the application and required attachments to: Lease for Lawful Gambling Activity. Minnesota Gambling Control Board 1711 West County Road B, Suite 300 South 2. \$150 annual premises permit fee, for each permit (non-refundable). Roseville, MN 55113 Make check payable to "State of Minnesota." Questions? Call 651-539-1900 and ask for Licensing. ORGANIZATION INFORMATION Organization Name: Duluth Softball Players Assn License Number: 02794 Daytime Phone: 218-348-9931 Chief Executive Officer (CEO) Ronald Heurung Daytime Phone: 218-310-4553 Gambling Manager: Richard McArthur **GAMBLING PREMISES INFORMATION** Current name of site where gambling will be conducted: Keyboard Lounge List any previous names for this location: oreat lakes Auto Street address where premises is located: 304 3rd Ave (Do not use a P.O. box number or mailing address.) Zip Code: City: Township: County: 55810 Proctor St.Louis Does your organization own the building where the gambling will be conducted? If no, attach LG215 Lease for Lawful Gambling Activity. A lease is not required if only a raffle will be conducted. Is any other organization conducting gambling at this site? Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played. Has your organization previously conducted gambling at this site? Don't know GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA Bank Name: Western Bank Bank Account Number: 3048824 Bank Street Address: 201 N Central Ave City: Duluth State: MN Zip Code: 55807 ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES Address (Do not use a P.O. box number): City: State: Zip Code: 1006 N 56th Ave W Duiuth MN 55807 40th Ave W & Superior St. Duluth MN 55807 MN

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

CITY APPROVAL for a gambling premises located within city limits

City Name: CHY of Proctor

Resolution Number: 07-24 (If none, attach meeting minutes.)

Date Approved by City Council:

Signature of City Personnel:

Title: City Administrator Date Signed: 2/5/24

Local unit of government must sign.

COUNTY APPROVAL for a gambling premises located in a township

County Name: ___

Date Approved by County Board: ___

Resolution Number:

(If none, attach meeting minutes.)

Signature of County Personnel:

Title: _____ Date Signed: _____

TOWNSHIP NAME: ____

Complete below only if required by the county.

On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)

Print Township Name: ____

Signature of Township Officer: __

Title: ______ Date Signed: _

ACKNOWLEDGMENT AND OATH

- I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.
- The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.
- I have read this application and all information submitted to the Board is true, accurate, and complete.
- 4. All required information has been fully disclosed.
- 5. I am the chief executive officer of the organization.

- I assume full responsibility for the fair and lawful operation of all activities to be conducted.
- I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.
- Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect.
- I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.
- I understand the fee is non-refundable regardless of license approval/denial.

Signature of Chief Executive Officer (designee may not sign)

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public

information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;

Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format, i.e. large print, braille, upon request.



CITY COUNCIL AGENDA DATE: February 5, 2024

TO: City Council

FROM: Admin. Assistant - Megan Jordan

SUBJECT: Raffle Resolutions

OTHER:	RESOLUTION:	ORDINANCE:
Resolution 08-24 Gamb	oling Permit	
REQUESTED ACTION:		
Approval for the Duluth Softball	Players Association to parta	ke in lawful charitable gambling
at the Keyboard Loung	e, LLC	
BACKGROUND		
Duluth Softball Players A	ssociation would like to	continue to sell pull-tabs
at the new location of the	ne Keyboard Lounge	
SOURCE OF FUNDS (if applicable	<u> </u>	

6C

ATTACHMENT

N/A

Resolution 08-24 and application

Chad Ward Mayor

City of Proctor

COUNCILORS Jake P. Benson Troy R. DeWall Rory Johnson James Rohweder

Jess Rich City Administrator

You Have A Place in Proctor

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Resolution 08-24 Resolution of Non-Objection To Issuance of State of Minnesota Charitable Gambling License

BE IT RESOLVED that the City Council of the City of Proctor hereby certifies that there is no objection to the issuance of a State of Minnesota Charitable Gambling Permit to Duluth Softball Players Association to conduct lawful gambling activities of pull-tabs and tipboards at the Keyboard Lounge, 304 3rd Ave, Proctor, MN 55810.

Passed by a majority vote of the Proctor City Council, this 5 th day of February, 2024.
BY: Chad Ward Mayor
ATTEST:
Jess Rich City Administrator
CORPORATE SEAL
1894

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION		
Organization Name: Duluth Softball Players Assn	Previous Gambling Permit Number: X	
Minnesota Tax ID Number, if any: 2337643 Federal Employer ID Number (FEIN), if any: 41-1617279		
Mailing Address: PO Box 7061		
City: Duluth	State: MN Zip: 55807 County: St. Louis	
Name of Chief Executive Officer (CEO): Ronald	Heurung	
CEO Daytime Phone: 218-348-9931	CEO Email: mac465@hotmail.com (permit will be emailed to this email address unless otherwise indicated below)	
Email permit to (if other than the CEO):		
NONPROFIT STATUS		
Type of Nonprofit Organization (check one): Fraternal Religious	Veterans Other Nonprofit Organization	
Attach a copy of one of the following showing	g proof of nonprofit status:	
IRS toll free at 1-877-829-5500. IRS - Affiliate of national, statewide, o If your organization falls under a parer 1. IRS letter showing your parent organization.	Services Division Secretary of State website, phone numbers: www.sos.state.mn.us 651-296-2803, or toll free 1-877-551-6767	
GAMBLING PREMISES INFORMATIO	N	
Name of premises where the gambling event will (for raffles, list the site where the drawing will take Physical Address (do not use P.O. box): 304 3rd	ke place): Keyboard Lounge	
Check one: City: Proctor	Zip: <u>55810</u> County: <u>St. Louis</u>	
Township:		
Date(s) of activity (for raffles, indicate the date of	zip: County:	
Check each type of gambling activity that your org	ganization will conduct:	
Bingo Paddlewheels	Pull-Tabs Tipboards Raffle	
from a distributor licensed by the Minnesota Gam devices may be borrowed from another organizat	pards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained abling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection tion authorized to conduct bingo. To find a licensed distributor, go to make the List of Licensees tab, or call 651-539-1900.	

LG220 Application for Exempt Permit

CITY APPROVAL for a gambling premises	COUNTY APPROVAL for a gambling premises
The application is acknowledged with no waiting period. The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city). The application is denied. Print City Name:	Iocated in a township The application is acknowledged with no waiting period. The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days. The application is denied. Print County Name: Signature of County Personnel:
Title: Chy Administrato Date: 2/5/24 The city or county must sign before submitting application to the Gambling Control Board. CHIEF EXECUTIVE OFFICER'S SIGNATURE (requestrement of the Board within 30 days Chief Executive Officer's Signature:	ate to the best of my knowledge. I acknowledge that the financial of the event date.
(Signature must be CEO's signature Print Name: Ronald Heurung	re; designee may not sign)
DECLITREMENTS	MATE ADDITION AND ATTACHMENTS
REQUIREMENTS Complete a separate application for: all gambling conducted on two or more consecutive days; or all gambling conducted on one day. Only one application is required if one or more raffle drawings are conducted on the same day. Financial report to be completed within 30 days after the gambling activity is done: A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board. Your organization must keep all exempt records and reports for	MAIL APPLICATION AND ATTACHMENTS Mail application with: a copy of your proof of nonprofit status; and application fac (non refundable). If the application is postmarked or received 30 days or more before the event the application fee is \$100; otherwise the fee is \$150. Make check payable to State of Minnesota. To: Minnesota Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113 Questions?

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board iscuse the permit. When the Board iscuse the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

Office of the Minnesota Secretary of State

Minnesota Nonprofit Corporation/Annual Renewal

Minnesota Statutes, Section 5.34



Annual Renewal Year:

2024

" V or a locus 1449383400027

Annual Renewal Filing Date:

1/22/2024

Nonprofit Corporation Name:

DULUTH SOFTBALL PLAYERS ASSOCIATION, INC.

Original Filing Number:

X-937

Home Jurisdiction:

Minnesota

Filing Party Information:

Party Type:

Name:

Address:

President

Ron J Huerung

713 24TH AVE E SUPERIOR WI 54880 3857

Registered Office Address

825-N 43rd Ave W Duluth MN 55807



Work Item 1449883400027 Original File Number X-937

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
FILED
01/22/2024 11:59 PM

Steve Simon Secretary of State

Oteve Vimm



CITY COUNCIL AGENDA DATE: February 5, 2024

TO: City Council

FROM: Admin. Assistant - Megan Jordan

SUBJECT: Appointing Election Officials 6D

OTHER:	RESOLUTION:	ORDINANCE:
Resolution 09-24 A	Appointing Election Judges	
REQUESTED ACTION:		
Approval of all elec	ction judges for the Presider	ntial Nomination
Primary Election		
BACKGROUND		
Annual resignation	appointing election officials	s as deemed
necessary by the	State of Minnesota	

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENT

Resolution 09-24

Chad Ward Mayor

City of Proctor

COUNCILORS Jake P. Benson Troy R. DeWall Rory Johnson James Rohweder

Jess Rich City Administrator

You Have A Place in Proctor

100 Pionk Drive · Proctor, Minnesota 55810-1700 · 218-324-3641 · Fax 218-624-9459 · email: cityhall@proctormn.gov

Resolution 09-24 APPOINTING ELECTION JUDGES FOR THE 2024 PRESIDENTIAL NOMINATION PRIMARY ELECTION

WHEREAS, the regulations regarding election judges are set by Minnesota Statute §204B.21, Subd.2; and

WHEREAS, election judges for precincts in a municipality shall e appointed by the governing body of the municipality at least twenty-five (25) days before the election at which the election judge will serve; and

WHEREAS, the Presidential Nomination Primary election is to be held on March 5, 2024; and

WHEREAS, election judges are required to perform the election duties for these elections; and

WHEREAS, election judges are to attend the necessary training provided by St. Louis County and the City of Proctor in order to hold the position of election judge.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PROCTOR, MINNESOTA, the following officials and judges are appointed to serve t the discretion of the City Clerk for the March 5th, 2024 Presidential Nomination Primary election should they meet the requirements.

Sharon Van Den Heuvel Mary Larsen Arlene Thygeson Kimberly Parmeter Ardyth Graves Howard Simula DFFICIALS Jessica Rich Mary Jo White Joanne Hammerlund Steve Jonlon Charlese Hathaway James Anderson Howard Simula

Adopted by the City Council of the City of Proctor on the 5th of February 2024.

Approved:

Chad Ward, Mayor

Tess Rich, City Administrator



CITY COUNCIL AGENDA DATE: February 6, 2024

TO: Mayor Ward and City Council

FROM: Administrator Rich

SUBJECT: Pay Equity Compliance	6E
- ay Equity Compilation	
other: _vesoluti Resolution 10-24 - 2024 Pay Equity C	
requested астюм: Approval of Resolution 10-24 - Reso	olution Authroizing Submission
of the City of Proctor 2024 Pay Equity	y Compliance Report.
BACKGROUND	
The Pay Equity Compliance Report is required by the Minnes	sota Local Government Pay Equity Act and is to be
submitted every 3 years to the Employee Relations Division	on of the Department of Management and Budget.
The report was completed before the January 31st deadling	ine but we noted prior to submission that council
approval by resolution is required. We communicated the late	submission to the Department of Management and
Budget and received an extension to submit the resolution. The p	preliminary report findings shows we are in compliance.
SOURCE OF FUNDS (if applicable)	
N/A	

ATTACHMENT

Pay Equity Compliance Report, Interpreting Results of Compliance, Resolution 10-24



Predicted Pay Report for: Proctor

Case: 2023 DATA

						-0-0 0,	•			
Job Nbr	Job Title	Nbr Males	Nbr Females	Non- Binary	Total Nbr	Job Type	Job Points	Max Mo Salary	Predicted Pay	Pay Difference
16	Seasonal Park Worker	2	0	0	2	Male	127	2946.0000	3241.9329	-295.9329
4	Liquor Store Clerk	1	4	0	5	Female	153	2686.0000	3867.8410	-1181.8410
2	Part Time Police Record Coordi	0	1	0	1	Female	162	3547.0000	4084.7063	-537.7063
3	Administrative Secretary	0	1	0	1	Female	169	3696.0000	4253.1642	-557.1642
6	Police Records Manager	0	1	0	1	Female	172	4083.0000	4325.2912	-242.2912
7	Equipment Operator	3	0	0	3	Male	180	4885.0000	4517.9528	367.0472
18	Marketing Director	0	1	0	1	Female	199	4173.0000	5188.6882	-1015.6882
8	Working Street Foreman	1	0	0	1	Male	213	5273.0000	5430.8709	-157.8709
11	Police Officer	6	0	0	6	Male	244	5981.0000	5967.4309	13.5691
10	Finance Director	0	1	0	1	Female	342	6665.0000	5655.2207	1009.7793
12	Liquor Store Manager	1	0	0	1	Male	342	4353.0000	5655.2207	-1302.2207
13	Police Sergeant	1	0	0	1	Male	353	6792.0000	5621.1300	1170.8700
14	Clerk Administrator	0	1	0	1	Female	496	8152.0000	7428.4340	723.5660
15	Chief of Police	1	0	0	1	Male	529	7779.0000	7848.6287	-69.6287

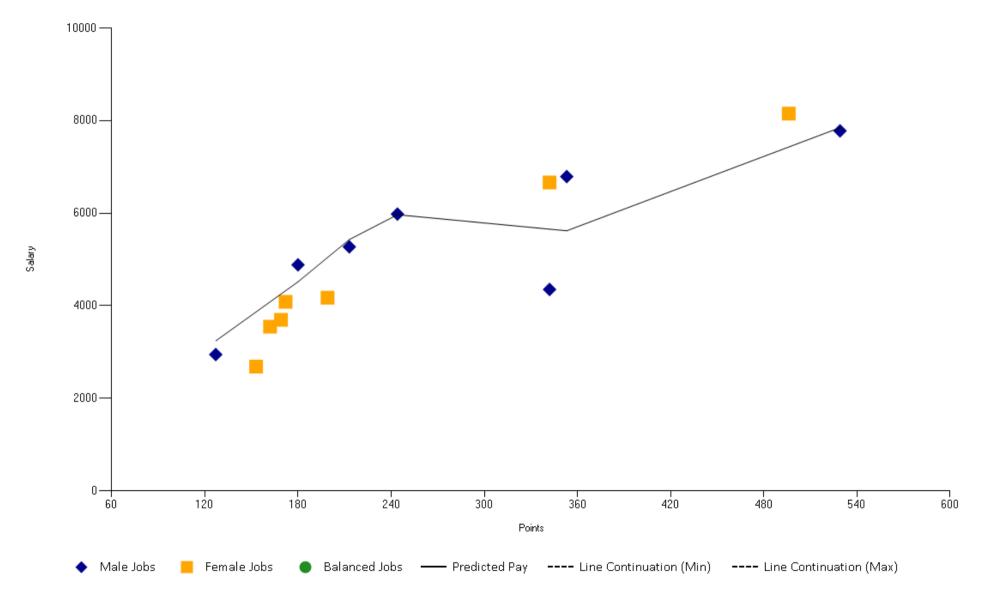
Job Number Count: 14

Page 2 of 2 1/26/2024 3:38:55 PM



Predicted Pay Report for: Proctor

Case: 2023 DATA



Page 1 of 2 1/26/2024 3:38:55 PM



Compliance Report

Jurisdiction: Proctor Report Year: 2024

100 Pionk Drive Case: 1 - 2023 DATA (Private (Jur

Only))

Proctor, MN 55810

Contact: Leslie Brunfelt Phone: (218) 624-3641 E-Mail: lbrunfelt@proctormn.g

ov

The statistical analysis, salary range and exceptional service pay test results are shown below. Part I is general information from your pay equity report data. Parts II, III and IV give you the test results.

For more detail on each test, refer to the Guide to Pay Equity Compliance and Computer Reports.

I. GENERAL JOB CLASS INFORMATION

	Male Classes	Female Classes	Balanced Classes	All Job Classes
# Job Classes	7	7	0	14
# Employees	15	11	0	26
Avg. Max Monthly Pay per employee	5375.33	3976.91		4783.69

II. STATISTICAL ANALYSIS TEST

A. Underpayment Ratio = 80 *

	Male Classes	Female Classes
a. # At or above Predicted Pay	3	2
b. # Below Predicted Pay	4	5
c. TOTAL	7	7
d. % Below Predicted Pay (b divided by c = d)	57.14	71.43

^{*(}Result is % of male classes below predicted pay divided by % of female classes below predicted pay.)

B. T-test Results

Degrees of Freedom (DF) = 24	Value of T = 2.375
Degrees of Freedom (DF) = 24	value 01 1 = 2.373

a. Avg. diff. in pay from predicted pay for male jobs = 15

III. SALARY RANGE TEST = 100.00 (Result is A divided by B)

A. Avg. # of years to max salary for male jobs = 3.00

B. Avg. # of years to max salary for female jobs = 3.00

IV. EXCEPTIONAL SERVICE PAY TEST = 0.00 (Result is B divided by A)

A. % of male classes receiving ESP = 0.00 *

B. % of female classes receiving ESP = 0.00

*(If 20% or less, test result will be 0.00)

b. Avg. diff. in pay from predicted pay for female jobs = -594



Interpreting Results of Compliance Tests

Your jurisdiction is required to pass four tests to be in compliance with pay equity law. For more information about compliance tests, refer to the <u>Guide to Understanding Pay Equity Compliance</u>.

- Completeness and Accuracy Test Report is submitted on time, data is correct, and required information has been provided
- 2. Statistical or Alternative Test- Compares salary data to determine if female classes are paid consistently below male classes of comparable work value (job points). The Minnesota Pay Equity Management System will generate results applying the Statistical Analysis Test. Underpayment ratio results of 80 and above are passing. In some cases, the Alternative Analysis is required and consists of a manual review of the data. Refer to the following page to determine which test applies to your report.
- **3. Salary Range Test** Compares the average number of years required for female classes to move through a salary range consisting of a time-phased step progression to the average number of years required for male classes. Results of 0 or 80 and above are passing scores. (Test does not apply if years to achieve maximum salary are not defined or if salary ranges are not defined).
- **4. Exceptional Service Pay Test** Compares the percentage of female classes receiving longevity or performance pay to the percentage of male classes receiving longevity or performance pay. In noting exceptional service pay, recipients must exceed the maximum salary reported. Results of 0 or 80 and above are passing scores. (Test does not apply if exceptional service pay is not available in your jurisdiction).



Compliance Determination Questionnaire

Answer the questions below to interpret results of a jurisdiction's compliance report. <u>Please note that MMB will make all final compliance determinations</u>, this should be used for informational review purposes only.

- 1. Is the underpayment ratio at or above 80%?
 - A. Yes-Compliance (Go to guestion 4)
 - B. No- Are there 6 or more male classes and at least one class with a salary range?
 - I. YES- Move on to T-test and then go to question 2.
 - II. NO- Use alternative analysis test; go to question 3.
- 2. Is the value of T and degrees of freedom within range according to the t-test table?
 - A. Yes-Compliance (Go to question 4)
 - B. No- Out of compliance (Go to question 4, please note that even if the other tests listed in questions 4 and 5 have passing scores the jurisdiction may still be out of compliance)
- 3. Alternative Analysis Test If the answer is yes to any of the statements below, the jurisdiction may be out of compliance, even if the other tests listed in questions 4 and 5 have passing scores.
 - Is there a female job class with more points and less pay than a male class and the difference cannot be explained by years of service?
 - Is there a female job class with the same points as a male class and less pay and the difference cannot be explained by years of service?
 - Is there a female job class between 2 male classes and the female job class receives less pay than either male class and the difference cannot be explained by years of service?
 - Is there a female class rated lower than all male classes and pay is not reasonably proportionate to points as other classes and the difference cannot be explained by years of service?
 - I. Did you answer yes to any of the questions above?
 - **A.** NO- Compliance, go to question 4
 - **B.** Yes- Jurisdiction may be out of compliance (Go to question 4, please note that even if the other tests listed in questions 4 and 5 have passing scores the jurisdiction may still be out of compliance)



- 4. Is the salary range test 0%, or at or above 80%?
 - A. Yes-Compliance (Go to question 5)
 - B. No- Out of compliance (Go to question 5, Jurisdiction may be out of compliance with pay equity law, even if there is a passing score on a test from a previous question)
- 5. Is the exceptional service pay test 0%, or at or above 80%?
 - A. Yes-Compliance (End)
 - B. No- Out of compliance (Jurisdiction might be out of compliance with pay equity law, even if there is a passing score on a test from a previous question)

Chad Ward Mayor

City of Proctor

COUNCILORS Jake P. Benson Troy R. DeWall Rory Johnson James Rohweder

Jess Rich City Administrator

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100 Pionk Drive · Proctor, Minnesota 55810-1700 · 218-324-3641 · Fax 218-624-9459 · email: cityhall@proctormn.gov

RESOLUTION NO. 10-24 CITY OF PROCTOR, MINNESOTA RESOLUTION AUTHORIZING SUBMISSION OF THE CITY OF PROCTOR 2023 PAY EQUITY IMPLEMENTATION REPORT

WHEREAS, the Local Government Pay Equity Act, passed by the Minnesota Legislature in 1984, requires all public jurisdictions to submit a Pay Equity Compliance Report to the Minnesota Department of Management and Budget; and

WHEREAS, the Pay Equity Law in Minnesota requires that all public jurisdictions eliminate any gender-based wage inequities in compensation; and

WHEREAS, the Pay Equity Law in Minnesota requires that all jurisdictions use a job evaluation system in its pay equity analysis to determine the comparable work value of the work performed by each class of its employees; and

WHEREAS, the Pay Equity Law in Minnesota requires each local government unit to analyze its pay structure for evidence of gender-based pay inequities and to report this information to the Minnesota Department of Management and Budget; and

WHEREAS, City of Proctor is required to submit a Pay Equity Compliance Report once every three years, the next report is due by January 31, 2024; and

WHEREAS, the City of Proctor has accomplished the required Pay Equity analysis and has prepared the required report for submission; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PROCTOR, MINNESOTA, that the City of Proctor 2023 Pay Equity Implementation Report be authorized for submission to the Minnesota Department of Management and Budget.

Adopted by the City Council of the City of Proctor on the 5th day of February 2024.

Approved:

Attested:

That Ward, Mayor

Tess Rich, City Administrator



CITY COUNCII	. AGENDA DATE: 2/5/2024	
то:	Mayor Ward and City Council	
FROM:	Jess Rich, City Administrator	6F
SUBJECT:	Accepting Donation	
OTHER:	<u>X</u> RESOLUTION:	ORDINANCE:
REQUESTED A	ACTION: nation from the Gordon Downs Trust Fund.	
BACKGROUNI		
The Golf Cour	se Advisory Committee reviewed and recommend	ed the request to the Trust.
SOURCE OF F	UNDS (if applicable)	
Golf Course F	und - Sales tax on the utility cart \$750.20	
ATTACHMENT	-	
Resolution 11-24 and Receipt from Gordon Downs Trust Fund		



November 13, 2023

Attn: Jessica Rich
City Administrator - City of Proctor
100 Pionk Drive
Proctor, MN 55810-1700

RE: City of Proctor/Municipal Golf Course

Dear City of Proctor Representative:

Enclosed, please find a check from the Gordon M. Downs Charitable Trust in the amount of \$37,462.53 payable to the City of Proctor. This distribution is to be used to benefit the Proctor Golf Course. The gift is restricted and may be used only to pay for the utility bills from 09/16/2023 to 11/04/2023 in the amount of \$16,573.59 as well as \$20,888.94 for soil, gas tank, mower parts, and a new Yamaha Umax, as described in the receipts provided to us by your office.

By signing below, please acknowledge that the funds will be used for the purpose described above. If you have any questions regarding this matter, please feel free to contact me directly at (218) 625-1255.

Sincerely,

_Aili_E._Ratike,_CT.FA_

Trust Administrator

I acknowledge receipt of a check in the amount of \$37,462.53 from the Gordon M. Downs Charitable Trust to be used for the above described purpose.

City of Proctor

Date

Chad Ward Mayor

City of Proctor

COUNCILORS
Jake P. Benson
Troy R. DeWall
Rory Johnson
James Rohweder

Jess Rich City Administrator

You Have a Place in Proctor

100 Pionk Drive · Proctor, Minnesota 55810-1700 · Phone: 218-624-3641 · Email: cityhall@proctormn.gov

CITY OF PROCTOR RESOLUTION NO. 11-24 RESOLUTION ACCEPTING A DONATION

WHEREAS, The City of Proctor owns and operates a municipal golf course and has course maintenance and equipment needs; and

WHEREAS, the Gordon Downs Trust has agreed to donate funds to the City of Proctor to go toward utility bills, an on-site gas tank, mower parts, and a Yamaha Umax utility cart; and

WHEREAS, The City of Proctor is generally authorized to accept donations or gifts of real and personal property pursuant to Minnesota Statutes Section 10A.071, 211A.01 and 471.895, and is specifically authorized to accept gifts and bequests for services pursuant to Minnesota Statutes Section stated above; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PROCTOR, MINNESOTA, accepts the donation of \$37,462.53 for payment of utility bills, gas tank, mower parts and a Yamaha Umax utility cart.

Adopted by the City Council of the City of Proctor on the 5 th day of January 2024		
Approved:	CORPORATE Attested:AL	
	1894	
Chad Ward, M	ayor Jess Rich, Administrator	



Notice of Public Hearing 6/26/2017

Variance Approval Letter (6/27/2017)

Parking Variance Correspondence (Email 6/20/2017)

Proctor City Council Meeting Minutes (8/11/2017)

Proctor Planning & Zoning Meeting Minutes (6/26/2017)

CITY COUNCIL AGENDA DATE: February 5, 2024 TO: Mayor Ward and City Council FROM: Councilor DeWall **SUBJECT: ISD 704 Parking** X_OTHER: **RESOLUTION: ORDINANCE: REQUESTED ACTION:** Discussion on parking issues at the St. Luke's Event Center **BACKGROUND** Councilor DeWall received an email from a citizen concerned about the parking problems at the St. Luke's Event Center. Variance information attached. Fire Chief Helquist and Police Chief Gaidis have expressed public safety concerns about overflow parking. The Proctor Planning & Zoning Commission noted their concerns at their January 2024 meeting. **SOURCE OF FUNDS (if applicable)** Not applicable **ATTACHMENTS** Variance Application from ISD 704 6/5/2017

CITY OF PROCTOR

APPLICATION FOR VARIANCE

NOTE: BOTH SIDES MUST BE COMPLETED - SITE PLAN MUST BE SUBMITTED

Address of Property 704 KIRK	15	Parcel No	o. 185-0240	-00750
	ow	NER		
Name: ±50 704	Address: 1	HTUEN 18	AVE	
Phone: 212-628 - 4934 City: PR	OCTOR	State: MN	Zip Code:	55810
	APPL	ICANT		
Name:	_Address:			
Phone: City:		_State:	Zip Code:	
Now Zoned: R-1 R-2 R-3 C	-1 C-2	S I (Ci	rcle One)	
Application is hereby made for a varian that the variance applies to) 1002.12	ce as follows	s: (note the Pro	ctor City Code	number
Regumes Brokeson Burnous	TO HAUG	268 DARKEN	2 DUHESS. VA	ndance
RECUEST IS FOR A VARBANCE	or 148 50	ACES THUS P	LICENE 120	SALCES ON SIDE
Attach site plan and variance criteria resto be considered complete. City Staff	sponses on re will review a	everse side of fo	rm must be co	impleted for applic
The owner of this property and the unde and to allow access to said property by It is the applicants/property owners re inspections. Fee: \$ 150.00		to build on thei	2	
Receipt Date:	Ву:	Strice		_
	Date: 6	15/17		_
FOR CITY HALL USE - CHRONOLOGY	+++++	++++++	+++++	+++++
	Date	Ву		
Received by City Offices	61511	MARK!	DASSEY	
Ruled complete	41511			
Published by City Offices (for public hearings)	61511	m 1		
Distributed to: (for review and comment)	4/9/17			
Notice Mailed Applicant	11/9/1	7 m		
Adjacent Property Owners Notified	11/9/1	1 700		
On Planning Commission Agenda	6 246/17	TM		
PLANNIN		SION/ZONING B		7
	20	. /	, 20/	WF 19
The action requested in the foregoing p	etition was:	A	pproved	Disappr
	10	u 9th		
	Planning & Zo	ning Chairperson		

Please note here the unnecessary hardship which causes need for variance (hardship cannot be purely economic) WETLANDS INDICATE STE

Proctor City Code §1002.17 Subd. 6. <u>Variances</u>. To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special condition, a literal enforcement of the provisions of this chapter would result in unnecessary hardship. A variance from the terms of this chapter shall not be granted by the Board of Adjustment unless and until:

- (1) A written application for a variance is submitted demonstrating:
 - (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;

Applicant comments: WGLANK ON THE SITE

(b) That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

Applicant comments: AFFORDABLE DOUGLOS WELL OF FACILITY WHILE
TRYPHE TO CONSTRUCT THE "CORE" BUILDING FOR FUTURE EXPLISION

 (c) That the special conditions and circumstances do not result from the actions of the applicant;

Applicant comments: WETLANDE ARE NOT A RESULT OF

(d) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Applicant comments: NO SPECEAL PRIVIGICE IS GRATED

- (2) Notice of public hearing shall be given as in §1002.19.
- (3) The public hearing shall be held. Any party may appear in person, by agent, or by attorney.
- (4) The Board of Adjustment shall make findings that the requirements of this section have been met by the applicant for variance.
- (5) The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- (6) That Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved or any use expressly or by implication prohibited by the terms of this chapter in said district.

LAKKIDIE	SPACE.	Court					
What is the requ	ired stand	ard(s) or	measureme	ents?			
What standard(s	s) or meas	urement(s	s) are you r	equesti	ng?_ /20	SPAR68	
What constructi a variance?			Aments		and the second s		he need fo
Are there unavoi pluffs or steep s of yes, explain	lopes that	severely	limit your	constru	ction site		
		-	100				
oathroom faciliti		-	100				
Does the archite bathroom facilities NO	es, roof lin	nes or fire	place) sev	erely lin	nit your co	nstruction	options?
NO	is for an red? N	addition,	what mod	ification	as to the e	existing st	options?

Philip G. Larson Mayor

City of Proctor

Mark Casey
Administrator

You

You Have A Place In Proctor

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: cityhali@proctormn.gov

NOTICE OF PUBLIC HEARING City of Proctor Planning and Zoning Commission Monday, June 26, 2017, 5:00pm

Notice is hereby given that the City of Proctor Planning & Zoning Commission will conduct a public hearing to consider the following:

At 5:00 p.m.: An application from ISD #704 for a variance from the City Code 1002.12 Subd. 1, (23), Off-Street Parking and Loading Requirements. In all districts there shall be provided, at the time any building or structure is erected or structurally altered, off-street parking spaces in accordance with the following requirements: Sports arena, stadium, or gymnasium (except school): One parking space for each five seats or seating spaces.

City code would require this building to have 268 parking spaces. ISD #704 is requesting a variance of 148 spaces thus placing 120 parking spaces onsite.

Legal Description:

Parcel 185-0240-00750

Common Property Description:

704 Kirkus Street

NE ¼ of NW ¼ EX RT OF W OF MN POWER & LIGHT CO 22/100 AC & EX RY OF W 3 08/100 ACRES & EX COMM AT NE COR NE ¼ OF NW ¼ OF NW ¼ THENCE SOODEC27'23"e ALONG E LINE 24.07 FT THENCE N73DEG25'53"W81044 FT TO N LINE OF NE ¼ OF NW 1/4 THENCE N89DEG22'50"e ALONG LINE 77.81 FT TO PT OF BEG

The hearing will be conducted (public input taken, Commission discussion and their action to approve or deny this request) by the Proctor Planning & Zoning Commission at a meeting, Monday, June 26, 2017, at the Proctor Community Center, Council Chambers, 100 Pionk Drive. Application, site plan and responses to variance criteria are available at City Hall for inspection. Persons wishing to comment on the variance may do so in person at the hearing, or in writing by addressing their comments to either the City Administrator or Building Official, 100 Pionk Drive, Proctor, or by calling 624-3641 prior to the meeting.

By Order of the Planning & Zoning Commission of Proctor.

Mark Casey

City Administrator

Tammie McDonald

From:

Jamie Pogatchnik

Sent:

Tuesday, June 20, 2017 11:52 AM

To:

Mark Casey

Cc:

kent gaidis; Tammie McDonald

Subject:

Re: Parking Variance

As long as we have a plan for parking for those events. A plan ahead of time would be desired.

Sent from my iPhone

On Jun 20, 2017, at 8:19 AM, Mark Casey <mcasey@proctormn.gov> wrote:

Kent and Jamie,

The school is asking for a variance on the number of parking spaces needed for the new arena. They are required by ordinance to have 240 (due to the estimated number of seats in the arena), and are asking for a variance to only have 120. The reasoning is there may only be one or two events a year that require the need for the 240 spaces. Also stating overflow parking could occur at the park.

Do you have any concerns?

Mark Casey

Administrator City of Proctor

Email: mcasey@proctormn.gov

P: 218-624-3641

Philip G. Larson Mayor

City of Proctor

Mark Casey Administrator

You Have A Place In Proctor

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: cityhali@proctormn.gov

June 27, 2017

ISD #704 Attn: Steve Anderson 131 Ninth Avenue Proctor, MN 55810

RE: Variance approval

Dear Mr. Anderson:

You recently applied for a variance from the City Code 1002.12 Subd. 1, (23), Off-Street Parking and Loading Requirements. In all districts there shall be provided, at the time any building or structure is erected or structurally altered, off-street parking spaces in accordance with the following requirements: Sports arena, stadium, or gymnasium (except school): One parking space for each five seats or seating spaces.

City code would require this building to have 268 parking spaces. ISD #704 is requesting a variance of 148 spaces thus placing 120 parking spaces onsite.

The Proctor Planning and Zoning Board of Adjustment at the June 26, 2017 Planning and Zoning meeting approved the following: To allow a variance 148 parking spaces.

If you have any additional questions, please feel free to contact me.

Sincerely.

Mark Casey

City Administrator

Minutes of the Planning and Zoning Meeting of June 26, 2017 held in the Chambers at the Proctor Area Community Center.

Chairman Aldridge called the meeting to order at 5:00 p.m.

MEMBERS PRESENT Commissioners: Lambert, Tuomi, & Boysen;

Chairman Aldridge

MEMBERS ABSENT Commissioner Harnell

OTHERS PRESENT Mark Casey, City Administrator; Tammie

McDonald; Steve Anderson, ISD #704; Kris Bryant,

ISD #704; Jake Benson

APPROVAL OF MINUTES

Motion by Boysen, seconded by Tuomi and carried: To approve the Planning & Zoning meeting minutes of April 27, 2017.

APPROVAL OF AGENDA

Motion by Lambert, seconded by Tuomi and carried: To approve the June 26, 2017, Planning and Zoning Meeting agenda.

1. PUBLIC HEARING

Notice is hereby given that the City of Proctor Planning & Zoning Commission will conduct a public hearing to consider the following:

At 5:00 p.m.: An application from ISD #704 for a variance from the City Code 1002.12 Subd. 1, (23), Off-Street Parking and Loading Requirements. In all districts there shall be provided, at the time any building or structure is erected or structurally altered, off-street parking spaces in accordance with the following requirements: Sports arena, stadium, or gymnasium (except school): One parking space for each five seats or seating spaces.

City code would require this building to have 268 parking spaces. ISD #704 is requesting a variance of 148 spaces thus placing 120 parking spaces onsite.

Legal Description:

Parcel 185-0240-00750

Common Property Description:

704 Kirkus Street

NE ¼ of NW ¼ EX RT OF W OF MN POWER & LIGHT CO 22/100 AC & EX RY OF W 3 08/100 ACRES & EX COMM AT NE COR NE ¼ OF NW ¼ OF NW ¼ THENCE SOODEC27'23"e ALONG E LINE 24.07 FT THENCE N73DEG25'53"W81044 FT TO

N LINE OF NE $\frac{1}{4}$ OF NW1/4 THENCE N89DEG22'50"e ALONG LINE 77.81 FT TO PT OF BEG

Chairman Aldridge opened the meeting at 5:03 and read the notice aloud.

Steve Anderson and Kris Bryant from ISD #704 spoke about the variance for the new Multi-use arena as they distributed a new site plan to the commissioners. Anderson said that they have tried to create seating on both sides of the arena. He said that an average high school hockey game brings in about 200-300 people. Anderson said they would like to start with 120 parking spots and determine if more are actually needed. Boysen stated that by looking at the new site plan, there are about 155 total spots of paved and unpaved. Aldridge asked what if the commission finds that this isn't enough parking spots. Anderson stated that the plan would have to include looking into the wetland areas. Boysen stated that a youth hockey tournament would host about 90 cars; however the high school game of Proctor vs. Hermantown may need about 150 parking spots.

Motion by Lambert, seconded by Boysen and carried: To close the Public Hearing at 5:50pm.

Motion by Lambert, seconded by Boysen and carried: To approve the Variance Request of 148 parking spaces as presented.

Notice is hereby given that the City of Proctor Planning & Zoning Commission will conduct a public hearing to consider the following:

At 5:00 p.m.: An application from Robert Pederson for a variance from the City Code 1002.03B: Structures and Accessory Buildings requires that an accessory building be a minimum of 10 feet from a main structure and a minimum of 5 feet from any other structure.

Robert Pederson is requesting that his garage be built 7.5 feet from his residence. This would require a variance of 2.5 feet.

Legal Description:

Parcel 185-0085-00270

Common Property Description:

124 S. 1st Avenue Hagen's Addition Westerly 130.1 feet of Lots 6 & &, Block 2

At 6:00pm Chairman Aldridge read the notice aloud. Casey pointed out the sketch that Mr. Pederson submitted with the variance request wishing to put an addition onto the structure. Casey said that there were some misunderstandings when the permit was issued. Boysen agreed, and said that some things were said, but not in writing. Tuomi stated that the 7.5 feet is from wall to wall, not eave to eave. Aldridge said it looks more like 4.5 feet from eave to eave. Boysen said that state building code will allow this but Fire Proofing/Protection must be added to protect the two walls.

Motion by Boysen, seconded by Lambert and carried: To close the Public Hearing at 6:10pm.

Motion by Boysen, seconded by lambert and carried: To approve the variance request as requested provided that Mr. Pederson also place fire Proofing/Protection on the North and West walls; in addition to the ceiling and trusses that go against the existing garage.

2. COMMUNICATIONS

3. BUILDING PERMITS (C-1 and above)

A. 185 Highway 2 – AmericInn Remodel

Boysen stated that AmericInn is using two guest room and making one meeting room. He said that no exterior work is being done and the permit is already approved by Jim Rich.

Motion by Boysen, seconded by Tuomi and carried: To approve the building permit as presented.

4. COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

5. COMMITTEE REPORTS

6. UNFINISHED BUSINESS

A. Zoning Codes Clarification – Primary Structures (projecting sills)

Nothing new to report.

B. Copies of Letters to residents sent by Administration

Casey discussed the letters that were in the packet.

7. NEW BUSINESS

A. Zoning Clarifications (Boysen)

Casey stated that Ordinance wording is to be developed.

B. Annual Stormwater Meeting

Boysen reported that there have been neither issues nor problem with storm water within the city.

C. 818 – 5th Street (Tuomi)

Casey stated that this property owner had been notified previously about the debris in his yard. The yard was cleaned; however, there is now an additional amount of debris building up again. Casey sent the owner a letter asking for it to be cleaned up.

8. BUILDING INSPECTOR REPORT

A. Year to date building/plumbing permits listing

MEMBER CONCERNS

Aldridge asked about the excess cars on the property on St. Louis River Road. Casey stated that a letter has been sent, however the progress may require action by the city attorney.

ADJOURNMENT

Motion by Lambert, seconded by Boysen and carried: To adjourn the Planning & Zoning meeting at 6:35pm.

Minutes of the Special Proctor City Council meeting held on August 11, 2017 in the Community Center Council Chambers

Mayor Phil Larson called the meeting to order at 8:00 a.m.

MEMBERS PRESENT: Councilors Jake Benson, Jim Schwarzbauer, Troy DeWall, and

Gary Nowak; Mayor Philip Larson

OTHERS PRESENT: Mark Casey, City Administrator; Tammie McDonald; David

Brenna; Steve Anderson; Kris Bryant; John Engelking; Nicole

Swanson; Ian Swanson; Joe Ward

1. NEW BUSINESS

A. Consideration Requests to the City from ISD #704

Casey stated that the information provided is an estimate. He also stated that the CAF fee is a figure from WLSSD, and that there has not been a confirmation of costs from MN Energy.

Steve Anderson, ISD #704 said that the goal is to make the requests revenue neutral. Larson stated that the council would make a recommendation for each line item.

1. Public Hearing Fees – Casey stated that there has been one hearing already, with the estimate of one additional hearing to be scheduled.

Motion by Schwarzbauer, seconded by Nowak and carried (5-0): To allow up to \$300 in fees payable toward Public Hearings.

2. Engineering – Casey stated that to-date there is a fee of \$2300 outstanding and most likely there will be an additional review. Benson stated that this is not a fee that would be cost neutral. DeWall asked Casey if there was money in the budget for this fee, and he stated yes we do have a line item in the budget for engineering and there is some funds available.

Motion by Nowak, seconded by Schwarzbauer and carried (4-1, Larson opposed): To forgive up to \$5000 in engineering fees and that any money over that amount is the responsibility of ISD #704.

3. Hook Up Fees – Anderson said that they are asking for the city to waive the \$300 sewer hookup fee, and ask to pay the variable cost of sewer expenses. Casey stated that the school is asking for similar things to what a new business would be asking the City for.

DeWall stated that he is in agreement with the variable cost but would like to re-evaluate after a couple of years. Anderson suggested after 5 years.

Motion by Schwarzbauer, seconded by DeWall and carried: To waive the \$300 sewer hookup fee, and charge the variable cost of sewer fees with the understanding of a reevaluation of this after five (5) years after the opening date.

4. Water & Electric – Larson stated that these are utility issues, however they can make a recommendation.

Motion by DeWall, seconded by Schwarzbauer and carried (5-0): To recommend to the Proctor Public Utility Commission to look at the variable cost and charge that for an undetermined amount of years and then re-assess.

5. Storm Sewer – Anderson stated that it is unknown if the new facility will hook up or not. If so, this would require an engineering cost that the school would be responsible for paying that fee.

Motion by Schwarzbauer, seconded by Nowak and carried (5-0): To allow ISD 704 to explore coming into storm sewer and the associated costs.

- 6. CAF ISD 704 will pay for this fee
- 7. MN Energy Larson stated that there is no natural gas along Kirkus Street and the city has been asking for an estimate from MN Energy. He also stated that it would be advantageous for the city to have the gas hook ups along Kirkus Street. Casey stated that the city can charge a hookup fee through an Ordinance.

Motion by DeWall, seconded by Schwarzbauer and carried (5-0): To look at sharing expenses with ISD 704 to run a main line and possibly impose an Ordinance for future gas hookups.

8. Plowing – David Brenna stated that in past practices, the city let private practices plow their own, and this cost does not reflect the cost of blades, fuel, etc. He stated that as a taxpayer, he would like to see the school take care of the plowing. Casey stated that if this is accepted, a separate contract would be drawn up. Kris Bryant stated that the city has historically plowed the ice arena areas. DeWall said that he would consider this plowing as a public service. Benson said that he would like to see the cost of plowing per each piece of equipment. Jay Boysen said that he thinks the plowing would be a great service that the city could provide. Schwarzbauer said that the museum gets plowed out by the city and they are very grateful.

Motion by Schwarzbauer, seconded by DeWall and carried (5-0): For City Administration to write up a memo of understanding for plowing services at the multi-use facility which includes all additional costs associated with this service.

9. Event Coordinator – Anderson said that they would love to work with the Event Coordinator. Larson stated that no action is required.

10. Permitting – Excavation Permit

Motion by DeWall, seconded by Nowak and carried (5-0): To have the City waive the costs of the excavation permits for both projects.

Building Permits – Larson stated that the fee was based on and estimated project cost of \$8 million. Brenna said that in past practice, fees like this have been waived for businesses. Boysen said that the city has collected plenty of fees in building fees over the years.

Motion by DeWall, seconded by Schwarzbauer and carried (5-0): For the city to forgive the permit fees, for discussion. DeWall amended his motion and Schwarzbauer amended his second, with the understanding that any additional cost incurred by the city will be billed to the school.

ADJOURNMENT

John Engelking thanked the mayor and councilors working as a partnership and for taking the time to meet and discuss these options.

Motion by DeWall, seconded by Nowak and carried: To adjourn the Special Meeting at 9:22 a.m.

Respectfully submitted,	
Philip Larson, Mayor	Mark Casey, City Administrator