

MINUTES OF THE PROCTOR CITY COUNCIL MEETING for February 7, 2022

Meeting was streamed live on the Trac 7 YouTube channel, as well as attendance of up to fifteen members of the public to accommodate for social distancing.

Deputy Mayor DeWall called the meeting to order at 6:00 pm

MEMBERS PRESENT: Deputy Mayor Troy DeWall, Councilor Rory Johnson, Councilor Jake Benson

MEMBERS ABSENT: Mayor Ward, Councilor Rohweder

OTHERS PRESENT: City Attorney John Bray, Chief Kent Gaidis, Megan Jordan, City Administrator Jess Rich, Ted Kiefat, the family of Officer Bradley, Steve Elder, Officer Matt Riebel, Diane Giuliani, Matt Bolf from SEH

Deputy Mayor DeWall called the meeting to order at 6:00 pm. Roll call was performed noting Mayor Ward and Councilor Roweder absent.

Chief Gaidis administered the Oath of Office to Officer Bradley for service to the City of Proctor as a Police Officer.

Motion by Johnson seconded by Benson and carried 3-0 to approve the minutes from Tuesday, January 18<sup>th</sup>, 2022 and the budget working session minutes from Tuesday, January 25<sup>th</sup>, 2022.

Motion by DeWall, seconded by Benson and carried 3-0 to approve the agenda for Monday, February 7<sup>th</sup>, 2022.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

NONE

Motion by Johnson, seconded by Benson and carried 3-0 to approve the consent agenda pulling item \*1D Legislative Action Day for discussion.

Councilor Benson provided information for those interested in attending Legislative Action Day, adding sessions will be completed electronically via Zoom.

**\*1. COMMUNICATIONS**

- A. Mayor Ward's Letter to Hillside Gardens Renter's Coalition
- B. CN CEO Press Release
- C. RSPT Membership Letter
- D. Legislative Action Day

**\*2. PLANNING & ZONING DEPARTMENT MATTER**

**\*3. COMMITTEE REPORTS**

- A. SEH Monthly Meeting Minutes from January 19<sup>th</sup>, 2022
- B. Tourism Committee meeting dates for 2022 approved by committee 01/24/2022
  - Monday, April 25<sup>th</sup> at 3:00 pm
  - Monday, July 25<sup>th</sup> at 3:00 pm
  - Monday, October 24<sup>th</sup> at 3:00 pm
- C. Tourism Meeting Minutes from October 27<sup>th</sup>, 2022
- D. Police Civil Service Meeting Minutes January 6<sup>th</sup>, 2022

**4. CLERK ADVISES COUNCIL**

A. Local Sales Tax

This resolution has been submitted to the state legislature meeting required deadlines. Administrator Rich adds it has been received by the tax committee along with 13 other cities submitting sales tax requests. Administrator Rich continues additional information will be requested by legislators and representatives later. Councilor Benson suggests working in collaboration with the City of Grand Rapids who also submitted a sales tax resolution, will prepare, and submit information for the next council meeting.

B. Utility Rate Increases

Administrator Rich informed the council of the rate increases PUC will be discussing at their next meeting on Monday, February 14<sup>th</sup>. These increases were reflected on the rate study completed in 2017 and are as follows: 0% sewer, 3.75% increase for water, and 5% increase for electric. Council DeWall inquired about the accruing cost of replacing stormwater infrastructure and if this was specifically covered in the completed rate study. He also asked if any consideration of adding a fee to cover repair and replacement costs has been discussed. Administrator Rich answered stating the rate study previously completed did not address any stormwater related rates. She also added the topic has been discussed during monthly meetings with SEH, but a fee schedule has not been determined. An implementations of a fee schedule pertaining to stormwater would be drafted as an ordinance and follow the process pertaining to code change.

C. Code Adoption

Administrator Rich provided an update on the approval process to adopt and accept the new city code. She adds it is nearing completion and will be available for adoption soon. Once approved, the code will be added to the city website for online access.

D. Joint Police Civil Service Commission/City Council Meeting

The Police Civil Service Commission would like to schedule a joint meeting at 5:00 prior to the February 22<sup>nd</sup>, 2022 council meeting.

E. Federal Funding Opportunities

Administrator Rich received an email from Congressman Stauber regarding federal funding requests pertaining to infrastructure improvements. She will be pursuing two funding opportunities, utility extension under I-35 and extension of the Munger Trail Spur.

**5. UNFINISHED BUSINESS**

- A. Lowest Responsible Bidder
- B. Government Data practices
- C. American Rescue Plan
- D. Capital Budget Request

**6. NEW BUSINESS**

**A. SEH Supplemental Letter Agreement**

Matt Bolf stated SEH has been providing engineering services since 2007 with the current supplemental letter agreement expiring in December of 2021. With the recommendation from Administrator Rich, SEH has proposed agreement to continue providing engineering services through December 31<sup>st</sup>, 2023. Rich stated the reasoning of the service extension from a two-year to a three-year agreement will coincide with the previously approved schedule requesting RFP proposals in January of 2024.

Motion by Johnson, seconded by DeWall and carried 3-0 to approve the supplemental letter agreement for engineer services through December 31<sup>st</sup>, 2023 as submitted by SEH Engineering.

**B. Legal Services Contract**

Motion by Benson, seconded by DeWall and carried 3-0 to approve the legal services contract as submitted by Bray & Reed.

**C. Greystone Construction Services Contract**

Matt Bolf presented the information related to construction of the sand/salt shed and contracting services as proposed by Greystone Construction. After discussion, council decided to table the item until the February 22<sup>nd</sup>, 2022 when all council members will be present to vote on the proposal.

Motion by Benson, seconded by DeWall and carried 3-0 to table item 3C until the meeting on February 22<sup>nd</sup>, 2022.

**D. DEED Main Street Revitalization**

No action was taken on this item as the City of Proctor does not meet grant requirements. Administrator Rich stated she will attend the virtual meeting and report if other entities meet grant qualifications.

**E. Tourism Sponsorship**

The Tourism Committee unanimously approved sponsoring the Fair Association in 2022 and recommended City Council to approve sponsorship in the amount of \$8000.00

Motion by Benson, seconded by DeWall and carried 3-0 to accept and approve the sponsorship of \$8000.00 to the fair association as submitted.

**F. Liquor Store Clerks Wage Increase**

The negotiating committee recommended a 1% pay increase for the Non-Affiliated Liquor Store Clerks. A 2020-2022 pay increase of 2% each year was approved prior to the wage reopener and was not revisited when the increase was settled with bargaining units.

Motion by Johnson, seconded by Benson and carried 3-0 to approve the liquor store clerks wage increase as submitted.

**G. Employment Contract – J. Buhs**

The negotiating committee is recommending a 2022 3% pay increases for non-affiliated employee Jessica Buhs. Ms. Buhs began employment with the City of Proctor in November 2020 at which time a 2020-2021 agreement was reached. This contract expired on 12/31/2021.

Motion by Johnson, seconded by DeWall and carried 3-0 to approve the employment contract for Jessica Buhs a submitted.

**H. Jet Loan Agreement**

Previously accepted and renewed annually, the National Museum of the United States Air Force (NMUSAF) has submitted loan agreement with a two-year contract proposal.

Motion by Dewall, seconded by Johnson and carried 3-0 to approve the jet loan agreement as submitted by the NMUSAF.

**I. Resolution 05-22 Equipment Donation**

Acceptance of a Byrna Live Safe Non-Lethal SD self-defense system in the amount of \$399.00 from Dead on Arms is requested by the Proctor Police Department. Chief Gaidis stated training sessions will be completed by Officer Matt Riebel.

Motion by Johnson, seconded by DeWall and carried 3-0 to approve resolution 05-22 accepting the donation of the Byrna SD with a value of \$399.00 as submitted.

**J. Resolution 06-22 Declaring Equipment Surplus**

The continuation of organization and data retention has resulted in the accumulation of miscellaneous items. The inventory of items reflecting minimal value has been submitted with the request for disposal of the items as determined by city staff.

Motion by Benson, seconded by Johnson and carried 3-0 to approve resolution 06-22, declaring equipment surplus as submitted.

**K. Golf Course Management Agreement**

At the completion of the RFP process, the golf advisory board received one application from Jason Klatte. Members of the golf advisory board met and submitted the recommendation to begin the negotiation process with Mr. Klatte. With the approval of the negotiations commencing, the golf board is hopeful to have a signed proposal in place by March 1<sup>st</sup>, 2022.

Motion by Benson, seconded by Johnson and carried 3-0 to approve the recommendation from the golf advisory committee and direct the negotiation committee to begin with Jason Klatte.

MEMBER CONCERNS

Benson: Provides a legislative update regarding elections, state surplus, bill introductions. Requests prioritizing relevant items for support at the state level.

Johnson: Extends gratitude to the golf board and Administrator Rich for their work on completing the management proposal for the Proctor Golf Course. Notes he has both noticed and received compliments for the work on getting the streetlights fixed and working.

Rohweder: Absent

Mayor Ward: Absent

Attorney Bray:

DeWall: Also received compliments on streetlight repairs. Stated the Fairgrounds/Speedway contract is up for renewal and offered suggestions for competing an updated agreement. Requested this to be added as an item on the next agenda. Item to be added on the next agenda.

BILLS FOR APPROVAL

**General: \$226,186.66**

**Liquor: \$36,846.19**

**TOTAL BILLS FOR APPROVAL: \$263,032.85**

Motion by Johnson, seconded by Benson and carried 3-0 to approve the bills as submitted.

Councilor Benson asks for the update on feasibility study completion process by 292 Design Group.

Requests a preliminary report, reflecting concerns with the allotted time frame.

Motion by Johnson, seconded by DeWall and carried 3-0 to adjourn the meeting at 7:00 pm.

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Chad Ward  
Mayor

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Jess Rich  
City Administrator