

MINUTES OF THE PROCTOR CITY COUNCIL MEETING for March 21, 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.

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

MEMBERS PRESENT: Mayor Ward, Councilor Troy DeWall, Councilor Jake Benson, Councilor Rohweder, Councilor Johnson

OTHERS PRESENT: City Attorney John Bray, Chief Kent Gaidis, City Administrator Jess Rich, Ted Kiefat, Megan Jordan, Mary Korich

Motion by Rohweder, seconded by Johnson and carried 5-0 to approve the minutes from Monday, March 7<sup>th</sup>, 2022.

Motion by DeWall, seconded by Benson and carried 5-0 to approve the amended agenda for Monday, March 21<sup>st</sup>, 2022 with the following changes:

Deleting item 4E and adding items:

7A: Negotiating Land Sale

6E: Resolution 12-22 House File 4026 Senate File 3943

6F: Dynamic Duo Quote - Media Rebuild

6G: Reading Code Amendment 1002.03 Subd. 6 Exceptions for Rear Yard – 2<sup>nd</sup> Reading

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

None

Motion by Johnson, seconded by Rohweder and carried 5-0 to approve the consent agenda.

**\*1. COMMUNICATIONS**

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

**\*3. COMMITTEE REPORTS**

A. PEDA Minutes February 8<sup>th</sup>, 2022

B. PUC Minutes December 13<sup>th</sup>, 2022

C. PUC Minutes February 24<sup>th</sup>, 2022

D. Planning & Zoning Minutes January 24<sup>th</sup>, 2022

E. Police Civil Service Joint Meeting March 7<sup>th</sup>, 2022

**4. CLERK ADVISES COUNCIL**

A. Legislative Update

Administrator Rich and Councilor Benson completed testimony on the sales tax proposal, receiving compliments from Representative Murphy. Councilor Benson adds an additional summary of legislative items, adding the deadline for the submission of bills to the house is this Friday, March 25<sup>th</sup>, 2022. Benson proposes the inclusion of city developments added to the bonding bill, noting a

special meeting if necessary. Administrator Rich states she has drafted two requests to the legislature on behalf of the city. These requests include the funding gaps for the Playground for EveryBody project and 9<sup>th</sup>/3<sup>rd</sup> street project. Rich adds Gillette Children's specialty healthcare would also lobby on our behalf. Representative Murphy has stated she will carry the bill forward on our behalf. Administrator Rich adds the request in accordance with the 9<sup>th</sup>/3<sup>rd</sup> st project included a funding request of \$1,000,000.00. Councilor Johnson extends gratitude to Administrator Rich for her initiative with these requests.

#### B. Playground for EveryBody Update

The order has been placed with the hope of breaking ground on the project this August. Administrator Rich is seeking out funding opportunities to cover the shortage of \$10,000 due to the increase in the cost of supplies. Administrator Rich noted speaking with Representative Murphy, and she will also seek out additional local funding sources as well.

#### C. New Boilers

An insurance claim has been submitted to assist with the costs of repair. Prevention measures in the boiler room have also been initiated to ensure an accidental release of the emergency shut off switch can be eliminated. Janitorial supplies and storage have been relocated to decrease activity and admittance into the boiler room.

#### D. Speedway Contract Update

With assistance from the fair association and the new president of the Speedway, an updated management agreement is in progress. A new management agreement wouldn't take effect until taxes payable in 2024. Speedway is beginning the process for the declaration of a 501(c)3, which will assist with language pertaining to property taxes due. At this time, a 2022 agreement has been signed with the intent to proceed with an additional management agreement. Mayor Ward suggests additional conversations with Speedway and the Fair Association to address an additional management agreement.

#### E. Softball Field #1

New developments and information brought previously to the meeting has moved this item to a closed session.

### **5. UNFINISHED BUSINESS**

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

**6. NEW BUSINESS**

**A. South St. Louis County Fair Association Request**

The Fair Association has made many improvements to the facilities. They have requested assistance with some upcoming projects. The 2022 budget allocated \$10,200 for fairground improvements. Administrator Rich and Finance Director Brunfelt recommend giving the Fair Association the discretion to make the building and ground improvements they feel are necessary and to submit paid invoices to the City of Proctor for reimbursement up to the budgeted amount. Motion by Ward, seconded by Rohweder and carried 5-0 to approve the recommendation from Administrator Rich and Finance Director Brunfelt to approve the request from the Fair Association and reimburse expenses to improvements to the facilities and grounds up to the budgeted amount of \$10,200 as submitted.

**B. Proctor Fire Department – Hiring Recommendations**

Hiring recommendations have been received for three new fighter candidates: Anthony Wood, James Bryant, and Kennedy Halvorson.

Motion by Rohweder, seconded by Johnson and carried 5-0 to approve the hiring recommendations contingent upon the hiring committee of the fire department, placing enrollment of members over the allotted 25 for a short time to allow for succession planning pertaining to anticipated vacancies.

**C. Proctor Fire Relief Association By-law Amendment**

The Proctor Fire Department Relief Association Board and membership approved a proposed by-law amendments on February 24, 2022. The approved amendment includes adding language to Section 6, Article II- Membership defining and setting for minimum requirements for “active membership. Council action is needed to approve addition additional language to Article II, Section 6 of the Proctor Fire Department Relief Association By-Laws.

Motion by Benson, seconded by Rohweder carried (5-0) to approve the language addition to the fire relief by-laws as submitted.

**D. Mountain Spirits Cooler Upgrade**

New coolers are needed at the liquor store as the existing cooler and parts are now obsolete. Motion by Johnson, seconded by DeWall to approve the quote from Johnson Controls in the amount of \$19,120.00.

Discussion follows with Councilor DeWall stating the necessary upgrades have been needed for several years. He asks about the benefit of the sale from the previous agreement from the management company of the hotel. DeWall asks if these funds have been allocated to the liquor fund. Administrator Rich confirms the proceeds have been designated to the liquor funds. Additional discussion follows addressing the discrepancies with the differing amounts from the quotes received. Administrator Rich provides clarifying information stating Johnson Control’s analyzed the entire system and installation rather than individual part for part replacements.

**E. Letter of Support for Resolution 12-22 House File 4026 Senate File 3943**

Councilor Benson states this has been discussed for the last few years by the League of MN Cities. This has now gained national attention and action this is a legislative bill to decrease the number of PTSD retirements among police officers.

Motion by Benson, seconded by Ward to approve the letter of support and resolution 12-22 as submitted.

**F. Dynamic Duo – Media Booth**

With the continuation of broadcasting meetings and the potential of resuming rentals, a constructed and secured area will be beneficial in preventing media equipment from getting moved or tampered with from others.

Motion by Benson, seconded by Ward and carried 5-0 to approve the quote from Dynamic Duo in the amount of \$5900.00 as submitted with the cable TV fund to cover the expenses.

**G. Code Amendment 1002.03 Subd. 6 Exceptions for Rear Yard –2<sup>nd</sup> Reading**

Motion by Ward, seconded by DeWall and carried 5-0 to approve the code amendment change as submitted.

**7. PURCHASE OR SALE OF REAL OR PERSONAL PROPERTY Per MN §13d.05, SUBD.3 (C) – CLOSED**

Motion by Johnson, seconded by Rohweder and carried 5-0 to suspend the regular council meeting and open a closed session pertaining to the purchase or sale of real estate at 6:47 pm.

Motion by Rohweder, seconded by DeWall to reconvene the regular council meeting at 7:13 pm.

Noting discussion only with no action taken.

**MEMBER CONCERNS**

Benson: None

DeWall: None

Johnson: None

Rohweder: Inquiry regarding repairs on the curfew horn. Benson Electric has been hired for completion of them.

Mayor Ward: Attended State of the Cities with Hermantown, Rice Lake, Councilor Benson and Administrator Rich

Attorney Bray: None

**BILLS FOR APPROVAL**

**General: \$139,721.60**

**Liquor: \$32,142.91**

**TOTAL BILLS FOR APPROVAL: \$171,864.51**

Motion by Rohweder, seconded by Johnson and carried 5-0 to approve the bills as submitted.

Motion by DeWall, seconded by Ward and carried 5-0 to adjourn the meeting at 7:17 pm.

---

Chad Ward  
Mayor

---

Jess Rich  
City Administrator