

*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, August 1<sup>st</sup>, 2022, 6:00 pm**  
**Council Chambers - Community Activity Center - 100 Pionk Drive**

**CALL TO ORDER**  
**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**

**OTHERS PRESENT**  
**PUBLIC HEARING – 2022 GARBAGE ASSESSMENTS**

**APPROVAL OF MINUTES** City Council Meeting minutes from Monday, July 18<sup>th</sup>, 2022

**APPROVAL OF AGENDA**

**COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:**  
Kathy Hannan – Main Street Rendering/Proposal

**\*APPROVAL OF CONSENT AGENDA** (one Council motion can accept all items listed under this agenda, plus Council can pull any individual items out of this consent agenda and discuss/act on item separately - thus leaving others to be approved via consent agenda action) -

**\*1. COMMUNICATIONS**

**\*2. COMMITTEE REPORTS**

- A. Payroll Reports
- B. Planning & Zoning Minutes, June 27<sup>th</sup>, 2022
- C. PUC Minutes May 16<sup>th</sup> and June 27<sup>th</sup>, 2022
- D. SEH Pre-Construction Meeting Minutes July 19<sup>th</sup>, 2022
- E. PEDDA Minutes June 14<sup>th</sup>, 2022

**3. CLERK ADVISES COUNCIL**

- A. Sand/Salt Storage Update
- B. 2<sup>nd</sup> St Project Update
- C. Playground for Everybody Update
- D. 1-35 Corridor Steering Committee Update
- E. 2022 Primary Elections Tuesday, August 9<sup>th</sup>, 2022, 7:00am-8:00 pm
- F. 2023 Budget Process Update
- G. Softball Field

**4. UNFINISHED BUSINESS**

- A. American Rescue Plan
- B. 2023 Capital Budget Request Proposal
- C. City of Proctor Blight Policy
- D. Purple Heart City Proclamation Designation**

**5. NEW BUSINESS**

- A. Resolution 20-22 Charitable Gambling Permit – Chamber of Commerce**
- B. Ordinance 05-22 Replacing Proctor Municipal Code Chapter 152 – 2<sup>nd</sup> Reading**
- C. Conditional Use Permit – 408 N 3<sup>rd</sup> Ave**
- D. Conditional Use Permit – 510 S Ugstad Rd**
- E. Reimbursement Request**

**MEMBER CONCERNS**

**Benson:**

**DeWall:**

**Johnson:**

**Rohweder:**

**Ward:**

**Attorney Bray:**

**BILLS FOR APPROVAL**

General: \$329,340.66

Liquor: \$43,296.64

**TOTAL BILLS FOR APPROVAL: \$372,637.10**

**ADJOURNMENT**

MINUTES OF THE PROCTOR CITY COUNCIL MEETING for July 18<sup>th</sup>, 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: Councilor Troy DeWall, Councilor Jake Benson, Councilor Jim Rohweder, Mayor Ward, Councilor Rory Johnson

MEMBERS ABSENT: None

OTHERS PRESENT: City Attorney John Bray, City Administrator Rich via telephone, Administrative Assistant Megan Jordan, Kent Gaidis, Ted Kiefat, Leslie Brunfelt, Zach Sharp from WIPFLI,

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

Motion by Ward, seconded by Benson and carried 5-0 to approve the agenda for Monday, July 18<sup>th</sup>, 2022.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

None

Motion by Johnson, seconded by Rohweder and carried 5-0 to approve the consent agenda for Monday, July 18<sup>th</sup>, 2022, pulling item \*1A and \*2B for discussion.

**\*1. COMMUNICATIONS**

A. Q2 Budget Summary

Benson: Extends gratitude and appreciation to Finance Director Brunfelt for her submission report of the city's finances for the second quarter.

**\*2. COMMITTEE REPORTS**

A. Payroll Reports

B. SHE Minutes July 13, 2022

Benson: Clarification of the minutes, parcel, and address of proposed stormwater connections at Home Instead on 3<sup>rd</sup> Ave.

**3. CLERK ADVISES COUNCIL**

A. Playground for EveryBody Update

Equipment delivered to the upper parking lot on Tuesday, July 19<sup>th</sup>, 2022 with installation beginning in late August/early September.

B. SRO Annual Report Update

Mayor Ward states the report was handed out prior to the meeting and will be added to the next agenda for review/presentation.

C. Sand/Salt Shed Update

Pre-Construction meeting will be held on Tuesday, July 19<sup>th</sup> at 1:30 with Veit beginning work on Wednesday and Thursday of this week. Administrator Rich states receipt of the financial disbursements are also on track for this project.

D. 2<sup>nd</sup> St Project Update

SEH is completing a feasibility report and will present to council. After the receipt and approval of the feasibility report, public hearings for proposed assessment amounts will be scheduled for the end of August.

E. Minnesota THC Sales

Administrator Rich states she is working with Chief Gaidis and the LMC for updates and drafted ordinances as information is released.

**4. UNFINISHED BUSINESS**

A. American Rescue Plan

B. 2023 Capital Budget Request Proposal

**5. NEW BUSINESS**

**A. Purple Heart City Proclamation Designation**

Councilor Benson states John Marshall is not able to be in attendance this evening. He presents a summary of the proclamation, along with other participating cities.

Motion by Benson, seconded by Ward with discussion following to accept and proclaim the City of Proctor as a Purple Heart City honoring those who have served in the United States Armed Forces. After a brief discussion, both the motion and the second are rescinded with the decision to place this item on unfinished business for the next meeting.

**B. 2021 Financial Report**

Zach Sharp from WIPFLI presents the 2021 audit findings.

Motion by Benson, seconded by DeWall and carried 5-0 to accept the 2021 financial report as presented.

**C. Police Department – Memorandum of Understanding 2022**

Administrator Rich presents the MOU addressing lifting vacation accruals until the end of the year. Due to officer shortages, this has been approved over the last couple of years allowing for the accrual of vacation to continue.

Motion by Rohweder, seconded by DeWall and carried 5-0 to approve the memorandum of understanding between the City of Proctor and LELS as submitted.

**D. Police Department Hiring Recommendation**

Chief Gaidis and Administrator Rich present current staffing needs of the department. Gaidis adds during the last rounds of hiring, there were two viable candidates and is seeking council approval to hire an eighth officer. Discussion follows including department shortages over the last 20+

years, officer retention, officer burnout, and succession planning. With the department fully staffed at eight officers, the department will be able dedicate an officer to fill the SRO position fully servicing the school district. It is noted the current SRO contract has not been finalized, but negotiations have begun.

Motion by Ward, seconded by Rohweder and carried 5-0 to approve the hiring recommendation of an eighth officer from the Police Civil Service Commission as submitted.

**E. Blight Ride Along 2022**

Mayor Ward and Chief Gaidis completed a blight ride along on July 1<sup>st</sup>, 2022. Mayor Ward highlights grass infringements as the most common, adding the request to draft a new blight policy with city staff.

Motion by Ward, seconded by Rohweder and carried 5-0 to accept the report for blighted addresses as submitted, and begin discussions with the city attorney regarding a new blight policy.

**F. Ordinance 03-22 Adopting 1997 Uniform Building Code, Table No. 1-A – 2<sup>nd</sup> Reading**

Motion by Rohweder, seconded by DeWall and carried 5-0 to approve ordinance 03-22 as submitted.

**G. Ordinance 04-22 Regulating the Storage and transportation of Deicing material – 2<sup>nd</sup> Reading**

Motion by Benson, seconded by Johnson and carried 5-0 to approve ordinance 04-22 as submitted.

**H. Ordinance 06-22 – Pet Waste – 2<sup>nd</sup> Reading**

Motion by Ward, seconded by Rohweder and carried 5-0 to approve ordinance 06-22 as submitted.

MEMBER CONCERNS

Benson: Suggests painting the V-Plow stored at the street department facility, attended the school board meeting where the new super intendent discussed project priorities with the city administrator.

DeWall: None

Johnson: None

Rohweder: Invites everyone to attend the community picnic on Thursday, July 21<sup>st</sup>, 2022 from 4:30-6:30 at St. Rose Church.

Mayor Ward: Law enforcement golf scramble 7/27, Proctor Fair will be starting on July 27<sup>th</sup> and running until July 31<sup>st</sup>.

Attorney Bray: None

Administrator Rich: None

**BILLS FOR APPROVAL**

**General: \$69,368.21**

**Liquor: \$57,482.98**

**TOTAL BILLS FOR APPROVAL: \$126,851.19**

Motion by Rohweder, seconded by DeWall and carried 5-0 to approve the bills as submitted.  
Benson: Asks for clarification of Amazon purchases with Administrator Rich stating the purchases have been for electronic equipment. Councilor Benson also asks Chief Gaidis about the charge per animal for pick up and delivery to Animal Allies. Gaidis will follow-up.

Motion by DeWall, seconded by Ward and carried 5-0 to adjourn the meeting at 7:10 pm.

\_\_\_\_\_  
Chad Ward  
Mayor

\_\_\_\_\_  
Jess Rich  
City Administrator

**City of Proctor**  
**Payroll Summary by Department**

\*2A

Check Date Range      7/22/2022                      to                      7/22/2022

<b>Department</b>	<b>Gross Wages</b>	<b>Overtime Hours</b>	<b>Overtime Wages</b>	<b>Double Overtime Hours</b>	<b>Double Overtime Wages</b>
Council	2,200.00	-	-	-	-
City Admin	7,096.80	-	-	-	-
Finance	2,968.00	-	-	-	-
Police Department	25,292.05	14.00	852.23	-	-
Fire Department	-	-	-	-	-
Street Department	10,594.72	-	-	-	-
Liquor Store	5,944.44	15.00	343.59	-	-
PUC	5,955.80	-	-	-	-
Committees	-	-	-	-	-
Election Judges	-	-	-	-	-
<b>Total</b>	<b>60,051.81</b>	<b>29.00</b>	<b>1,195.82</b>	-	-

**MINUTES**

**PLANNING & ZONING COMMISSION**

Monday, June 27th, 2022, 5:00 P.M.

Council Chambers Proctor Community Center - 100 Pionk Drive

**MEMBERS PRESENT:**

Commissioner Tuomi, Chair Aldridge, Commissioner Boysen, Commissioner Harnell, Commissioner Inman

**OTHERS PRESENT:** City Administrative Assistant Megan Jordan, City Attorney John Bray, Jim Rohweder, Sonni Peterson, Jim Peterson, Jake Benson, Michelle Nephew, John Nephew, Jenae Floerke

Chair Aldridge called the meeting to order at 5:01 pm. Roll call is performed, with all members present

Motion by Boysen, seconded by Harnell and carried 5-0 to approve the minutes from Monday, May 9<sup>th</sup>, 2022.

**PUBLIC HEARING STORMWATER:** Tabled until July meeting. Notice to be re-published in the Proctor Journal.

**APPROVAL OF AGENDA**

Motion by Harnell, seconded Inman and carried 5-0 to approve the agenda for Monday, June 27<sup>th</sup>, 2022.

**1. COMMUNICATIONS**

A.

**2. BUILDING PERMITS (C-1 AND ABOVE)**

Proposed Business: 403 3<sup>rd</sup> Ave

Michelle & John Nephew owner of Atlas Games present their suggested business proposal, recycling plastic products to produce into game pieces/components to be sold online to their establish client base. The building is in a C-1 zoning district and they would like to discuss allowable uses and qualifications for a conditional use permit.

Administrator Rich presents allowable uses/conditional use parameters as noted in C-1 zoning code.

Chair Aldridge also presents downtown developments and encourages the submittal of a conditional use application.

**3. COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT**

Sonni and Jim Peterson are present with questions regarding a letter received discussing the location their fence on their property. At this time, and from observation it appears the fence is located on the city road right of way. Discussion follows regarding follow-up action and possible options. Consulting with the city attorney, he suggests an easement agreement or moving the fence from city property. Chair Aldridge suggests the property owners seek approval from city council regarding the location of the fence. Administrator Rich states she will follow up with property owner and city attorney to come to a resolution.

**4. UNFINISHED BUSINESS**



## **5. NEW BUSINESS**

### **A. Fee Schedule Increase Recommendation**

Administrator Rich presents a summary of building inspections services and proposed changes. City Council has approved Jim Rich to remain as an independent contractor to provide inspection services for the City of Proctor. With the current budget cycle beginning for 2023, it is necessary to increase permit fees to compensate for the increase in expenses. Administrator Rich presents the proposed permit fee increases along with adopting the 1997 UBC schedule of valuation to replace the 1991 UBC schedule currently in use.

Commissioner Harnell presents his research and a summaries of permit fees as charged by Hermantown and Duluth. Commissioner Boysen explains the square footage valuation for assigning pricing in relation to determining permit fees.

Motion by Harnell, seconded by Aldridge and carried (Roll call vote: Harnell Y Inman Y Aldridge Y Boysen Abstain Tuomi N) to recommend to council the approval of the proposed permit fee increase as submitted. The commission would like to note the following from the discussion: Variance fee of \$200.00 instead of \$300.00, specifically noting the City of Hermantown charges \$250.00. Commissioner Boysen also mentions a code change is necessary as the current city code references the 1991 UBC for valuation schedules.

### **MEMBER CONCERNS**

Tuomi: Construction at 730 5<sup>th</sup> St. He asks about the process of inspecting the installation of water and sewer lines during constructions and suggests a better procedure for inspections during initial construction should be implemented. Commissioner Boysen explains the current inspections performed by both the City and PUC. Jim also requests follow-up action is taken on various temporary structures around town.

Boysen: None

Harnell: None

Aldridge: None

Inman: None

Motion by Boysen, seconded by Harnell and carried 5-0 to adjourn the meeting at 6:05.

Minutes of the Proctor Public Utilities Commission meeting held on Monday, May 16, 2022 at 4:00 p.m. in the Council Chambers at Proctor City Hall.

\*2C

The following members were present:

Carol Lind  
Jennifer Cady  
Eric Bingaman

Others who were present:

Charliene Jones, Commission Secretary  
John Bray, PUC Attorney  
Jess Rich, City Administrator

### **APPROVAL OF AGENDA**

Motion by Cady, seconded by Bingaman and carried: To approve the agenda, as presented.

### **APPROVAL OF THE MINUTES OF:**

Motion by Bingaman, seconded by Lind and carried: To approve PUC Regular Meeting minutes of April 11, 2022.

### **APPROVAL OF PAYROLLS OF:**

Tabled. Due to the switch over to the new payroll software system, payroll reports were not available yet.

**DELINQUENT ACCOUNTS** were discussed.

### **CALL FOR COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT**

#### **1. OLD BUSINESS**

A. Water Maintenance Contractor update.

#### **2. NEW BUSINESS**

A. Sand Salt Building & PUC/Public Works Garage update. Project went out for bid but only one bid came back and was way over Engineer's Estimate. It is the recommendation of our engineer to reject the bid, remove the garage from the plans (and re-bid separately in the future), and put the project back out for re-bid with just the sand/salt facility and the site prep work (which includes utilities and slab for future garage).

Motion by Bingaman, seconded by Cady and carried: To reject the bid received and re-bid the project with just the sand/salt facility and the site prep work, but no garage.

B. 2<sup>nd</sup> Street Project from 5<sup>th</sup> Ave to 9<sup>th</sup> Ave was discussed. PUC would like to have watermain looped to 1<sup>st</sup> St and/or 3<sup>rd</sup> St, if possible. PUC has typically paid for street lighting in the past, instead of assessing for it. It is estimated to cost around \$100k for this project.

Motion by Bingaman, seconded by Cady and carried: To pay for the street lighting on the 2<sup>nd</sup> St project, estimated to be about \$100,000.

- C. Locator with GIS capabilities was discussed. This would be useful in locating our curbstops so we can add them to the GIS system.

Motion by Bingaman, seconded by Cady and carried: To request City Administrator Rich to apply for a public safety grant for the locator.

### 3. **REPORT OF OFFICE**

- A. PUC Meter Reader/Water Technician position update.
- B. Booster (Pump) Station was discussed. Delivery of the building is scheduled for 5/18. Still waiting on an updated schedule from USA. We may need to get stronger on USA and send a formal letter to them to preserve our rights and make sure we are prioritized. Possibly one from our attorney?
- C. NEMMPA update was given. No April or May meeting - plan on having a June “catch up” meeting at 11 am on June 15
- D. MMUA Capitol Letter was reviewed.
- E. Tree trimming update. Our Vegetation Manager from Minnesota Power, Rocky, recommended that we get back to trimming both primary and secondary. He was only able to get one bid on the work because two of the companies he typically reached out to for bids have merged into another company. The bid to do both primary and secondary in total came in less than what we budgeted for the year, so that is good.

Motion by Cady, seconded by Bingaman and carried: To approve the bid from Zielies in the amount of \$83,900 for tree trimming both primary and secondary in the orange area (Section B) of the feeder maps.

- F. 2022 Water Break Repairs Construction Plans were reviewed. Water tech and Secretary will review the sites in person and provide SEH any feedback.

### 4. **FINANCIAL STATEMENTS**

- A. The MP power bill was reviewed for April billing.
- B. The SWL&P & MP April maintenance bills were reviewed.
- C. PUC March Income Statements were reviewed.

### 5. **APPROVAL OF BILLS**

- A. The bills listings were reviewed.

Motion by Bingaman, seconded by Cady and carried: To approve the bills presented and on file at the utility office, including all electronic payments for sales tax & payroll payables. Payable checks #019794 thru #019807.

**6. COMMUNICATIONS**

- A. Billing insert on back side of utility bills was discussed.
- B. City Administrator correspondence was discussed.

City recently passed a new Purchasing Policy. Commission would like to see one just for PUC so Commission can keep authorization. City Administrator will work on that.

Electric Vehicle Infrastructure Plan was discussed. Bingaman and Secretary attended a MNDOT web meeting where PUC attendance was requested as one of the potential sites for a federally funded EV Charging Station. More info will be coming.

**7. LABOR & NEGOTIATION ISSUES**

Motion by Bingaman, seconded by Cady and carried: To adjourn the meeting at 5:00 p.m.

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Charliene Jones, Commission Secretary

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Carol Lind, Chair

Minutes of the Proctor Public Utilities Commission meeting held on Monday, June 27, 2022 at 4:00 p.m. in the Council Chambers at Proctor City Hall.

The following members were present:

Carol Lind  
Jennifer Cady  
Eric Bingaman

Others who were present:

Charliene Jones, Commission Secretary  
John Bray, PUC Attorney  
Jess Rich, City Administrator

### **APPROVAL OF AGENDA**

Motion by Cady, seconded by Bingaman and carried: To approve the agenda, as presented.

### **APPROVAL OF THE MINUTES OF:**

PUC Regular Meeting minutes of May 16, 2022 will be brought to next meeting.

### **APPROVAL OF PAYROLLS OF:**

Tabled. We have a new report created, but it just needs some tweaking for PUC.

**DELINQUENT ACCOUNTS** were discussed.

### **CALL FOR COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT**

#### **1. OLD BUSINESS**

A. Water Maintenance Contractor update.

#### **2. NEW BUSINESS**

A. Sand Salt Building Project update. Bid opening took place on June 23<sup>rd</sup>. Veit & Company was low bid and it was recommended by our Engineer to award the project to them. Cady is hesitant to use someone we have no experience with.

Motion by Cady, seconded by Bingaman and carried: To follow our Engineer's recommendation and approve the bid from and award the project to Veit & Company in the amount of \$689,978.00, contingent on City Council approval.

B. 2<sup>nd</sup> Street Project from 5<sup>th</sup> Ave to 9<sup>th</sup> Ave was discussed. SEH is in the process of figuring out the special assessments for the hearing in July.

C. Minnesota Municipal Interconnection Process (M-MIP) was tabled.

#### **3. REPORT OF OFFICE**

A. PUC Meter Reader/Water Technician position update.

B. Booster (Pump) Station was discussed. Building has been delivered and we received Pay App #4. USA is getting us a schedule to completion this

week but it will depend on when Dakota Pump can come and they are waiting on payment.

Motion by Bingaman, seconded by Cady and carried: To approve Pay App #4 in the amount of \$270,750, per Engineer's recommendation, contingent on getting a schedule within the week and a commitment to improved communication.

- C. NEMMPA update was given. June meeting was cancelled. Expect to meet in July. MP's Scope of Work for underground to 436 St Louis River Rd was also reviewed.
- D. MMUA Capitol Letter was reviewed.
- E. Tree trimming update. Our Vegetation Manager from Minnesota Power is working on getting a crew started.
- F. 2022 Water Break Repairs update. SEH has finalized construction plans and created a bid form. Secretary will get bid requests out to 5-6 contractors that we've worked with in the past.
- G. Commission terms were discussed. Commissioner Lind provided a letter of retirement from the PUC Commission effective at her term-end, on August 31, 2022. Congratulations and well wishes were given by all.

#### **4. FINANCIAL STATEMENTS**

- A. The MP power bill was reviewed for May billing.
- B. The SWL&P & MP May maintenance bills were reviewed.
- C. PUC April Income Statements were reviewed. Something seems to be wonky with the report as water looks off. Secretary agreed and will check into it.

#### **5. APPROVAL OF BILLS**

- A. The bills listings were reviewed.

Motion by Bingaman, seconded by Cady and carried: To approve the bills presented and on file at the utility office, including all electronic payments for sales tax & payroll payables. Payable checks #019808 thru #019831.

#### **6. COMMUNICATIONS**

- A. Billing insert on back side of utility bills was discussed.
- B. City Administrator correspondence was discussed.

#### **7. LABOR & NEGOTIATION ISSUES**

Motion by Bingaman, seconded by Cady and carried: To adjourn the meeting at 4:40 p.m.

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Charliene Jones, Commission Secretary

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Carol Lind, Chair



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## PRE-CONSTRUCTION MEETING MINUTES

Date: 7/19/2022

Project Name: Proctor Salt / Sand Shed

SEH Project Number: PROCT 166073

Location: Proctor City Hall

Time: 1:30 p.m.

### In Attendance:

Copies to all in Attendance ([attendance sheet is attached](#))

- I. General Introductions and Attendance List
- II. Project Description – **Grading / Class 5 for Salt / Sand shed, foundations for future garage**
  - A. Contract Completion Date:
    1. **Site Grading and Class 5 to Salt/Sand facility – 8/12/2022**
    2. **Final Completion – 9/23/2022**
      - a. Discussed that the lead times for water piping, manholes and concrete for footings may push the completion date back. It is critical that access and prep is complete by 8/12 for Greystone to install the sand/salt facility.
  - B. Warranty Period: **1 year**
  - C. Liquidated Damages: **\$900 / day**
- III. Contract Requirements
  - A. Execution of Contract – [City to sign after the meeting.](#)
  - B. Contract Bond – [Received](#)
  - C. Certificate of Insurance – [Received](#)
  - D. Notice to Proceed – [SEH will send Notice to Proceed](#)
- IV. Project Personnel
  - A. City of Proctor
    1. City Administrator – **Jess Rich**



2. Public Works (Street/Storm/Sanitary)– **Rick Lalonde / Jay Boysen**
3. Public Utilities (Water/Lighting) – **Pat Casey**
- B. Engineer's Representative
  1. Project Manager – **Tyler Yngsdal**
  2. Resident Project Representative – **TBD**
  3. Lead Surveyor – **TBD**
- C. Contractor's Personnel
  1. Project Manager – [Will Goldsworthy](#)
  2. Project General Superintendent – [Kyle Kruger](#)
  3. Project Foreman – [Josh Kost](#)
  4. Authorized Signature – [Will Goldsworthy](#)
  5. Erosion Control Officer – [Josh Kost / Mike Szafranskii / Joe Martin](#)
- D. Materials Testing – **Testing to be contracted by the City of Proctor**
  1. Testing Company – **Braun Intertec**
  2. Project Manager – **Kyle Warmuth**
  3. Field Personnel – **TBD**
- V. List of Subcontractors – **KTM Paving, HMI (concrete), Parsons Electric, Erosion Control Specialists** - [City has no issues with the subcontractors](#)
- VI. List of Suppliers – **Forterra (precast), Core and Main (pipe), Ess Brothers (Castings), Tenet (fabric)**
- VII. Traffic Control
  - A. Traffic Control Supervisor: [Josh Kost / Mike Szafranskii](#)
  - B. Special Procedures – **Kirkus Street must maintain thru traffic at all times.**
  - C. [Hog Head Breakfast is being held at the Ice Arena – access to the arena shall be maintained.](#)
  - D. [5k Run \(August 20<sup>th</sup> Kirkus will be blocked off from 8:30 to 10:00\) – Kirkus shall remain open for the runners.](#)
- VIII. Health and Safety Plan
  - A. Safety Director: [Jessie Asbose](#)

- B. Onsite Safety Coordinator: [Josh Kost](#)
  - C. Contractor Health & Safety Plan for Project: [Safety Meetings throughout week, trucks hauling sign for additional precaution](#)
  - D. PPE Requirements – **all standard (hard hat, vest, boots, glasses)**
    - 1. Tailgates? [Daily morning tailgates at 7am.](#)
    - 2. Other – [Toolbox talk every week.](#)
  - E. OSHA Visit
    - 1. Any OSHA Visit to be Reported to SEH
- IX. Project Schedule
- A. Bar Chart – **see attached Schedule**
  - B. Start Date – [7/21/22](#)
  - C. Proposed Sequence – [See attached Bar Chart](#)
  - D. Potential Problems – [Private utility conflicts. See Utility Owner section.](#)
  - E. Days per week/Hours per day – [Mon-Fri / 7am-7pm, Some Saturdays to meet august milestone.](#)
- X. Haul Roads- **maintenance and restoration is incidental to project**
- A. Identification – [Kirkus Street both directions from site.](#)
- XI. Field Office - [Pull behind trailer to stay on site. Will have all necessary signs and posters](#)
- XII. Permits
- A. NPDES: Owner – **City of Proctor**; Contractor – **VEIT. Contractor to apply for NPDES permit and provide City with proof of coverage. Will sent the permit to Tyler.**
  - B. Health Department (Water main) – **Permit has been received**
  - C. MPCA Sewer Extension – **Permit has been received and also approved by WLSSD**
  - D. USACE Wetlands – **USACE should be receiving permit early this week**
    - 1. [Contractor shall not disturb any of the proposed wetland impacts until the permit is received. Tyler will forward a copy to the city and Contractor once it is received.](#)
  - E. WCA – **Notice of Decision received from City of Proctor (LGU)**
  - F. Department of Labor and Industry – **approved on 5/12/2022**

- G. MN Power – new service connection – has been applied for and there is a site meeting with MP this Thursday.
- XIII. Blast Plan Submittal – **Blast Plan must be submitted prior to any blasting**
- A. Veit has no blasting expected. Rock is anticipated for the sanitary sewer, but Veit hopes to chip any rock away for this installation.
- XIV. Utilities
- A. Owners
    - 1. Electric – **Minnesota Power** – 3-phase underground discovered for construction locate. SEH will reach out to MN Power about this line and see if there will be conflicts.
    - 2. Telephone – **Century Link** – FO (911 line) runs parallel with the MN Power Easement. This line will likely conflict with proposed grading. A temporary access may need to be made to get the Sand/Salt shed constructed while waiting to move/lower this FO line.
    - 3. Sanitary Sewer – **City of Proctor**
    - 4. Water Main – **Proctor Utilities Commission**
    - 5. Gas – **MN Energy Resources**
    - 6. Fiber Optic – **Paul Bunyan, Northeast Service Coop, Century Link**
      - a. CenturyLink (Lumen) - FO (911 line) runs parallel with the MN Power Easement. This line will likely conflict with proposed grading. A temporary access may need to be made to get the Sand/Salt shed constructed while waiting to move/lower this FO line.
      - b. NESC – FO line running parallel with Kirkus Street. Will have utility crossings during construction.
  - B. Gopher One Call and Utility Notification – Already called and had meeting this morning (7/19)
  - C. Breaks
    - 1. Any Breaks Reported to Proper Agency and SEH
    - 2. Any Gas Breaks – **Call 911.**
- XV. Contract Procedures
- A. Payments to Contractor
    - 1. SEH will Prepare Monthly Partial Estimate – SEH RPR and Veit’s foreman will discuss and compare quantities prior to each pay application being generated.
    - 2. Cutoff date: Wednesday August 10<sup>th</sup> and route for signatures on Thursday August 11<sup>th</sup>.

B. Contract Modifications

1. Change Orders (prices and quantities established) – Contractor shall notify SEH of any changes that may require a change order prior to commencing with the additional work.
2. Process
  - a. Contractor/RPR to Prepare
  - b. SEH Project Manager to Approve
  - c. Owner to Approve
  - d. Contractor to Approve

C. Project Closeout

1. Substantial Completion Letter
2. Punch List
3. IC-134
4. Lien Waivers
5. Record Drawings: SEH and Veit will take record measurements as needed to provide sufficient as-built information on the record drawings.

D. Shop Drawings

1. Approval (**stamp and email to SEH Project Manager**) – Send directly to Tyler
2. Required Shop Drawings
  - a. **Water pipe, valves, hydrants, tracer box and wire**
  - b. **Sanitary Pipe, tracer box and wire**
  - c. **Manholes**
  - d. **Storm sewer**
  - e. **Aggregate submittals**
  - f. **Bituminous mixture**

XVI. Staking - Veit wants a cad file, control (staked out and in cad file), rough grading stakes

**A. Contact SEH RPR**

**B. 48 hour notice required**

**C. Restaking – SEH will provide all staking for the project. Any restaking costs will be withheld from monthly pay estimate.**

XVII. Materials Testing –

- A. Testing Firm – **Braun Intertec**
- B. Tests Performed
  - 1. **Compaction testing**
  - 2. **Proof roll**
  - 3. **Concrete Special Inspections for maintenance garage and Sand/Salt dome (footings, piers, foundation walls)**
  - 4. **Structural Steel**
- C. Copies to Contractor and SEH
- D. Any retesting will be completed at contractor's expense

XVIII. Weekly Progress Meetings

- A. Day and Time: **Tentatively Tuesdays at 2pm**
- B. Location: **On site**

XIX. Miscellaneous

- A. **Air testing manhole during fabrication will not be required due to lead times. This can occur in the field.**
- B. **Greystone is planning to start work at the sand/salt shed mid-August**

Minutes of the Proctor Economic Development Authority Meeting held at 6:00 p.m. Tuesday, June 14, 2022, at the Proctor Area Community Center.

Meeting was called to order by PEDA Chair Madson at 6:03 p.m.

MEMBERS PRESENT: Chair Eric Madson, Commissioner Schwarzbauer, Commissioner Bingaman, Mayor Chad Ward

MEMBERS ABESNT: Commissioner Eric Bingaman

OTHERS PRESENT: City Administrator Jess Rich, City Attorney John Bray

Motion by Mayor Ward, seconded by Commissioner DeWall and carried (4-0) to approve the June 2022 Minutes.

Motion by Commissioner Schwarzbauer, seconded by Mayor Ward and carried (4-0) to approve the agenda.

ECONOMIC DEVELOPMENT- PER MN STATUES 13D05 AND ECONOMIC DEVELOPMENT DATA, AND ATTORNEY CLIENT PRIVILEGE. CLOSED MEETING

Motion by Mayor Ward, seconded by Commissioner DeWall carried (4-0) to close the meeting. (Non-Public by Statute) at 6:06 p.m. Closed meeting audio recorded by PEDA Secretary Jess Rich. Purpose of the closed meeting was to discuss economic development negotiations and data and attorney client privilege with various parties not related to any parcels.

Motion by Mayor Ward, seconded by Chair Madson carried (4-0) to reconvene the regular meeting at 7:05 PM

#### MEMBER CONCERNS

Chair Madson: None

Mayor Ward: None

Commissioner Schwarzbauer: None

Commissioner Bingaman: None

Commissioner DeWall: None

#### ADJOURNMENT

Motion by Mayor Ward, seconded by Chair Madson carried (4-0) to adjourn at 7:06 PM.

Respectfully Submitted: PEDA Secretary, Jess Rich

TO: Mayor, City Council, and City Administrator

FROM: City Council Jake Benson

DATE: July 13, 2020

Council Meeting: July 18, 2020

RE: Purple Heart City

**Purpose:**

Council approve a proclamation authorizing the City to become a Purple Heart City. Proctor also has a Military Kids Club.

John W. Marshall, captain of the Duluth Area Honor Guard and Gulf War veteran, is expected to be at the city council meeting to discuss the proposal.

**Background :**

In August 2017 the City of Proctor received its Yellow Ribbon designation.

The purpose of being a Purple Heart City is to honor military personnel wounded or killed in combat.

The Purple Heart is specifically a combat decoration and it is our nation's oldest military medal. It was first created by General George Washington in 1782 and was known as the Badge of Military Merit. It was first awarded to three soldiers in Newburgh, N.Y. The Badge of Military Merit was made of cloth and it is the predecessor of the Purple Heart medal.

The current Purple Heart medal was developed by General Douglas MacArthur in 1932. The new design was created by Miss Elisabeth Will, an Army heraldic specialist in the Office of the Quartermaster General. The revived form is of metal, instead of perishable cloth, made in the shape of a rich purple heart bordered with gold, with a bust of Washington in the center and the Washington coat-of-arms at the top.

The Purple Heart is awarded to members of the armed forces of the U.S who are wounded by an instrument of war in the hands of the enemy and posthumously to the next of kin in the name of those who are killed in action or die of wounds received in action. The heritage it represents is sacred to those who understand the price paid to wear it.

There are more than 900 Purple Heart locations in the United States,

There are 13 Purple Heart Counties including St. Louis County and 18 cities.

**Budget Impact**

It is believed that there would be little or no budget impact.

**Recommendation**

To adopt the proclamation.

Chad Ward  
Mayor

Jess Rich  
City Administrator

# City of Proctor

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

*You Have A Place In Proctor*

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

## A PURPLE HEART CITY

- WHEREAS;** The City of Proctor in the state of Minnesota has always supported its military veteran population; and
- WHEREAS;** The Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782; and
- WHEREAS;** The Purple Heart was the first American service award or decoration made available to the common soldier and is specifically awarded to members of the United State Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America; and
- WHEREAS;** The mission of the Military Order of the Purple Heart is to foster an environment of goodwill among the combat-wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly – make sure we never forget; and
- WHEREAS;** The City of Proctor has a large, highly decorated veteran population including many Purple Heart recipients; and
- WHEREAS;** The City of Proctor appreciates the sacrifices our Purple Heart recipients made in defending our freedoms and believe it is important that we acknowledge them for their courage and show them the honor and support they have earned.
- NOW** I, Chad Ward, Mayor of the City of Proctor, Minnesota do hereby  
**THEREFORE;** proclaim the City of Proctor as

## A PURPLE HEART CITY

And encourage the citizens of the City of Proctor to show their appreciation for the sacrifices of the Purple Heart recipients have made in defending our freedoms, to acknowledge their courage, and to show them the honor and support they have earned.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the corporate seal of the City of Proctor to be affixed this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Chad Ward, Mayor



**Resolution No. 20-22  
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 the Proctor Chamber of Commerce to conduct a raffle on September 28<sup>th</sup>, 2022 at the Powerhouse Bar Proctor, Minnesota.

Passed by a majority vote of the Proctor City Council, this 1<sup>st</sup> day of August 2022.

BY: \_\_\_\_\_  
Chad Ward  
Mayor

ATTEST: \_\_\_\_\_  
Jess Rich  
City Administrator

ORDINANCE 05-22  
AN ORDINANCE REPLACING PROCTOR MUNICIPAL CODE CHAPTER 152  
CONSTRUCTION SITE AND POST-CONSTRUCTION STORMWATER MANAGEMENT

Chapter 152 of the Proctor Municipal Code shall be replaced in its entirety to read as follows:

**Section 152.01 PURPOSE AND INTENT.**

The purpose of this regulatory mechanism is to set forth minimum requirements for stormwater management that will prevent or reduce water pollution during and after land disturbance activities to safeguard persons, protect property, and prevent damage to the environment in the City of Proctor.

**152.02 DEFINITIONS.**

For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BEST MANAGEMENT PRACTICES or BMP.** Practices to prevent or reduce the pollution of the waters of the state, including schedules of activities, prohibitions or practices, and other management practices, and also includes treatment requirements, operating procedures and practices to control site runoff, spillage or leaks, sludge, or waste disposal or drainage from raw material storage.

**CONSTRUCTION ACTIVITY.** A disturbance to the land that results in a change in the topography, existing soil cover (both vegetative and non-vegetative), or the existing soil topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. This may include clearing, grading, filling, and excavating.

**CITY.** The City of Proctor.

**COMMON PLAN OF DEVELOPMENT OR SALE.** A contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

**DEWATERING.** The removal of surface or ground water to dry and/or solidify a construction site to enable construction activity. Dewatering may require a Minnesota Department of Natural Resources water appropriation permit and, if dewatering water is contaminated, discharge of such water may require an individual MPCA NPDES/SDS permit.

**ENERGY DISSIPATION.** Method employed at pipe outlets to prevent erosion caused by the rapid discharge of water scouring soils.

**EROSION CONTROL MEASURE.** A measure that prevents soil particles exposure and detachment.

**GREEN INFRASTRUCTURE.** A wide array of practices at multiple scales that manages wet weather and that maintains or restores natural hydrology by infiltrating, evapotranspiring, or harvesting and using stormwater. On a regional scale, green infrastructure is the preservation or restoration of natural landscape features, such as forests, floodplains and wetlands, coupled with policies such as infill and redevelopment that reduce overall imperviousness in a watershed. On the local scale, green infrastructure consists of site and neighborhood-specific practices.

**LAND DISTURBANCE.** Any project or activity, including removal of vegetation, excavations, clearing, filling, stockpiling, grading, or other earth change that directly or indirectly affects slopes, water bodies, the moving of ground cover or which may result in the movement of sediment.

**KARST ACTIVE.** A geographic area underlain by carbonate bedrock (or other forms of bedrock that can erode or dissolve) with less than 50 feet of sediment cover.

**MPCA CONSTRUCTION STORMWATER PERMIT.** The most current Minnesota Pollution Control Agency (MPCA) General Permit to Discharge Stormwater Associated with Construction Activity Under the National Pollution Discharge Elimination System State Disposal System Program (NPDES/SDS).

**MUNICIPAL SEPARATE STORM SEWER SYSTEM or MS4.** The conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains owned and operated by the City of Proctor.

**NEW DEVELOPMENT.** All construction activity that is not defined as redevelopment and areas where new impervious is being created.

**OWNER.** includes the plural as well as the singular, and where appropriate shall include a natural person, partnership, firm, association, public, or quasi-public corporation, private corporation, or a combination of any of them, with legal or equitable interest in the parcel of record or as identified on the grading permit.

**RECEIVING WATER.** Any lake, river, stream, or wetland that receives stormwater discharges from the MS4.

**REDEVELOPMENT.** Any construction activity where, prior to the start of construction, the areas to be disturbed have 15 percent or more of existing impervious surface(s).

**SATURATED SOIL.** The highest seasonal elevation in the soil that is in a reduced chemical state because of soil voids filled with water. Evidence of saturated soil is the presence of redoximorphic features or other information.

**SEDIMENT CONTROL MEASURE.** A measure that prevents eroded sediment from leaving the site.

**STORMWATER.** Stormwater runoff, snow melt runoff, and surface runoff and drainage.

**STRUCTURAL STORMWATER BMPS.** Stationary and permanent BMPs designed, constructed, and operated to prevent or reduce the discharge of pollutants in stormwater.

Steep Slopes. Slopes that are 1:3 (V:H) (33.3 percent) or steeper in grade.

**STORMWATER POLLUTION PREVENTION PLAN or SWPPP.** A comprehensive plan developed to manage and reduce the discharge of pollutants in stormwater.

**WATERS OF THE STATE.** All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

### **152.03 APPLICABILITY.**

This ordinance shall apply to all land disturbance and construction activity that disturbs land of equal to or greater than 2,500 square feet, and includes the disturbance of less than one 2,500 square feet of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one 2,500 square feet or as deemed necessary by the City of Proctor to safeguard persons, protect property, and prevent degradation to the environment in the City of Proctor.

### **152.04 REQUIRED GRADING PERMIT.**

The permit authorizes, subject to the terms and conditions of this ordinance, land disturbance and the discharge of stormwater.

(A) Prior to the commencement of any land disturbing activities on lands subject to this ordinance the Owner shall obtain a Grading Permit from the City of Proctor.

(B) The following activities are not required to obtain a Grading Permit:

- (1) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
- (2) Nursery, home gardening, and agricultural operations conducted as a permitted main or accessory use.
- (3) Maintenance work conducted by City of Proctor employees.

### **152.05 GRADING PERMIT PROCESS AND DATA REQUIREMENTS.**

(A) An application and applicable application fee for a grading permit shall be filed with the City of Proctor on an approved form, with accompanying documents, and Stormwater Pollution

Prevention Plan (SWPPP) if required, meeting the requirements set forth in the City of Proctor Stormwater Management Design Standards.

(B) The City of Proctor or City representative will review each application. It is the responsibility of the applicant to meet the provisions of this ordinance and the City of Proctor Stormwater Management Design Standards.

(C) The City of Proctor shall in writing:

- (1) Approve the permit application;
- (2) Approve the permit application subject to such reasonable conditions as may be necessary to substantially secure the objectives of this regulation, and issue the permit subject to these conditions; or
- (3) Disapprove the permit applications, indicating the reason(s) and procedure for submitting a revised application and/or submission.

(D) Each application shall include:

- (1) Application form and fee.
- (2) Project name.
- (3) Project narrative describing type of work and proposed disturbance.
- (4) Address of the proposed land disturbing activities.
- (5) Total acres to be disturbed.
- (6) Name, address, and contact information of the owner and/or developer of the site.
- (7) Name and contact information of consulting firm retained by applicant, if applicable.
- (8) Stormwater Pollution Prevention Plan (SWPPP) if required, meeting the requirements set forth in the City of Proctor Stormwater Management Design Standards.
- (9) Details, plans, specifications, calculations, and any other documentation needed to verifying compliance with this ordinance and the City of Proctor Stormwater Management Design Standards.
- (10) Private Stormwater BMP Maintenance Agreement, if applicable.

## **152.06 MAINTENANCE OF STRUCTURAL BMPS.**

Any structural BMPs which are designed and installed to meet the Post-construction Stormwater Management Requirements set forth in the City of Proctor Stormwater Management Design Standards shall meet the following requirements:

*(A) Private Facilities:*

(1) A permanent public easement shall be provided to the City for access for inspection and/or maintenance purposes. Costs incurred by the City for any maintenance of private systems will be billed and/or assessed to the owner/operator.

(2) The owner shall enter into a Maintenance Agreement with the City of Proctor. The agreement shall include as an attachment a maintenance plan which identifies and defines inspection and maintenance responsibilities. Agreements are transferrable to any party that becomes the owner/operator of the site.

(3) If site configurations or structural stormwater BMPs change, causing decreased BMP effectiveness, new or improved structural stormwater BMPs must be designed and implemented to meet the requirements of the set forth in the City of Proctor Stormwater Management Design Standards for Post-construction Stormwater Management. New and/or improved BMP design information and plans must be submitted to the City of Proctor for review and approval.

*(B) Public Facilities.* A permanent public easement shall be provided to the City for access for inspection and/or maintenance purposes prior to final acceptance of the project.

## **152.07 INSPECTION & FEES.**

(A) The City of Proctor or City representative shall review all documents and material submitted showing compliance with this ordinance and the City of Proctor Stormwater Management Design Standards. The costs associated with the review process, including but not limited to, staff hours, engineering fees, administrative tasks, reproductions and other expenses associated with the review, shall be charged back to the applicant, including any follow-up reviews for incomplete or non-compliant submittals.

(B) The City of Proctor or City representative may make inspections during the construction and land disturbance activity. Upon inspection the City of Proctor shall notify the permittee wherein the work fails to comply with this ordinance or the site-specific Stormwater Pollution Prevention Plan as approved.

(C) The permitted or his/her agent shall make regular inspections of the property, construction activity, land disturbance activity in accordance with this ordinance and the site-specific Stormwater Pollution Prevention Plan as approved. All inspections shall be documented in written form and made available upon request to the City of Proctor or City representative.

(D) The City of Proctor or City representative shall be allowed access to enter the property of the applicant as deemed necessary to make inspections to ensure the validity and compliance with this ordinance and the site-specific Storm Water Pollution Prevention Plan as approved.

(E) See Schedule of Charges and Fees for associated fees.

#### **152.08 FINANCIAL SECURITY.**

The City of Proctor may require at their discretion the submittal of a letter of credit or other financial security in a form acceptable to the City in the amount of 150% of the total estimated construction cost of the stormwater management systems.

#### **152.09 ENFORCEMENT.**

(A) *Violations.*

(1) It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

(2) In the event the violation constitutes an immediate danger to public health or public safety, the City of Proctor is authorized to enter upon the subject private property, without giving prior notice, to take all measures necessary to abate the violation and/or restore the property. The City of Proctor is authorized to seek costs of the abatement as outlined in Section 152.16.

(B) *Warning Notice.* When the City of Proctor finds that any person has violated, or continues to violate, any provision of this ordinance, or any order issued hereunder, the City of Proctor may serve upon that person a written Warning Notice, specifying the particular violation believed to have occurred and requesting the violator to immediately investigate the matter and to seek a resolution whereby any offending violation will cease. Investigation and/or resolution of the matter in response to the Warning Notice in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the Warning Notice. Nothing in this subsection shall limit the authority of the City of Proctor to take any action, including emergency action or any other enforcement action, without first issuing a Warning Notice.

(C) *Notice of Violation.*

(1) Whenever the City of Proctor finds that a person has violated a prohibition or failed to meet a requirement of this ordinance, the City of Proctor may order compliance by written notice of violation to the responsible person.

(2) The Notice of Violation shall contain:

(a) The name and address of the alleged violator;

(b) The address when available or a description of the building, structure or

land upon which the violation is occurring, or has occurred;

(c) A statement specifying the nature of the violation;

(d) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;

(e) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;

(f) A statement that the determination of violation may be appealed to the City of Proctor by filing a written notice of appeal within 30 days of service of notice of violation; and

(g) A statement specifying that, should the violator fail to restore compliance within the established time schedule, the work will be done by a designated governmental agency, or a contractor and the expense thereof shall be charged to the violator.

(3) Such notice may require without limitation, at their own expense:

(a) The performance of monitoring, analyses, and reporting;

(b) The elimination of the violation(s);

(c) That violating discharges, practices, or operations shall cease and desist;

(d) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;

(e) Payment of a fine to cover administrative and remediation costs; and

(f) The implementation of source control or treatment BMPs.

#### **152.10 COSTS.**

In addition to the other penalties provided herein, the City may recover engineering fees, court costs, court reporter's fees, attorney fees, and other expenses of litigation or enforcement by an appropriate action against the person or entity found to have violated this ordinance or the orders, rules, regulations, and permits issued hereunder.

#### **152.11 STOP WORK ORDER.**

*Revocation of Permit.* In the event that any person holding a grading permit pursuant to this ordinance violates the terms of the permit and is found non-compliant with the permit or implements site development construction practices in such a manner as to materially adversely



affect the health, welfare, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the City of Proctor may suspend or revoke the grading permit. The City shall notify the owner in writing with a notice of violation of the approved Grading Permit to remove such conditions or remedy such defects. Such notice shall require the owner to remove or abate said violations within forty-eight (48) hours of notification.

#### **152.12 CIVIL PENALTIES.**

In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten (10) days, or such greater period as the City of Proctor shall deem appropriate, after the City of Proctor has taken one or more of the actions described above, the City of Proctor may impose a penalty not to exceed \$ 1,000.00 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

#### **152.13 CRIMINAL PENALTIES.**

Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$ 1,000.00 or by imprisonment for not to exceed ninety (90) days or both.

#### **152.14 APPEAL OF NOTICE OF VIOLATION.**

Any person receiving a Notice of Violation may appeal the determination of the City of Proctor. The notice of appeal must be received within thirty (30) days from the date of the Notice of Violation, except in the instance where a Stop Work Order is issued as described in Section 152.11, then the notice of appeal must be received within two (2) days from the date of the Stop Work Order Hearing on the appeal before the appropriate authority or his/her designee shall take place within thirty (30) days from the date of receipt of the notice of appeal. The decision of the municipal authority or their designee shall be final.

#### **152.15 ENFORCEMENT MEASURES AFTER APPEAL.**

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within two (2) days of the decision of the municipal authority upholding the decision of the City of Proctor, then representatives of the City of Proctor shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

#### **152.16 COST OF ABATEMENT OF THE VIOLATION.**

(A) Within forty-five (45) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file

a written protest objecting to the amount of the assessment within thirty (30) days. If the amount due is not paid within a timely manner as determined by the decision of the municipal authority or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

(B) Any person violating any of the provisions of this article shall become liable to the City of Proctor by reason of such violation. The liability shall be paid in not more than twelve (12) equal payments. Interest at the rate of eight (8) percent per annum shall be assessed on the balance beginning on the first day following discovery of the violation.

**152.17 VIOLATIONS DEEMED A PUBLIC NUISANCE.**

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

**152.18 REMEDIES NOT EXCLUSIVE.**

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the City of Proctor to seek cumulative remedies. The City of Proctor may recover all attorney's fees court costs and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

Ordinance declared adopted this \_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk/Administrator

First Reading:

Second Reading:

Published Proctor Journal:

# City of Proctor

## STORMWATER MANAGEMENT DESIGN STANDARDS

Version 2.0  
2022

### **Goals and Purpose:**

The general purpose of this design guide is to establish regulatory requirements for land disturbing and construction activities to help safeguard persons, protect property, and prevent damage to the environment in the City of Proctor. The goal is to establish requirements that will:

- 1) Assist in meeting the City's NPDES/SDS Municipal Separate Storm Sewer System (MS4) and Construction Stormwater General Permit requirements, set forth by the MPCA.
- 2) Protect life and property from dangers associated with flooding.
- 3) Protect public and private property and natural resources from damage resulting from stormwater runoff and erosion.
- 4) Provide a single, consistent set of performance goals that apply to all developments.
- 5) Establishing erosion and sediment control and waste control requirements for land disturbance activities within the jurisdiction of the City Proctor.
- 6) Establishing post-construction stormwater management requirements to prevent or reduce water pollution after land disturbing activity is complete.
- 7) Promote infiltration and ground water recharge.
- 8) Protect functional values of all types of natural water bodies.

### **Compatibility with other Regulations:**

The standards set forth in this document are not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The standards of this document are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of these standards imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

### **Ultimate Responsibility:**

The standards and requirements set forth herein and promulgated pursuant to these requirements are minimum standards; therefore, these requirements do not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, or unauthorized discharge of pollutants.

## Definitions:

“Best Management Practices” or “BMP” means practices to prevent or reduce the pollution of the waters of the state, including schedules of activities, prohibitions or practices, and other management practices, and also includes treatment requirements, operating procedures and practices to control site runoff, spillage or leaks, sludge, or waste disposal or drainage from raw material storage.

“Better Site Design” means the control and management of stormwater quantity and quality through the application of Better Site Design Techniques as outlined in the current version of the Minnesota Stormwater Manual: ([http://stormwater.pca.state.mn.us/index.php/Main\\_Page](http://stormwater.pca.state.mn.us/index.php/Main_Page)).

“Construction Activity” means a disturbance to the land that results in a change in the topography, existing soil cover (both vegetative and non-vegetative), or the existing soil topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. This may include clearing, grading, filling, and excavating.

“City” means the City of Proctor

“Common plan of development or sale” is a contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

“Dewatering” means the removal of surface or ground water to dry and/or solidify a construction site to enable construction activity. Dewatering may require a Minnesota Department of Natural Resources water appropriation permit and, if dewatering water is contaminated, discharge of such water may require an individual MPCA NPDES/SDS permit.

“Energy Dissipation” means method employed at pipe outlets to prevent erosion caused by the rapid discharge of water scouring soils.

“Erosion Control Measure” means a measure that prevents soil particles exposure and detachment.

“Fully Reconstructed” means areas where impervious surfaces have been removed down to the underlying soils. Activities such as structure renovation, mill and overlay projects, and other pavement rehabilitation or resurfacing projects that do not expose the underlying soils beneath the structure, pavement, or activity are not considered fully reconstructed. Maintenance activities such as catch basin repair/replacement, utility repair/replacement, pipe repair/replacement, lighting, and pedestrian ramp improvements are not considered fully reconstructed.

“Green Infrastructure” is a wide array of practices at multiple scales that manages wet weather and that maintains or restores natural hydrology by infiltrating, evapotranspiring, or harvesting and using stormwater. On a regional scale, green infrastructure is the preservation or restoration of natural landscape features, such as forests, floodplains and wetlands, coupled with policies such as

infill and reconstruction that reduce overall imperviousness in a watershed. On the local scale, green infrastructure consists of site and neighborhood-specific practices.

“Karst” (active) is a geographic area underlain by carbonate bedrock (or other forms of bedrock that can erode or dissolve) with less than 50 feet of sediment cover.

“Land Disturbance” means any project or activity, including removal of vegetation, excavations, clearing, filling, stockpiling, grading, or other earth change that directly or indirectly affects slopes, water bodies, the moving of ground cover or which may result in the movement of sediment.

“Linear Project” means construction or reconstruction of roads, trails, sidewalks, and rail lines that are not part of a common plan of development or sale.

“MPCA Construction Stormwater Permit” means the most current Minnesota Pollution Control Agency (MPCA) General Permit to Discharge Stormwater Associated with Construction Activity Under the National Pollution Discharge Elimination System State Disposal System Program (NPDES/SDS).

“Municipal Separate Storm Sewer System” or “MS4” means the conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains owned and operated by the City of Proctor.

“New Development” means all construction activity where new impervious surfaces are being created.

“Receiving Water” means any lake, river, stream, or wetland that receives stormwater discharges from the MS4.

“Saturated soil” is the highest seasonal elevation in the soil that is in a reduced chemical state because of soil voids being filled with water. Saturated soil is evidenced by the presence of redoximorphic features or other information.

“Sediment Control Measure” means a measure that prevents eroded sediment from leaving the site.

“Stormwater” means rainwater runoff, snow melt runoff, and surface runoff and drainage. (Minn .R. 7090.0080, subp.12.)

“Structural Stormwater BMPs” mean stationary and permanent BMPs designed, constructed and operated to prevent or reduce the discharge of pollutants in stormwater.

“Steep Slopes” means slopes that are 1:3 (V:H) (33.3 percent) or steeper in grade.

“Stormwater Pollution Prevention Plan” or “SWPPP” means a comprehensive plan developed to manage and reduce the discharge of pollutants in stormwater.

“Waters of the State” means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or

accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

### **Receiving Waters:**

Kingsbury Creek (River Segment 04010201-626)

Impaired for: Benthic Macroinvertebrate Bioassessment, Chloride.

Approved TMDL for: None

These impairments affect Aquatic Life.

Knowlton Creek (River Segment S-002-003.5)

Impaired for: None.

Approved TMDL for: None

Wetlands: Governed by Wetland Conservation Act (WCA)

### **Special (Prohibited, Restricted, Other) and Impaired Waters:**

Prohibited Special Waters (Minn R. 7050.0035 Subp. 3): None known

Restricted Special Waters: None known

Trout Lakes and Trout Streams (Minn. R. 6264.0050, subp. 2 and subp. 4): Kingsbury Creek, Knowlton Creek

Prohibited Special Waters (Minn R. 7050.0035 Subp. 3): None known

Impaired Waters with an USEPA approved TMDL: None known

### **Other Considerations:**

Impacts to Endangered or Threatened Species or Critical Habitats: None known

Adversely Affected Historical Properties: None known

Drinking Water Source: The City of Proctor provides drinking water to its residents from the City of Duluth water supply system, which includes the Lakewood Water Treatment Plant which treats water sourced from Lake Superior.

### **Related Review and Regulations:**

Environmental Review Requirements (Minn R 4410 Environmental Review): Environmental reviews (EAW & EIS) shall be completed as required by Minnesota Administrative Rule, Chapter 4410, and Environmental Review



Proctor Ordinance Requirements: <https://proctormn.gov/city-code-comprehensive-plan/>

MPCA Construction Stormwater Permit: <http://www.pca.state.mn.us/index.php/water/water-types-and-programs/stormwater/construction-stormwater/index.html>



## Design Requirements:

### Summary of Requirements

Disturbed Area 	>2,500 sf but less than 1 acre	1 acre or more
Requirement 		
Grading Permit	<b>X</b>	<b>X</b>
Stormwater Pollution Prevention Plan (SWPPP)		<b>X</b>
Construction Site Stormwater Runoff Controls	<b>X</b>	<b>X</b>
Post-Construction Stormwater Management Requirements		<b>X</b>
MPCA Construction Stormwater Permit		<b>X</b>

Notes: Disturbed area includes all land disturbance and construction activity, including land area that is part of a larger common plan of development or sale. Where deemed necessary by the City of Proctor to safeguard persons, protect property, and prevent degradation to the environment in the City of Proctor, requirements may be enforced for disturbed areas with less than above identified amount.

### Better Site Design

The City encourages the use of better site designs as identified in the current version of the Minnesota Stormwater Manual ([https://stormwater.pca.state.mn.us/index.php/Better\\_site\\_design](https://stormwater.pca.state.mn.us/index.php/Better_site_design)). Better site design involves a series of techniques applied early in the design process to reduce impervious cover, conserve natural areas, use pervious areas to treat stormwater runoff more effectively, and promote the treatment train approach to runoff management.

### Stormwater Pollution Prevention Plan (SWPPP)

A SWPPP shall be submitted with the Grading Permit application. The SWPPP shall be consistent with the requirements outlined in this document, City ordinances, and State and Federal regulations.

- A. SWPPP Plan Content. The SWPPP shall be completed prior to submitting a Grading Permit application and prior to conducting any land disturbing activities. SWPPP plan content must include at a minimum the items required and identified in the MPCA Construction Stormwater Permit. This includes information to meet the requirements of the Construction Site Stormwater Runoff Control and Post-Construction Stormwater Management sections of this document, where applicable.

### *Construction Site Stormwater Runoff Control Requirements*

Site plans and project documentation must incorporate erosion and sediment controls and waste controls as required and identified in the MPCA Construction Stormwater Permit, including those identified in the MPCA Construction Stormwater Permit for discharges to special and impaired waters, when applicable. (<http://www.pca.state.mn.us/index.php/water/water-types-and-programs/stormwater/construction-stormwater/index.html>)

These requirements are briefly described below:

- A. Erosion Prevention Practices (Permit Section 8). Erosion Prevention Practices (BMPs) must be planned for, implemented, and maintained to prevent soil particle exposure and detachment in order to minimize site erosion.
- B. Sediment Control Practices (Permit Section 9). Sediment Control Practices (BMPs) must be planned for, implemented, and maintained to prevent eroded sediment from leaving the site and to minimize sediment and other pollutants from entering surface waters, including curb and gutter systems and storm sewer systems.
- C. Dewatering and Basin Draining Activities (Permit Section 10). Dewatering or basin draining activities to remove surface or ground water to dry and/or solidify a construction site to enable construction activity must incorporate appropriate BMPs to discharge in a manner that does not cause nuisance conditions. Dewatering may require a Minnesota Department of Natural Resources water appropriation permit and, if dewatering water is contaminated, discharge of such water may require an individual MPCA NPDES/SDS permit.
- D. Site Inspection and Maintenance (Permit Section 11). Construction sites must be inspected on a regular basis to ensure the integrity and effectiveness of all erosion prevention BMPs, sediment control BMPs, and pollution prevention management measures. All non-functional BMPs must be repaired, replaced, or supplemented with functional BMPs.
- E. Pollution Prevention Management Measures (Permit Section 12). Construction sites must incorporate pollution prevention management measures to reduce the probability of spills, leaks, or discharges of pollutants.
- F. Final Stabilization (Permit Section 13). Upon the completion of construction activity, final stabilization must be completed to include perennial vegetative cover on all exposed soils.
- G. Temporary Sediment Basins (Permit Section 14). Temporary sediment basin(s) are required to treat runoff where deemed necessary by the MPCA Construction Stormwater Permit and where deemed necessary by the City of Proctor to safeguard persons, protect property, and prevent degradation to the environment.

### *Post-Construction Stormwater Management Requirements.*

Site plans and project documentation must incorporate post-construction (permanent) stormwater management best management practices/systems to manage stormwater long-term once construction activity is complete. Permanent stormwater systems shall be designed consistent with the Minnesota Stormwater Manual ([http://stormwater.pca.state.mn.us/index.php/Main\\_Page](http://stormwater.pca.state.mn.us/index.php/Main_Page)), the MPCA Construction Stormwater Permit, and in accordance with the following requirements:

- A. Green Infrastructure. Green Infrastructure techniques and practices (including, but not limited to, infiltration, evapotranspiration, reuse/harvesting, conservation design, urban forestry, green roofs, etc.), shall be given preference as design options consistent with zoning, subdivision and PUD requirements.

A combination of techniques which utilize infiltration, capture and reuse, evapotranspiration and other types of low impact development techniques are encouraged, rather than relying on a single practice or infiltration alone.

- B. Stormwater Runoff Rate Control. Post-development peak flow rates at each discharge point from the project area shall not exceed pre-development peak flow rates for the 2, 10, and 100-year, 24-hour storm events.
- C. Storm Sewer Conveyance System. Local storm sewer systems shall be designed for the 10-year storm event. The Rational Method shall be the preferred methodology for design of local systems. Culvert crossings or storm systems in County or State right-of-way may have a design frequency and requirements which differ from the City's requirements. The Designer shall contact each agency/unit of government to determine the appropriate design requirements and frequency for hydrologically-connected systems.
- D. Flood Control.
1. The low floor elevation shall be set to the higher of the following:
    - a. Where an effective Base Flood Elevation (BFE) has been established the low floor elevation adjacent to a surface water body shall be established in accordance with the City's Floodplain Ordinance.
    - b. The low floor elevation shall be two (2) feet or more above the 100-year/24-hour event as determined by a technical evaluation by a qualified engineer or hydrologist.
  2. An emergency overflow shall be incorporated into the site design at or above the BFE or modeled high water level to convey a 100-year discharge away from buildings to the next downstream water body. The lowest opening shall be at least one and a half (1.5) feet above the emergency overflow elevation of the adjacent water body.
  3. Existing, natural or man-made emergency overflows shall be analyzed as part of the design process.

4. Where natural overflows do not exist, the designer shall consider the possibility of long duration and extreme events. High water elevations shall be determined with analysis based on runoff volume resulting from a 100-year/10-day snowmelt (7.2 inches and saturated or frozen soil conditions [CN=100]) and/or the runoff resulting from a 100-year back-to-back rain event.
- E. Water Quality Treatment and Volume Control Requirements. Post-construction stormwater management is required for any project where the sum of new development and fully reconstructed areas equal one or more acres. Post-construction stormwater management must provide treatment of the water quality volume consistent with the requirements identified below. Volume reduction practices must be considered first. Defensible and consistent hydrological assessments and modeling methods shall be provided to demonstrate compliance.
1. Non-Linear New Development and Fully Reconstructed Areas. Nonlinear development and fully reconstructed projects, on sites without restrictions, shall capture and retain on site 1.1 inches of runoff from the new and/or fully reconstructed impervious surfaces.
  2. Linear Developments. Linear projects, on sites without restrictions, shall capture and retain the larger of the following:
    - a. 0.55 inches of runoff from the new and fully reconstructed impervious surfaces on the site.
    - b. 1.1 inches of runoff from the net increase impervious area on the site.
  3. Sites with Restrictions. Every attempt to comply with the performance standards identified above shall be made. If full compliance with the performance standards is not possible due to any of the factors identified below, the reasons must be clearly documented. Options should be considered and documented to examine the merits of relocating project elements to address varying soil conditions and other constraints across the site. Infiltration is prohibited in the following areas:
    - a. Areas that receive discharges from vehicle fueling and maintenance areas
    - b. Areas where there are high levels of contaminants in soil or groundwater
    - c. Areas where soil infiltration rates are more than 8.3 inches per hour, unless soils are amended
    - d. Areas with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock
    - e. Areas of predominately Hydrologic Soil Group D (clay) soils
    - f. Areas in an Emergency Response Area (ERA) within a moderate vulnerability DWSMA
    - g. Areas within a high or very high vulnerability Drinking Water Supply Management Area (DWSMA)
    - h. Areas located 1,000 feet up-gradient or 100 feet down-gradient of active karst features

- i. Areas that receive industrial stormwater runoff regulated under the NPDES ISW program
  4. For non-linear projects, where the water quality volume cannot cost effectively be treated on the site of the original construction activity, off-site treatment / mitigation at an off-site location may be implemented at the City's discretion. The off-site treatment must meet the performance of 1.1 inches of volume reduction for the sum of new development and fully reconstructed standards identified above. The owner and/or operator must provide appropriate documentation to the City as support and the proposed mitigation must meet the following criteria:
    - a. Off-site treatment / mitigation at an off-site location may be implemented at the City's discretion. The off-site treatment must meet the performance of 1.1 inches of volume reduction for new development or fully reconstructed standards identified above. The owner and/or operator must provide appropriate documentation to the City as support and the proposed mitigation must meet the following criteria:
      - i. Mitigation project areas should be selected in the following order of preference. Proposed mitigation locations must be reviewed and approved by the City:
        1. Locations that yield benefits to the same receiving water that receives runoff from the original construction activity
        2. Locations within the same Department of Natural Resource (DNR) catchment area as the original construction activity
        3. Locations in the next adjacent DNR catchment area up-stream
        4. Locations within the City
      - b. Mitigation projects must involve the creation of new structural stormwater BMPs, the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP.
      - c. Routine maintenance of structural stormwater BMPs cannot be used to meet mitigation requirements.
      - d. Mitigation projects must be completed within 24 months after the start of the original construction activity.
      - e. If the mitigation project is a private structural BMP and the City is not responsible for long-term maintenance of the project, the City will require written and recorded documentation of maintenance responsibilities.
    5. For linear projects, where the entire water quality volume cannot be treated within the existing right-of-way, a reasonable attempt to obtain additional right-of-way, easement, or other permission to treat the stormwater during the project planning process must be made, with consideration to volume reduction practices first. If additional right-of-way, easements, or other permission cannot be obtained, owners of construction activity must maximize the treatment of the water quality volume prior to discharge. Documentation must be provided to the City.

F. Design Computation Criteria.

1. Rain fall amounts and distributions for storm water management and conveyance system analysis shall utilize the NOAA Atlas 14 data for Proctor, MN, and antecedent moisture conditions 2 (AMC-2).
2. The City may require designers to run additional modeling scenarios with rainfall depths greater than the 100-year event. For example, modeling a 10-inch event or back-to-back 100-year events will allow the designer and require to evaluate the sensitivity of the system response to larger events relative to detention/retention area high water levels and emergency overflow paths. The designer is encouraged to run extreme events scenarios as part of the initial site evaluation and design process.
3. Outlet energy dissipation shall be designed in accordance with MnDOT Design Criteria.
4. Permanent stormwater facilities shall provide adequate maintenance access. Vehicle lanes of not less than 10-feet wide and 15 percent slope shall be provided to access the facilities.
5. Infiltration and Filtration Practices:
  - a. Shall provide for pre-treatment of runoff to trap sediment prior to entering the infiltration system.
  - b. Must be designed to draw down to the bottom elevation of the practice within 48 hours. The maximum ponding depth shall be based on the soil infiltration rate determined from site specific soil investigation data taken from the location of proposed infiltration practice(s) on site.
6. Stormwater Wet Ponds:
  - a. Shall have a minimum 3-foot permanent ponding depth and maximum 10-foot permanent ponding depth.
  - b. Shall have a minimum 20-foot buffer around the perimeter of the basin. The buffer shall extend from the 100-year high water level.
  - c. Shall have an aquatic bench having 10:1 (H:V) slope for the first 10 feet extending down from the normal water level of the basin.
  - d. Shall have a 3:1 maximum side slope.
  - e. Shall be configured to prevent short circuiting.
  - f. Shall have submerged outlet pipes designed to minimize or eliminate the discharge of oils and floatable materials.
  - g. Shall include liner material (compacted cohesive soils, geosynthetic materials, plastic liner, soil additives, or other material) when located in areas with high infiltration rates and/or when located in areas with prohibited infiltration to create a permanent pool and prevent contamination of ground water.

- G. Long Term Maintenance of Stormwater BMPs. The type and interval of maintenance activities for stormwater BMPs are often dependent upon the degree of pollutant loading from a particular drainage basin. BMP maintenance can be broken into three categories: inspection, routine maintenance, and major maintenance.

### 1. Private Facilities

- a. Maintenance Agreement. As supported by the City's Construction Site and Post-Construction Stormwater Management Ordinance, the owner shall enter into a Maintenance Agreement with the City. A maintenance agreement template can be found in Appendix A.
- b. Maintenance Plan. As supported by the City's Construction Site and Post-Construction Stormwater Management Ordinance, an inspection and maintenance plan shall be developed, approved, and included as an attachment with the Maintenance Agreement. The Minnesota Stormwater Manual provides guidance for post-construction operation and maintenance which may be used for plan development. At a minimum, maintenance plans must include the following information:
  - i. Inspections
    1. Responsible person(s) for completing inspections.
    2. Frequency inspections are to be completed. At a minimum, stormwater facilities must be inspected annually.
    3. Each BMP type has its own unique characteristics. However, inspections will generally consist of an assessment to assure its functionality and general condition.
    4. Annual documentation to be submitted to the City showing proof of inspection, results, and maintenance activities.
  - ii. Routine Maintenance
    1. Responsible person(s) for conducting routine maintenance.
    2. Frequency routine maintenance is to be completed. At a minimum, routine maintenance must be completed at a frequency necessary to maintain the performance standard they were designed for.
    3. The type of routine maintenance anticipated. Routine maintenance will generally consist of trash and vegetation removal, unclogging of drains, minor sediment removal, and exchange of filter media where applicable.
  - iii. Major Maintenance
    1. Responsible person(s) for conducting major maintenance.
    2. Anticipated frequency major maintenance is to be completed. At a minimum, major maintenance needs to be completed as required from inspection reports and/or when there are failures in the BMP.
    3. Type of major maintenance anticipated. Major maintenance generally consists of significant reconstruction including dredging, excavation, removal of existing media, replacing fabric, replacing the under-drain, and reestablishment of vegetation.

### 2. Public Stormwater Facilities

- a. Acceptance of publicly owned stormwater facility. Prior to final acceptance of the facility the following must be completed:

- i. Submittal of as-built drawing.
- ii. Documentation certifying the BMP has been constructed in accordance with design specifications.
- iii. Final inspection with City staff or City representative.



## Appendix A

### Maintenance Agreement Template

# Private Stormwater BMP Maintenance Agreement

I. THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ , by and between the City of Proctor, MN (hereinafter referred at as the “City”) and, [corporation, individual] (hereinafter referred to as “\_\_\_\_\_”) with reference to the following facts and circumstances:

- A. (\*) \_\_\_\_\_ is the fee owner of certain real property situated in the City of \_\_\_\_\_, legally described as follows:  
(Legal) \_\_\_\_\_  
(\*)CAPS \_\_\_\_\_ ( \_\_\_\_\_ )  
(hereinafter referred at as the “Subject Property”)
- B. As a condition of its approval of the development for the Subject Property, the City has required that the parties hereto enter into an agreement, which makes provision for the maintenance of the Stormwater Management Best Management Practice(s) (BMPs) located within the boundaries of the Subject Property as the same is described and depicted in those certain construction plans drawn by \_\_\_\_\_, approved by the City and constructed by \_\_\_\_\_. The Stormwater Management BMPs is(are) located in the platted drainage and utility easement in \_\_\_\_\_.
- C. The parties hereto desire to set forth their agreement with respect to the maintenance of the Stormwater Management BMPs and the costs of such maintenance.

II. NOW THEREFORE, in consideration of the foregoing facts and circumstances, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

- A. For the purpose of this Agreement, maintenance of the Stormwater Management BMPs shall mean the regular inspection, routine maintenance, and major maintenance described within the maintenance plan (attached) and as required to maintain the performance standard and function of the Stormwater Management BMPs identified within the project Stormwater Pollution Prevention Plan (SWPPP) and construction documents.
- B. (\*) \_\_\_\_\_ shall be solely responsible for the maintenance of the Stormwater Management BMPs, and shall bear all costs of such maintenance.
- C. (\*) \_\_\_\_\_ shall complete an annual report, certified by a qualified individual. The report shall include written documentation of the inspection schedule,

times of inspection, remedial actions taken to repair, modify, or reconstruct the BMPs, certification that the BMP is functioning in accordance with the approved plans, and notification of any planned change in responsibility for the BMPs. (\*)\_\_\_\_\_ shall retain completed annual reports for a minimum of 15 years and shall provided the City with the written documentation upon request.

- D. (\*)\_\_\_\_\_ shall grant the City or its agents or contractor the right of entry at reasonable times and in a reasonable manner for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining, or repairing the BMPs.
- E. (\*)\_\_\_\_\_ shall grant to the City the necessary easements and right-of-way and maintain perpetual access from public right-of-ways to the BMPs for the City or its agent or contractor.
- F. If, upon inspection, the City finds that (\*)\_\_\_\_\_ has failed to properly maintain the BMPs, the City may order the work to be performed within \_\_\_\_\_ days. In the event the work is not performed or a schedule for undertaking the work to be performed has not been provided within the specified time, (\*)\_\_\_\_\_ agrees to allow the City to enter the property and take whatever steps it deems necessary to maintain the BMPs. The cost reasonably incurred by the City for performing such maintenance shall be reimbursed to the City within 30 days by the party responsible for such maintenance and, if the responsible party does not timely reimburse the City, then the City may recover its costs by levying a special assessment.
- G. (\*)\_\_\_\_\_, as present owner of the Subject Property, for itself and respective successors and assigns, hereby waives any statutory right which it may have to contest any such assessment by the City of its maintenance costs on the basis of the benefit to portions of the Subject property.
- H. The City is under no obligation to maintain or repair said BMPs, and in no event shall this Agreement be construed to impose any such obligation on the City.
- I. (\*)\_\_\_\_\_ heirs, administrators, executors, assigns and any other successor interest shall indemnify and hold harmless the City and its officers, agents and employees for any and all damages, accidents, casualties, occurrences, claims or attorney's fees which might arise or be asserted, in whole or in part, against the City from the construction, presence, existence, or maintenance of the BMPs subject to the Agreement. In the event a claim is asserted against the City, its officers, agents or employees, the City shall notify (\*)\_\_\_\_\_ and (\*)\_\_\_\_\_ shall defend at (\*)\_\_\_\_\_ expense any suit based on such claim. If any judgment or claim against the City, its officers, agents or employees, shall be allowed, (\*)\_\_\_\_\_ shall pay all costs and expenses in connection therewith. The City will not indemnify, defend or hold

harmless in any fashion (\*) \_\_\_\_\_ from any claims arising from any failure, regardless of any language in any attachment or other document that the (\*) \_\_\_\_\_ may provide.

J. (\*) \_\_\_\_\_ shall not transfer, assign or modify its responsibilities with respect to this Agreement without the City's written prior consent. Nothing herein shall be construed to prohibit a transfer by (\*) \_\_\_\_\_.

K. No waiver of any provision of this agreement shall affect the right of any party thereafter to enforce such provisions or to exercise any right or remedy available.

L. (\*) \_\_\_\_\_ shall provide as attachment to this agreement the required Maintenance Plan, as-built drawings, and certification that the BMP has been constructed properly as required by the City of Proctor Construction Site and Post-Construction Stormwater Management Ordinance and The City's Stormwater Management Design Guide.

M. The terms and conditions of the Agreement shall be binding upon, and shall insure to the benefit of, the parties hereto and their respective successors and assigns.

III. IN WITNESS WHEREOF, the parties hereto have caused this document to be executed as of the day and year first above written.

\_\_\_\_\_  
Title \_\_\_\_\_  
For the City of Proctor

\_\_\_\_\_  
Date

\_\_\_\_\_  
[corporation, individual]

\_\_\_\_\_  
Date

Attachments:  
Maintenance Plan

7/15/22

To The City of Proctor -

5E

I have recently leased out my bar  
The Pitstop @ 3 6<sup>TH</sup> St. I had paid for  
the liquor license in full in November. The  
people I leased it to now also paid for  
a full year license.

Therefore Im requesting (which I think is  
very reasonable) some sort of reimbursement  
of my payment for 2022 liquor license.

Thank You

Sincerely

*Jim DeBlase*

Pitstop Bar

3 6<sup>TH</sup> ST

Proctor MN 55810

218-590-1240

(D) *Club licenses.*

(1) *"On-sale"*. The annual fee for an "on-sale" club license shall be as set forth in the city schedule of charges and fees. This license fee shall be in addition to any permit fee charged by the Commission of Public Safety.

(2) *"Off-sale"*. No "off-sale" club licenses shall be issued by the city.

(3) *One day "on-sale"*. The license fee for a one day "on-sale" club license issued under this subchapter shall be as set forth in the city schedule of charges and fees.

(4) *Sunday "on-sale"*. Sunday "on-sale" liquor licenses may be granted by the City Council as per this subchapter. The annual fee for Sunday "on-sale" licenses for restaurants, hotels and private clubs holding regular "on-sale" or club licenses shall be as set forth in the city schedule of charges and fees.

(Prior Code, § 702.04) (Ord. 01-05, passed 3-7-2005; Ord. 02-05, passed 4-4-2005; Ord. 06-05, passed 6-6-2005; Ord. 08-07, passed 1-22-2008)

**§ 120.067 APPLICATION PROCESS.**

(A) *Payment of fee.* Each application for a license issued pursuant to this subchapter shall be accompanied by a certified check or money order for at least one-half of the license fee. In the event that the applicant pays only one-half of the license fee at the time of making the application, the other one-half of the fee shall be paid no later than June 1 of that year. All fees shall be paid into the General Fund. If a license is rejected, a full refund of the fee shall be made.

(B) *Pro rata fee.* Every license except a temporary license is issued for a period of one year and shall expire on January 1 or July 1, in the event that the second half of the license fee has not been paid for that year, except that if a portion of the license year has elapsed when the license is granted, the license shall be issued for the remainder of the year for a pro rata fee. In computing the fee, any unexpired fraction of a month shall be counted as one month. A temporary license shall be issued for a specific date on which a special event to which the sale in incident is being held, and the date shall be stated on the license.

(C) *Refunds.* No part of the fee paid for any license issued under this section shall be refunded except in the following instances upon application to the Council within 30 days from the happening of the event. There shall be refunded a pro rata portion of the fee for the unexpired period of the license, computed on a monthly basis, when operation of the licensed business ceases not less than one month before expiration of the licensee because of:

- (1) Destruction or damage of the licensed premises by fire or other catastrophe;
- (2) The licensee's illness;

(3) The licensee's death;

(4) A change in the legal status of the municipality making it unlawful for the licensed business to continue; or

(5) Change in owner - pro rata - in the event of a change in ownership of the underlying real property and/or business entity upon which the license is premised and issued.

(D) *Transfers.* Each license shall be issued to the applicant only and shall not be transferable to another holder. Each license shall be issued only for the premises described in the application. No license may be transferred to another place without having been first considered by the Liquor Control Committee. Following the Liquor Control Committee's consideration of any proposed transfer, the Committee shall make a recommendation to the City Council. The Council shall consider the Committee's recommendation and approve or reject the transfer.

(E) *Pre-approval investigation.* The Liquor Control Committee shall investigate all facts set out in the application. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the Committee shall recommend that the City Council grant or refuse the application in its discretion. No license shall be granted to any applicant or premises on which taxes, assessments or other financial claims of the city or its utilities are delinquent and unpaid. Following the recommendation of the Committee, the City Council shall vote on the recommendation.

(F) *Application deadline.* All applications, including renewals, shall be filed on or before the first Friday in December. Applicants filing applications, including renewals, after the deadline or whose applications are still incomplete after the deadline, shall be required to pay an additional fee as set forth in the city schedule of charges and fees, commencing on the first business day after the deadline. Provided, however, that any application, including renewals, not filed and/or still incomplete as of the last regularly scheduled City Council meeting of that year shall not be accepted for filing or considered accepted. In the event that a request is made for the issuance of a new license, and the above-referenced deadline of the first Friday in December has passed, an additional fee shall be as set forth in the city schedule of charges and fees.

(G) *Non-enclosed premises.*

(1) Any application granted for the inclusion of non-enclosed premises in the licensed premises will be granted upon the terms and conditions as the Council may specify in granting the application relating to the limits of the use including provisions relating to:

(a) Barriers to be maintained delineating the unenclosed area such as requiring planters, walls or fences;

(b) Proposed lighting;

(c) Types of chairs and/or tables used and/or means to secure the same;

Report Criteria:

Detail report.  
 Invoices with totals above \$0.00 included.  
 Paid and unpaid invoices included.  
 Invoice Detail.GL account (3 Characters) = {<->}600, 700"  
 Vendor.Vendor type = {<->} "PR"  
 [Report].Date Paid = 08/01/2022

# General Bills

Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>ALERT-ALL CORPORATION</b>				
W30258	FIRE PREVENTION MATERIALS	07/14/2022	300.00	100-20-220-2210 Operating Supplies
Total ALERT-ALL CORPORATION:			300.00	
<b>BRAY&amp;REED</b>				
1881	PROSECUTION MATTERS	07/01/2022	2,500.00	100-10-160-3004 Legal Fees
1899	CITY OF PROCTOR GENERAL	07/19/2022	1,880.00	100-10-160-3004 Legal Fees
1900	DEVELOPMENT ISSUES	07/19/2022	375.00	830-10-160-3004 Legal Fees
Total BRAY&REED:			4,755.00	
<b>CENTURYLINK</b>				
07102022 218-	TELEPHONE - FIRE HALL	07/27/2022	100.28	100-20-220-3021 Telephone
7.10.22.1	PHONE ALARM - WESTGATE LIFT STATION	07/10/2022	42.97	500-50-510-3080 Utilities
7.10.22.2 218.6	PHONE ALARM - ALMAC LIFT STATION	07/10/2022	42.95	500-50-510-3080 Utilities
Total CENTURYLINK :			186.20	
<b>CINTAS</b>				
4124730037	CITY HALL MATS, TOWELS, MOPS	07/08/2022	145.81	100-10-130-3000 Professional Services
4124730037	STREET DEPT COVERALLS	07/08/2022	19.80	100-30-300-2217 Clothing
Total CINTAS :			165.61	
<b>CITON</b>				
S288241	CITY HALL SECURITY CAMERAS	07/19/2022	170.00	100-10-120-3009 Computer Services
S288242	CITY HALL SECURITY CAMERAS	07/19/2022	253.00	100-10-120-3009 Computer Services
S288454	CITY HALL SECURITY CAMERAS	07/25/2022	112.00	100-10-120-3009 Computer Services
Total CITON :			535.00	
<b>EARL F. ANDERSEN, INC.</b>				
0130157-IN	2022 SIGNS FOR REPLACEMENT	07/11/2022	441.25	100-30-300-2224 Street Maintenance M
Total EARL F. ANDERSEN, INC. :			441.25	
<b>ELAN CORPORATE PAYMENT SYSTEMS</b>				
031022	TRAINING RIEBEL	04/14/2022	359.00	100-20-210-3035 Training Expense
Total ELAN CORPORATE PAYMENT SYSTEMS:			359.00	
<b>GREAT LAKES PIPE SERVICES, INC</b>				
22080	ANNUAL SEWER CLEANING	07/11/2022	6,570.00	500-50-510-3015 Contractor
22083	ANNUAL SEWER CLEANING	07/16/2022	6,910.00	500-50-510-3015 Contractor
Total GREAT LAKES PIPE SERVICES, INC:			13,480.00	

Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>KEY ENTERPRISES, LLC</b>				
2022ci-12924	PRINT ADS MSP MAGAZINE	07/20/2022	5,985.00	100-15-115-3040 Advertising
Total KEY ENTERPRISES, LLC:			5,985.00	
<b>LALONDE, RICK</b>				
L0038103234	CLASS B LICENSE AS PER CONTRACT	07/26/2022	32.00	100-30-300-4438 Licenses & Permits
Total LALONDE, RICK :			32.00	
<b>MACQUEEN EMERGENCY</b>				
P07051	1 3/4 HOSE	05/19/2022	1,587.91	100-20-250-5580 Other Equipment Purc
P07204	2 1/2 INCH HOSE	06/16/2022	1,697.91	100-20-250-5580 Other Equipment Purc
W04398	T4 PUMP TEST	07/18/2022	787.78	100-20-220-2220 Supplies - Repair & M
Total MACQUEEN EMERGENCY:			4,073.60	
<b>MIDWEST COMMUNICATIONS INC</b>				
DDuluth/KQDS/	HOGHEAD MARKETING	07/28/2022	1,500.00	100-15-115-3040 Advertising
Total MIDWEST COMMUNICATIONS INC:			1,500.00	
<b>MINNESOTA ENERGY RESOURCES</b>				
0502214174-0	052214174-00001 GAS BILL STREET GARAGE	07/14/2022	77.86	100-30-300-3080 Utilities
0503508588-0	0503508588-00001 CITY HALL	07/14/2022	2.66	100-10-130-3080 Utilities
0504812808-0	0504812808-00001 GAS UTILITY FIRE HALL	07/14/2022	24.36	100-20-220-3080 Utilities
Total MINNESOTA ENERGY RESOURCES :			104.88	
<b>MN DEPT OF NATURAL RESOURCES</b>				
3501442	WILDLAND EQUIPMENT	04/01/2022	947.00	100-20-220-2210 Operating Supplies
Total MN DEPT OF NATURAL RESOURCES :			947.00	
<b>NORTHERN ENGINE &amp; SUPPLY, INC</b>				
143045	ROCKER SWITCH JOHN DEERE GATOR	07/14/2022	12.50	100-40-410-4400 Repairs & Maintenanc
Total NORTHERN ENGINE & SUPPLY, INC:			12.50	
<b>NORTHLAND CONSTRUCTORS OF DUL</b>				
20644	ASPHALT FOR POTHoles	07/26/2022	102.51	100-30-300-2224 Street Maintenance M
Total NORTHLAND CONSTRUCTORS OF DUL:			102.51	
<b>NORTHLAND FIRE &amp; SAFETY INC</b>				
134037	FIRE EXTINGUISHER RECHARGE	07/12/2022	302.90	100-20-220-2214 Safety Items
135306	ANNUAL SERVICE MAINTENANCE FIRE EXTINGUISHERS - CITY HALL	07/11/2022	205.00	100-10-130-3000 Professional Services
Total NORTHLAND FIRE & SAFETY INC :			507.90	
<b>PLAYPOWER LT FARMINGTON, INC.</b>				
1400259467	PLAYGROUND EQUIPMENT	07/17/2022	25,188.00	100-30-300-3015 Contractor
1400259468	PLAYGROUND EQUIPMENT	07/19/2022	238,171.10	100-30-300-3015 Contractor
Total PLAYPOWER LT FARMINGTON, INC.:			263,359.10	



Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>PROCTOR BUILDERS</b>				
254604	PLUMBING SUPPLIES	07/23/2022	154.90	100-10-130-2220 Supplies - Repair & M
Total PROCTOR BUILDERS :			154.90	
<b>PROCTOR JOURNAL</b>				
36320	CITY COUNCIL MINUTES 7.5.22	02/01/2022	127.53	100-10-110-3052 General Notices & Pub
36321	CITY COUNCIL MINUTES 06.20.22	07/21/2022	142.47	100-10-110-3052 General Notices & Pub
36322	SUMMARY FINANCIAL REPORT	07/21/2022	560.00	100-10-110-3052 General Notices & Pub
36323	GARBAGE ASSESSMENT HEARING	07/21/2022	28.72	100-10-110-3052 General Notices & Pub
36344	ORDIANCE 05-22 PUBLICATION	07/28/2022	669.84	100-10-110-3052 General Notices & Pub
36346	ELECTION NOTICE	07/28/2022	113.40	100-10-140-3052 General Notices & Pu
36349	OFFICIAL BALLOT	07/28/2022	402.00	100-10-140-3052 General Notices & Pu
Total PROCTOR JOURNAL :			2,043.96	
<b>PUBLIC UTILITIES COMMISSION</b>				
1016550000 06	UTILITIES - BDRY AVE & I35 LIFT STATION	06/16/2022	85.05	500-50-510-3080 Utilities
1108100000	UTILITIES - CITY HALL	06/29/2022	2,029.29	100-10-130-3080 Utilities
1108200000 06	UTILITIES - CITY GARAGE	06/15/2022	238.42	100-30-300-3080 Utilities
110885000 063	UTILITIES - CONCESSION STAND #2	06/30/2022	38.03	100-40-410-3080 Utilities
1112360000 06	UTILITIES - ALMAC DR LIFT STATION	06/15/2022	18.10	500-50-510-3080 Utilities
1127050000 06	UTILITIES - 225 FIFTH AVE - FIRE DEPT	06/30/2022	52.84	100-20-220-3080 Utilities
Total PUBLIC UTILITIES COMMISSION :			2,461.73	
<b>REDROCK PRECAST</b>				
POS457	2 20' CULVERTS - 10"	07/18/2022	410.00	500-50-510-2220 Supplies - Repair & M
Total REDROCK PRECAST:			410.00	
<b>SHRED N GO INC</b>				
137709	SHREDDING SERVICES	07/17/2022	114.08	100-10-120-3000 Professional Services
Total SHRED N GO INC :			114.08	
<b>TROYS SERVICE</b>				
60169	REPLACE SENSOR ON 2015 GMC 3500	07/15/2022	269.01	100-30-300-2220 Supplies - Repair & M
Total TROYS SERVICE :			269.01	
<b>TWIN PORTS PAPER &amp; SUPPLY, INC</b>				
527113	PAPER SUPPLIES	07/21/2022	27.50	100-10-130-2211 Cleaning Supplies
527128	PAPER SUPPLIES	07/22/2022	307.09	100-10-130-2211 Cleaning Supplies
Total TWIN PORTS PAPER & SUPPLY, INC:			334.59	
<b>VIKING INDUSTRIAL CENTER</b>				
3245254	SAFETY GLASSES CLEANER	07/11/2022	15.84	100-30-300-2210 Operating Supplies
50073	BALLFIELD PAINT	07/08/2022	72.00	100-40-410-2210 Operating Supplies
Total VIKING INDUSTRIAL CENTER :			87.84	
<b>W.L.S.S.D.</b>				
073122PRO1	2021 ADJUSTMENT	07/31/2022	1,903.00	500-50-510-3085 Sewer - WLSSD Billin
073122PRO1	WASTEWATER CHARGES	07/31/2022	28,485.00	500-50-510-3085 Sewer - WLSSD Billin

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Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
	Total W.L.S.S.D. :		26,582.00	
	Grand Totals:		329,304.66	

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Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

Invoice Detail.GL account (3 Characters) = {<>}"600, 700"

Vendor.Vendor type = {<>} "PR"

[Report].Date Paid = 08/01/2022

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## Report Criteria:

Detail report.  
Invoices with totals above \$0.00 included.  
Paid and unpaid invoices included.  
Invoice Detail.GL account (3 Characters) = "600"  
[Report].Date Paid = 08/01/2022

# Liquor Bills

Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>ADT SECURITY SERVICES</b>				
8-1-22	ADT SECURITY MONITORING	07/13/2022	80.28	600-60-600-4443 Security Systems
Total ADT SECURITY SERVICES:			80.28	
<b>AMERICAN BOTTLING COMPANY</b>				
3314804005	SODA	07/25/2022	291.15	600-60-600-2254 Soft Drinks & Mix
Total AMERICAN BOTTLING COMPANY :			291.15	
<b>ARTISAN BEER COMPANY</b>				
3547937	BEER	07/15/2022	236.85	600-60-600-2252 Beer Purchases
3549351	BEER	07/22/2022	230.40	600-60-600-2252 Beer Purchases
Total ARTISAN BEER COMPANY:			467.25	
<b>BERNICK S PEPSI</b>				
841414	BEER	07/20/2022	33.06	600-60-600-2252 Beer Purchases
841415	BEER	07/20/2022	3,829.45	600-60-600-2252 Beer Purchases
842514	SODA	07/27/2022	33.06	600-60-600-2254 Soft Drinks & Mix
842515	BEER	07/27/2022	6,101.90	600-60-600-2252 Beer Purchases
Total BERNICK S PEPSI :			9,997.47	
<b>BREAKTHRU BEVERAGE</b>				
344970541	SERVICE FEE	07/21/2022	67.37	600-60-600-3033 Freight & Express
344970541	LIQUOR	07/21/2022	3,071.92	600-60-600-2251 Liquor Purchases
345013317	LIQUOR	07/26/2022	112.50	600-60-600-2251 Liquor Purchases
345013317	SERVICE FEE	07/26/2022	1.85	600-60-600-3033 Freight & Express
345056145	LIQUOR	07/28/2022	1,650.47	600-60-600-2251 Liquor Purchases
345056145	SERVICE FEE	07/28/2022	18.65	600-60-600-3033 Freight & Express
Total BREAKTHRU BEVERAGE:			4,922.76	
<b>CINTAS</b>				
4125986412	MATS	07/21/2022	175.63	600-60-600-2210 Operating Supplies
Total CINTAS :			175.63	
<b>COCA COLA BOTTLING CO</b>				
2895069	SODA	07/19/2022	157.80	600-60-600-2254 Soft Drinks & Mix
Total COCA COLA BOTTLING CO :			157.80	
<b>DAHLHEIMER BEVERAGE</b>				
1619501	BEER	07/18/2022	86.85	600-60-600-2252 Beer Purchases
Total DAHLHEIMER BEVERAGE:			86.85	

Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>JOHNSON BROTHERS INC</b>				
2097407	DELIVERY CHARGE	07/20/2022	24.13	600-60-600-3033 Freight & Express
2097407	WINE	07/20/2022	853.98	600-60-600-2253 Wine Purchases
2097408	DELIVERY CHARGE	07/20/2022	2.10	600-60-600-3033 Freight & Express
2097408	LIQUOR	07/20/2022	37.00	600-60-600-2251 Liquor Purchases
2102326	LIQUOR	07/27/2022	1,747.65	600-60-600-2251 Liquor Purchases
2102326	DELIVERY CHARGE	07/27/2022	84.41	600-60-600-3033 Freight & Express
210327	WINE	07/27/2022	694.10	600-60-600-2253 Wine Purchases
210327	DELIVERY CHARGE	07/27/2022	21.03	600-60-600-3033 Freight & Express
Total JOHNSON BROTHERS INC :			3,464.40	
<b>LAKESHORE ICE</b>				
01-203564	ICE	07/15/2022	54.00	600-60-600-2258 Misc Merchandise
02-206349	ICE	07/29/2022	87.60	600-60-600-2258 Misc Merchandise
03-203512	ICE	07/25/2022	146.00	600-60-600-2258 Misc Merchandise
04-203016	ICE	07/18/2022	139.20	600-60-600-2258 Misc Merchandise
04-203041	ICE	07/22/2022	143.80	600-60-600-2258 Misc Merchandise
Total LAKESHORE ICE:			570.60	
<b>MICHAUD DISTRIBUTING COMPANY</b>				
368788	BEER	07/18/2022	834.00	600-60-600-2252 Beer Purchases
368788	FUEL SURCHARGE	07/18/2022	3.00	600-60-600-3033 Freight & Express
369014	BEER	07/25/2022	672.50	600-60-600-2252 Beer Purchases
369014	FUEL SURCHARGE	07/25/2022	3.00	600-60-600-3033 Freight & Express
Total MICHAUD DISTRIBUTING COMPANY :			1,512.50	
<b>MINNESOTA ENERGY RESOURCES</b>				
0502591202-0	0502591202-00001 MOUNTAIN SPIRITS GAS SERVICE	07/12/2022	19.42	600-60-600-3080 Utilities
Total MINNESOTA ENERGY RESOURCES :			19.42	
<b>MOOSE LAKE BREWING</b>				
29-031	BEER	07/21/2022	90.00	600-60-600-2252 Beer Purchases
Total MOOSE LAKE BREWING :			90.00	
<b>PHILLIPS WINE &amp; SPIRITS CO.</b>				
6431736	DELIVERY	07/20/2022	33.94	600-60-600-3033 Freight & Express
6431736	LIQUOR	07/20/2022	2,171.62	600-60-600-2251 Liquor Purchases
6431737	DELIVERY	07/20/2022	12.60	600-60-600-3033 Freight & Express
6431737	LIQUOR	07/20/2022	722.25	600-60-600-2251 Liquor Purchases
6431738	DELIVERY	07/20/2022	2.10	600-60-600-3033 Freight & Express
6431738	MIX	07/20/2022	21.00	600-60-600-2254 Soft Drinks & Mix
6435571	DELIVERY	07/27/2022	52.51	600-60-600-3033 Freight & Express
6435571	LIQUOR	07/27/2022	1,680.00	600-60-600-2251 Liquor Purchases
Total PHILLIPS WINE & SPIRITS CO. :			4,696.02	
<b>PROCTOR BUILDERS</b>				
254420	ELETRICAL REPAIR	07/15/2022	18.49	600-60-600-4400 Repairs & Maintenan
254687	ELETRICAL REPAIR	07/25/2022	1.49	600-60-600-4400 Repairs & Maintenan
Total PROCTOR BUILDERS :			19.98	

Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
<b>PUBLIC UTILITIES COMMISSION</b>				
1016900000 06	UTILITIES - MT SPIRITS	06/16/2022	518.39	600-60-600-3080 Utilities
Total PUBLIC UTILITIES COMMISSION :			518.39	
<b>RANGE PAPER</b>				
69380	SUPPLIES	07/20/2022	149.39	600-60-600-2210 Operating Supplies
Total RANGE PAPER :			149.39	
<b>RED BULL</b>				
2003502269	RED BULL	07/18/2022	108.00	600-60-600-2254 Soft Drinks & Mix
Total RED BULL :			108.00	
<b>SOCIABLE CIDER WERKS</b>				
e-3016	MIXES	07/25/2022	64.00	600-60-600-2254 Soft Drinks & Mix
Total SOCIABLE CIDER WERKS:			64.00	
<b>SOUTHERN WINE &amp; SPIRITS</b>				
2235306	DELIVERY	07/18/2022	45.78	600-60-600-3033 Freight & Express
2235306	LIQUOR	07/18/2022	1,858.74	600-60-600-2251 Liquor Purchases
2237901	DELIVERY	07/22/2022	14.69	600-60-600-3033 Freight & Express
2237901	LIQUOR	07/22/2022	790.80	600-60-600-2251 Liquor Purchases
Total SOUTHERN WINE & SPIRITS:			2,710.01	
<b>SUPERIOR BEVERAGE (MN)</b>				
20022861	BEER	07/15/2022	1,932.85	600-60-600-2252 Beer Purchases
20022861	FREIGHT	07/15/2022	4.00	600-60-600-3033 Freight & Express
20022992	BEER	07/19/2022	5,047.10	600-60-600-2252 Beer Purchases
20022992	SHIPPING	07/19/2022	4.00	600-60-600-3033 Freight & Express
20023286	BEER	07/22/2022	742.45	600-60-600-2252 Beer Purchases
20023286	FREIGHT	07/22/2022	3.00	600-60-600-3033 Freight & Express
20023406	BEER	07/26/2022	4,439.35	600-60-600-2252 Beer Purchases
20023406	SHIPPING	07/26/2022	4.00	600-60-600-3033 Freight & Express
Total SUPERIOR BEVERAGE (MN) :			12,176.75	
<b>URSA MINOR BREWING</b>				
e-2407	BEER	07/28/2022	253.56	600-60-600-2252 Beer Purchases
Total URSA MINOR BREWING:			253.56	
<b>VINOPIA</b>				
0309252-in	LIQUOR	07/27/2022	592.33	600-60-600-2251 Liquor Purchases
0309252-in	DELIVERY	07/27/2022	10.00	600-60-600-3033 Freight & Express
Total VINOPIA :			602.33	
<b>WINE MERCHANTS</b>				
7389053	WINE	07/27/2022	160.00	600-60-600-2253 Wine Purchases
7389053	FREIGHT	07/27/2022	2.10	600-60-600-3033 Freight & Express
Total WINE MERCHANTS :			162.10	

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Invoice Number	Description	Invoice Date	Net Invoice Amount	GL Account and Title
Grand Totals:			<u>43,296.64</u>	

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Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Paid and unpaid invoices included.

Invoice Detail.GL account (3 Characters) = "600"

[Report].Date Paid = 08/01/2022

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## Report Criteria:

Report type: Summary

Check.Type = {&lt;&gt;} "Adjustment"

Bank.Account description = "City Checking"

Check Issue Date	Check Number	Payee	Amount
08/01/2022	41542	ADT SECURITY SERVICES	80.28
08/01/2022	41543	ALERT-ALL CORPORATION	300.00
08/01/2022	41544	AMERICAN BOTTLING COMPANY	291.15
08/01/2022	41545	ARTISAN BEER COMPANY	467.25
08/01/2022	41546	BERNICK S PEPSI	9,997.47
08/01/2022	41547	BRAY&REED	4,755.00
08/01/2022	41548	BREAKTHRU BEVERAGE	4,922.76
08/01/2022	41549	CENTURYLINK	186.20
08/01/2022	41550	CINTAS	341.24
08/01/2022	41551	CITON	535.00
08/01/2022	41552	COCA COLA BOTTLING CO	157.80
08/01/2022	41553	DAHLHEIMER BEVERAGE	86.85
08/01/2022	41554	EARL F. ANDERSEN, INC.	441.25
08/01/2022	41555	ELAN CORPORATE PAYMENT SYSTEMS	359.00
08/01/2022	41556	GREAT LAKES PIPE SERVICES, INC	13,480.00
08/01/2022	41557	JOHNSON BROTHERS INC	3,464.40
08/01/2022	41558	KEY ENTERPRISES, LLC	5,985.00
08/01/2022	41559	LAKESHORE ICE	570.60
08/01/2022	41560	LALONDE, RICK	32.00
08/01/2022	41561	MACQUEEN EMERGENCY	4,073.60
08/01/2022	41562	MICHAUD DISTRIBUTING COMPANY	1,512.50
08/01/2022	41563	MIDWEST COMMUNICATIONS INC	1,500.00
08/01/2022	41564	MINNESOTA ENERGY RESOURCES	124.30
08/01/2022	41565	MN DEPT OF NATURAL RESOURCES	947.00
08/01/2022	41566	MOOSE LAKE BREWING	90.00
08/01/2022	41567	NORTHERN ENGINE & SUPPLY, INC	12.50
08/01/2022	41568	NORTHLAND CONSTRUCTORS OF DUL	102.51
08/01/2022	41569	NORTHLAND FIRE & SAFETY INC	507.90
08/01/2022	41570	PHILLIPS WINE & SPIRITS CO.	4,696.02
08/01/2022	41571	PLAYPOWER LT FARMINGTON, INC.	263,359.10
08/01/2022	41572	PROCTOR BUILDERS	174.88
08/01/2022	41573	PROCTOR JOURNAL	2,043.96
08/01/2022	41574	PUBLIC UTILITIES COMMISSION	2,980.12
08/01/2022	41575	RANGE PAPER	149.39
08/01/2022	41576	RED BULL	108.00
08/01/2022	41577	REDROCK PRECAST	410.00
08/01/2022	41578	SHRED N GO INC	114.08
08/01/2022	41579	SOCIABLE CIDER WERKS	64.00
08/01/2022	41580	SOUTHERN WINE & SPIRITS	2,710.01
08/01/2022	41581	SUPERIOR BEVERAGE (MN)	12,176.75
08/01/2022	41582	TROYS SERVICE	269.01
08/01/2022	41583	TWIN PORTS PAPER & SUPPLY, INC	334.59
08/01/2022	41584	URSA MINOR BREWING	253.56
08/01/2022	41585	VIKING INDUSTRIAL CENTER	87.84
08/01/2022	41586	VINOCOPIA	602.33
08/01/2022	41587	W.L.S.S.D.	26,582.00
08/01/2022	41588	WINE MERCHANTS	162.10

Check Issue Date	Check Number	Payee	Amount
Grand Totals:			372,601.30

## Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
100-00-000-2020	.00	288,268.59-	288,268.59-
100-10-110-3052	1,528.56	.00	1,528.56
100-10-120-3000	114.08	.00	114.08
100-10-120-3009	535.00	.00	535.00
100-10-130-2211	334.59	.00	334.59
100-10-130-2220	154.90	.00	154.90
100-10-130-3000	350.81	.00	350.81
100-10-130-3080	2,031.95	.00	2,031.95
100-10-140-3052	515.40	.00	515.40
100-10-160-3004	4,380.00	.00	4,380.00
100-15-115-3040	7,485.00	.00	7,485.00
100-20-210-3035	359.00	.00	359.00
100-20-220-2210	1,247.00	.00	1,247.00
100-20-220-2214	302.90	.00	302.90
100-20-220-2220	787.78	.00	787.78
100-20-220-3021	100.28	.00	100.28
100-20-220-3080	77.20	.00	77.20
100-20-250-5580	3,285.82	.00	3,285.82
100-30-300-2210	15.84	.00	15.84
100-30-300-2217	19.80	.00	19.80
100-30-300-2220	269.01	.00	269.01
100-30-300-2224	543.76	.00	543.76
100-30-300-3015	263,359.10	.00	263,359.10
100-30-300-3080	316.28	.00	316.28
100-30-300-4438	32.00	.00	32.00
100-40-410-2210	72.00	.00	72.00
100-40-410-3080	38.03	.00	38.03
100-40-410-4400	12.50	.00	12.50
500-00-000-2020	1,903.00	42,564.07-	40,661.07-
500-50-510-2220	410.00	.00	410.00
500-50-510-3015	13,480.00	.00	13,480.00
500-50-510-3080	189.07	.00	189.07
500-50-510-3085	28,485.00	1,903.00-	26,582.00
600-00-000-2020	.00	43,296.64-	43,296.64-
600-60-600-2210	325.02	.00	325.02
600-60-600-2251	14,435.28	.00	14,435.28
600-60-600-2252	24,530.32	.00	24,530.32
600-60-600-2253	1,708.08	.00	1,708.08
600-60-600-2254	675.01	.00	675.01
600-60-600-2258	570.60	.00	570.60
600-60-600-3033	414.26	.00	414.26
600-60-600-3080	537.81	.00	537.81
600-60-600-4400	19.98	.00	19.98
600-60-600-4443	80.28	.00	80.28



GL Account	Debit	Credit	Proof
830-00-000-2020	.00	375.00-	375.00-
830-10-160-3004	375.00	.00	375.00
Grand Totals:	<u>376,407.30</u>	<u>376,407.30-</u>	<u>.00</u>

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Report Criteria:

Report type: Summary

Check.Type = {<>} "Adjustment"

Bank.Account description = "City Checking"

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