

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, July 17th, 2023, 6:00 PM
Council Chambers - Community Activity Center - 100 Pionk Drive

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

OTHERS PRESENT

APPROVAL OF MINUTES City Council Meeting Minutes, Monday, July 3rd, 2023

APPROVAL OF AGENDA

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT:

John Marshall – on behalf of the VFW Post 137

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

***1. COMMUNICATIONS**

A. Quarterly Financial Update

***2. PLANNING & ZONING DEPARTMENT MATTERS**

***3. COMMITTEE REPORTS**

A. PEDS Minutes – June 13, 2023

B. SEH Monthly Meeting Minutes

C. July 7th – Payroll Report

4. CLERK ADVISES COUNCIL

A. Minnesota Coalition of Small Cities Legislative Update – Erik Simonson, Senior Lobbyist

B. Bond Sale Final Official Statement – Finance Director Leslie Brunfelt

C. 2nd Street Project Update

D. Sand Salt Garage Project Update

E. Playground for EveryBODY Project Update

F. Orange Places Project Update

5. UNFINISHED BUSINESS

A. City of Proctor Blight Policy

6. NEW BUSINESS

A. 2022 Financial Statement – WIPFLI

B. Resolution 30-23: 4M Fund Fixed Rate Program

C. Records Management - Laserfiche Quote

D. Resolution 31-23: Designating Surplus Equipment

E. Performance Measurement Program Survey – Councilor Benson

MEMBER CONCERNS

Benson:

DeWall:

Johnson:

Rohweder:

Ward:

City Attorney:

BILLS FOR APPROVAL

General: \$88,499.81

Liquor: \$28,064.91

TOTAL BILLS FOR APPROVAL: \$116,564.72

ADJOURNMENT

MINUTES OF THE PROCTOR CITY COUNCIL MEETING JULY 3rd, 2023

Meeting was streamed live on the Trac 7 YouTube channel.

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

Pledge of Allegiance

PRESENT: Mayor Ward, Councilor Troy DeWall, Councilor Rory Johnson, Councilor Rohweder

MEMBERS ABSENT:

OTHERS PRESENT: Attorney John Bray, City Administrator Jess Rich, Administrative Assistant Megan Jordan

M/S/P: Johnson/Rohweder to approve the minutes from Tuesday, June 20th, 2023 with the following correction: Four priority requests have been submitted for the capital budget. These items include: infrastructure at the fairgrounds, the Munger Trail extension, the regional sports complex, and utility extensions under I-35.

M/S/P: Rohweder/DeWall to approve the agenda for Monday, July 3rd, 2023, with the addition of item 6D Legislative Agenda IRRRB and Payment in Lieu of Taxes: PILT Program

M/S/P: Ward/Johnson to approve the consent agenda for Monday, July 3rd, 2023

4. Clerk Advises Council

A. Sand/Salt Garage Update

A preconstruction meeting was held on June 27th, this phase of the project is ready to begin and waiting on Lumen to move the fiberoptic line. This work is scheduled for July 12th, 2023.

B. 2nd St Update

Project is progressing and continues to remain on the expected timeline. Public comments/complaints have been low as the city has strived to increase communication via social media and email. Crews will work on July 8th to make up for scheduled time off over the 4th of July holiday.

C. Orange Places Project

The 3rd St Committee will meet on July 13th to discuss public comments received from submitted surveys and discuss future restoration efforts.

D. Pickleball Facility

Collaboration continues with Sherm Carlson for the facility location.

E. 2024 Capital Bonding Requests:

Meetings were held with Senator Hauschild and Representative Zeleznikar informing them of our requests and exploration of other funding options.

F. Jet Update

Work continues to secure the jet as we work with the LMCIT on the claim and a permanent repair plan.

G. League of MN Annual Conference

Administrator Rich attended sessions on cannabis legislation, opioid settlements, communication plans, legislative updates, and childcare. The conference was held June 21-23 in Duluth.

H. Budgets and Financial Statement

Finance Director Brunfelt will be attending the July 17, 2023, meeting with information and discussion on the June 30, 2023 budget report deadline, 2024 budgeting and the 2022 financial statement.

5. UNFINISHED BUSINESS

A. City of Proctor Blight Policy

6. NEW BUSINESS

M/S/P: Rohweder/Johnson to approve the bids as submitted, awarding the job to KTM accepting the bid in the amount of \$26,546.80 and the bid submitted by A1 Fence accepting as submitted in the amount of \$5,620.91 for a total of \$32,167.71 and approve the bids for additional fencing, dirt work, and paving at the Playground for Everybody (Roll call vote: Benson N, Rohweder Y, Johnson N, DeWall Y, Ward Y). Discussion follows regarding the difference in the additional funding, with Administrator Rich stating the remaining budget will come from ARP funds through parks and an additional grant application. She adds the grant is matching dollars, with funds remaining left to spend. Council discusses previous donations received from Sinnott and considers awarding them the bid. Administrator Rich provides additional funding information regarding matching dollars and donations received. (Roll call vote: Benson N, Rohweder Y, Johnson N, DeWall Y, Ward Y Motion carries to award the bid to KTM and A1 Fencing as submitted.)

Cannabis Moratorium Recommendation

Administrator Rich submitted a memo with information regarding a moratorium pertaining to the legalization of cannabis. Administrator Rich states the legalization process is evolving with the state and the LMC assisting cities with this process. At this point, sales are not approved without a license, to which the state has not designated the offices for processing and overseeing sales and regulations. Administrator Rich recommends following the opportunities and legal advice from LMC as it is released and utilize any model ordinances as they're released. Discussion follows allowing for additional time and possibilities of municipality owned businesses with information delivered by Councilor Benson. No action taken at this time.

LCCMR Proposal Discussion:

Councilor Benson suggests utilizing the next year to put together an application for possible submission to the LCCMR (Legislative-Citizen Commission on Minnesota Resources) for the next funding cycle likely for 2025. The timeline is presented with anticipated deadlines with the process outlined in the memo submitted by Councilor Benson. No action taken at this time, city staff and additional committees, and possible resolutions to consider the following items for possible requests: Kingsbury Creek restoration, Munger Trail Spur, Campgrounds, City of Proctor Recreation Area – Phase 2.

IRRRB (Iron Range Resources and Rehabilitation Board)/PILT (Payment in Lieu of Taxes:

Councilor Benson suggests there is an opportunity for the City of Proctor to gain ground with members of the board for consideration of receiving funding. Benson states the operations of the railroad within the city help to service the Iron Range and would like to see Proctor included as part of the jurisdiction. No action taken at this time, with additional information and statistics provided to council by Councilor Benson. Mayor Ward agrees the inclusion of Proctor in the IRRRB would be beneficial to the community.

PILT (Payment in Lieu of Taxes):

Councilor Benson provides the council with information pertaining to funding received in regards to public land, he suggests taking the opportunity to try and include cities as recipients of these funds in addition to counties and townships. No action taken, further information and statistics provided to council.

MEMBER CONCERNS

Benson: Extends gratitude to Administrator Rich for attending the LMC conference in Duluth.

DeWall: Requests follow-up information, and would like to see the placement, 6th St and 5th Ave property updates

Johnson: Have a safe and happy 4th of July

Rohweder: None

Mayor Ward: Have a safe and happy 4th of July

Attorney Bray: None

Administrator Rich: None

BILLS FOR APPROVAL:

General: \$61,860.99

Liquor: \$46,923.04

TOTAL BILLS FOR APPROVAL: \$108,784.03

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

M/S/P: DeWall/Johnson to adjourn the regular council meeting at 6:37 pm.

To: City Council
From: Leslie Brunfelt, Finance Director
Date: July 11, 2023
Re: Quarterly Financial Update

Finance Highlights

- 2023 Sales tax revenues through April were 32% higher than 2022.
- The liquor store sales are up 2.2% versus last year. Gross Margin through June is 24.1% vs. 27.3% last year and a budget of 27.3%.
- General Fund Receipts
 - \$4,995 Energy Rebate from MN Energy for the new boilers
 - \$17,414 Settlement from Monsanto
 - \$11,100 in donations for Fire Department Thermal Image Cameras
- All in, General Fund revenues are on track for the year.
- Interest earnings are up \$17,811 over last year.
- See the expenditure analysis on page four for an explanation of the expenditure variances.

Proctor has received a total of \$330,906.61 in funds from the American Rescue Plan (ARP). The current guidance from the Treasury departments allows for awards up to \$10 million to be used to replace lost revenue related to the pandemic. This application allows the City of Proctor to use the funds for the “General Provisions of Government”.

Council has designated funds for the following projects:

1. Fire Department SCBA units - \$21,418, completed
2. Sand Salt Facility -\$200,000, completed
3. Park Improvements \$70,000, pending
4. Sidewalks \$39,488.61, pending

On June 14, 2023 Moody’s issued an updated credit analysis and upgraded the City of Proctor from A1 to Aa3 based on the robust financial position, moderate leverage, and modest fixed costs.

\$2,560,000 in General Obligation Improvement Bonds, Series 2023A went out for bid and a bid was accepted from Robert W. Baird & Co. on June 30, 2023 with a rate of 3.726% this rate was lower than original projections of a rate around 4.1% and resulted in additional proceeds of \$182,697.94.

Current Economics

On a National Level, From HilltopSecurities 2023 Q2 Economic Commentary, economic growth has continued to outperform forecasts. Inflation continues to be the Fed's primary focus. On May 3rd, Fed officials announced another 25 basis point rate hike, bringing the overnight target above 5% for the first time since 2007. Chairman Powell promised future decisions on rates would consider the cumulative effect, granting the committee an opportunity to pause at their next meeting. They did pause in June, but it is widely expected there will be another 50 basis points of rate hikes before year end.

The longer it takes to wrestle prices lower, the more likely it is that inflation becomes embedded. Concerns are most evident in the service sector where demand is unlikely to cool without a significant weakening of the economy, while the supply of labor remains woefully inadequate. The unemployment rate fell to a new 54-year low of 3.4% in April. This seems unlikely to change as the employment-to-population ratio of prime age workers (ages 25-54) climbed to 80.7% in May, the highest since 2011 according to the St. Louis Federal Reserve. 2.4 million more seniors chose to retire during the pandemic than demographic models had predicted. Only 22.8% of seniors, 65 and older, are working, down from 25.2% before the pandemic. Unfortunately, this is also the fastest growing demographic. By 2030, every surviving member of the baby boom generation will have turned 65.

State Budget outlook:

The State's economic outlook remains positive. As of the February forecast the state had a surplus of \$12.5 billion. In addition, Minnesota's net general fund receipts for fiscal year 2023 are now estimated to be \$529 million or 1.8% higher than projected in the February forecast.

Minnesota's macroeconomic consultant, S&P Global (S&P) expects annual real GDP to grow 1.8 percent this year and 1.2 percent next year, 1.5 percent in 2025, 1.7 percent in 2026, and 1.8 percent in 2027. The improvement in the outlook is driven by improved first quarter growth.

S&P lowered their forecast for headline CPI inflation to 4.1% in 2023 and 2.7% in 2024.

City of Proctor
Cash Balances
June 2023

Fund	Current Balance
100 - General Fund	2,934,728
200 - Cable Communications Fund	127,478
300 - Construcion Projects	107,393
400 - Closed Debt Service Funds	151,426
493 - Equip Cert 2012A, Refunding	16,039
494 - 2015 Improvement Refund Bonds	71,672
495 - 2016A Advance Refunding Bonds	97,424
496 - 2018A GO Bonds Almac and 6th S	(25,905)
500 - Sewer Fund	2,006,669
550 - Golf Course Fund	(265,829)
600 - Liquor Fund	201,450
700 - Public Utilities Commission	5,460,871
810 - Proctor BDRHC Fund	13,840
830 - Proctor Economic Development	105,603
850 - Public Safety Capital Equipment	107,346
	<hr/>
	11,002,860
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Cash balances are 6.9% below June 2022. City's General Fund cash of \$2.9 million is 100% of the City's General Fund 2023 budget. We are still waiting for the \$500,000 reimbursement grant for the Sand and Salt shed. The City is not projecting any cash flow issues at this time.

City of Proctor
Select Departmental and Fund Expenditure/Expense Budget Variance Report
January - June 2023

	2023 Annual Budget	2023 YTD Budget	2023 YTD Actual	Budget Variance over (under)	over (under) %	
General Fund	2,980,789	1,441,875	1,352,088	(89,786)	-6%	
Police	1,245,555	656,774	601,236	(55,538)	-8%	1
Fire	263,332	107,360	106,259	(1,101)	-1%	2
Streets	570,673	272,589	266,872	(5,716)	-2%	
Parks	63,665	38,464	25,827	(12,636)	-33%	3
City Admin	438,932	221,253	190,991	(30,263)	-14%	4
Council/Mayor	132,473	57,675	58,754	1,079	2%	
Legal	50,000	25,000	23,651	(1,349)	-5%	
City Hall	216,160	62,760	78,498	15,738	25%	5
Sewer	525,549	262,774	213,833	(48,941)	-19%	6
Liquor Store	1,152,063	576,032	555,028	(21,004)	-4%	7
PEDA	55,000	-	98	98	0%	

Explanation of Significant Variances

- 1 - Wages are lower than budgeted ytd with one officer on active duty military.
- 2 - Second quarter wages were not processed by 6/30/2023. This offset the higher maintenance costs of the engines that is \$17K over the annual budget.
- 3 - Fair maintenance spending of \$10K will go out in July.
- 4 - Timing of Laserfiche Document Management project. Should get underway in the 3rd quarter.
- 5 - Johnson Controls maintenance contract paid for the year in January.
- 6 - Timing of sewer and storm maintenance.
- 7 - Salaries and benefits are \$13K below budget and the timing of inventory purchases is a bit behind budget based on normal seasonality.

Minutes of the Proctor Economic Development Authority Meeting held Tuesday, June 13, 2023, at the Proctor Area Community Center.

Meeting called to order by PEDA Chair Madson at 6:01 p.m.

MEMBERS PRESENT: Chair Eric Madson, Commissioner Schwarzbauer, Mayor Chad Ward, Commissioner Eric Bingaman. Absent at Time of Roll Call: Commissioner Trish Jauhola (arrived 6:09 pm.)

OTHERS PRESENT: City Administrator Jess Rich

Motion by Mayor Ward, seconded by Commissioner Schwarzbauer and carried (4-0) to approve the May 9, 2023, Minutes.

Motion by Commissioner Schwarzbauer, seconded by Mayor Ward and carried (4-0) to approve the June 1, 2023, Special Meeting Minutes.

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

Commissioner Jauhola arrived at 6:09.

Chair Madson reported he and Commissioner Schwarzbauer attended the I-35 MnDOT information meeting.

Chair Madson reported the Proctor School Board was given the presentation on the athletic facility and meetings are being scheduled with our state representative and senator. Administrator Rich reported she will be setting up a meeting with APEX to discuss a strategic communication plan for the athletic complex.

MEMBER CONCERNS

Motion by Chair Madson, seconded Commissioner Jauhola by carried (5-0) to adjourn at 7:10 PM.

Respectfully Submitted: PEDA Secretary, Jess Rich



Building a Better World
for All of Us®

MEETING MINUTES

Proctor Monthly Meeting

July 12, 2023

10:30 a.m.

City Hall

Attendees: Jess Rich – City of Proctor
Megan Jordan – City of Proctor
Rick LaLonde – City of Proctor
Jay Boysen – City of Proctor
Matt Bolf, Tyler Yngsdal – SEH
Char Jones – PUC

SEH No.: PROCT 166073

Project Manager: Matt Bolf, PE

I. Salt / Sand / Public Works Project

A. Project Updates:

1. Lumen FO is planned to be cutover today.
2. Veit plans to start utility work the week of the 19th.
3. Kirkus Street detour – Veit is requesting to route traffic to Westgate Blvd for 1 or 2 days to install the sanitary crossing. *The City is ok with this detour as it will help divert traffic away from 2nd Street. The City will request a 1 week notice before the traffic switch.*
4. Utility conflicts – *Tyler will send notification to private utilities of the change in construction status.*
 - a. NESC – Lower FO when new access road is being built.
 - b. CenturyLink (Lumen) – Cutover date 7/12
 - c. MN Power – Lower 3-phase under new access road.
 - d. Underground power for lighting – Lower power under new access road.
5. Transformer and junction box to be located east of temporary access road. *Char confirmed that this is still the plan.*

B. Phase 2 Garage

1. PreCon was held last month
 - a. *City permits were received and approved.*
2. Request schedule from Dave F. *Dave provided a schedule for the garage. With the late start, they may need to extend the completion dates. They are still pushing to try and meet the original completion dates for the garage.*
3. Shop drawings are ongoing
4. Monthly meetings - *TBD*

II. Second Street LRIP

A. Project Construction Updates

1. Subcut from 5th Ave. to 7th Ave. *Second crew being brought in for the road work.*
2. Determining locations for rock blasting. Plan to start on Monday.
 - a. *I had Jerry tell USA to make sure notifications are sent to residents, school, PD, and FD. Megan sent notifications out today.*

- b. Requested a blast plan from Jim P. Sounds like they have been on site this week to complete pre-blast surveys. A blasting plan was received today.
 3. Water main along 9th. USA plans to start on water at 9th/3rd this week and work their way south until they hit rock.
 4. Monday water main at south school lot, School has been notified for shutdown. Coordination is ongoing with PUC, contractor, and school for water work at the south end of 9th, along with temporary service to the school.
 5. Utilities between 8th Ave. and 9th Ave.
 - B. Contractor Payments
 1. Pay Application #2 – End of July
 - C. Miscellaneous Project Items:
 1. Reclaim material – Waiting on gradation and AC Content results from USA to provide to Braun. Also waiting for price reduction amount from USA.
 2. Deep Sanitary at south school lot
 - a. Leave hydrant in place, new main across 9th Ave, new valve at alley, and new tee and valve for north extension. Shutdown planned for Monday. This work is being coordinated with PUC, contractor and the school.
 3. Water Service 840 2nd Street
 - a. Service installation per plan would require rock blasting up to house. Discussed on site with the homeowner and determined this to not be an option. For now water service will be reconnected at existing location to maintain water to house.
 - b. Option to run new water service from WM in alley with new curb stop at alley R/W. This will provide for a future service connection for the homeowner to achieve having service located on their own property. Char is OK with this solution. SEH will notify the contractor and homeowner of this.
 4. Sanitary service blockage at church. City notified the church to have the lateral televised to determine what the issue is.

III. MS4 – MS4 General Permit has been reissued by the MPCA

- A. No updates needed to forms or process at this time.

IV. PUC Items

- A. Booster Station
 1. Punch List items.
 - a. Generator Receptacle – PUC is looking into purchasing a generator.
 - (1) SEH requested a Change Order estimate to provide a cord with a connection to the building and open-ended wiring. CO quote came in at \$10k. The City is going to explore other options.
 - (2) Contractor requested to run conduit out of west wall of building around the north side to the east side for the receptacle. SEH discussed with Dakota Pump that we want the conduit run on the inside of the building. Waiting on schedule.
 - b. External siding to cover base - USA completed this work.
 - c. Door re-adjustment – this needs to be completed.
 - d. Fence – Keller fixed the fence to match the approved layout.
 - e. SEH followed up with USA on 5/15 for a schedule update. USA will notify Jerry when they plan to send crews to tackle some of the smaller items.
- B. Water Tower
 1. Tank Mixer - KLM recommended a mixer be added to prevent freezing. The PUC would like this work to be completed in conjunction with the painting needs.
 2. Painting touch up - PUC would like this work to be completed in conjunction with the mixer.
 3. Inspections - SEH completed the inspection on 6/27. Report will be available in next few weeks. Char would like the report for the next PUC meeting on 8/14.

V. Proctor GIS

- A. Public Works Updates – SEH collected corrections from Rick and will make updates to the GIS system in the Spring
- B. Locator – City staff have started trainings with the new locator.
- C. SEH received MN Power GIS files for out next GIS update which will occur fall of 2023.

VI. School District Plan Review – No update.

- A. Water is bypassing the curb cut to the pond and running into Kirkus Street. The City and school district have started conversations about this topic again.
- B. Hockey Arena – There are still improvements needed to make the site compliant including:
 - 1. Pond 3 Expansion – Troy asked SEH for price to process HydroCAD updates and determine how much bigger the pond needs to get.
 - 2. Pervious Areas at Pond 2 – Pond 2 needs more live space and less dead space. They can either adjust the outlet down or make pond 2 bigger. This will be reviewed after new calculations are performed.
 - 3. Maintenance Agreement – not complete yet.

VII. Miscellaneous

- A. Pickleball Courts
 - a. The City is still exploring options around the City for new Pickle ball courts.
- B. Storm Water Utility – No update.
- C. Water & Wastewater 2023-2024 PPL – No updates
 - 1. 2024 PPL
 - a. Wastewater - Westgate to WLSSD manhole was submitted on 3/3 for the PPL.
 - b. DWRP PPL Application submitted on 5/5/2023
- D. Federal Appropriation Funds – No updates
- E. Bonding Bill
 - 1. Bonding Bill applications was submitted for Ugstad Development project. Jess did receive some feedback on this project and will follow up as appropriate.
- F. Trails – 40 acre parcel
 - 1. Property lines marked last month. City plans to complete this work in the Fall.
- G. Lead Service Line (LSL) Inventory
 - 1. Inventory due date – 10/16/2024 Char met with Rural Water and Dept. of Health to discuss upcoming requirements and dates.
 - 2. SEH has been selected by MDH to be in a master pool of consultants to provided technical assistance to cities to assist with LSL inventory. Application window is expected to be open from June 20th to July 20th. City official is required to submit the application and will have the opportunity to request to work with SEH. City may only select one category for assistance during application period:
 - a. Records review (desktop) – PUC will tackle this in house. All homes built prior to 1985 may have lead service components.
 - b. Visual inspection – PUC will likely apply for Visual Inspection grant dollars.
 - c. Lead service line replacement plans
 - 3. IJJA Lead Service funding dollars could be available. SEH will watch for this application.

- H. Kingsbury Creek Restoration – [no update this month.](#)
 - 1. MPCA is planning a restoration project from near City hall to Boundary Avenue along Kingsbury Creek.
 - 2. MPCA would like to know if the city would be willing to maintain Stormwater treatment BMPs if the MPCA installs them with the project.
 - 3. MPCA received roughly \$600k in federal funding and is going after an additional \$300k in state funding.

- I. PUC Road Patches & Acacia Ave. Storm Drain Repairs
 - 1. Acacia Ave Storm – [SEH on site today to confirm R/W monumentation for existing easement.](#)
 - a. Working on R/W drawing – 10' drainage/utility easement on Plat
 - b. Plans are in draft form, waiting to confirm R/W questions before finalizing
 - 2. PUC WM Break road patches
 - a. [PUC received 2 bids, one from KTM and one from Sinnott Blacktop. PUC is awarding project to Sinnott.](#)

- J. Playground Parking
 - 1. [City awarded the low bid to KTM. Jess working with DNR for grant approval for use of funds.](#)
 - 2. [City crews are replacing the culvert at the entrance to the park prior to improvements.](#)
 - 3. [SEH will provide grades for KTM.](#)

- K. WLSSD LOS Exceedance in April
 - 1. [SEH sent response letter to WLSSD.](#)

- L. Sidewalk funds – The City discussed options for using the City Sidewalk Fund for improvements in high traffic areas around the City.

- M. Jet – [Structural Engineer submitted report to City with their condition findings. 148th is making temporary repairs until the City decides how to address the maintenance needs on the Jet.](#)

- N. [County Crack/Chip Seal](#)
 - 1. [City would like to develop a maintenance list for Crack/Chip Seal roads within town.](#)
 - 2. [Maintenance list would identify schedule based on year constructed. This will include Kirkus Street, Almac Drive, 6th Street, and 2nd Street.](#)
 - 3. [SEH will discuss these applications and associated costs with the County to get a better idea of what type of maintenance program the City could implement.](#)
 - 4. [If City decides to have the county Crack/Chip seal any roadways, a resolution will be required.](#)

- O. [Westgate Boulevard](#)
 - 1. [Road is in very poor condition yet serves a Commercial area of town.](#)
 - 2. [It could be a possible reclaim and pave candidate since there are limited utilities.](#)
 - 3. [City would like to look at other priority streets in town and discuss at a council level.](#)

- P. [Coffee Shop \(Old Wok-N-Grill\)](#)
 - 1. [Owner is looking at adding a drive thru off of 6th Street.](#)
 - 2. [City may want to consider getting a Concurrent Use Permit in place.](#)
 - 3. [Overall, it is in a low volume area and wouldn't likely cause any traffic concerns.](#)
 - 4. [Jay will discuss next steps with the owner.](#)

viii. Next Meeting – July 10th @ 9:00 am

City of Proctor

Payroll Summary by Department

3C

Check Date Range 7/7/2023 to 7/7/2023

Department	Gross Wages	Overtime Hours	Overtime Wages	Double Overtime Hours	Double Overtime Wages
Council	-	-	-	-	-
City Admin	7,374.71	-	-	-	-
Finance	3,076.81	-	-	-	-
Police Department	27,214.44	38.50	1,717.38	-	-
Fire Department	306.00	-	-	-	-
Street Department	10,165.28	-	-	-	-
Liquor Store	5,457.16	-	-	-	-
PUC	6,529.55	3.50	142.80	-	-
Committees	-	-	-	-	-
Election Judges	-	-	-	-	-
Total	60,123.95	42.00	1,860.18	-	-

**NEW ISSUE
BANK QUALIFIED
BOOK ENTRY ONLY**

MOODY'S RATING: Aa3

In the opinion of Fryberger, Buchanan, Smith & Frederick, P.A., based on present federal and Minnesota laws, regulations, rulings and decisions, and assuming compliance with certain covenants, interest to be paid on the Bonds is excluded from gross income for federal income tax purposes and from taxable net income of individuals, estates and trusts for Minnesota income tax purposes, and is not an item of tax preference which is included in alternative minimum taxable income for purposes of the federal alternative minimum tax imposed on individuals or the Minnesota alternative minimum tax imposed on individuals, trusts and estates, however, such interest is taken into account in determining the annual adjusted financial statement income of certain corporations for the purpose of computing the federal alternative minimum tax imposed on corporations for tax years beginning after December 31, 2022. Such interest is includable in taxable income for purposes of the Minnesota franchise tax on corporations and financial institutions. (See "TAX EXEMPTION" herein.)

**CITY OF PROCTOR, MINNESOTA
\$2,560,000 General Obligation Improvement Bonds, Series 2023A
(the "Bonds")**

Dated Date	Date of Delivery (anticipated to be August 1, 2023)
Security	The Bonds will be general obligations of the City for which the City will pledge its full faith and credit and power to levy direct general ad valorem taxes. In addition, the City will pledge special assessments against benefitted properties for repayment of a portion of the Bonds.
Authorization	The Bonds are being issued pursuant to Minnesota Statutes, Chapters 429 and 475. See "Authority and Security" herein.
Purpose	The proceeds of the Bonds will be used to finance various street and related utilities improvement projects.
Principal and Interest Payments	Principal will be paid annually on February 1, beginning February 1, 2025. Interest will be payable semiannually on February 1 and August 1, beginning August 1, 2024.
Redemption Provisions	The City may elect on February 1, 2032, and on any day thereafter, to redeem Bonds due on or after February 1, 2033 at a price of par plus accrued interest.
Book Entry	The Bonds will be issued only as fully registered obligations, and when issued, will be registered in the name of Cede & Co., as nominee for The Depository Trust Company ("DTC"). See Appendix B for "Book Entry".
Denominations	The Bonds are being issued in the denomination of \$5,000 or integral multiple thereof.
Registrar and Paying Agent	Northland Trust Services, located in Minneapolis, Minnesota ("Registrar" and "Paying Agent").
Underwriter	Please see the "PURCHASER/UNDERWRITING" section herein for discussion regarding the Underwriter of the Bonds.



MATURITY SCHEDULE
(Base CUSIP(1) 742752)

<u>Maturity</u> <u>(February 1)</u>	<u>Principal</u>	<u>Interest</u> <u>Rate</u>	<u>Yield</u>	<u>Price</u>	<u>CUSIP(1)</u>
2025	\$ 30,000	5.00%	3.15%	102.689%	LR7
2026	\$ 85,000	5.00%	3.00%	104.782%	LS5
2027	\$ 90,000	5.00%	2.85%	107.113%	LT3
2028	\$ 90,000	5.00%	2.80%	109.241%	LU0
2029	\$ 95,000	5.00%	2.75%	111.412%	LV8
2030	\$100,000	5.00%	2.75%	113.309%	LW6
2031	\$110,000	5.00%	2.75%	115.154%	LX4
2032	\$115,000	5.00%	2.75%	116.950%	LY2
2033	\$120,000	5.00%	2.80%	116.538%(2)	LZ9
2034	\$120,000	5.00%	2.85%	116.128%(2)	MA3
2036(3)	\$270,000	5.00%	3.10%	114.102%(2)	MC9
2038(3)	\$300,000	4.00%	3.65%	102.583%(2)	ME5
2040(3)	\$325,000	4.00%	3.80%	101.441%(2)	MG0
2044(3)	\$710,000	4.00%	4.00%	100.000%	ML9

(1) CUSIP® is a registered trademark of the American Bankers Association (“ABA”). CUSIP data (including CUSIP identifiers and related descriptive data) contained herein is provided by CUSIP Global Services (“CGS”), which is operated on behalf of the ABA by FactSet Research Systems Inc. CUSIP data is the valuable intellectual property of the ABA and the inclusion of CUSIP data herein is not intended to create a database and does not serve in any way as a substitute for any CUSIP Service provided by CGS. CUSIP data herein is provided for convenience of reference only. Neither the City, the Municipal Advisor, the Underwriter nor their agents take any responsibility for the accuracy of such data now or at any time in the future. The CUSIP number for a specific maturity is subject to being changed after the issuance of the Bonds as a result of various subsequent actions including, but not limited to, a refunding in whole or in part of such maturity or as a result of the procurement of secondary market portfolio insurance or other similar enhancement by investors that is applicable to all or a portion of certain maturities of the Bonds.

(2) Priced to the first optional call date of February 1, 2032.

(3) Term Bonds (see “DESCRIPTION OF THE BONDS – Mandatory Redemption” herein).

The Official Statement dated June 30, 2023 is a Final Official Statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission.

The City designates the senior managing underwriter of the syndicate to which the Bonds are awarded as its agent for purposes of distributing copies of the Final Official Statement to each participating underwriter. By delivering an offer with respect to the purchase of the Bonds, the senior managing underwriter has agreed that (i) it accepts such designation and (ii) it shall enter into a contractual relationship with all participating underwriters of the Bonds for purposes of assuring the receipt by each such participating underwriter of the Final Official Statement.

No dealer, broker, salesperson, or other person has been authorized by the City to give any information or to make any representations with respect to the Bonds, other than as contained in the Preliminary Official Statement or the Final Official Statement, and if given or made, such other information or representations must not be relied upon as having been authorized by the City. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the securities described herein by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation, or sale.

Certain information contained in the Preliminary Official Statement or the Final Official Statement may have been obtained from sources other than records of the City and, while believed to be reliable, is not guaranteed as to completeness or accuracy. The information and expressions of opinion in the Preliminary Official Statement and the Final Official Statement are subject to change, and neither the delivery of the Preliminary Official Statement nor the Final Official Statement nor any sale made under either such document shall create any implication that there has been no change in the affairs of the City since the respective date thereof. However, upon delivery of the securities, the City will provide a certificate stating there have been no material changes in the information contained in the Final Official Statement since its delivery.

References herein to laws, rules, regulations, resolutions, agreements, reports, and other documents do not purport to be comprehensive or definitive. All references to such documents are qualified in their entirety by reference to the particular document, the full text of which may contain qualifications of and exceptions to statements made herein. Where full texts have not been included as appendices to the Preliminary Official Statement or the Final Official Statement, they will be furnished upon request.

References to website addresses presented herein are for informational purposes only and may be in the form of a hyperlink solely for the reader's convenience. Unless specified otherwise, such websites and the information or links contained therein are not incorporated into, and are not part of, this Official Statement for the purposes of, and as that term is defined in, Securities and Exchange Commission Rule 15c2-12.

The Bonds are considered securities and have not been approved or disapproved by the Securities and Exchange Commission or any state or federal regulatory authority nor has any state or federal regulatory authority confirmed the accuracy or determined the adequacy of this Official Statement. Any representation to the contrary is a criminal offense. Investors must rely on their own examination of this Official Statement, the security pledged to repay the Bonds, the City and the merits and risks of the investment opportunity.

FORWARD-LOOKING STATEMENTS

This Official Statement, including its appendices, contains statements which should be considered "forward-looking statements," meaning they refer to possible future events or conditions. Such statements are generally identifiable by the words such as "plan," "expect," "estimate," "budget," "may," or similar words. The achievement of certain results or other expectations contained in such forward-looking statements involve known and unknown risks, uncertainties and other factors which may cause a deviation from the actual results, performance or achievements expressed or implied by such forward-looking statements. The City does not expect or intend to update or revise any forward-looking statements contained herein if or when its expectations, or events, conditions, or circumstances on which such statements are based occur.

CITY OF PROCTOR, MINNESOTA

CITY COUNCIL

Chad Ward	Mayor
Troy DeWall	Councilor
Jake Benson	Councilor
Rory Johnson	Councilor
James Rohweder	Councilor

CITY ADMINISTRATOR

Jessica Rich

DIRECTOR OF FINANCE AND ACCOUNTING

Leslie Brunfelt

MUNICIPAL ADVISOR

Baker Tilly Municipal Advisors, LLC
Saint Paul, Minnesota

BOND COUNSEL

Fryberger, Buchanan, Smith & Frederick, P.A.
Duluth, Minnesota

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OFFICIAL STATEMENT

CITY OF PROCTOR, MINNESOTA \$2,560,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2023A

PURPOSE OF THE CITY AND USE OF FUNDS

PURPOSE OF THE BONDS

The proceeds of the Bonds will be used to finance various street and related utilities improvement projects.

USES AND SOURCES OF FUNDS

The composition of the Bonds is as follows:

Sources of Funds:	
Principal Amount	\$2,560,000.00
Available City Funds	1,391,290.50
Reoffering Premium	<u>169,474.15</u>
Total Sources of Funds	\$4,120,764.65
Uses of Funds:	
Deposit to Project Fund	\$3,873,316.21
Additional Proceeds	182,697.94
Costs of Issuance(1)	42,850.00
Underwriter's Compensation	<u>21,900.50</u>
Total Uses of Funds	\$4,120,764.65

(1) Includes fees for bond counsel, municipal advisor, registrar, rating, and other miscellaneous expenses.

DESCRIPTION OF THE BONDS

INTEREST CALCULATION

Interest on the Bond is payable on February 1 and August 1 of each year, commencing August 1, 2024. Interest will be payable to the holder (initially Cede & Co.) registered on the books of the Registrar as of the fifteenth day of the calendar month next preceding such interest payment date (the "Record Date"). Interest will be computed on the basis of a 360-day year of twelve 30-day months.

REGISTRATION AND EXCHANGE FEATURES

Each registered Bond shall be transferable or exchangeable only on such record at the designated corporate trust office of the "Registrar" and "Paying Agent," Northland Trust Services, Minneapolis, Minnesota, at the written request of the registered owner thereof or his attorney duly authorized in writing upon surrender thereof, together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney.

BOOK ENTRY

When issued, the Bonds will be registered in the name of and held by Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). Purchases of beneficial interests in the Bonds will be made in book entry only form. See Appendix B: Book Entry.

PROVISIONS FOR PAYMENT

The principal on the Bonds shall be payable at the designated corporate trust office of the Registrar and Paying Agent, or by wire transfer to DTC or any successor depository. All payments of interest on the Bonds shall be paid to the registered owners as the names appear as of the Record Date and at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Registrar or by wire transfer to DTC or any successor depository. If payment of principal or interest is made to DTC or any successor depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). Payments on the Bonds shall be made in lawful money of the United States of America which, on the date of such payment, shall be legal tender.

So long as DTC or its nominee is the registered owner of the Bonds, principal and interest on the Bonds will be paid directly to DTC by the Paying Agent. (The final disbursement of such payments to the Beneficial Owners of the Bonds will be the responsibility of the DTC Participants and Indirect Participants.

NOTICE OF REDEMPTION

Mailed notice of redemption shall be given to the registered owner(s) of the Bonds in accordance with the requirements of DTC which currently requires no less than twenty (20) days nor more than sixty (60) days prior to the redemption date. Failure to give such written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All Bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment.

OPTIONAL REDEMPTION

The City may elect on February 1, 2032, and on any day thereafter, to redeem Bonds due on or after February 1, 2033. Redemption may be in whole or in part and if in part at the option of the City and in such manner as the City shall determine. If less than all the Bonds of a maturity are called for redemption, the City will notify DTC of the particular amount of such maturity to be redeemed. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All redemptions shall be at a price of par plus accrued interest.

MANDATORY REDEMPTION

The Term Bonds maturing on February 1 in the years 2036, 2038, 2040, and 2044 (the "Term Bonds") are subject to mandatory sinking fund redemption and shall be redeemed in part at par plus accrued interest on the mandatory dates and in the principal amounts as follows:

<u>2036 Term Bond</u>		<u>2038 Term Bond</u>	
<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2035	\$135,000	2037	\$150,000
2036*	\$135,000	2038*	\$150,000
<u>2040 Term Bond</u>		<u>2044 Term Bond</u>	
<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2039	\$160,000	2041	\$165,000
2040*	\$165,000	2042	\$170,000
		2043	\$185,000
		2044*	\$190,000

* *Final Maturity.*

The principal amount of the Term Bonds may be reduced through the earlier optional redemption, with any partial optional redemptions of the Term Bonds credited against future mandatory redemption requirements for such Term Bonds in such order as the City shall determine.

AUTHORITY AND SECURITY

AUTHORITY

The Bonds are being issued pursuant to Minnesota Statutes, Chapters 429 and 475.

SECURITY AND SOURCES OF PAYMENT

The Bonds will be general obligations of the City for which the City will pledge its full faith and credit and power to levy direct general ad valorem taxes. In addition, the City pledges special assessments against benefited properties for repayment of a portion of the Bonds. Special assessments in the principal amount of approximately \$533,913 are expected to be filed in 2023 for first collection in 2024. Assessments will be filed over a term of 20 years with equal annual payments of principal and interest. Interest on the unpaid balance will be charged at an interest rate of 5.726%.

The City will also levy taxes for repayment of a portion of the Bonds, and will make its first levy in 2023 for collection in 2024. Each year's collection of taxes and special assessments, if collected in full, will be sufficient to pay 105% of the interest payment due August 1 of the collection year and the principal and interest payment due February 1 of the following year.

INVESTMENT OF FUNDS

The proceeds of this issue are to be invested in accordance with the laws of the State relating to the depositing, holding, securing, or investing of public funds. The City shall direct the investment of Bonds proceeds.

RATING

Moody's Investors Service ("Moody's"), 7 World Trade Center, 250 Greenwich Street, 23rd Floor, New York, New York have assigned a rating of "Aa3" to the Bonds. Such rating reflects only the view of Moody's and any explanation of the significance of such rating may only be obtained from Moody's.

The rating is not a recommendation to buy, sell or hold the Bonds, and such rating may be subject to revision or withdrawal at any time by Moody's. Any revision or withdrawal of the rating may have an adverse effect upon the market price of the Bonds.

The City has not applied to any other rating service for a rating on the Bonds.

RISK FACTORS AND INVESTOR CONSIDERATIONS

Prospective purchasers of the Bonds should consider carefully, along with other matters referred to herein, the following risks of investment. The ability of the City to meet the debt service requirements of the Bonds is subject to various risks and uncertainties which are discussed throughout this Official Statement. Certain of such investment considerations are set forth below.

MAINTENANCE OF RATINGS

The Bonds have been rated as to their creditworthiness by Moody's. While the City does not anticipate any material changes in the future, no assurance can be given that the Bonds will maintain its original rating. If the rating on the Bonds decrease or are withdrawn, the Bonds may lack liquidity in the secondary market in comparison with other such municipal obligations. See "Rating" herein.

SECONDARY MARKET

While the purchaser of the Bonds may expect, insofar as possible, to maintain a secondary market in the Bonds, no assurance can be given concerning the future existence of such a secondary market or its maintenance by the purchasers or others, and prospective purchasers of the Bonds should therefore be prepared, if necessary, to hold their Bonds to maturity or prior redemption, if any.

FUTURE CHANGES IN LAW

Future legislative proposals, if enacted into law, clarification of the Code (defined herein) or court decisions may cause interest on the Bonds to be subject, directly or indirectly, to federal income taxation or to be subject to or exempted from state income taxation, or otherwise prevent Beneficial Owners from realizing the full current benefit of the tax status of such interest. The introduction or enactment of any such legislative proposals, clarification of the Code or court decisions may also affect the market price for, or marketability of, the Bonds. Prospective purchasers of the Bonds should consult their own tax advisors regarding any pending or proposed federal or state tax legislation, regulations, or litigation, as to which Bond Counsel expresses no opinion.

Legislation affecting municipal bonds is considered from time to time by the United States Congress and the Executive Branch. Bond Counsel's opinion is based upon the law in existence on the date of issuance of the Bonds. It is possible that legislation enacted after the date of issuance of the Bonds or proposed for consideration will have an adverse effect on the excludability of all or a part of the interest on the Bonds from gross income, the manner in which such interest is subject to federal income taxation or the market price of the Bonds.

Legislation affecting municipal bonds is considered from time to time by the Minnesota legislature and Executive Branch. It is possible that legislation enacted after the date of the Bonds or proposed for consideration will have an adverse effect on payment or timing of payment or other matters impacting the Bonds.

The City cannot predict the outcome of any such federal or state proposals as to passage, ultimate content or impact if passed, or timing of consideration or passage. Purchasers of the Bonds should reach their own conclusions regarding the impact of any such federal or state proposals.

There can be no assurance that there will not be any change in, interpretation of, or addition to the applicable laws and provisions which would have a material effect, directly or indirectly, on the affairs of the City.

LIMITATIONS ON REMEDIES AVAILABLE TO OWNERS OF THE BONDS

No Acceleration. There is no provision for acceleration of maturity of the principal of the Bonds in the event of a default in the payment of principal or interest on the Bonds. Consequently, the owners of the Bonds may have to enforce available remedies.

No Trustee. There is no bond trustee or similar person or entity to monitor or enforce the provisions of the Resolution on behalf of the owners of the Bonds, and therefore the owners should be prepared to enforce such provisions themselves if the need to do so ever arises.

POTENTIAL IMPACTS RESULTING FROM THE EPIDEMICS OR PANDEMICS

The City's finances may be materially adversely affected by unforeseen impacts of future epidemics and pandemics, such as the Coronavirus (COVID-19) pandemic. The City cannot predict future impacts of epidemics or a pandemics, any similar outbreaks, or their impact on travel, on assemblies or gatherings, on the State, national or global economy, or on securities markets, or whether any such disruptions may have a material adverse impact on the financial condition or operations of the City, including but not limited to the payment of debt service on any of its outstanding debt obligations.

CYBERSECURITY

The City relies on computer networks, data storage, collection, and transmission to conduct the operations of the City and has implemented security measures to protect data and limit financial exposure, including securing cyber security insurance to assist with the reduction of potential risk of financial and operational damage resulting from network attacks. Even with these security measures, the City, its information technology, data stored by the City and its infrastructure may be vulnerable in the event of a deliberate system attack, including malware, ransomware, computer virus, employee error or general disruption. If breached or compromised, the networks could be disrupted and information could be accessed, disclosed, lost, or stolen. The City acknowledges that its systems could be affected by a cybersecurity attack and that a loss, disruption, or unauthorized access to data held by the City could have a material impact on the City. Further, as cybersecurity threats evolve, the City will continue to evaluate and implement security measures and work to mitigate any vulnerabilities in its system.

PURCHASER/UNDERWRITING

The Bonds are being purchased by Robert W. Baird & Co., Incorporated, Milwaukee, Wisconsin (the "Underwriter") and its syndicate at a purchase price of \$2,707,573.65, which is the par amount of the Bonds of \$2,560,000.00, less the Underwriter's discount of \$21,900.50, plus the original issue premium of \$169,474.15. The Terms of Proposal provides that all of the Bonds will be purchased by the Underwriter if any of such Bonds are purchased.

The Underwriter intends to offer the Bonds to the public at the offering prices set forth on the inside cover page of this Official Statement. The Underwriter may allow concessions to certain dealers (including dealers in a selling group of the Underwriter and other dealers depositing the Bonds into investment trusts), who may realow concessions to other dealers. After the initial public offering, the public offering price may be varied from time to time by the Bonds.

CONTINUING DISCLOSURE

In order to permit bidders for the Bonds and other participating underwriters in the primary offering of the Bonds to comply with paragraph (b)(5) of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended (the "Rule"), the City will covenant and agree, for the benefit of the registered holders or beneficial owners from time to time of the outstanding Bonds, in the Bond Resolution, to provide certain specified information, if customarily prepared and publicly available and notice of the occurrence of certain events, if material, as hereinafter described (the "Disclosure Covenants"). The City is the only "obligated person" in respect of the Bonds within the meaning of the Rule, and giving effect to the issuance of the Bonds, there will not be more than \$10 million in principal amount of municipal securities outstanding on the date of issuance of the Bonds as to which the City is an obligated person. The information to be provided on an annual basis, the events as to which notice is to be given, if material, and a summary of other provisions of the Disclosure Covenants, including termination, amendment and remedies, are set forth in Appendix II to this Official Statement. The City believes it has complied for the past five years in accordance with the terms of its previous continuing disclosure undertakings entered into pursuant to the Rule.

FUTURE FINANCING

As of the date of the Official Statement, the City does not currently anticipate issuing additional debt in the calendar year 2023.

LITIGATION

To the knowledge of the officers for the City, there is no litigation pending, or threatened, against the City, which in any way questions or affects the validity of the Bonds, or any proceedings or transactions relating to the issuance, sale, or delivery thereof.

The officers for the City will certify at the time of delivery of the Bonds that there is no litigation pending or in any way threatened questioning the validity of the Bonds, or any of the proceedings relating to the

authorization, issuance and sale of the Bonds that would result in a material adverse impact on the financial condition of the City.

LEGAL MATTERS

The Bonds are subject to approval as to certain matters by Fryberger, Buchanan, Smith & Frederick, P.A., of Duluth, Minnesota, as Bond Counsel. Bond Counsel has not participated in the preparation of this Official Statement and will not pass upon its accuracy, completeness, or sufficiency. Bond Counsel has not examined nor attempted to examine or verify any of the financial or statistical statements or data contained in this Official Statement and will express no opinion with respect thereto. A legal opinion in substantially the form set out in Appendix C herein will be delivered at closing.

TAX MATTERS

TAX EXEMPTION

Under federal and Minnesota laws, regulations, rulings, and decisions in effect on the date of issuance of the Bonds, interest on the Bonds is not includable in gross income for federal income tax purposes. Certain provisions of the Internal Revenue Code of 1986, as amended (the "Code"), however, impose continuing requirements that must be met after the issuance of the Bonds in order for interest thereon to be and remain not includable in federal gross income. Noncompliance with such requirements by the City may cause the interest on the Bonds to be includable in federal gross income for purposes of federal income taxation, retroactive to the date of issuance of the Bonds, irrespective in some cases of the date on which such noncompliance occurs or is ascertained. No provision has been made for redemption of or for an increase in the interest rate on the Bonds in the event that interest on the Bonds becomes includable in federal gross income.

Interest on the Bonds is not an item of tax preference includable in alternative minimum taxable income for purposes of the federal alternative minimum tax imposed on individuals or the Minnesota alternative minimum tax imposed on individuals, trusts and estates; however, such interest is taken into account in determining the annual adjusted financial statement income of certain corporations for the purpose of computing the federal alternative minimum tax imposed on corporations for tax years beginning after December 31, 2022. Interest on the Bonds may be includable in income of foreign corporations for purposes of the branch profits tax imposed by Section 884 of the Code and is includable in the net investment income of foreign insurance companies for purposes of Section 842(b) of the Code. In the case of an insurance company subject to the tax imposed by Section 831 of the Code, the amount which otherwise would be taken into account as losses incurred under Section 832(b)(5) of that Code must be reduced by an amount equal to fifteen percent of the interest on the Bonds that is received or accrued during the taxable year. Section 86 of that Code requires recipients of certain Social Security and railroad retirement benefits to take into account interest on the Bonds in determining the taxability of such benefits. Passive investment income, including interest on the Bonds, may be subject to federal income taxation under Section 1375 of the Code for an S corporation that has Subchapter C earnings and profits at the close of the taxable year if more than twenty-five percent of its gross receipts is passive investment income. Section 265 of the Code denies a deduction for the interest on indebtedness incurred or continued to purchase or carry the Bonds. Indebtedness may be allocated to the Bonds for this purpose even though not directly traceable to the purpose of the Bonds. Federal laws also restrict the deductibility of other expenses allocable to the Bonds.

The foregoing is not intended to be an exhaustive discussion of collateral tax consequences arising from receipt of interest on the Bonds. Prospective purchasers should consult their tax advisors with respect to collateral tax consequences, including without limitation the calculations of alternative minimum tax or foreign branch profits tax liability or the inclusion of Social Security or other retirement payments in taxable income.

From time to time, legislative proposals are introduced in Congress which, if enacted, could alter one or more of the federal tax matters referred to above or would adversely affect the market value of the Bonds.

It cannot be predicted whether or in what form any of the proposals may be enacted and whether, if enacted, such proposals will apply to Bonds (such as the Bonds) issued prior to enactment.

Original Issue Premium

The Bonds maturing on February 1, 2020 through 2027, 2036, and 2039 have been sold at initial public offering prices which are greater than the principal amounts payable at maturity. Bondholders who acquire Bonds at a premium should consult their tax advisors concerning the calculation of bond premium and the timing and rate of premium amortization, as well as the federal, state and local tax consequences of owning and selling Bonds acquired at a premium.

Original Issue Discount

The Bonds maturing on February 1, 2030 (the "OID Bonds") have been sold at a discount from the principal amount payable on such OID Bonds at maturity. The difference between the principal amount of the OID Bonds and the initial offering price to the public (excluding bond houses, brokers, or similar persons or organizations acting in the capacity of underwriters or wholesalers) constitutes original issue discount which is excluded from gross income for federal income tax purposes to the same extent as interest on the Bonds. Such original issue discount accrues actuarially on the constant yield basis over the term of each OID Bond and the basis of each OID Bond acquired at the initial offering price by an initial purchaser thereof will be increased by the amount of such accrued original issue discount.

BANK-QUALIFIED TAX-EXEMPT OBLIGATIONS

The City will designate the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

MUNICIPAL ADVISOR

The City has retained Baker Tilly Municipal Advisors, LLC as municipal advisor in connection with certain aspects of the issuance of Bonds (the "Municipal Advisor" or "BTMA"). BTMA is a registered municipal advisor and controlled subsidiary of Baker Tilly US, LLP ("BTUS"), an accounting firm and has been retained by the City to provide certain financial advisory services including, among other things, preparation of the deemed "nearly final" Preliminary Official Statement and the Final Official Statement (the "Official Statements"). The information contained in the Official Statements has been compiled from records and other materials provided by City officials and other sources deemed to be reliable. The Municipal Advisor has not and will not independently verify the completeness and accuracy of the information contained in the Official Statements. The Municipal Advisor's duties, responsibilities and fees arise solely as Municipal Advisor to the City and they have no secondary obligations or other responsibility.

MUNICIPAL ADVISOR REGISTRATION

BTMA is a Municipal Advisor registered with the Securities and Exchange Commission and the Municipal Securities Rulemaking Board. As such, BTMA is providing certain specific municipal advisory services to the City, but is neither a placement agent to the City nor a broker/dealer and cannot participate in the underwriting of the Bonds.

The offer and sale of the Bonds shall be made by the City, in the sole discretion of the City, and under its control and supervision. The City has agreed that BTMA does not undertake to sell or attempt to sell the Bonds, and will take no part in the sale thereof.

OTHER FINANCIAL INDUSTRY ACTIVITIES AND AFFILIATIONS

BTUS is an advisory, tax and assurance firm headquartered in Chicago, Illinois. BTUS and its affiliated entities, have operations in North America, South America, Europe, Asia and Australia. BTUS is an independent member of Baker Tilly International, a worldwide network of independent accounting and business advisory firms in 47 territories, with 33,600 professionals.

Baker Tilly Investment Services, LLC ("BTIS") is registered as an investment adviser with the Securities and Exchange Commission ("SEC") under the Federal Investment Advisers Act of 1940. BTIS provides discretionary and non-discretionary investment management services to government and municipal entities. BTIS may provide advisory services to the clients of BTMA.

Baker Tilly Capital, LLC ("BTC"), a wholly owned subsidiary of BTUS, is a limited purpose broker/dealer registered with the SEC and member of the Financial Industry Regulatory Authority. BTC provides merger & acquisition, capital sourcing and corporate finance advisory services. BTC may provide transaction advisory services to clients of BTMA.

Baker Tilly Financial, LLC ("BTF"), a wholly owned subsidiary of BTUS, is an investment adviser registered with the SEC. BTF provides both discretionary and non-discretionary portfolio management, consulting and retirement plan management services to individuals and retirement plans. BTF may provide advisory services to the clients of BTMA.

BTMA has no other activities or arrangements that are material to its advisory business or its clients with a related person who is a broker-dealer, investment company, other investment adviser or financial planner, bank, law firm or other financial entity.

MISCELLANEOUS

The information contained in this Official Statement has been compiled from the City officials and other sources deemed to be reliable, and while not guaranteed as to completeness or accuracy, it is believed to be correct as of this date. However, the Official Statement speaks only as of its date, and the information contained herein is subject to change.

The references, excerpts, and summaries of all documents referred to herein do not purport to be complete statements of the provisions of such documents, and reference is directed to all such documents for full and complete statements of all matters of fact relating to the Bonds, the security for the payment of the Bonds and the rights and obligations of the owners thereof.

Any statements made in this Official Statement involving matters of opinion or of estimates, whether or not so expressly stated, are set forth as such and not as representations of fact, and no representation is made that any of the estimates will be realized. Neither this Official Statement nor any statement which may have been made orally or in writing is to be construed as a contract with the owners of the Bonds.

CERTIFICATION

The City has authorized the distribution of the Preliminary Official Statement for use in connection with the initial sale of the Bonds and a Final Official Statement following award of the Bonds. The City certifies to the best of its knowledge and belief that this Official Statement, as of its date and as it relates to the City and its economic and financial condition, (i) is complete and accurate; (ii) does not contain any untrue statement of a material fact; and (iii) does not omit any material facts or information which would make the statements contained herein misleading.

City of Proctor, Minnesota

Annual Financial Statements Together with Independent
Auditor's Report

For the Year Ended December 31, 2022

City of Proctor

Year Ended December 31, 2022

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City of Proctor

Year Ended December 31, 2022

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City of Proctor

Year Ended December 31, 2022

Elected Officials:

	<u>Office</u>	<u>Length of Term</u>	<u>Term Expires</u>
Chad Ward	Mayor	2 years	12/31/24
Jake Benson	Councilor	4 years	12/31/26
Jim Rohweder	Councilor	4 years	12/31/24
Troy DeWall	Councilor	4 years	12/31/24
Rory Johnson	Councilor	4 years	12/31/26

Appointed Officials:

Jessica Rich	City Administrator
Leslie Brunfelt	Director of Finance and Accounting

Independent Auditor's Report

To the Honorable City Council
City of Proctor
Proctor, Minnesota

Report on the Audit of the Financial Statements

Qualified and Unmodified Opinions

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Proctor, Minnesota (City), as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Qualified Opinion on Governmental Activities

In our opinion, except for the effects of the matter described in the "Matter Giving Rise to Qualified Opinion on Governmental Activities" paragraph, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities of the City as of December 31, 2022, and the changes in its financial position for the year then ended, in accordance with accounting principles in the United States of America.

Unmodified Opinions on the Business-Type Activities, Each Major Fund, and the Aggregate Remaining Fund Information

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities, each major fund, and the aggregate remaining fund information of the City of Proctor, Minnesota, as of December 31, 2022, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Qualified and Unmodified Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to the financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Matter Giving Rise to Qualified Opinion on the Governmental Activities

As discussed in Note 10 to the financial statements, management of the City has not implemented the requirements of Governmental Accounting Standards Board (GASB) Statement No. 68 for the Fireman's Relief Association, and has not determined and reported its net pension liability (asset), deferred outflows of resources related to pensions, deferred inflows of resources related to pensions, and related pension costs and pension information required to be disclosed in the footnotes to the financial statements that in our opinion, is required to conform with accounting principles generally accepted in the United States. The amounts by which this departure would affect assets, liabilities, deferred outflows of resources, deferred inflows of resources and expenses in the financial statements has not been determined.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and Government Auditing Standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and Government Auditing Standards, we

- exercise professional judgment and maintain professional skepticism throughout the audit.
- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.

- evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States require that the management's discussion and analysis, pages 6 through 12, and information about the City's net pension liability, pages 61 through 67, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the management's discussion and analysis and the information about the City's net pension liability in accordance with auditing standards generally accepted in the United States, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining nonmajor governmental fund financial statements, pages 68 through 71, are presented for purposes of additional analysis and are not a required part of the basic financial statements. The combining nonmajor governmental fund financial statements are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States. In our opinion, the information is fairly stated in all material respects in relation to the financial statements taken as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated June 8, 2023 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

A handwritten signature in dark ink that reads "Wipfli LLP". The script is cursive and fluid, with the letters "W", "i", "p", "f", "l", and "i" being particularly prominent and connected.

Wipfli LLP
June 8, 2023
Duluth, Minnesota

Management's Discussion and Analysis

City of Proctor

Management's Discussion and Analysis

Year Ended December 31, 2022

This section of the City of Proctor's annual financial report presents a discussion and analysis of the City's financial performance and provides an overview of the City's financial activities for the year ended December 31, 2022. Please read this discussion in conjunction with the City's financial statements, which begin on page 11.

Financial Highlights

- Government-wide assets and deferred outflows of resources of the City exceeded liabilities and deferred inflows of resources by \$23,578,999. Of this amount \$9,529,094 is from governmental activities and \$14,049,905 is from business-type activities.
- The City's total net position increased by \$1,172,825. The net position of governmental activities increased \$843,396 and the net position of business-type activities increased \$329,429.
- The City's governmental funds reported combined ending fund balances of \$5,240,572 in the fund financial statements. This is a decrease of \$417,119 from the 2021 balance of \$5,657,691. Of this amount, \$684,011, or approximately 13.05 percent, is available for spending at the City's discretion.
- At the end of the current fiscal year, the unassigned fund balance for the general fund was \$1,489,395, or 46.2 percent of the total general fund expenditures of \$3,224,365. The 2022 unassigned fund balance decreased \$195,530 from the 2021 unassigned fund balance of \$1,684,925. This represents a decrease in the unassigned fund balance of 12 percent.

Overview of the Financial Statements

This discussion and analysis services as an introduction to the City of Proctor's basic financial statements, which consists of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. The report also contains other supplementary information in addition to the basic financial statements.

- The first two statements are government-wide financial statements that provide information about the City's overall financial status.
- The remaining statements are fund financial statements that focus on individual parts of the City, reporting the City's operations in more detail than the government-wide statements. The governmental funds statements explain how general government services were financed, as well as, how grant proceeds were utilized for the short-term and what remains for future spending.
- The financial statements also include notes that explain some of the information in the financial statements and provide more detailed data. The statements are followed by a section of required and other supplementary information that further explains and supports the information in the financial statements.

City of Proctor

Management's Discussion and Analysis (Continued)

Year Ended December 31, 2022

Government-wide Financial Statements

The government-wide financial statements are designed to give users a broad overview of the City's finances, in a manner similar to that of a private-sector business. The statement of net position presents information on all of the City's assets and deferred outflows of resources, and liabilities and deferred inflows of resources, with the difference between the two reported as net position. Increases and decreases in net position over time may serve as a useful indicator of whether the City's financial position is improving or deteriorating. The statement of activities shows how the City's net position changed during the fiscal year. All changes in net position are reported as soon as the underlying event that caused the change occurs, regardless of the timing of the related cash flows. There are revenues and expenses reported in this statement for some items that will only result in cash flows in future fiscal years; examples include uncollected grants and vacation days that are earned, but not used.

Both government-wide financial statements distinguish between functions that are governmental and business-type activities. The City's governmental activities include public safety, streets and highways, community and economic development, culture and recreation, and general administration. Property taxes and state and federal grants and aids finance most of these activities.

The City charges fees to customers to help cover all or most of the cost of certain services it provided. The City's business-type activities include Public Utilities, a Municipal Liquor Store, Sewer, and a Municipal Golf Course.

The two government-wide financial statements are presented immediately after this discussion and analysis.

Fund Financial Statements

A fund is a set of related accounts that is used to control resources that have been segregated to carry on specific activities or to attain certain objectives in accordance with special regulations, restrictions, or limitations. The City of Proctor, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All City funds are either governmental funds, proprietary, or fiduciary funds.

- Governmental funds - Because the focus of governmental fund financial statements is narrower than government-wide financial statements, it is useful to compare information presented for governmental funds with similar information presented for governmental activities in order to gain a better understanding of the long-term impact of the City's near-term financing decisions. The Governmental Fund Balance Sheet and the Governmental Fund Statement of Revenues, Expenditures and Changes in Fund Balances provide reconciliations to aid in the comparison of governmental funds with governmental activities.

The City maintains a number of individual governmental funds. Information is presented separately in the governmental fund financial statements for the General Fund, G.O Refunding Bonds Series 2016A, G.O. Bonds Series 2018A, and Misc. Const. Projects which are considered to be major funds. Data from the remaining governmental funds is combined into a single, aggregated presentation. Individual fund data for each of these nonmajor governmental funds is included in the combining fund statements in the supplementary information section of this report.

City of Proctor

Management's Discussion and Analysis (Continued)

Year Ended December 31, 2022

- Proprietary funds - The City maintains four enterprise funds which are included in these financial statements. Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. The City uses enterprise funds to account for operation of the Public Utilities, Municipal Liquor, Sewer and Municipal Golf Course all of which are considered to be major funds.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail.

Notes to Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

Other Information

In addition to the basic financial statements and accompanying notes, this report also contains the combining statements referred to earlier in connection with nonmajor governmental funds. These statements follow the notes to the financial statements.

Government-wide Financial Analysis

As noted earlier, over time net position may serve as a useful indicator of the City's financial position. A portion of the City's net position (50 percent) is invested in capital assets. The City uses these assets to provide services to its constituents; therefore, these assets are not available for future spending. Of the remaining balance of net position 17 percent is restricted and 33 percent is unrestricted and may be used to meet the City's ongoing obligations to its constituents and creditors.

City of Proctor

Management's Discussion and Analysis (Continued)

Year Ended December 31, 2022

The following table presents a summary of the City's net position at December 31:

	2022			2021		
	Governmental Activities	Business- type Activities	Total	Governmental Activities	Business- type Activities	Total
Assets						
Current and other assets	\$ 7,917,585	\$ 8,171,959	\$ 16,089,544	\$ 6,697,840	\$ 7,856,256	\$ 14,554,096
Capital assets	9,872,657	6,622,508	16,495,165	8,841,498	6,549,367	15,390,865
Total assets	17,790,242	14,794,467	32,584,709	15,539,338	14,405,623	29,944,961
Deferred outflows of resources	1,514,552	79,775	1,594,327	886,835	80,409	967,244
Liabilities						
Long-term liabilities	7,700,288	234,030	7,934,318	6,127,018	129,951	6,256,969
Other liabilities	548,039	577,552	1,125,591	289,678	517,503	807,181
Total liabilities	8,248,327	811,582	9,059,909	6,416,696	647,454	7,064,150
Deferred inflows of resources	1,527,373	12,755	1,540,128	1,323,779	118,102	1,441,881
Net position						
Net investment in capital assets	5,143,651	6,622,508	11,766,159	3,743,575	6,549,367	10,292,942
Restricted	3,941,925		3,941,925	3,275,072		3,275,072
Unrestricted	443,518	7,427,397	7,870,915	1,667,051	7,171,109	8,838,160
Total net position	\$ 9,529,094	\$ 14,049,905	\$ 23,578,999	\$ 8,685,698	\$ 13,720,476	\$ 22,406,174

City of Proctor

Management's Discussion and Analysis (Continued)

Year Ended December 31, 2022

To give users a better understanding of the sources and uses of the City's net position, the table that follows presents a summary of revenues, expenses, and changes in net position for the years ended December 31:

	2022			2021		
	Governmental Activities	Business- type Activities	Total	Governmental Activities	Business- type Activities	Total
Revenues						
Program revenues						
Charges for service	\$ 162,298	\$ 5,343,161	\$ 5,505,459	\$ 168,842	\$ 5,580,507	\$ 5,749,349
Operating grants and contributions	462,649		462,649	276,615		276,615
Capital grants and contributions	132,633		132,633	38,568		38,568
General revenues						
Property taxes	1,638,387		1,638,387	1,684,517		1,684,517
Sales tax	722,951		722,951	610,605		610,605
State aids	1,101,573		1,101,573	1,326,617	-	1,326,617
Interest	15,786	85,552	101,338	1,752	9,044	10,796
Other	188,397	68,422	256,819	108,475	48,182	156,657
Transfers	(14,714)	14,714		(4,714)	4,714	
Total revenues	4,409,960	5,511,849	9,921,809	4,211,277	5,642,447	9,853,724
Expenses						
General government	1,069,393		1,069,393	772,516		772,516
Public safety	1,511,861		1,511,861	1,238,999		1,238,999
Streets and highways	679,010		679,010	872,799		872,799
Community and economic development	32,927		32,927	41,741		41,741
Culture and recreation	130,449		130,449	7,771		7,771
Interest and fiscal charges	142,924		142,924	139,312		139,312
Public utilities		3,342,256	3,342,256		3,577,679	3,577,679
Municipal liquor		1,161,091	1,161,091		1,034,199	1,034,199
Sewer		570,307	570,307		494,562	494,562
Municipal golf course		108,766	108,766		83,505	83,505
Total expenses	3,566,564	5,182,420	8,748,984	3,073,138	5,189,945	8,263,083
Change in net position	843,396	329,429	1,172,825	1,138,139	452,502	1,590,641
Net position, beginning of year	8,685,698	13,720,476	22,406,174	7,547,559	13,267,974	20,815,533
Net position, end of year	\$ 9,529,094	\$ 14,049,905	\$ 23,578,999	\$ 8,685,698	\$ 13,720,476	\$ 22,406,174

City of Proctor

Management's Discussion and Analysis (Continued)

Year Ended December 31, 2022

Fund Financial Analysis

As noted earlier, the City of Proctor uses fund accounting to ensure and demonstrate compliance with finance related legal requirements.

Governmental Funds

The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. This information is helpful in assessing the City's financing requirements; unrestricted fund balance may be an especially useful measure of the net resources available for spending at the end of the fiscal year. As of December 31, 2022, the City's governmental funds reported a combined fund balance of \$5,240,572, a decrease of \$417,119 from the 2021 balance of \$5,657,691. Of the total fund balance amount, \$684,011 or 13.05 percent, which is reported as unassigned fund balance, is available for spending at the City's discretion.

The General Fund is the main operating fund of the City of Proctor. At December 31, 2022, fund balance of the General Fund was \$4,062,532 with 36.66 percent reported as unassigned. As a measure of the General Fund's liquidity, it may be useful to compare total fund balance to total fund expenditures. Unassigned fund balance represents 46.19 percent of total General Fund expenditures. During 2022, the fund balance of the General Fund increased by \$137,353.

Proprietary Funds

The City's proprietary fund financial statements provide the same type of information found in the government-wide financial statements, only in more detail. The proprietary funds net position increased \$329,429 in 2022, compared to an increase in net position of \$452,502 in 2021. Operating income for 2022 was \$314,715, compared to operating income of \$394,634 from 2021.

Capital Assets

The City of Proctor's investment in capital assets as of December 31, 2022, was \$16,495,165, net of accumulated depreciation. This investment includes land, buildings, infrastructure, distribution system, furniture, machinery, equipment and construction-in-progress. Additional information related to the City's capital assets can be found in Note 5 of the notes to the financial statements.

Debt

The City had \$4,205,000 in bond obligations, \$724,727 in finance purchases and leases in the amount of \$19,581 at the end of 2022.

The City continues to stay below the debt limits established by the State.

Other liabilities for obligations such as vacation, sick leave, and net pension liability are discussed further in Note 7 to the financial statements.

City of Proctor

Management's Discussion and Analysis (Continued)

Year Ended December 31, 2022

Economic Factors and Next Year's Budget

The City of Proctor's elected and appointed officials considered many factors when they set the 2023 budget, levies, rates and fees that will be charged for the business-type activities. Factors considered when adopting the General Fund budget were departmental requirements, as well as normal inflationary increase in expenditures and revenues. Current economic conditions, both on the local and state level, were also considered. In general, it has been the City Council's goal to increase the fund balance to reach, and then maintain, the State Auditor's recommended level. It is expected this goal will continue into the future.

Requests for Information

This financial report is meant to provide a general overview of the City of Proctor's finances for all those with an interest in the City's finances. Questions concerning information provided in the report, or requests for additional financial information, should be addressed to the City of Proctor, 100 Pionk Drive, Proctor, Minnesota 55810-1700, Attention: City Administrator.

6B

Date: July 12, 2023

Re: 4M Fund – Fixed Rate Options

The Fixed Rate investment program gives us more investment options for Treasuries, Municipal Securities, CDs (1,000 bank relationships) and Savings Deposit Accounts. These are all investment types approved by the State of Minnesota (<https://www.revisor.mn.gov/statutes/118A>). And the investment decisions would be made with the counsel of our investment service representatives at PMA Financial Network.

[illegible]

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 · Phone: 218-624-3641 · Email: cityhall@proctormn.gov

RESOLUTION NO. 30-23 RESOLUTION REAUTHORIZING MEMBERSHIP IN THE 4M FUND

WHEREAS, Minnesota Statutes (the Joint Powers Act) provides that governmental units may jointly exercise any power common to the contracting parties; and

WHEREAS, the Minnesota Municipal Money Market Fund (the 4M Fund) was formed in 1987, pursuant to the Joint Powers Act and in accordance with Minnesota Investment Statutes, by the adoption of a joint powers agreement in the form of a Declaration of Trust; and

WHEREAS, the Declaration of Trust, which has been presented to this Council, authorizes municipalities of the State of Minnesota to become Participants of the Fund and make use from time to time including the 4M Liquid Asset Fund, the 4M Plus Fund, the Term Series, the 4M Limited Term Duration Fund, the Fixed Rate Programs, and other Fund services offered by the Fund; and

WHEREAS, this Council deems it to be in the best interest for the municipality to make use of, from time to time, the approved services provided by the 4M Fund's service providers including the Investment Advisor (PMA Asset Management, LLC), the Administrator (PMA Financial Network, LLC) the Distributor (PMA Securities, LLC) or the Fixed Rate Program Providers, PMA Financial Network, LLC and PMA Securities, LLC and the Custodian, U.S. Bank National Association, ("Service Providers") and/or their successors.

WHEREAS, this Council deems it advisable for this municipality to enter into the Declaration of Trust and become a Participant of the Fund for the purpose of joint investment with other municipalities so as to enhance the investment earnings accruing to each; now, therefore BE IT RESOLVED AS FOLLOWS:

Section 1. This municipality renews its membership as a Participant of the Fund and adopt and enter into the Declaration of Trust, a copy of which shall be filed in the minutes of this meeting. The appropriate officials are hereby authorized to execute those documents necessary to effectuate entry into the Declaration of Trust and the participation of all Fund programs.

Section 2. This municipality is authorized to invest monies from time to time and to withdraw such monies from time to time in accordance with the provisions of the Declaration of Trust. The following officers of the municipality or their successors are designated as "Authorized Officials" with authority to effectuate investments and withdrawals in accordance with the Declaration of Trust:

Leslie Brunfelt
Print Name

Finance Director
Title

Signature

Jessica Rich
Print Name

City Administrator
Title

Signature

Section 3. The Trustees of the Fund are designated as having official custody of those monies invested in accordance with the Declaration of Trust.

Section 4. That the municipality may open depository and other accounts, enter into wire transfer agreements, safekeeping agreements, third party surety agreements securing deposits, collateral agreements, letters of credit, lockbox agreements, or other applicable or related documents with institutions participating in Fund programs including U.S. Bank National Association, or its successor, or programs of PMA Financial Network, LLC or PMA Securities, LLC for the purpose of transaction clearing and safekeeping, or the purchase of certificates of deposit (“CDs”) or other deposit products and that these institutions shall be deemed eligible depositories for the municipality. PMA Financial Network, LLC and PMA Securities, LLC and their successors are authorized to act on behalf of this municipality as its agent with respect to such accounts and agreements. Monies of this entity may be deposited in such depositories, from time to time in the discretion of the Authorized Officials, pursuant to the Fund’s Programs available through its Services Providers.

NOW, THEREFORE BE IT RESOLVED, the Proctor City Council adopted this Resolution at a duly convened meeting of the Council held on the 17th day of July, 2023, and that such Resolution is in full force and effect on this date, and that such Resolution has not been modified, amended, or rescinded since its adoption.

BY: _____
Chad Ward
Mayor

ATTEST: _____
Jess Rich
City Administrator

Chad Ward
Mayor

City of Proctor

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

Jess Rich
City Administrator

You Have A Place in Proctor

6C

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

Date: July 12, 2023

Re: Records Management Systems Proposal

From: Finance Director – Leslie Brunfelt

Administrative Assistant – Megan Jordan

Becoming current with City of Proctor records, storage, purging, and retention has become a focus over the last 3-4 years for city staff. The COVID-19 pandemic provided an opportunity to implement a more consistent and efficient data retention system, including proper purging of records in accordance to the State of Minnesota data retention schedule.

(<https://mn.gov/admin/data-practices/data/rules/records-management/>)

Along with allowable purging, staff has been scanning and storing permanent records into an interoffice database called the "m" drive. While this method provides staff with access to records, it is labor intensive and time consuming. Laserfiche would replace the "m" drive and organize content in one intuitive platform. This platform will classify, hold, retain documents, and appropriately manage records throughout their entire lifecycle. Employees can easily find files, keep track of versions, share content and collaborate using tools like built-in Office365. In addition, Laserfiche has the capability to allow for public record searches. Two companies were considered to provide this service - CDI and OPG3.

It is recommended to accept the proposal from CDI in the amount of \$22,212.00 for the implementation and addition of Laserfiche. \$22,900 was allocated in City Administration 2023 Computer Services budget for the annual fee, set-up, programming, and document scanning. It should be noted we were able to take advantage of a reduced Laserfiche rate which was negotiated by the League of Minnesota Cities and offered to small city members.

City staff anticipates incorporating and adding all departments to Laserfiche for document storage and access.

Software & Services Purchase Agreement

This agreement is made and entered into on,

by and between:

Cities Digital, Inc. (D.B.A. "CDI")
2000 O'Neil Road
Suite 150
Hudson, WI 54016
herein referred to as "Seller";

And

Buyer: City of Proctor
Buyer Address 1: 100 Pionk Drive
Buyer Address 2:
City, State, Zip: Proctor, MN 55810
herein referred to as "Buyer."

WITNESSETH

WHEREFORE, in consideration of the mutual covenants herein contained, and other valuable consideration, the receipt of which is acknowledged, the parties agree as follows:

1. Agreement to Sell and Purchase: Seller hereby agrees to sell to Buyer, and Buyer agrees to purchase from Seller those software products, services, maintenance agreements, and upgrades set forth in Exhibit "A".

2. License Agreement: It is specifically agreed and acknowledged that the software products sold by Seller to Buyer as described in Section 1 hereinabove, are being sold subject to the restrictions, duties and obligations of Seller pursuant to License Agreements referenced in "Exhibit D." Buyer, by its execution of this agreement, agrees to fully abide by the terms and conditions of such License Agreements, and further agrees to fully indemnify, protect, and hold Seller harmless from any claims, suits, actions, liabilities, damages (including all legal costs incurred by Seller) resulting from any violation by Buyer under the terms thereof.

3. Term of Agreement: The term of this Agreement shall be for 1 year from the date first written above and shall renew for a one-year term, unless terminated by either party with or without cause.

4. Purchase Price, Payments & Renewals: The purchase price for the software products and services being purchased by Buyer from Seller are set forth in the quotation in Exhibit "A" and shall be due and payable from Buyer to Seller as follows:

- a. In consideration of the initial purchase of products and/or services, the Buyer shall pay Seller commensurate with payment schedule below. Initial invoices for software and services are due upon receipt. Future invoices will be paid within thirty (30) days of invoice date. Invoices not paid within thirty (30) days of invoice may be subject to a one and ½ percent (1.5%) monthly interest charge (eighteen percent (18%) per year).
- b. It is acknowledged that certain items set forth in "Exhibit A" if necessary are based on Seller's estimates, including fees from the "Fee Sheet" included in "Exhibit B." The sums payable by Buyer for maintenance and upgrades as described in "Exhibit A" are in addition to being payable as set forth above, payable annually on the anniversary of the purchase date. Such sums may be subject to a price increase after payment for the initial year, provided that, the price shall only be increased by Seller in the event that Seller's costs therefore are increased by CompuLink Management Center, Inc. or its successor in interest. Buyer shall have no legal obligation to continue paying for the maintenance (software updates) and technical support provided Buyer does not see value in said service.
- c. It is agreed that the estimates for those items set forth in "Exhibit A" will not be exceeded by Seller without prior written approval by Buyer. In the event that the estimates are exceeded with approval of Buyer, then Buyer shall pay the difference with the payment set forth in "Exhibit A" hereinabove. It is agreed that Seller may need to adjust billable rates periodically, as well as mileage and per-diem charges, as part of this Purchase Agreement. This change will happen not more frequently than once per year. The Buyer will be notified of this change at least 30 days in advance of this change.
- d. Renewal and payment of maintenance, subscription products and Laserfiche Cloud need to be completed prior to client's renewal date to avoid disruption of support or subscription services. Cancellation of subscription products from Laserfiche requires a 90-day notice prior to renewal date.

Payment Schedule

Payment Date	Description / Percentage	Payment Amount
Upon Receipt of Licenses	Software and Maintenance & Services in Exhibit A	\$6,900.00
Net 30 upon receipt of invoice	Physical records scanning	\$15,312.00

5. Limitation: It is specifically acknowledged and agreed that all techniques, procedures and methodologies used and implemented by Seller in the performance of its work under this agreement are not included in the sale, and all intellectual property rights to such techniques, procedures and methodologies shall be retained by Seller, or by such third parties with whom Seller may contract with or have licenses through.

6. Independent Contractor: It is specifically acknowledged that Seller is an independent contractor, and that no agent, employee, or subcontractor of Seller shall be deemed an employee of Buyer or be entitled to any compensation from Buyer except as specifically set forth in this agreement.

7. Confidentiality: Seller shall keep confidential all non-public aspects of the work performed under this contract, including but not limited to all communications regarding that work and all Buyer data and information to which Seller obtains access in the course of performing services under this agreement. Seller shall limit internal access to information regarding work under this contract to those members of Seller's own staff or subcontractors of Seller who are directly involved in the work or otherwise have a need for access to the information. Unless otherwise required by law, Seller shall not disclose any non-public information to anyone other than the Buyer's project manager and Seller's own staff and subcontractors without the Buyer's prior written consent. Seller shall ensure that all individuals and subcontractors engaged directly or indirectly by Seller to provide services under this agreement are advised of and required to comply with the forgoing confidentiality obligation.

8. Sharing Information: Upon the Buyer's written request and authorization, Seller shall share any project information designated by the Buyer and shall fully cooperate with all corporations, firms, contractors, governmental entities, and persons involved in or associated with the project and designated by the Buyer in the request. Seller shall not communicate with representatives of any of the news media regarding work under this contract; any communications with news media representatives regarding this contract shall be exclusively through the Buyer.

9. Commitment and Completion: It is agreed that Seller shall commence work within 14 days of receipt by Seller from Buyer of a written authorization to proceed and shall be completed pursuant to Exhibit "A." Notwithstanding such schedules, it is acknowledged that delays resulting from any acts or omissions of Buyer, or circumstances beyond the control of Seller, including, but not limited to acts of war or terror, natural disasters, material shortages, and acts of God, shall not be deemed a breach of this agreement.

10. Insurance: Seller shall maintain occurrence for commercial general liability and automobile liability insurance which shall include personal injury, bodily injury, including death, and broad form property damage including loss of use of property, occurring in the course of or in any way related to Seller's operations, in an amount not less than \$2,000,000 combined single limits per occurrence; Seller shall maintain Workers' Compensation and Employer's liability for all consultants' employees who are subject to Worker's Compensation statute either as a carrier-insured employer or as a self-insured employer. Seller shall maintain cyber breach, professional errors and omissions liability insurance for the protection of the Seller and its employees and subcontractors, insuring against losses arising out of or resulting from breach, their professional acts, omissions, activities or services, in an amount not less than \$2,000,000 per claim. At the request of Buyer, Seller shall furnish the Buyer with certificates evidencing the date, amount, and type of insurance required by this contract.

11. Warranty and Limitations: Except as otherwise set forth herein, Seller's warranty is specifically limited to successful completion of installation and operation of Laserfiche software program with respect to scanning and capturing documents of Buyer as provided in Exhibit "B", and that, except as may be available through CompuLink Management Center, Inc., Seller gives no other warranties, express or implied. In the event the software is unable to perform as warranted by Seller within 30 days of completion of installation, Buyer shall be entitled to a full refund of the purchase price. It is specifically acknowledged and agreed that Seller's warranty is limited and shall not apply to performance by the Seller under this agreement of specifications other than those specifically warranted above, such exclusions to include, but are not limited to: 1) the integration of the system to be installed by Seller with existing software of Buyer; and 2) the importation of documents into the system, due to the fact Seller currently has insufficient knowledge of the documentation. In addition, said warranties shall not apply: a) To the extent of any problems encountered with the integration of external databases with the software installation; b) To the extent of any problems encountered as a result of the failure of the Buyer to install and configure the hardware necessary to operate the software in accordance with the hardware specifications previously provided by the Seller; or c) To the extent of any problems encountered as a result of the failure of the Buyer's computing equipment, servers, networks or operating systems.

12. Limitation and Damages: BUYER AGREES THAT SELLER'S TOTAL AGGREGATE LIABILITY, IF ANY, SHALL NOT EXCEED FEES PAID TO SELLER BY BUYER FOR THE PRODUCTS AND/OR SERVICES INVOLVED. The Seller will endeavor to provide high quality services and a high-quality product. However, the Seller is not, and will not be responsible for any consequential or incidental damages resulting from any interruptions of service, or data loss (including lost transactions). With the exception of Buyer subscribing to Server Hosting, day-to-day data backup is the Buyer's

responsibility and Seller is not and cannot be liable for data loss due to poor or nonexistent or insufficient backup or any other issues associated and/or caused by Buyer's day-to-day server data backup.

13. Attorney's Fees: In case suit, action, or arbitration is instituted to enforce or rescind any of the rights or provisions expressed in this agreement, the party not prevailing agrees to pay the prevailing party's costs and disbursements related to said proceedings and such sums as the court or arbitrator, may adjudge reasonable for the attorney's fees at trial or appeal of said suit or action.

14. Governing Law: This agreement shall be governed and construed under the laws of Saint Croix County, Wisconsin.

15. Severability: If any provision of this agreement shall be prohibited or invalid under applicable law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this agreement.

16. Complete Agreement: This represents the complete and final agreement of the parties regarding the purchase and sale of software products and other services to be rendered by Seller on behalf of Buyer and supersedes and replaces any oral or written agreements heretofore made. Any modification to this agreement shall only be valid in writing and signed by the parties hereto.

17. Paperless Billing: By selecting "Accepted" below Buyer signifies preference for paperless billing and will receive a digital copy of invoices emailed to a designated email address for processing.

ACCEPTED ☐ **DECLINED** ☐ **Email Address:**

Seller: Cities Digital, Inc.
Name: Patrick Welsch
Title: President
Date:

Buyer: City of Proctor
Name:
Title:
Date:

By: _____

By: _____

EXHIBIT A: Quotation
Annual Breakdown

	Year 1	Year 2	Year 3	Year 4
Total Software	\$.00	-	-	-
Total Maintenance	\$3,100.00	\$3,100.00	\$3,100.00	\$3,100.00
Total Services	\$19,112.00	\$.00	\$.00	\$.00
*TOTAL	\$22,212.00	\$3,100.00	\$3,100.00	\$3,100.00
*Tax not included				

Software & Annual Maintenance

Product	Software Quantity	Soft. Unit Cost	Maint. Unit Cost	Total
Laserfiche Cloud Municipality Site License <i>Includes:</i> <i>100 Full Users</i> <i>100gb Storage per full user</i> <i>Workflow</i> <i>Forms</i> <i>Public Portal</i> <i>Direct Share</i> <i>Forms Portal</i> <i>Quick Fields</i> <i>Quick Fields Agent</i>	1.00	\$.00	\$3,100.00	\$3,100.00
Software: \$.00 Maintenance: \$3,100.00 Tax: \$.00 Total: \$3,100.00				

Services

Service	Service Quantity	Service Unit Cost	Total
Silver Support Package (20 hours) (CD5000) <i>Used for Implementation services.</i>	1.00	\$3,800.00	\$3,800.00
Scanning Services Estimate <i>City Council Packets and Minutes physical scanning.</i>	1.00	\$15,312.00	\$15,312.00
Service: \$19,112.00 Tax: \$.00 Total: \$19,112.00			

EXHIBIT B: Software Support Policy, “LSAP” (Laserfiche Software Assurance Plan) or “Annual Maintenance”

The initial purchase of a software system also requires purchasing maintenance for each component. Annual Maintenance is a software assurance program initiated by Cities Digital and required by the manufacturer to ensure that buyers are able to receive regular product updates and basic software support through their value-added reseller. Cities Digital has developed this policy with regard to services that are included with the purchase of Annual Maintenance in order to serve all buyers with access to hotfixes and expert technical support.

Services included in base LSAP costs:

- Cities Digital technical support hotline:
 - 855-714-2800
 - Support@CDI.support
 - <https://www.cdi.support/support>
- Software updates including hotfixes and new feature releases
- LogMeIn remote support (allows support technicians to access buyer's computer remotely)
- Customer portal access: Submit & track tickets, view contracts, access videos and documentation
- Annual consulting meeting & strategy session
- Annual software performance audit

Description of Support Services

Laserfiche Software Assurance Plan (LSAP)	<p>Fee is based upon software components that have been purchased. The support plan is renewable each year.</p> <p>Seller support is provided as a part of the Laserfiche annual support fee. Technical support is considered assistance with software malfunctions (break/fix) or “bugs.” Technical Support does include assisting buyer with how-to questions and assistance with configuration of the software.</p>
Response Time and Definition	<p>Responses provided within 24 hours of initial report. Most responses and technical troubleshooting will happen within an hour, if not immediately through chat / remote support. Responses consist of diagnosing the problem and if possible, resolving it immediately. If it is not possible to resolve immediately a time will be scheduled to attempt resolution of the problem at the buyer's convenience.</p> <p>Seller provides a technical support hotline during weekday and non-holiday business hours 8:00 AM to 7:00 PM Central Time. The technical support staff processes assistance telephone calls, emails and remote connections as they arrive. The Support Director assesses difficulty of tasks and assigns cases to the tiered support staff. This process is in place to provide support to our customers based on the impact on their on-going operations.</p> <p>Non-emergency calls for support are typically responded to within one hours (or less). Critical calls (delay in work or loss of data due to system issues) may be responded to immediately. Support calls may be escalated internally to other technicians as needed.</p>
Options for Coverage During Non-Standard Business Hours or “After Hours Support”	<p>Appointments may be scheduled with the Director of Support at support@citiesdigital.com.</p> <p>After hours support requires a two-week prior notification, unless case of emergency. Upgrades, development, training & other services conducted after hours will be subject to billable rates and availability. Billable rates for buyers with current Laserfiche Software Assurance Plans are \$250/hr before 8:00am and after 7:00pm Central Time and weekends.</p>

Cities Digital Closed on Six Federal Holidays	Cities Digital will be closed New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
Capability for Remote Diagnostics	A web-based tool for remote diagnostics and support called LogMeln is utilized. With specific prior written authorization from Buyer an unattended access tool is available for use.
Update Installation Limitations (does not apply to Laserfiche Cloud)	<p>Product updates are installed, in-place on the same server where Laserfiche is already installed. The installation service is free of charge for clients with standard Annual Maintenance. Limitations on the installation services are as follows:</p> <ol style="list-style-type: none"> 1. Installations in new environments or new servers requires planning and project management services outside the scope of free installations. 2. New environments are defined as new domains, installing into a new cloud environment such as Azure or AWS. 3. Installations must be scheduled in advance using the scheduling request form online. Installations are not available same-day. Installations during off-hours, weekends or holidays are subject to off-hours support charges. 4. Testing of all workflows, forms, business processes, quick fields sessions and integrations are the responsibility of the client. Advanced implementations or mission critical systems may require project management and consulting services for advanced user acceptance testing (UAT). 5. Client is responsible for installing Windows operating systems, MS SQL, configuring domain users and network security. 6. CDI limits the number of free server installations to one production and one test environment. The client may install additional test environments, development environments, etc.
Maintenance Cost for Fixes, Major Releases and Platform Changes	<p>Maintenance that is done over the phone or remote access is included in annual maintenance agreement at no additional cost. Software upgrade packages are available to Buyer at support.laserfiche.com or by request from Support@CitiesDigital.com.</p> <p>Major and infrequent upgrades referred to as "platform changes" may be subject to a fee. The fee is set by the manufacturer when the platform is released.</p>
Support Escalation Procedures	<ol style="list-style-type: none"> 1. Problem is reported, a support case is opened and documented. The case is resolved over the phone or remotely. 2. If immediate resolution is not possible, problem is reported to second tier support. 3. If there is no existing solution, Cities Digital development will write a script, solution or "work around" to fix the problem. Cities Digital will then implement the solution. <p>Cities Digital creates technical support cases on behalf of the Buyer with the manufacturer upon diagnosis of the problem if the problem cannot be immediately resolved by Cities Digital.</p>
Tracking Database	All support cases are tracked in a ticketing system. The tracking software assigns incident numbers and the buyer may call and request the status on any support case at any time during work hours or by visiting the client portal.
Third-Party IT Contractors	Buyers that utilize a third-party IT contractor for management of servers and networking should expect their IT contractor to assign remote-access to Cities Digital for installation and configuration. Should unattended access not be permissible third-party IT consultants may need to be present during installation or configuration. Additional configuration pertaining to Buyer's network IP addresses, network security and access may be necessary from time-to-time. Charges from third-party IT consultants may be assigned. Cities Digital is not responsible for such charges. It is the policy of Cities Digital to copy Buyer on all communication between third-party IT contractors unless explicitly instructed not to.

Services not included in base LSAP costs, Rates Sheet:

Technical services, design, configuration	Per hour	\$200
Project management (per hour)	Per hour	\$200
Development, integration and conversion (per hour)	Per hour	\$300
Cancelled Meeting within 24 Hours (1/2 hour/person)	Per hour	\$100 - \$150
Off-hours work, outside normal business hours excluding holidays (per hour)	Per hour	\$300
Encrypted drive shipment – Export/Import (per request)	Per export/import	\$500
Managed Services including configuration of domains, IP addresses, certificates, firewall or SQL	Per hour	\$300
Mileage reimbursement	Per mile	\$.585
Per diem minimum when providing onsite service	Per day	\$250
Completion of private security due diligence examinations	Per hour	\$250

Exhibit D: End User License Agreements

EXHIBIT D: End User License Agreement or "EULA"

The licensing agreements listed below pertain to Microsoft and Laserfiche. The Microsoft licensing pertains to use of hosting services from Cities Digital. Should clients not be utilizing hosting services the following eight points should not be considered applicable.

MICROSOFT SOFTWARE LICENSING AGREEMENT or "EULA"

Buyer agrees to accept the following conditions related to Software Licensing:

1. This Agreement is binding in all applicable jurisdictions.
2. Buyer is prohibited from reverse engineering, decompiling, or disassembling the Products, except to the extent that such activity is expressly permitted by applicable law.
3. Microsoft or its suppliers are hereby indemnified for any damages, whether direct, indirect, or consequential, arising from the Software Services.
4. Seller or a third party on Buyer's behalf (and not Microsoft or its suppliers) will provide technical support for the Cloud Server.
5. The Products are licensed to Buyer from an affiliate of the Microsoft Corporation (collectively "Microsoft"). Microsoft Products are protected by copyright and other intellectual property rights. Products and other Product elements including but not limited to any images, photographs, animations, video, audio, music, text and "applets" incorporated into the Products are owned by Microsoft or its suppliers. You may not remove, modify or obscure any copyright trademark or other proprietary rights notices that are contained in or on the Products. The Products are protected by copyright laws and international copyright treaties, as well as other intellectual property laws and treaties. Your possession, access, or use of the Products does not transfer any ownership of the Products or any intellectual property rights to you.
6. Buyer agrees to permitting Seller to disclose Buyer's contact information where required to satisfy license registration with software manufacturers such as Laserfiche or Microsoft.
7. The Products are not fault-tolerant and are not guaranteed to be error free or to operate uninterrupted. You must not use the Products in any application or situation where the Product(s) failure could lead to death or serious bodily injury of any person, or to severe physical or environmental damage ("High Risk Use").
8. Microsoft will be an intended third-party beneficiary of this Agreement, with the right to enforce provisions of the End User Agreement and to verify the compliance of the End User.
9. The **Laserfiche End User License Agreement** is available for reference in entirety on our website at cdi.support/eula

Exhibit E: Non-Disclosure Agreement

This Agreement is made and entered into as of the last date signed below (the "Effective Date") by and between Cities Digital, Inc., a Wisconsin corporation having its principal place of business at 2000 O'Neil Road, Suite 150, Hudson, WI 54016 (the "Primary Party") and _____ corporation whose principal mailing address is _____ (the "Second Party").

WHEREAS Primary Company and the Second Party (the "Parties") have an interest in participating in discussions wherein either Party might share information with the other that the disclosing Party considers to be proprietary and confidential to itself ("Confidential Information"); and

WHEREAS the Parties agree that Confidential Information of a Party might include, but not be limited to that Party's: (1) business plans, methods, and practices; (2) personnel, customers, and suppliers; (3) inventions, processes, methods, products, patent applications, and other proprietary rights; or (4) specifications, drawings, sketches, models, samples, tools, computer programs, technical information, or other related information;

NOW, THEREFORE, the Parties agree as follows:

1. Either Party may disclose Confidential Information to the other Party in confidence provided that the disclosing Party identifies such information as proprietary and confidential either by marking it, in the case of written materials, or, in the case of information that is disclosed orally or written materials that are not marked, by notifying the other Party of the proprietary and confidential nature of the information, such notification to be done orally, by e-mail or written correspondence, or via other means of communication as might be appropriate.
2. When informed of the proprietary and confidential nature of Confidential Information that has been disclosed by the other Party, the receiving Party ("Recipient") shall, for a period of three (3) years from the date of disclosure, refrain from disclosing such Confidential Information to any contractor or other third party without prior, written approval from the disclosing Party and shall protect such Confidential Information from inadvertent disclosure to a third party using the same care and diligence that the Recipient uses to protect its own proprietary and confidential information, but in no case less than reasonable care. The Recipient shall ensure that each of its employees, officers, directors, or agents who has access to Confidential Information disclosed under this Agreement is informed of its proprietary and confidential nature and is required to abide by the terms of this Agreement. The Recipient of Confidential Information disclosed under this Agreement shall promptly notify the disclosing Party of any disclosure of such Confidential Information in violation of this Agreement or of any subpoena or other legal process requiring production or disclosure of said Confidential Information.
3. All Confidential Information disclosed under this Agreement shall be and remain the property of the disclosing Party and nothing contained in this Agreement shall be construed as granting or conferring any rights to such Confidential Information on the other Party. The Recipient shall honor any request from the disclosing Party to promptly return or destroy all copies of Confidential Information disclosed under this Agreement and all notes related to such Confidential Information. The Parties agree that the disclosing Party will suffer irreparable injury if its Confidential Information is made public, released to a third party, or otherwise disclosed in breach of this Agreement and that the disclosing Party shall be entitled to obtain injunctive relief against a threatened breach or continuation of any such breach and, in the event of such breach, an award of actual and exemplary damages from any court of competent jurisdiction.
4. The terms of this Agreement shall not be construed to limit either Party's right to develop independently or acquire products without use of the other Party's Confidential Information. The disclosing party acknowledges that the Recipient may currently or in the future be developing information internally, or receiving information from other parties, that is similar to the Confidential Information. Nothing in this Agreement will prohibit the Recipient from developing or having developed for it products, concepts, systems or techniques that are similar to or compete with the products,

concepts, systems or techniques contemplated by or embodied in the Confidential Information provided that the Recipient does not violate any of its obligations under this Agreement in connection with such development.

5. Notwithstanding the above, the Parties agree that information shall not be deemed Confidential Information and the Recipient shall have no obligation to hold in confidence such information, where such information:

- (a) Is already known to the Recipient, having been disclosed to the Recipient by a third party without such third party having an obligation of confidentiality to the disclosing Party; or
- (b) Is or becomes publicly known through no wrongful act of the Recipient, its employees, officers, directors, or agents; or
- (c) Is independently developed by the Recipient without reference to any Confidential Information disclosed hereunder; or
- (d) Is approved for release (and only to the extent so approved) by the disclosing Party; or
- (e) Is disclosed pursuant to the lawful requirement of a court or governmental agency or where required by operation of law.

6. Nothing in this Agreement shall be construed to constitute an agency, partnership, joint venture, or other similar relationship between the Parties.

7. Neither Party will, without prior approval of the other Party, make any public announcement of or otherwise disclose the existence or the terms of this Agreement.

8. This Agreement contains the entire agreement between the Parties and in no way creates an obligation for either Party to disclose information to the other Party or to enter into any other agreement.

9. This Agreement shall remain in effect for a period of two (2) years from the Effective Date unless otherwise terminated by either Party giving notice to the other of its desire to terminate this Agreement. The requirement to protect Confidential Information disclosed under this Agreement shall survive termination of this Agreement.

IN WITNESS WHEREOF:

Cities Digital, Inc.

Company

Name

Signature

Title

Date

City of Proctor

Company

Name

Signature

Title

Date

Laserfiche Cloud Site License for Municipalities

Site License - populations of less than 10,0000

Laserfiche has been developing content management and process automation solutions for more than 30 years with the goal of making the technology and toolsets utilized by large organizations accessible to all municipalities regardless of size, technical infrastructure, or available IT resources.

With Laserfiche Cloud site licenses for municipalities with populations of less than 10,000, Laserfiche offers a comprehensive, cloud-native content services platform that has been described as "*best in class*" by Gartner research at a cost normally associated with simple cloud storage. This special packaging includes:

- **100 Business Users** with 10 TB of storage (retail value of \$50,000/year)
- **Laserfiche Cloud repository** with document imaging, document management and Department of Defense (DoD 5015.2) certified records management functionality
- **Process Automation suite** including web forms, workflow, and integration capabilities
- **Document capture and processing tools** including Laserfiche Scanning, Laserfiche Quick Fields and Laserfiche Import agent with email archival functionality
- **Public interfaces** for sharing documents and making web forms available online to collect information and start processes
- **Out-of-the-box integration tools** including MS Office, Laserfiche Connector and Laserfiche SDK

Municipal Infrastructure package from OPG-3

Document Collections

The Municipal Infrastructure menu solutions are designed to provide the document and records management foundation that must be in place before more advanced process automation and integration solutions are implemented. As such, the solutions are focused on the "document collections" that are most critical to municipal organizations from the perspective of traditional business operations, collaboration between departments and compliance with legislation regarding public records accessibility and record keeping. These collections include:

- **Clerk/Admin Documents** - these are documents that are required to be made publicly accessible and/or critical to municipal operations. Documents in this collection typically include:
 - Meeting Agendas
 - Meeting Minutes
 - Ordinances and Resolutions
 - Commission Reports and supporting documentation
 - Contracts and supporting documentation
 - Configure public portal for anonymous public access to select document types (Cloud deployment only)

- **Purchasing/Transactional Documents** - these are documents that are required to provide transparency at the transaction level and must be kept in the event of an audit. Documents in this collection typically include:
 - Purchasing documents such as purchase orders, approval emails or contracts
 - Invoices and proof or receipt
 - Checks or ACH stubs
 - Reconciliation reports
- **Personnel Documents** - these are documents related to current and former full and part-time/seasonal employees. The management of personnel files requires a comprehensive set of document types governed by specific rules regarding privacy and access. Documents in this collection typically include:
 - Onboarding documentation
 - Documentation related to completion of trainings and policy acknowledgements
 - Performance related documents
 - OSHA related documents if JHA rules apply
 - Benefits related documents
 - Tax and payroll related documents
- **Address-based Documents** - these are documents that are tied to a specific property or address and typically include documents created and shared across multiple departments. By using address (or Property ID) as the anchor, OPG-3 can build a file plan that incorporates several types of documents from multiple departments within an organizational context everyone understands. Documents in this collection typically include:
 - Building plans and inspection reports
 - Permits and supporting documentation
 - Licenses and supporting documentation
 - Code enforcement documents
 - Assessment documents
 - Fire inspections and investigations
- **Project Documents** - these are documents that are tied to active projects and often include document types that will end up in other collections (Address-based Documents in particular) once the project is complete. Documents in this collection typically include:
 - Purchasing related documents such as RFP, contract, and project governance (SOW) documents
 - Engineering drawings and supporting documents
 - Permitting/Inspection related documents
 - Deliverables tied to payment milestones

Solution Components:

The components of the Municipal Infrastructure menu solution include:

- Multi-channel, streamlined document capture strategies
- Document filing workflows that build and manage the file plan in Laserfiche automatically
- Business processes to trigger records management actions automatically
- Management form that provides the ability to add document types or modify the file plan components of existing document types

Multi-channel, streamlined document capture strategies

The process of capturing and indexing documents will be standardized and streamlined as much as possible. Multi-channel capture means the process for capturing documents will be the same for scanning, importing or printing documents into the repository. The process will be streamlined by using "dynamic fields" that automatically fill in based on the information provided. OPG-3 will work with the municipality to identify data sources that can be used to drive the dynamic fields and the goal is to require two questions (document type and what it relates to) to be answered from filtered drop-down lists. Utilizing data sources from other application provides the benefit of synchronized data with Laserfiche which helps with integration and process automation processes that may be implemented in the future.

Document filing workflows that build and manage the file plan in Laserfiche automatically

The file plan in a Laserfiche repository consists of the folder structure, document name, metadata and records management properties (cutoff rules, retention period and final disposition). Laserfiche workflow will utilize the metadata provided through the streamlined document capture process to build and manage the components of the file plan automatically. The result is a well-structured repository with standardized components which is especially helpful when managing documents shared by multiple departments.

Business processes to trigger records management activities automatically

Updates that impact the management of records (such as employment status or name change) are usually recorded in other applications. When the data from those applications is used to populate the dynamic fields used in the capture process, business processes can be configured to update existing documents based on changes automatically. Those processes can update folder and document names as well as metadata values and trigger records management activities such as setting event dates and cutting off records to begin the retention period.

Management form that provides the ability to add document types or modify the file plan components of existing document types

The "Management form" for the solution is built using Laserfiche Forms and is a dynamic web form that will allow designated users to:

- Modify file plan components of existing document types such as naming convention, folder structure and retention schedule
- Add new document types to an existing document collection and set up their file plan components including folder structure, naming convention and retention schedule

Municipal Site License – Features Included

The following features are included in the Laserfiche Cloud site license for municipalities with populations of less than 10,000:

Laserfiche Component	Description
Laserfiche Web Client	Enables users to access repository content through a web browser
Laserfiche Mobile	Enables users to access repository content through an Android, iOS, or Windows Phone application
Laserfiche Web Administration Console	Enables administrators to manage an installation through a web browser
Laserfiche Snapshot	Virtually prints content into Laserfiche as a TIFF image, generates associated text for full-text searching, and allows for indexing upon import
Laserfiche Advanced Audit Trail with Watermark Feature	Tracks attempted, and successful events performed in the repository including login, document deletion, and audit configuration modification
Laserfiche Digital Signatures	Applies to electronic forms or to documents using a signing certificate
Laserfiche Records Management	Provides integrated, DoD 5015.2 certified records management functionality to keep track of documents through their complete records lifecycle
Laserfiche Forms	Enables organizations to collect, route and process information captured through electronic forms
Laserfiche Connector	Provides a non-programmatic means for integrating Laserfiche with a line of business applications
Laserfiche Quick Fields Complete	Provides batch processing capabilities assisting in automated data capture and storage through document classification, real-time lookups, zone OCR, auto-redaction, etc.
Laserfiche Quick Fields Agent	Enables scheduling of Quick Fields sessions to have them run unattended
Laserfiche Microsoft Office Integration	Allows for direct content import and indexing capabilities from a Laserfiche ribbon in all Microsoft Office products. Within Outlook, emails and attachments can be imported to the repository with a single click and auto indexed with information such as sender, subject, time received, etc.
Laserfiche DocuSign Integration	Enables organizations to initiate a signing process with DocuSign from Laserfiche Web Client simply by choosing a document, DocuSign template, and who needs to sign it, while saving signed documents as a new version of the original
Google Drive Integration	Enables users to quickly capture and centrally store all Google Drive content without needing to export it first
OneDrive Integration	Enables users to quickly capture and centrally store all OneDrive and OneDrive Business content without needing to export it first
Laserfiche Public Portal	Allows organizations to have a portal in which external users can view document in read-only mode with a certain number of concurrent connections
Laserfiche Forms Portal	Allows for anonymous submission of Laserfiche Forms from external users for internal approval processes

Municipal Site License – Cost Summary

Pricing Details	
Software	
Laserfiche Self-Hosted Site License for Municipalities Under 10,000 Population	\$3,100/year
Software Total	\$3,100/year
Services	
Labor: Laserfiche Cloud One Time Set-Up Fee	\$500
Project: OPG-3 Municipal Infrastructure Package <ul style="list-style-type: none"> Includes 3 document collections Dynamic fields populated by .csv upload 	\$6,300
Services Total	\$6,800
Total Initial Acquisition Cost	\$9,900
Annual Recurring Cost	\$3,100/year
Optional Add-ons:	
Additional document collection	\$2,500/collection
Import of backfile conversion	\$1,500/collection
Live connection to data source	\$1,500/collection
Image enablement using Connector or custom URLs	\$1,500/collection

Chad Ward
Mayor

City of Proctor

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

Jess Rich
City Administrator

You Have A Place in Proctor

6D

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

Date: July 13, 2023
To: City Council
From: Jess Rich, Administrator
Re: Surplus Equipment

Item: Network Security Gateway – Back Up Internet Equipment


Department: Liquor Store

Original Cost: \$800 purchased 2019

Current Value: \$250

Notes: Equipment is no longer needed because Integris has been assigned to provide IT support to the Liquor Store and has supplied another mean of back up internet. Item will be listed for sale at the Mountain Liquors.



 Ubiquiti Networks Unifi Security Gateway, USG-PRO-4

Brand: Ubiquiti Networks

4.3 ★★★★★ 276 ratings | 9 answered questions

\$249⁹⁹

Pay \$74.99/month for 12 months, interest-free upon approval for Prime Visa

Purchase options and add-ons

Payment plans

\$24.38/mo (12 mo) at example APR of 30% (rates from 10-30% APR)

Brand Ubiquiti Networks

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**RESOLUTION 31-23
DECLARATION OF SURPLUS ITEM**

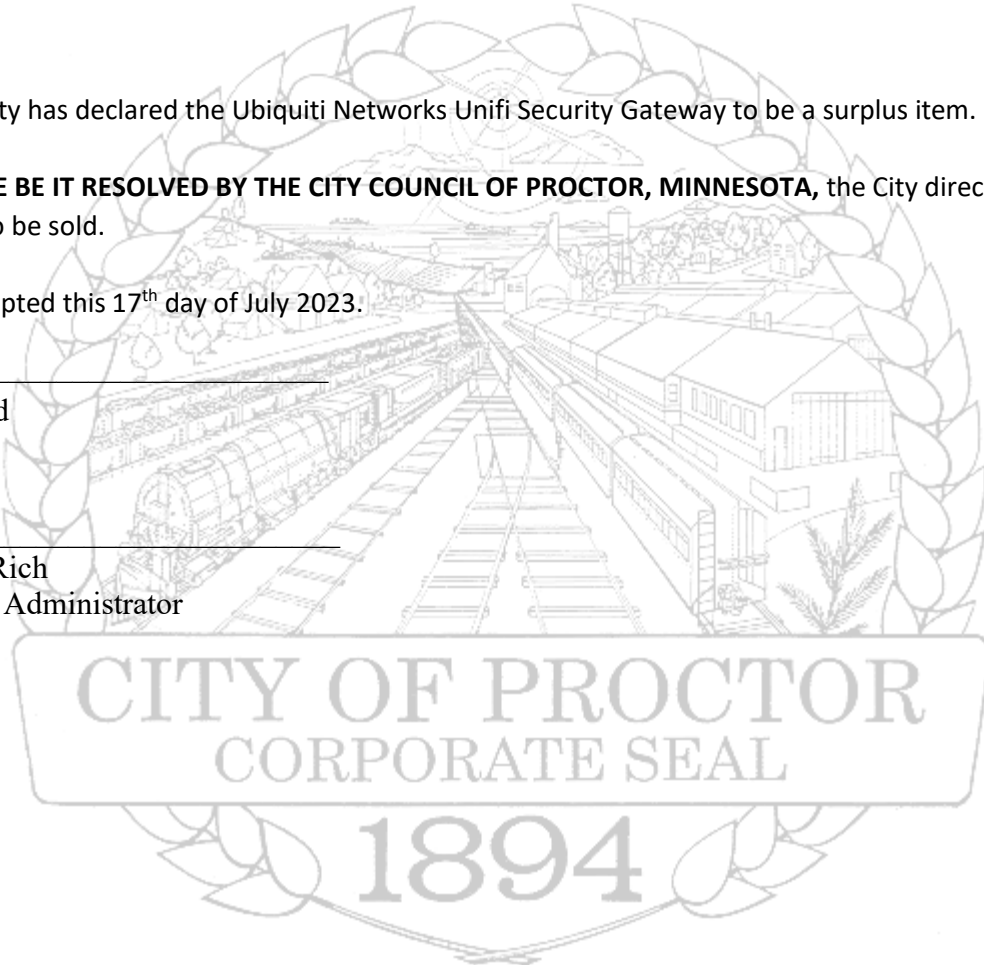
WHEREAS, the City has declared the Ubiquiti Networks Unifi Security Gateway to be a surplus item.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF PROCTOR, MINNESOTA, the City directs this equipment to be sold.

Declared and adopted this 17th day of July 2023.

BY: _____
Chad Ward
Mayor

ATTEST: _____
Jess Rich
City Administrator



TO: Mayor, City Council, Senior Staff

DATE: July 9, 2023

FROM: City Councilor Jake Benson

Meeting Date: July 17, 2023

SUBJECT: Performance Measures Resident Survey

Background

The Legislature created the Council on Local Results and Innovation in 2010 and charged it with developing 10 performance measures for cities. The legislation also directed the Office of the State Auditor (OSA) to administer the Performance Measurement Program, through which cities meeting the eligibility requirements would receive funding of 14 cents per capita, up to \$25,000, and be exempt from levy limits if they are in effect. The council updated the program in 2012 and streamlined the reporting requirements for cities. The council added several options to the list of measures for cities to use.

The last survey Proctor made is believed to be in 2013 with a turnin date of April 25, 2014.

The Proctor Resident Survey gets perspectives from City residents about the quality of service that we provide.

The city seeks information regarding how residents and business owners feel about Proctor and their neighborhoods – what it looks like, how safe you feel, how you view public safety services, street maintenance, snow removal and overall quality of services.

The City used results from the survey to:

- Measure satisfaction with City services and perceptions about key quality of life indicators.
- Gather information on priorities, which will inform the citywide strategic planning/goal setting process as well as departments' business planning efforts.
- Gauge the need for services, residents' expectations regarding service levels and people's willingness to pay for the service or any enhancements.
- Determine how people get information about City services.

Information collected from surveys is used to compare with the previous survey results and helps track City departments' performance.

Some of the questions asked on the survey could include, but are not limited to:

- How many years have you lived in the City of Proctor
Please enter your email address (this will be used to help ensure that people do not respond more than once).

- Where do you live
East Side

West Side
North Side
Central Business District
Kingsbury Ridge
Rolling Greens

- How would you rate the overall appearance of the city?
- How would you describe your overall feeling of police protection safety in the city?
- How would you rate the overall quality of fire protection services in the city?
- How would you rate the overall condition of city streets?
- How would you rate the overall quality of snowplowing on city streets?
- How would you rate the dependability and overall quality of city sanitary sewer service?
- How would you rate the dependability and overall quality of city electricity service?
- How would you rate the dependability and overall quality city water?
- How would you rate the overall quality of city recreation programs and facilities?
- How would you rate the quality of licensing permitting and building inspection services in the city?
- How would you rate the emergency medical services provided by the city?
- How would you rate the overall quality of the Community Access Channel and government online meetings provided by the city?
- How would you rate the overall quality of billing and finance department services provided by the city?
- How would you rate the overall quality of services provided by the city?

Answers were rated
Excellent
Good
Fair (Please Explain)
Poor (Please Explain)
Don't Know

League survey tool available

The League will once again manage an online survey that cities can use if they opt to include survey measures in their performance measurement program. The goal is to eliminate the need for each city to administer its own survey, thereby reducing costs and workload.

The League of Minnesota Cities has an online survey tool for cities to utilize. For more information about how the League can help you meet the survey requirement, please contact Rachel Walker at rwalker@lmc.org or (651) 281-1236.