

CITY OF HERMANTOWN
CITY COUNCIL MEETING
May 6, 2019
6:30 p.m.

Pledge of Allegiance

ROLL CALL: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher

CITY STAFF: John Mulder, City Administrator; Debbie Lund, City Clerk; Kevin Orme, Finance Director; Eric Johnson, Community Development Director; Jim Crace, Chief of Police; Paul Senst, Public Works Director; Joe Wicklund, Communications & Community Engagement Manager; Steve Overom, City Attorney; David Salo, City Engineer

VISITORS: 7

COMMUNICATIONS

Communications 2019-82 through and including 2019-106 were read and placed on file.

Communication 2019-88 from Hermantown Volunteer Fire Department to City Council regarding Budget Submittal for 2020

PRESENTATIONS

Jim Crace, Chief of Police introduced the two new officers being sworn in tonight.

The Law Enforcement Oath of Honor was administered by Debbie Lund, City Clerk to:

Jeff Dwyer
Quinn Mischke

on this 6th day of May, 2019.

Mayor Boucher welcomed the new officers to Hermantown.

Phil Johnson, McGough Construction Manager gave a presentation on the current status of the Essentia Wellness Center.

PUBLIC DISCUSSION

Brad Johnson, 4958 Maple Grove Road – I turned in a petition to get a study done on a sewer project for a portion of Maple Grove Road. A couple of things have changed, although I still want to know what that project would cost to do. I was unaware of the new road going in and with the restriction of time it would not be in the road right-of-way. I may be losing more ground and the privacy of trees on my property. There are 11 lots and 8 would be a yes on the south side but if we add the north side I do not believe my petition would meet the 51% rule to put in sewer.

Don Kallos, 4775 Anderson Road – On your agenda tonight is a motion to approve eminent domain which targets my land. The process that was done was really terrible. I didn't know the sewerline was going through next to my land and they were clearing trees next to my land with debris falling on it. The idea that now suddenly it is cleared the creek is too close to where the sewerline was supposed to go so now you need the corner of my land. Neighbors along both sides should have been notified it's the right thing to do but it wasn't done. The negotiating process on what is going to be given for my land doesn't take into the account that by state law I can't hunt on half of my land after the sale goes through. The loss of wildlife will never be replaced on my land once there is a trail with bikes and people going through. To end the negotiations this soon is putting the 300 pound gorilla in the room. I basically have to take what I am given or hire a lawyer and take whatever the courts decide is fair. You are taking what belongs to me and giving it to everybody for a price when I look on realtor.com and I do the math on what land in Hermantown is going for per acre I am getting less than a third of what those lots are going for per acre. That's the City's current offer and that's a terrible place to be knowing that you're going to authorize this tonight. I am asking for the process to give it some time and a chance without putting this stress and pressure of eminent domain on this.

CONSENT AGENDA

Motion made by Councilor Peterson, seconded by Councilor Schmidt to approve the Consent Agenda which includes the following items:

- A. Approve April 15, 2019 City Council Continuation Minutes
- B. Approve general city warrants from April 16, 2019 through April 30, 2019 in the amount of \$2,167,213.98

Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

RESOLUTIONS

2019-66 Resolution Authorizing The City Of Hermantown To Submit A Grant Funding Request Associated With The Construction Of An Accessible Trail From Morris Thomas Road To Keene Creek Park

Dead Issue

2019-67 Resolution Approving Wage Increase For The City Administrator

Motion made by Councilor Schmidt, seconded by Councilor Geissler to adopt Resolution 2019-67, Resolution Approving Wage Increase For The City Administrator. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-68 Resolution Approving Acquisition Of Utility Easements By Eminent Domain For Section 24 Trunk Sewer Spur

Motion made by Councilor Geissler, seconded by Councilor Peterson to adopt Resolution 2019-68, Resolution Approving Acquisition Of Utility Easements By Eminent Domain For Section 24 Trunk Sewer Spur. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-69 Resolution Authorizing And Directing City Attorney To Enter Into An Agreement With St. Louis County For Legal Services Related To Condemnation Proceedings For Section 24

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2019-69, Resolution Authorizing And Directing City Attorney To Enter Into An Agreement With St. Louis County For Legal Services Related To Condemnation Proceedings For Section 24. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-70 Resolution Requesting A Free Conveyance Of A Tax-Forfeit Parcel For Public Services Facilities Including A Lift Station

Motion made by Councilor Peterson, seconded by Councilor Schmidt to adopt Resolution 2019-70, Resolution Requesting A Free Conveyance Of A Tax-Forfeit Parcel For Public Services Facilities Including A Lift Station. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-71 Resolution Approving Pay Request Number 10 For The Essentia Wellness Center To McGough Construction Co. LLC In The Amount Of \$2,016,955.00

Motion made by Councilor Geissler, seconded by Councilor Peterson to adopt Resolution 2019-71, Resolution Approving Pay Request Number 10 For The Essentia Wellness Center To McGough Construction Co. LLC In The Amount Of \$2,016,955.00. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-72 Resolution Providing A Grant To The Hermantown Area Hockey Association

Motion made by Councilor Peterson, seconded by Councilor Schmidt to adopt Resolution 2019-72, Resolution Providing A Grant To The Hermantown Area Hockey Association. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-73 Resolution Directing Preparation Of Preliminary Engineering Feasibility Report For Sewer Improvement District No. 450 Maple Grove Road (From White Tail Drive West To Sewer Trunkline)

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2019-73, Resolution Directing Preparation Of Preliminary Engineering Feasibility Report For Sewer Improvement District No. 450 Maple Grove Road (From White Tail Drive West To Sewer Trunkline). Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-74 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Real Estate Purchase Agreement In The Amount Of \$71,000.00

Motion made by Councilor Geissler, seconded by Councilor Schmidt to adopt Resolution 2019-74, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Real Estate Purchase Agreement In The Amount Of \$71,000.00. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-75 Resolution Receiving Bids And Approving Award Of Contract To Northland Constructors For Maple Grove Road Waterline Across Maple Grove Road Near LaVaque Road In The Amount Of \$49,670.00

Motion made by Councilor Schmidt, seconded by Councilor Nelson to adopt Resolution 2019-75, Resolution Receiving Bids And Approving Award Of Contract To Northland Constructors For Maple Grove Road Waterline Across Maple Grove Road Near LaVaque Road In The Amount Of \$49,670.00. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-76 Resolution Approving Change Order Number 1 For Sewer Improvement District No. 447 (Along Maple Grove Road From Loberg Avenue To Stebner Park) To Casper Construction, Inc. In The Amount Of \$8,090

Motion made by Councilor Peterson, seconded by Councilor Geissler to adopt Resolution 2019-76, Resolution Approving Change Order Number 1 For Sewer Improvement District No. 447 (Along Maple Grove Road From Loberg Avenue To Stebner Park) To Casper Construction, Inc. In The Amount Of \$8,090. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-77 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Cooperative Agreement Between St. Louis County And The City Of Hermantown For Improvements Related To Emergency Vehicle Preemption Systems SP 069-070-047, CP 0000-390020

Motion made by Councilor Nelson, seconded by Councilor Schmidt to adopt Resolution 2019-77, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Cooperative Agreement Between St. Louis County And The City Of Hermantown For Improvements Related To Emergency Vehicle Preemption Systems SP 069-070-047, CP 0000-390020. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-78 Resolution Approving Amended Cooperative Agreement With St. Louis County Project No. CP 0000-43923 Signal Painting Within The City Of Hermantown Corporate Limits

Motion made by Councilor Geissler, seconded by Councilor Schmidt to adopt Resolution 2019-78, Resolution Approving Amended Cooperative Agreement With St. Louis County Project No. CP 0000-43923 Signal Painting Within The City Of Hermantown Corporate Limits. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-79 Resolution Approving Special Use Permit For Patriot Properties For Purposes Of Increasing The Maximum Height In The Hermantown Marketplace

Motion made by Councilor Peterson, seconded by Councilor Nelson to adopt Resolution 2019-79, Resolution Approving Special Use Permit For Patriot Properties For Purposes Of Increasing The Maximum Height In The Hermantown Marketplace. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-80 Resolution Approving The Deposit For Wetland Credits Associated With The Section 24 Trunkline Project

Motion made by Councilor Schmidt, seconded by Councilor Nelson to adopt Resolution 2019-80, Resolution Approving The Deposit For Wetland Credits Associated With The Section 24 Trunkline Project. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

Mayor Boucher thanked Lars Walden for running the video equipment.

Motion made by Councilor Peterson, seconded by Councilor Nelson to recess meeting at 7:30 p.m. Motion carried.

Mayor

ATTEST:

Clerk