

CITY OF HERMANTOWN
CITY COUNCIL MEETING
August 5, 2019
6:30 p.m.

Pledge of Allegiance

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

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

ABSENT:

VISITORS: 50+

ANNOUNCEMENTS

Mayor Boucher announced that National Night Out is Tuesday, August 6, 2019 from 4:30 – 8:30 here at City Hall.

PUBLIC HEARING – 2020 Road Improvement Plan

NOTICE IS HEREBY GIVEN, that the City Council of the City of Hermantown will meet in the council chambers of Governmental Services Building, 5105 Maple Grove Road, Hermantown, Minnesota, at 6:30 p.m. on Monday, August 5, 2019 to consider the 2020 Road Improvement Plan.

The City Council proposes to proceed in accordance with the provisions of Minnesota Statutes Chapter 429.011 to 429.111 of the Minnesota Statutes.

The area proposed to be assessed for such improvement is every piece and parcel of property benefited by such improvement, whether abutting thereon or not, based upon the benefits received by each piece and parcel.

The estimated cost of such improvement is \$2,524,794.00

Proposed assessment: \$9,750.00 per parcel.

Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting. Written or oral comments are encouraged and will be considered at this hearing.

The Public Hearing held Monday, August 5, 2019 regarding the 2020 Road Improvement Plan has been recorded, however, has not been transcribed. The following residents spoke about their concerns regarding the 2020 Road Improvement Plan:

Jim Samberg, 3789 Johnson Rd.
Luke Borchardt, 4802 Hermantown Rd.

Nancy Kroll, 4859 Hermantown Rd.
Mark Strom, 4834 Hermantown Rd.
Tony Marino, 3760 Johnson Rd.
John Janson, 3743 Johnson Rd.
Steve Leppala, 4749 Portland Rd.
Ben Herseth, 4839 Hermantown Rd.
Kevin O'Brien, 3759 Alexander Rd.
Aaron Breitreutz, 4815 Hermantown Rd.
Dewayne Hendrickson, 3704 Johnson Rd.
Robin Muench, 5275 Lavaque Jct. Rd.

The City Council discussed holding another public meeting in October, 2019.

Public Hearing recessed at 7:52 p.m.

2019-127 Resolution Ordering Improvement And Directing Preparation Of Final Plans And Specifications For 2020 Road Improvement Plan

Motion made by Councilor Geissler seconded by Councilor Peterson to adopt Resolution 2019-127, Resolution Ordering Improvement And Directing Preparation Of Final Plans And Specifications. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-128 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver An Agreement For Engineering Services With TKDA For 2020 Road Improvement Plan In An Amount Not To Exceed \$186,800

Motion made by Councilor Schmidt seconded by Councilor Nelson to adopt Resolution 2019-128, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver An Agreement For Engineering Services With TKDA For 2020 Road Improvement Plan In An Amount Not To Exceed \$186,800. Roll Call: Councilors Geissler, Nelson, Schmidt, Mayor Boucher, aye. Motion carried.

COMMUNICATIONS

Communications 2019-144 through and including 2019-155 were read and placed on file.

Communication 2019-153 from John Mulder, City Administrator to Governor Tim Walz regarding Local Government Aid

Communication 2019-155 from Wayne Boucher, Mayor To Federal Transit Administration regarding AEOA Letter of Support

Communication from David Bolf, Northland Consulting Engineers to Steve Krasaway, St. Louis County Public Works regarding Maple Grove Road Striping

PRESENTATIONS

Jake Klocke, McGough Construction Co, LLC gave a presentation on the construction progress of the Essentia Wellness Center.

PUBLIC DISCUSSION

Michael Koppy, 5124 Beaver Creek Rd. – He stated that he heads the volunteers for maintenance on the trails and he needs the equipment earlier in the summer to do the work and he also needs more equipment for his volunteers.

Grant Forsyth (Representing Peace In Christ Church), 3467 Lindahl Rd. – He expressed his thoughts regarding the striping along Maple Grove Road and his concerns regarding the right of way for the possible sewer improvement along Maple Grove Road. He also stated the current road project along Maple Grove Road is going well.

CONSENT AGENDA

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

- A. Approve July 5, 2019 City Council Continuation Minutes & July 22, 2019 Work Session Minutes
- B. Approve general city warrants from July 15, 2019 through July 31, 2019 in the amount of \$2,085,527.60

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

MOTIONS

ORDINANCES

2019-07 An Ordinance Amending Hermantown Code Of Ordinances Section 210, Adding A New Section 210.05 – Public Decorum

Second Reading

Motion made by Councilor Geissler, seconded by Councilor Peterson to adopt Ordinance 2019-07, An Ordinance Amending Hermantown Code Of Ordinance Section 210, Adding A New Section 210.05 – Public Decorum. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-08 An Ordinance Amending Title 2 Of The Hermantown City Code By Amending The Official Zoning Map (4978 Miller Trunk Hwy)

First Reading

2019-09 An Ordinance Declaring A Temporary Moratorium On Medical Cannabis Distribution Facilities, Laboratories, Manufacturing Facilities, And Related Uses Within The City Of Hermantown

Motion made by Councilor Schmidt, seconded by Councilor Geissler to adopt Ordinance 2019-09, An Ordinance Declaring A Temporary Moratorium On Medical Marijuana Dispensaries, Production Facilities And Related Uses Within The City Of Hermantown. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

RESOLUTIONS

2019-129 Resolution Authorizing And Directing Mayor & City Clerk To Execute And Deliver Agreement For The Use Of The City Of Hermantown Athletic Fields With Hermantown Youth Soccer Association

Motion made by Councilor Peterson, seconded by Councilor Nelson to adopt Resolution 2019-129, Resolution Authorizing And Directing Mayor & City Clerk To Execute And Deliver Agreement For The Use Of The City Of Hermantown Athletic Fields With Hermantown Youth Soccer Association. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-130 Resolution Authorizing The Disposal Of Surplus City Property

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2019-130, Resolution Authorizing The Disposal Of Surplus City Property. Roll Call: Councilors Geissler, Nelson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-131 Resolution Approving The City Of Hermantown Minnesota Government Data Practices Act City Hall Procedures

Motion made by Councilor Nelson, seconded by Councilor Peterson to adopt Resolution 2019-131, Resolution Approving The City Of Hermantown Government Data Practices Act City Hall Procedures. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-132 Resolution Approving The City Of Hermantown Minnesota Government Data Practices Act Police Department Procedures

Motion made by Councilor Peterson, seconded by Councilor Schmidt to adopt Resolution 2019-132, Resolution Approving The City Of Hermantown Minnesota Government Data Practices Act Police Department Procedures. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

2019-133 Resolution Approving Pay Request Number 13 For The Essentia Wellness Center To McGough Construction Co. LLC In The Amount Of \$1,430,076

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2019-133, Resolution Approving Pay Request Number 13 For The Essentia Wellness Center To McGough Construction Co. LLC In The Amount Of \$1,430.076. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-134 Resolution Approving Additional Engineering Services By Northland Consulting Engineers For Okerstrom Road Culverts Improvement Project No. 533

Motion made by Councilor Nelson, seconded by Councilor Schmidt to adopt Resolution 2019-134, Resolution Approving Additional Engineering Services By Northland Consulting Engineers For Okerstrom Road Culverts Improvement Project No. 533. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-135 Resolution Approving Additional Engineering Services By Northland Consulting Engineers For Rose Road Softball Field Street Improvement Project No. 530-N

Motion made by Councilor Geissler, seconded by Councilor Schmidt to adopt Resolution 2019-135, Resolution Approving Additional Engineering Services By Northland Consulting Engineers For Rose Road Softball Field Street Improvement Project No. 530-N . Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-136 Resolution Approving Special Use Permit For Construction Of An Accessory Structure In Excess Of 1,200 Square Feet in The R-3 Zoning District At 4343 Lavaque Road And Imposing Conditions Thereon

Motion made by Councilor Peterson, seconded by Councilor Geissler to adopt Resolution 2019-136, Resolution Approving Special Use Permit For Construction Of An Accessory Structure In Excess Of 1,200 Square Feet In The R-3 Zoning District At 4343 Lavaque Road And Imposing Conditions Thereon. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-137 Resolution Approving Preliminary Planned Unit Development For The Arbours On Maple Grove Development

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2019-137, Resolution Approving Preliminary Planned Unit Development For The Arbours On Maple Grove Development. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

Michael Koppy, 5124 Beaver Creek Rd. – He expressed his concerns with the height of the building.

James Talago, JP Development – He stated that they plan to cut down the elevation on the site before construction.

2019-138 Resolution Awarding Contract For Essentia Wellness Center “Childcare Playground Equipment” To MN/WI Playground In The Amount Of \$35,591.92

Motion made by Councilor Peterson, seconded by Councilor Schmidt to adopt Resolution 2019-138, Resolution Awarding Contract For Essentia Wellness Center “Childcare Playground Equipment” To MN/WI Playground In The Amount Of \$35,591.92. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-139 Resolution Approving Final Compensating Change Order And Final Pay Request For Maple Grove Water Main Stub To Northland Constructors Of Duluth In The Amount Of \$58,500.00

Motion made by Councilor Schmidt, seconded by Councilor Nelson to adopt Resolution 2019-139, Resolution Approving Final Compensating Change Order And Final Pay Request For Maple Grove Water Main Stub To Northland Constructors Of Duluth In The Amount Of \$58,500.00. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-140 Resolution Approving Final Compensating Change Order And Final Pay Request For Stebner Park Accessible Path To Northland Constructors Of Duluth In The Amount Of \$108,003.00

City Council Continuation Meeting

August 5, 2019

Page | 6

Motion made by Councilor Peterson, seconded by Councilor Geissler to adopt Resolution 2019-140, Resolution Approving Final Compensating Change Order And Final Pay Request For Stebner Park Accessible Path To Northland Constructors Of Duluth In The Amount Of \$108,003.00. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2019-141 Resolution Awarding Contract For Hermantown Road Ditch In The Amount Of \$18,757.44

Motion made by Councilor Geissler, seconded by Councilor Peterson to Table for two weeks Resolution 2019-141, Resolution Awarding Contract For Hermantown Road Ditch In The Amount Of \$18,757.44. Motion carried.

2019-142 Resolution To Establish A No Parking Zone Along Menard Drive In The City Of Hermantown

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2019-142, Resolution To Establish A No Parking Zone Along Menard Drive In The City Of Hermantown. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Peterson, seconded by Councilor Nelson to recess the meeting at 8:45 p.m. Motion carried.

Mayor

ATTEST:

Clerk