

CITY OF HERMANTOWN
CITY COUNCIL MEETING
March 2, 2009
6:33 p.m.

Pledge of Allegiance

ROLL CALL: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher; Lynn Lander, City Administrator; Debbie Lund, City Clerk; Steve Overom, City Attorney; Arlene Tucker, Finance Director; Mike Anderson, Chief of Police

ABSENT: Dean Sharpe, City Superintendent

VISITORS: 4

MINUTES

Motion made by Councilor Tafs, seconded by Councilor Koski to approve the February 2, 2009 City Council Minutes. Motion carried.

PUBLIC DISCUSSION

Pete Kilroy, Foster's Sports Bar & Grill – I am a representative also for Tejas and the Chalet Lounge to discuss the current pull-tab rent that we receive. As you may or may not know the state allows the rent as 10% of gross receipts up to \$1,750 per month. Currently the City of Hermantown will allow you to have \$800 per month which is half of the amount the state is willing to give you. Talking with people from the Minnesota Gambling Control Boards, currently Hermantown is the only city in the State of Minnesota that they are aware of that has this cap of \$800, every other city is allowed to have the potential to obtain \$1,750 per month. We as business owners give to the community as much as we can through the pull-tab organizations, ours is Hermantown Hockey. We donate to the charitable events, any kind of fundraiser that people have come to us for we give gift certificates or whatever else we can give. We are members of the Chamber of Commerce, we participate the Hermantown Unwind, the Taste of Hermantown, and we also give to the Hermantown Fire Department for their calendar. We need help, times are tough and the economy is a struggle and the extra money that we would be able to obtain potentially would help us a lot in order to continue with our business and also to provide our contributions to the community. I am here to ask you to take a look at it and see if there is a way to change it.

Mayor Boucher questioned what the revenue would increase for you say based on that 10% figure?

Pete replied that he spoke with the pull-tab manager, Bob Schmidt and Foster's would obtain the \$1,750 per month for approximately the last 3 ½ years and he stated probably out of those months we would have missed the goal by maybe two months. So we would actually get the \$1,750 if we were able to obtain it. We are just trying to get what the state has deemed fair for us to obtain through our pull-tab organization.

Matthew Johnson, Olson Associates, Representative for Wal-Mart Stores – I would like to give a brief overview of the Wal-Mart project. This project has a much different scope this time around and recently gained approval for a CIDP permit from the Planning Commission. In general this project is a three-sided expansion to the existing Wal-Mart Store. There are no significant modifications, but some minor modifications being made along Mall Drive. A milling and overlay of the existing roadway that roadway is also being proposed to be dedicated over as right-of-way to the City of Hermantown for their maintenance purposes, currently it is under Wal-Mart ownership. There are a few changes to the access to the site that were deemed appropriate based on the traffic levels that were studied. There is a portion of Wal-Mart's property that is being dedicated to the city as part of the project, approximately 7.76 acres for conservation purposes, which is east of Mall Drive by Miller Creek. There will be increased parking and to mitigate some of those impacts there are additional stormwater treatment features. The existing basin is to remain with slight modification to meet current MPCA standards and there are three water retention basins, a rainwater garden is being proposed and also an underground detention system for storage and cleansing stormwater. This project also significantly reduces the amount of wetland impacts to less than 10,000 square feet.

COUNCIL MEMBERS REPORT

Councilor Geissler – No report

Councilor Koski – No report

Councilor Stauber – No report

Councilor Tafs – No report

Mayor Boucher – No report

CITY ADMINISTRATOR REPORT

Lynn Lander, City Administrator – Within your packets there is information regarding state law material so you know where you stand with respect to the off sale licenses, which is the governing body can set the limit.

DEPARTMENT HEADS REPORT

Debbie Lund, City Clerk – No report

Arlene Tucker, Finance Director – No report

Mike Anderson, Chief of Police – No report

Dean Sharpe, City Superintendent – Absent

COMMUNICATIONS

Communications 2009-41 through and including 2009-79 were read and placed on file.

Communication 2009-44 from WLSSD to Lynn Lander, City Administrator regarding 2008 Wastewater Treatment Year End Adjustments

Communication 2009-46 from LMC Cities Bulletin to City of Hermantown regarding Clean Water Fund

Communication 2009-50 from Hermantown Volunteer Fire Department to Whom It May Concern regarding Annual Benefit Dance

Communication 2009-56 from Lynn Lander, City Administrator to Lorraine Miskowski, 4452 LaVaque Road regarding Sewer Extension

Communication 2009-57 from John Klaers to Chairman Archambeau & Planning Commissioners regarding Proposed Wal-Mart Preliminary Plat

Communication 2009-77 from JoAnn Hannigan, Planning & Zoning Coordinator – Interim to Mayor Boucher & City Council regarding Planning & Zoning Commission Recommendations

Communication 2009-79 from JoAnn Hannigan, Planning & Zoning Coordinator – Interim to Mayor Boucher & City Council regarding Park Board Recommendations to City Council

NEW BUSINESS

Motion made by Councilor Tafs, seconded by Councilor Geissler to schedule the Team Building Retreat with Calibrate Business Consulting for March 25, 2009. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Koski, seconded by Councilor Stauber to appoint Councilor Geissler to the Airport Board of Appeals. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Tafs, seconded by Councilor Geissler to direct Administrator to look into the legal issues involved in increasing the number of Off Sale Intoxicating Liquor Licenses. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, nay. Motion carried.

ACCOUNTS PAYABLE

Vouchers 40882 through and including 41011 in the amount of \$355,299.42 were read.

Motion made by Councilor Koski, seconded by Councilor Geissler to approve general city warrants in the amount of \$355,299.42. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

ORDINANCES

2009-01 An Ordinance Amending Title 2 Of The Hermantown City Code By Amending The Official Zoning Map (Collingwood Park – Rezoning)

The Second Reading was held on Ordinance 2009-01, An Ordinance Amending Title 2 Of The Hermantown City Code By Amending The Official Zoning Map (Collingwood Park – Rezoning).

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Ordinance 2009-01, An Ordinance Amending Title 2 Of The Hermantown City Code By Amending The Official Zoning Map (Collingwood Park – Rezoning). Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

RESOLUTIONS

2009-15 Resolution To Adopt An Agreement For The Use Of The City Of Hermantown Athletic Fields For The Years 2008-2009 And 2009-2010 By The School District

Motion made by Councilor Stauber, seconded by Councilor Koski to adopt Resolution 2009-15, Resolution To Adopt An Agreement For The Use Of The City Of Hermantown Athletic Fields For The Years 2008-2009 And 2009-2010 By The School District. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-21 Resolution Ordering Improvement And Directing Preparation Of Final Plans And Specifications For Sewer Improvement District No. 431, Water Improvement District No. 313 And Street Improvement District No. 515-N (Loberg Avenue)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2009-21, Resolution Ordering Improvement And Directing Preparation Of Final Plans And Specifications For Sewer Improvement District No. 431, Water Improvement District No. 313 And Street Improvement District No. 515-N (Loberg Avenue). Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-22 Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver An Agreement With The Brimeyer Group, Inc. For Consulting Services In Connection With The Hiring Of A City Administrator

Motion made by Councilor Tafs, seconded by Councilor Geissler to adopt Resolution 2009-22, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver An Agreement With The Brimeyer Group, Inc. For Consulting Services In Connection With The Hiring Of A City Administrator. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-23 Resolution Approving Preliminary Plat Of Wal-Mart Addition, Imposing Conditions On Such Approval And Authorizing And Directing The Mayor And City Clerk To Execute Such Plat Upon The Satisfaction Of Such Conditions

Motion made by Councilor Koski, seconded by Councilor Geissler to adopt Resolution 2009-23, Resolution Approving Preliminary Plat Of Wal-Mart Addition, Imposing Conditions On Such Approval And Authorizing And Directing The Mayor And City Clerk To Execute Such Plat Upon The Satisfaction Of Such Conditions. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

CITY ATTORNEY

Steve Overom, City Attorney – No report

Mayor Boucher thanked Nathan Gustavsson for running the video equipment.

Mayor Boucher announced the schedule of meetings for March.

City Council Minutes

March 2, 2009

Page 6

Motion made by Councilor Tafs, seconded by Councilor Stauber to recess the meeting at 6:55 p.m. to Monday, March 16, 2009 at 5:30 p.m. for special meeting with the Hermantown School Board. Motion carried.

Clerk

ATTEST:

Mayor