

CITY OF HERMANTOWN  
CITY COUNCIL MEETING  
July 6, 2009  
6:30 p.m.

**Pledge of Allegiance**

**ROLL CALL:** Councilors Geissler, Koski, Tafs, Mayor Boucher; John Mulder, City Administrator; Debbie Lund, City Clerk; Steve Overom, City Attorney; Arlene Tucker, Finance Director; Dean Sharpe, City Superintendent; Mike Anderson, Chief of Police

**ABSENT:** Councilor Stauber

**VISITORS:** 11

**MINUTES**

Motion made by Councilor Tafs, seconded by Councilor Koski to approve the June 15, 2009 City Council Continuation Meeting Minutes. Motion carried.

**PUBLIC DISCUSSION SUMMARY**

Chief of Police, Mike Anderson introduced Jon Esterbrooks and Tim Battaglia and gave background on both police officers.

City Clerk, Debbie Lund swore in Jon Esterbrooks and Tim Battaglia.

Deborah Medlin, Eikill & Schilling, Ltd. – Deborah Medlin reviewed the financial report for the City of Hermantown for 2008. Deborah reported this was an unqualified report that is the best a city can receive. Also reviewed were the operating reports for the general fund and the water and sewer funds. There were no significant deficiencies in the city's compliance with the MN Legal Compliance and Audit Guide for Local Government. I do want to tell you what a good job the accounting department did. In the past we reported that we needed additional attention paid to both special assessments and water/sewer contracts receivable and that work was done in 2008 and those sections were significantly better for audit. I think this was the best year that we have had working with the staff on the audit than we have had for the past almost 20 years. I really want to thank them they did an excellent job. Arlene and Angie put in a significant amount of time, were well prepared for audit and this year it rolled very smoothly.

**COUNCIL MEMBERS REPORT**

Councilor Geissler – No report

Councilor Koski – No report

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Councilor Stauber – Absent

Councilor Tafs – No report

Mayor Boucher – Councilor Stauber did contact me and stated his day care fell through and that is why he could not attend the meeting.

### **CITY ADMINISTRATOR REPORT**

John Mulder, City Administrator – Thank you to the Council and staff for welcoming me over the last six days. I think it has gone fairly well.

### **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 – No report

### **COMMUNICATIONS**

Communications 2009-251 through and including 2009-283 were read and placed on file.

Communication 2009-251 from Renee Zirbes, Black & Veatch to City of Hermantown regarding Telecommunication Site Located at 4310 Hawk Circle Drive

Communication 2009-256 from Deborah Lund, City Clerk to Gerald Broman & Bob Schmidt regarding Soccer & Hockey Gambling Reports

Communication 2009-261 from John Klaers, City Planner/Zoning Director to Matthew O. Johnson, Olsson & Associates regarding Wal-Mart Wetland Delineation

Communication 2009-269 from Shawn Reed, Maki & Overom to Rob Irving 4970 Miller Trunk Hwy regarding Building Permit Matters – 4950 Miller Trunk Hwy

Communication 2009-276 from Erika Johnson, Planning & Zoning Coordinator to Mayor Boucher & City Council regarding Pru Properties Wetland Replacement Plan

Communication 2009-278 from John Klaers, City Planner/Zoning Director to James Holmgren, Northland Constructors regarding Wetland Mitigation for Country Inn & Suites Hotel

Communication 2009-279 from Utility Commission to City Council regarding Water for Hermantown Hockey Rink

Communication 2009-280 from I.U.O.E. Local #49 to City of Hermantown regarding Desire to Negotiate

Communication 2009-281 from John Bauman to Mayor & City Council regarding Water Rates

Communication 2009-282 from Arlene Tucker, Finance Director to City Council & Administrative Staff/Consultants regarding Local Government Aid Update

### **NEW BUSINESS**

Motion made by Councilor Geissler, seconded by Councilor Koski to approve the quotation of the League of Minnesota Cities Insurance Trust for Self-Insured Worker's Compensation effective July 12, 2009 through July 12, 2010 in the amount of \$53,785.00. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

Motion made by Councilor Koski, seconded by Councilor Geissler to approve the quotation of the League of Minnesota Cities Insurance Trust for Property, General Liability, Automobile, Umbrella, Boiler, Bonds and Public Officials Liability insurance in the amount of \$74,337.00 effective July 12, 2009 through July 12, 2010. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

Motion made by Councilor Geissler, seconded by Councilor Koski to approve the quotation of the League of Minnesota Cities Garage Keepers Legal Liability in the amount of \$181.00 effective July 12, 2009 through July 12, 2010. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

Motion made by Councilor Geissler, seconded by Councilor Koski to accept the quotation from Horner Fence Co. to install a fence around the basketball court at Fichtner Field in the amount of \$2,456.47. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

Motion made by Councilor Koski, seconded by Councilor Tafs to accept the City of Hermantown's 2008 audit. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

## **ACCOUNTS PAYABLE**

Vouchers 41436 through and including 41611 in the amount of \$1,102,126.41 were read.

Motion made by Councilor Koski, seconded by Councilor Tafs to approve general city warrants in the amount of \$1,102,126.41. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

## **ORDINANCES**

### **2009-03**      An Ordinance Amending Hermantown Code Of Ordinances Section 330 – Parks And Recreation And Section 830 - Parking

The Second Reading was held on Ordinance 2009-03, An Ordinance Amending Hermantown Code Of Ordinances Section 330 – Parks And Recreation And Section 830 – Parking.

Motion made by Councilor Tafs, seconded by Councilor Geissler to adopt Ordinance 2009-03, An Ordinance Amending Hermantown Code Of Ordinances Section 330 – Parks And Recreation And Section 830 – Parking. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

## **RESOLUTIONS**

### **2009-53**      Resolution Proclaiming July 16<sup>th</sup> Through July 19<sup>th</sup> As Hermantown Summerfest XXVIII

Motion made by Councilor Geissler, seconded by Councilor Koski to adopt Resolution 2009-53, Resolution Proclaiming July 16<sup>th</sup> Through July 19<sup>th</sup> As Hermantown Summerfest XXVIII. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

### **2009-54**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For The Use Of Hermantown Athletic Fields With Each Of Hermantown Youth Soccer Association; Hermantown Little League And Hermantown Softball Association

Motion made by Councilor Koski, seconded by Councilor Geissler to adopt Resolution 2009-54, Resolution Authorizing And Directing Mayor And City Clerk To Execute and Deliver Agreement For The Use Of Hermantown Athletic Fields With Each Of Hermantown Youth Soccer Association; Hermantown Little League And Hermantown Softball Association. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

**2009-55**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Construction Engineering Services With Salo Engineering, Inc. For M.S.A. 202-080-001, Sewer Improvement District No. 431; Water Improvement District No. 313 And Street Improvement District No. 515-N (Loberg Avenue) In The Amount Of \$77,187.87

Motion made by Councilor Koski, seconded by Councilor Geissler to adopt Resolution 2009-55, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Construction Engineering Services With Salo Engineering, Inc. For M.S.A. 202-080-001, Sewer Improvement District No. 431; Water Improvement District No. 313 And Street Improvement District No. 515-N (Loberg Avenue) In The Amount Of \$77,187.87. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

**2009-56**      Resolution Receiving Bids And Awarding Contract For Sewer Improvement District No. 431; Water Improvement District No. 313; Street Improvement District No. 515-N Loberg Avenue To Northland Constructor's In The Amount Of \$771,609.60

Motion made by Councilor Koski, seconded by Councilor Geissler to adopt Resolution 2009-56, Resolution Receiving Bids And Awarding Contract For Sewer Improvement District No. 431; Water Improvement District No. 313; Street Improvement District No. 515-N Loberg Avenue To Northland Constructor's In The Amount Of \$771,609.60. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

**2009-57**      Resolution Authorizing And Directing Administrator, John Mulder To Sign Checks And Drafts For The City Of Hermantown

Motion made by Councilor Koski, seconded by Councilor Geissler to adopt Resolution 2009-57, Resolution Authorizing And Directing Administrator, John Mulder To Sign Checks And Drafts For The City Of Hermantown. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

**2009-58**      Resolution Requesting To Reserve Advanced Funding For The City Of Hermantown From Municipal State Aid Funds For S.A.P. 202-080-001 In The Amount Of \$400,000.00 (Loberg Avenue)

Motion made by Councilor Geissler, seconded by Councilor Koski to adopt Resolution 2009-58, Resolution Requesting To Reserve Advanced Funding For The City Of Hermantown From Municipal State Aid Funds For S.A.P. 202-080-001 In The Amount Of \$400,000.00 (Loberg Avenue). Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

**2009-59**      Resolution Approving Wetland Replacement Plan Of Pru Properties, LLC (“Landowner”) And Imposing Conditions On Such Approval

Motion made by Councilor Tafs, seconded by Councilor Geissler to adopt Resolution 2009-59, Resolution Approving Wetland Replacement Plan Of Pru Properties, LLC (“Landowner”) And Imposing Conditions On Such Approval. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

**2009-60**      Resolution Authorizing The Publication Of A Summary Of An Ordinance Amending Hermantown Code Of Ordinances Section 330 – Parks And Recreation And Section 830 - Parking

Motion made by Councilor Geissler, seconded by Councilor Koski to adopt Resolution 2009-60, Resolution Authorizing The Publication Of A Summary Of An Ordinance Amending Hermantown Code Of Ordinances Section 330 – Parks And Recreation And Section 830 – Parking. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

**2009-61**      Resolution Immediately Suspending Zachary Alan Powell’s Authorization To Solicit Within The City Of Hermantown

Motion made by Councilor Tafs, seconded by Councilor Geissler to adopt Resolution 2009-61, Resolution Immediately Suspending Zachary Alan Powell’s Authorization To Solicit Within The City Of Hermantown. Roll Call: Councilors Geissler, Koski, Tafs, Mayor Boucher, aye. Councilor Stauber, absent. Motion carried.

**CITY ATTORNEY**

Steve Overom, City Attorney – No report

Mayor Boucher announced the schedule of meetings for July.

Mayor Boucher thanked Nathan Gustavsson for running the video equipment.

Motion made by Councilor Tafs, seconded by Councilor Geissler to recess the meeting at 7:23 p.m. Motion carried.

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Mayor

ATTEST:

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Clerk