

CITY OF HERMANTOWN
CITY COUNCIL MEETING
September 8, 2009
6:30 p.m.

Pledge of Allegiance

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

VISITORS: 3

MINUTES

Motion made by Councilor Koski, seconded by Councilor Stauber to approve the August 17, 2009 City Council Continuation Meeting Minutes. Motion carried.

Motion made by Councilor Geissler, seconded by Councilor Koski to approve the August 25, 2009 City Council Special Meeting. Motion carried.

PUBLIC DISCUSSION SUMMARY

Jared Murray, 5183 Country Road – A year ago I met with the Fast Track Committee and John recently brought it to their attention my desire to either extend Mary Lane Drive in Section 36 to the Richard R. Peterson property or to extend the Okerstrom Road which is currently a landlocked piece but he does have an easement allowing the sewer trunk to go through and the city granted him an easement that has not been platted but has been described. What I am requesting and what the Fast Track Committee denied is for that road to be constructed to the City's gravel standard but not what is outlined as the current standard for new roads, which are asphalt, curb & gutter. Both Okerstrom and Mary Lane Drive are gravel roads and I don't have a master development of sorts, it would be simply extending a gravel road to at most a few lots.

Mayor Boucher questioned if Mr. Murray's coming here is a formal request to review that decision.

Mr. Overom stated that typically that is something that would be submitted in writing but it can be construed to as a request that you look at the procedures, policies and ordinances that are in effect and change them. This would be a request to amend the Zoning Code.

Mayor Boucher stated we will have the attorney and staff review the matter and see what is the best way to proceed.

COUNCIL MEMBERS REPORT

Councilor Geissler – I would like to congratulate Officer/Mayor Boucher on his retirement and 32 years of serving the City of Hermantown. Thank you very much and I wish you well in your future endeavors.

Councilor Koski – I also would like to echo John's sentiments.

Councilor Stauber – Your retirement will be a big hole for the City and the department as a whole. You, Wayne are known around the area and have a good reputation and law enforcement is going to miss you. Thank you for your service to our community and the area.

Councilor Tafs – I would like to ditto all of the above comments Wayne and best of luck to you.

Mayor Boucher – As representative of the City of Hermantown I would like to express our heartfelt sympathies to the family, friends and co-workers of Officer Richard Crittenden of the North St. Paul Police Department and commend him for his service.

CITY ADMINISTRATOR REPORT

John Mulder, City Administrator – I tried to submit to you via email last week my first try at a weekly report. My understanding is that you were not able to open it up due to differences in technology. What I am trying to do in the report is to update you on what I have been working on in the last week or so and to give you a heads up on items that you will see coming forward. I will update and change the report so that you can access it each week.

DEPARTMENT HEADS

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 2009-325 through and including 2009-372 were read and placed on file.

Communication 2009-344 from John Klaers, City Planner/Zoning Director to RC Boheim, Joan Weyandt, Nick Frohnauer regarding Billman Construction Wetland Exemption Application

Communication 2009-345 from John Klaers, City Planner/Zoning Director to RC Boheim, Joan Weyandt, Nick Frohnauer regarding Robert Jackman Wetland Replacement Plan

Communication 2009-346 from John Klaers, City Planner/Zoning Director to RC Boheim, Joan Weyandt, Nick Frohnauer regarding JLG Proposal for Development of Property South of McKinley

Communication 2009-366 from WLSSD to John Mulder, City Administrator regarding 2010 Budget

Communication 2009-367 from Utility Commission to City Council regarding Maple Grove Road Sewer Petition

Communication 2009-368 from Utility Commission to City Council regarding Morris Thomas Road Sewer Petition

Communication 2009-369 from Utility Commission to City Council regarding Radio Read Installation Penalty Letter

ACCOUNTS PAYABLE

Vouchers 41731 through and including 41897 in the amount of \$578,451.53 were read.

Motion made by Councilor Koski, seconded by Councilor Geissler to approve general city warrants in the amount of \$578,451.53. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

ORDINANCES

2009-06 An Ordinance Amending Ordinance No. 99-04 (Cable Franchise Ordinance)

The First Reading was held on Ordinance 2009-06, An Ordinance Amending Ordinance No. 99-04, (Cable Franchise Ordinance).

RESOLUTIONS

2009-73 Resolution To Adopt The 2010 Proposed City Levy And 2010 General Fund Appropriation Budget, In Addition, Set The Schedule For The Truth In Taxation Hearing

Motion made by Councilor Stauber, seconded by Councilor Geissler to adopt Resolution 2009-73, Resolution To Adopt The 2010 Proposed City Levy And 2010 General Fund Appropriation Budget, In Addition, Set The Schedule For The Truth In Taxation Hearing to be held Monday, December 7, 2009 at 6:30 p.m. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-74 Resolution Authorizing Gerald Patrick Johnson To Solicit Within The City Of Hermantown And Imposing Conditions Thereon

Motion made by Councilor Tafs, seconded by Councilor Geissler to adopt Resolution 2009-74, Resolution Authorizing Gerald Patrick Johnson To Solicit Within The City Of Hermantown And Imposing Conditions Thereon with the following changes: #2.4 should be: Conduct business before 9:00 a.m. or after 7:00 p.m. and add #2.9: Wear an I.D. Badge on the outermost layer of his clothing. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-75 Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Eikill & Schilling, LTD (Audit Services)

Motion made by Councilor Tafs, seconded by Councilor Stauber to adopt Resolution 2009-75, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Eikill & Schilling, LTD (Audit Services). Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-76 Resolution Adopting Policy Implementing And Allowing Expenditures For An Employee Recognition Program And Other Public Purposes Effective July 1, 2009

Motion made by Councilor Tafs, seconded by Councilor Geissler to adopt Resolution 2009-76, Resolution Adopting Policy Implementing And Allowing Expenditures For An Employee Recognition Program And Other Public Purposes Effective July 1, 2009. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-77 Resolution Amending Hermantown Code Of Ordinances Section 280 – Fee Schedule

Motion made by Councilor Tafs, seconded by Councilor Geissler to adopt Resolution 2009-77, Resolution Amending Hermantown Code Of Ordinances Section 280 – Fee Schedule. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-78 Resolution Approving The Declaration Of Restrictive Covenants Between The City Of Hermantown (“Convenantor”) And The City Of Hermantown (“City”) For Water District No. 313 And Sewer District No. 431

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2009-78, Resolution Approving The Declaration Of Restrictive Covenants Between The City Of Hermantown (“Convenantor”) And The City Of Hermantown (“City”) For Water District No. 313 And Sewer District No. 431. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-79 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver An Application To Withhold Tax Forfeit Land From Sale Pending An Application And To Execute And Deliver An Application For A Free Conveyance Of Such Land For An Authorized Public Use

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2009-79, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver An Application To Withhold Tax Forfeit Land From Sale Pending An Application And To Execute And Deliver An Application For A Free Conveyance Of Such Land For An Authorized Public Use. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-80 Resolution Approving Final Plans And Specifications And Ordering Advertisement For Bids For Fichtner Field #1 Lighting

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2009-80, Resolution Approving Final Plans And Specifications And Ordering Advertisement For Bids For Fichtner Field #1 Lighting. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

CITY ATTORNEY

Steve Overom, City Attorney – Wal-Mart has indicated that they would like to meet in a couple of weeks to go over the development of the expansion of their store.

The JLG project in Jackson Estates has surfaced again. They signed a consent agreement with the United States of America, which was signed off on by at least four Justice Department attorneys to resolve a dispute between JLG and the Corps of Engineers that has been in the works for over four years. JLG will be asking for the city to allow them to develop a piece of property located within their development and the city will have to look at the request and make sure that all of the city's rules are followed.

Lara Nygaard was in court the other day and Zach Powell was there on the ticket that St. Louis County had issued to him. He ended up pleading guilty and was issued a small fine.

Mayor Boucher announced the schedule of meetings for September.

Motion made by Councilor Geissler, seconded by Councilor Stauber to recess meeting at 7:18 p.m. Motion carried.

Mayor

ATTEST:

Clerk