

A continuation of the April 6, 2009 City Council Meeting was called to order April 20, 2009 at 6:30 p.m. for the purpose of taking care of unfinished business from the April 6, 2009 meeting.

### **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

**VISITORS:** 5

### **MINUTES**

Motion made by Councilor Tafs, seconded by Councilor Koski to approve the April 6, 2009 City Council Minutes. Motion carried.

### **PUBLIC DISCUSSION SUMMARY**

Motion made by Councilor Tafs, seconded by Councilor Stauber to suspend the rules for Mr. Keller to present a check to the city. Motion carried.

Dave Keller, Wal-Mart Stores, Inc., 4740 Mall Drive – Mr. Keller presented Mayor Boucher and Park Board Liaison, Councilor Tafs with a \$5,000.00 check to the City of Hermantown for playground equipment.

Motion made by Councilor Tafs, seconded by Councilor Stauber to reinstate the rules. Motion carried.

Pete Kilroy, 133 Chambersburg Drive, Duluth – I am here to ask the Council tonight to consider raising the pull tab rent. It is currently at \$800 a month and we would like the rent to be raised to the state mandated \$1,750 a month through the gross net receipts. We have tried to be as supportive of the community as possible and we would like to see some support back.

Councilor Geissler questioned how much higher they wanted the rent to be?

Mr. Kilroy stated they would love to see it get to the \$1,750, is that amount attainable I don't know if we can agree on that. Currently talking with Bob Schmidt of the pull tab organization for Hermantown Hockey through our establishment with the City of Hermantown our organization at Foster's Sports Bar & Grill gave to the Hermantown Hockey between \$55,000 to \$60,000 last year and we receive \$800 a month. The revenue has increased in the last three years or so since we've been in Hermantown. It was in the \$30,000 range in 2006 and \$45,000 in 2007 and 2008 was roughly \$55,000.

Mayor Boucher said you are looking at \$55 - \$60,000 and your rent is approximately 20% of their profit \$9,600 a year. You would like to make \$1,750, which would be over 40% of their profit.

Pete Kilroy stated we are just looking for what the state mandated we could receive.

Barb Hakes, Chalet Lounge – I am here to support Pete asking that the rent cap be lifted to the state mandated percent based on sales. Everyone else is absorbing costs, extra fuel, lights, water, insurance, maintenance are all going up yet pull tab rent does not increase.

Richard Fursman, Briemeyer Group – Mr. Fursman gave a presentation on the City Administrator Candidate Report and selection of candidates for interview selection for May 1 & 2, 2009.

Council chose the five finalists with two alternates for the interview process. Council also chose the agenda and community members they would like to see involved in the process.

## **COUNCIL MEMBERS REPORT**

Councilor Geissler – No report

Councilor Koski – No report

Councilor Stauber – No report

Councilor Tafs – No report

Mayor Boucher – I would like to thank Wal-Mart for their generous contribution for the playground equipment. Mr. Keller has also advised me that he has groups of employee's that are willing to provide some type volunteer efforts to our parks, whether it be clean up or trails, etc. is there any way that Wal-Mart can help with our recreation programs in Hermantown. I advised Mr. Keller to send a letter to the Park Board about those items.

## **CITY ADMINISTRATOR REPORT**

Lynn Lander, City Administrator – No report

## **DEPARTMENT HEADS REPORT**

Debbie Lund, City Clerk – The Board of Appeals and Equalization will be held May 5, 2009 starting at 2:00 p.m.

Arlene Tucker, Finance Director – No report

Mike Anderson, Chief of Police – No report

## **COMMUNICATIONS**

Communications 2009-119 through and including 2009-138 were read and placed on file.

Communication 2009-126 from League of Minnesota Cities to LMCIT Member Cities regarding TULIP announcement

Communication 2009-129 from John Klaers, City Planner/Zoning Director to Mayor & City Council regarding Population & Student Enrollment Projections for 2008/2009 ISD #700 Long Range Facilities Plan

Communication 2009-133 from Lynn Lander, City Administrator to Mayor & City Council regarding Loberg Avenue Wetland Compensation

## **NEW BUSINESS**

Motion made by Councilor Tafs, seconded by Councilor Geissler to hold a Special Meeting on May 1<sup>st</sup> & 2, 2009 for interviews for the City Administrator position. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Koski, seconded by Councilor Geissler supporting the Standards for Permanent Wetland Markers within the City of Hermantown. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

## **ORDINANCES**

**2009-02**      An Ordinance Enacting A Code Of Zoning Ordinances For The City Of Hermantown, Minnesota, Amending, Restating, Revising, Updating, Codifying And Compiling Certain Zoning Ordinances Of The City Dealing With The Subjects Embraced In The Code Of Zoning Ordinances, And Providing Penalties For The Violation Of The Code Of Zoning Ordinances

The Second Reading was held on Ordinance 2009-02, An Ordinance Enacting A Code Of Zoning Ordinances For The City Of Hermantown, Minnesota, Amending, Restating, Revising, Updating, Codifying And Compiling Certain Zoning Ordinances Of The City Dealing With The Subjects Embraced In The Code Of Zoning Ordinances, And Providing Penalties For The Violation Of The Code Of Zoning Ordinances.

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Ordinance 2009-02, An Ordinance Enacting A Code Of Zoning Ordinances For The City Of Hermantown, Minnesota, Amending, Restating, Revising, Updating, Codifying And Compiling Certain Zoning Ordinances Of The City Dealing With The Subjects Embraced In The Code Of Zoning Ordinances, And Providing Penalties For The Violation Of The Code Of Zoning Ordinances. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

## RESOLUTIONS

**2009-30**      Resolution Authorizing And Directing The City Administrator To Purchase Tax Forfeited Properties Within The City Of Hermantown

Motion made by Councilor Tafs, seconded by Councilor Stauber to adopt Resolution 2009-30, Resolution Authorizing And Directing The City Administrator To Purchase Tax Forfeited Properties Within The City Of Hermantown. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

**2009-31**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement Between St. Louis County, City Of Duluth And City Of Hermantown, Minnesota For C.S.A.H. 6 (Maple Grove Road) S.P. 69-606-17

Motion made by Councilor Geissler, seconded by Councilor Koski to adopt Resolution 2009-31, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement Between St. Louis County, City Of Duluth And City Of Hermantown, Minnesota For C.S.A.H. 6 (Maple Grove Road) S.P. 69-606-17. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

**2009-32**      Resolution Appointing John Smedberg As Hearing Officer And Directing The Proper Steps Be Taken To Review The Beacon Bar Liquor License (Revocation, Suspension, And/Or Civil Penalty)

Motion made by Councilor Tafs, seconded by Councilor Geissler to adopt Resolution 2009-32, Resolution Appointing John Smedberg As Hearing Officer And Directing The Proper Steps Be Taken To Review The Beacon Bar Liquor License (Revocation, Suspension, And/Or Civil Penalty). Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

**2009-33**      Resolution Approving Tenant User Liability Insurance Program

Motion made by Councilor Koski, seconded by Councilor Tafs to adopt Resolution 2009-33, Resolution Approving Tenant User Liability Insurance Program. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

**2009-34**      Resolution Opposing HF 2020 To The Extent It Affects Hermantown's Sales Tax

Motion made by Councilor Stauber, seconded by Councilor Tafs to adopt Resolution 2009-34, Resolution Opposing HF 2020 To The Extent It Affects Hermantown's Sales Tax. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

Continuation of City Administrator Position Discussion

Motion made by Councilor Tafs, seconded by Councilor Geissler to authorize Richard Fursman to contact candidates 2, 6, 7, 9 and 10 to determine their continued interest in the City Administrator position with the City of Hermantown and if any one is no longer interested then candidate 3 and if two are no longer interested then candidate 5 and once 5 candidates confirm their continued interest to declare them as finalists for the position and notify the City Clerk of their names so she can issue a press release announcing the names. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Geissler, seconded by Councilor Tafs to direct City Clerk to make dinner arrangements for Friday, May 1, 2009. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

Mayor Boucher thanked Adam Miner for running the video equipment.

Motion made by Councilor Tafs, seconded by Councilor Stauber to recess meeting at 8:05 p.m. to Friday, May 1<sup>st</sup> & Saturday, May 2, 2009 for a Special Meeting to interview candidates for the City Administrator position. Motion carried.

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Clerk

ATTEST:

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Mayor