

A continuation of the City Council Meeting held Monday, June 1, 2009 was called to order June 15, 2009 at 6:30 pm. for the purpose of taking care of unfinished business from the June 1, 2009 meeting.

Pledge of Allegiance

ROLL CALL: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher; Debbie Lund, City Clerk; Steve Overom, City Attorney; Mike Anderson, Chief of Police

VISITORS: 2

MINUTES

Motion made by Councilor Koski, seconded by Councilor Geissler to approve the June 1, 2009 City Council Minutes. Motion carried.

COUNCIL MEMBERS REPORT

Councilor Geissler – No report

Councilor Koski – No report

Councilor Stauber – No report

Councilor Tafs – No report

Mayor Boucher – I was contacted by a representative of the school board requesting assistance from utilities with city water from a hydrant for the thawing of the ice arena dirt. This is something we may want to ask utilities to look at.

DEPARTMENT HEADS REPORT

Debbie Lund, City Clerk – The Beacon did pay their delinquent taxes and they do have a past due amount of \$170 on water/sewer but are paying \$200 a week to catch this up.

Mike Anderson, Chief of Police – Our newest officer Tim Battaglia started today and we are back up to full staff. I will let you know when we schedule the swearing in ceremony for our two people.

COMMUNICATIONS

Communications 2009-230 through and including 2009-250 were read.

Communication 2009-230 from Shawn Reed, Maki & Overom to Cable TV Commission regarding Cable Television Franchise Renewal

Communication 2009-234 from R. Thomas Gillaspy, MN State Demographer to Lynn Lander, City Administrator regarding 2008 Population & Household Estimates

Communication 2009-237 from Renee K. Zirbes, AT & T Mobility to John Klaers regarding AT & T facility located at 5250 Cameron Rd

Communication 2009-239 from Deborah Lund, City Clerk to Jack Ezell, WLSSD regarding Desire to Consider Request by WLSSD

Communication 2009-245 from John Klaers, City Planner/Zoning Director to Chairman Shaw & Park Board Members regarding Report from MUSCO Lighting

NEW BUSINESS

Motion made by Councilor Tafs, seconded by Councilor Geissler advise utilities to enter into a contract with the school for up to \$2,000 worth of water to assist them in fixing the hockey rink. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Geissler, seconded by Councilor Tafs to approve the following On Sale/Sunday Liquor Licenses: AAD Shrine, 5152 Miller Trunk Hwy, On Sale/Sunday/Dance; Beacon Sports Bar, 5044 Hermantown Rd, On Sale/Sunday; Chalet Lounge of Hermantown, 4833 Miller Trunk Hwy, On Sale/Sunday; Foster's Sports Bar & Grill, 4767 W. Arrowhead Rd, On Sale/Sunday; Landing 53, 5094 Miller Trunk Hwy, On Sale/Sunday; Outback Steakhouse, 4255 Haines Rd, On Sale/Sunday; Runway Bar & Grill, 4766 W. Arrowhead Rd, On Sale/Sunday/Dance; Skyline Lounge, Inc., 4904 Miller Trunk Hwy, On Sale/Sunday and Tejas Texas Grill & Saloon, 4702 Miller Trunk Hwy, On Sale/Sunday. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Koski, seconded by Councilor Tafs to approve the following Off Sale Liquor Licenses: Hermantown Liquor, 5115 Miller Trunk Hwy, Off Sale and Sam's Club #6320, 4743 Maple Grove Rd, Off Sale. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Geissler, seconded by Councilor Koski to approve the following 3.2 Malt Liquor Licenses: Holiday Stationstores, 4795 Miller Trunk Hwy, Off Sale and Sam's West d/b/a Sam's Club #6320, 4743 Maple Grove Rd, Off Sale. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Koski, seconded by Councilor Geissler to approve the following Wine/Strong Beer Liquor Licenses: China Star Family Restaurant, 4722 Haines Rd, Wine/Beer and Zen House, Inc., 4147 Haines Rd, Wine/Beer. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

ORDINANCES

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

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

RESOLUTIONS

2009-48 Resolution Amending Assessment Roll For 1978 Waterline Project

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2009-48, Resolution Amending Assessment Roll For 1978 Waterline Project. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-49 Resolution Adopting The Recommended Administrative Fine Schedule For Parking Citations

Motion made by Councilor Tafs, seconded by Councilor Geissler to adopt Resolution 2009-49, Resolution Adopting The Recommended Administrative Fine Schedule For Parking Citations. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-50 Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Cooperative Agreement For County Project SP 69-691-021 County State-Aid Highway No. 91 (Haines Road) Within The City Of Hermantown Corporate Limits

Motion made by Councilor Geissler, seconded by Councilor Stauber to adopt Resolution 2009-50, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Cooperative Agreement For County Project SP 69-691-021 County State-Aid Highway No. 91 (Haines Road) Within The City Of Hermantown Corporate Limits. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-51 Resolution Amending The Recommended Fine Schedule For Single And Multiple Occurrence Offenses Of The City Of Hermantown Code Of Ordinances And Title 2 Of The Hermantown City Code

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2009-51, Resolution Amending The Recommended Fine Schedule For Single And Multiple Occurrence Offenses Of The City Of Hermantown Code Of Ordinances And Title 2 Of The Hermantown City Code. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

2009-52 Resolution Authorizing Zachary Alan Powell To Solicit Within The City Of Hermantown And Imposing Conditions Thereon

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2009-52, Resolution Authorizing Zachary Alan Powell To Solicit Within The City Of Hermantown And Imposing Conditions Thereon with the following condition added: make any solicitation unless he shows his personal identification (driver's license) and his business identification to the property owner or tenant who is being solicited. Roll Call: Councilors Geissler, Koski, Stauber, Tafs, Mayor Boucher, aye. Motion carried.

CITY ATTORNEY

Steve Overom, City Attorney- I sent an email to Joe Kleiman regarding the issues with his property and he indicated that he was aware of trespassers on his property and that he has taken steps to board up the property and try to eliminate that issue. He is very interested in keeping his good relations with the city and has a couple of very interesting prospects for development for that site.

There was a hearing today on the order to show cause/probation revocation hearing for the Peter Buchanan matter. It was a disaster. The judge that was supposed to hear it was Judge Munger who had heard the original plea. For some reason the hearing was set before Judge Oswald. Greg Gilbert appeared on behalf of Peter Buchanan. Despite Buchanan knowing about the hearing date for a long time, Greg Gilbert requested a continuance as Buchanan and he disagreed as to which defensive strategy to employ. After dialogue, debate, and despite vigorous opposition from Shawn Reed, Judge Oswald granted the continuance subject to the condition that Buchanan pay all the costs, regardless of the outcome of probation revocation hearing, incurred bringing back witnesses.

Mayor Boucher thanked Nathan Gustavsson for running the video equipment.

Motion made by Councilor Stauber, seconded by Councilor Tafs to recess the meeting at 6:52 p.m. Motion carried.

Mayor

ATTEST:

City Clerk