

A continuation of the July 7, 2008 City Council Meeting was called to order July 21, 2008 at 6:30 p.m. for the purpose of taking care of unfinished business from the July 7, 2008 meeting.

### **Pledge of Allegiance**

**ROLL CALL:** Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald; Lynn Lander, City Administrator; Debbie Lund, City Clerk; Steve Overom, City Attorney

**VISITORS:** 5

### **MINUTES**

Motion made by Councilor Tafs, seconded by Councilor Koski to approve the July 7, 2008 City Council Minutes. Motion carried.

### **PUBLIC DISCUSSION SUMMARY**

Paul Collins, 4844 Terrace Circle – My property is very close to the Timber Ridge new development. I was unable to be here at your last meeting to speak. My main concern is not so much the Timber Ridge Development but my own neighborhood and trying to maintain my neighborhood as it exists today, which is one of the reasons I chose to live there. This would be changed markedly if there as connector into the new Timber Ridge Development created to our neighborhood and I would ask that you consider the residents on Terrace, Pond, Adrian and the other adjoining properties and try as much as possible to connect the new Timber Ridge out to east Mall Drive as shown by the consultants as a very good route to develop in. With that my wife and I have no oppositions to Mr. Carlson and his development we wish him good luck with that but we would ask that as much as possible to leave our neighborhood intact and not put a connector into it and go out the other direction.

Kristen Olson, 4840 Terrace Circle – I am here to state that once again that I am still opposed to the connection of Terrace Circle to the Carlson development and I am hoping that the city council will come up with some other alternatives. The other thing I wanted to make note of is that I really hope that in his plans that he will put a really nice sized buffer and an actual tree buffer between our development and his development.

Sandy Carlson, 4858 Terrace Circle – I think that you are very aware of the feelings that we have for this situation, but I want to reiterate that I really appreciate the way that you guys have opened things up and let us feel that we are a part of this, we did not have that feeling before. So I appreciate what you have done in letting us speak and hearing us. I hope that the decision goes the way we would like it to.

Eric Hanson, 4182 Ridge Circle – I agree with what my neighbors have said 100%.

## **COUNCIL MEMBERS REPORT**

Councilor Boucher – I would like to thank all the members involved with the Summerfest celebration. It was a very well done job and everything went very smoothly and the parade was fantastic. I would like to thank Keith and Fran and ask that you pass that on to everyone involved. It really pulled the community together.

Councilor Koski – I would like to second what Wayne said. We had a very nice turnout in spite of the weather. We did have to cancel the movie due to the rain.

Councilor Tafs – No report

Councilor Thielen – No report

Mayor MacDonald – I would like to echo these guy's sentiments I appreciate everyone on the committee's hard work to make Summerfest a success. I appreciate Lynn coming in on Saturday morning and giving tours of the new administrative services facility. I think we had a good turnout as well at most of the events. The committee will be meeting in a couple of weeks to fine tune Summerfest for next year.

## **CITY ADMINISTRATOR REPORT**

Lynn Lander, City Administrator – August 18<sup>th</sup> will be the beginning of our budget sessions. All department heads will give their presentations immediately following the city council meeting.

## **DEPARTMENT HEADS REPORT**

Debbie Lund, City Clerk – No report

## **COMMUNICATIONS**

Communications 2008-278 through and including 2008-304 were read and placed on file.

Communication 2008-279 from Salo Engineering, Inc. to City of Hermantown regarding Construction Meeting – Sewer District no. 429

Communication 2008-280 from Resident to Lauri Walters, ERS regarding Erosion & Sediment Control and New Home Construction sites

Communication 2008-283 from Department of the Army to Lynn Lander, City Administrator regarding Loberg Road

Communication 2008-297 from Bill Jensen, Mediacom to Hermantown Community Officials regarding Increase in Rates

## **NEW BUSINESS**

Motion made by Councilor Tafs, seconded by Councilor Boucher to approve the reappointment of Greg Carlson and Cyndy Reno to the Board of Appeals & Adjustment for a three-year term commencing January 1, 2008. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

Motion made by Councilor Thielen, seconded by Councilor Koski to approve the following new 3.2 Off Sale Malt Liquor License for: Wal-Mart Store #1757, 4740 Mall Drive, 3.2 Off Sale. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

## **ORDINANCES**

**2008-07**      An Ordinance Amending The Fee Schedule For Licenses, Permits And Fees Which Was Adopted In Ordinance No. 2008-06 And Added To The Hermantown Code Of Ordinances

The Second Reading was held on Ordinance 2008-07, An Ordinance Amending The Fee Schedule For Licenses, Permits And Fees Which Was Adopted In Ordinance No. 2008-06 And Added To The Hermantown Code Of Ordinances.

Motion made by Councilor Koski, seconded by Councilor Tafs to adopt Ordinance 2008-07, An Ordinance Amending The Fee Schedule For Licenses, Permits And Fees Which Was Adopted In Ordinance No. 2008-06 And Added To The Hermantown Code Of Ordinances. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-08**      An Ordinance Amending Section 410.03 Of The Hermantown City Code (Pawnbrokers)

The Second Reading was held on Ordinance 2008-08, An Ordinance Amending Section 410.03 Of The Hermantown City Code (Pawnbrokers).

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Ordinance 2008-08, An Ordinance Amending Section 410.03 Of The Hermantown City Code (Pawnbrokers). Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-09**      An Ordinance Amending Section 430.04 And 430.11 Of The Hermantown City Code (Alcoholic Beverages)

The Second Reading was held on Ordinance 2008-09, An Ordinance Amending Section 430.04 And 430.11 Of The Hermantown City Code (Alcoholic Beverages).

Motion made by Councilor Thielen, seconded by Councilor Tafs to adopt Ordinance 2008-09, An Ordinance Amending Section 430.04 And 430.11 Of The Hermantown City Code (Alcoholic Beverages). Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

## **RESOLUTIONS**

**2008-64**      Resolution Authorizing Tony Eugene McNeill To Peddle Within The City Of Hermantown And Imposing Conditions Thereon

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-64, Resolution Authorizing Tony Eugene McNeill To Peddle Within The City Of Hermantown And Imposing Conditions Thereon. Roll Call: Councilors Koski, Tafs, Thielen, Mayor MacDonald, aye. Councilor Boucher, nay. Motion carried.

**2008-65**      Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Proposed Assessment Roll For Sewer Improvement District No. 426 Anderson Road (Stebner Road To Haines Road)

Motion made by Councilor Tafs, seconded by Councilor Boucher to adopt Resolution 2008-65, Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Proposed Assessment Roll For Sewer Improvement District No. 426 Anderson Road (Stebner Road To Haines Road). Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-66**      Resolution Receiving Bids And Awarding Contract For Stebner Park Soccer Complex Phase III To Northland Constructor's Of Duluth, LLC In The Amount Of \$577,366.42

Motion made by Councilor Koski, seconded by Councilor Tafs to adopt Resolution 2008-66, Resolution Receiving Bids And Awarding Contract For Stebner Park Soccer Complex Phase III To Northland Constructor's Of Duluth, LLC In The Amount Of \$577,366.42. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-67**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Construction Engineering Services With Salo Engineering, Inc. For Stebner Park Soccer Complex Phase III In The Amount Of \$55,440.25

Motion made by Councilor Koski, seconded by Councilor Boucher to adopt Resolution 2008-67, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Construction Engineering Services With Salo Engineering, Inc. For Stebner Park Soccer Complex Phase III In The Amount Of \$55,440.25. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-68**      Resolution Authorizing And Directing The Mayor To Execute Final Compensating Change Order Number Seven (7) For Sewer Improvement District No. 426 In The Amount Of \$49,124.20

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-68, Resolution Authorizing And Directing The Mayor To Execute Final Compensating Change Order Number Seven (7) For Sewer Improvement District No. 426 In The Amount Of \$49,124.20. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-69**      Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver Standstill Agreement With Timber Ridge Properties, LLC

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-69, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver Standstill Agreement With Timber Ridge Properties, LLC. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-70**      Resolution Directing The Mayor And City Clerk To Execute And Deliver Purchase Agreement For Wetland Credits With Rick J. Vittorio

Motion made by Councilor Tafs, seconded by Councilor Thielen to adopt Resolution 2008-70, Resolution Directing The Mayor And City Clerk To Execute And Deliver Purchase Agreement For Wetland Credits With Rick J. Vittorio. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-71**      Resolution Approving Wetland Replacement Plan Of City Of Hermantown (“Landowner”) And Imposing Conditions On Such Approval

Motion made by Councilor Tafs, seconded by Councilor Boucher to adopt Resolution 2008-71, Resolution Approving Wetland Replacement Plan Of City Of Hermantown (“Landowner”) And Imposing Conditions On Such Approval. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**CITY ATTORNEY**

Steve Overom, City Attorney – No report

City Council Continuation Meeting

July 21, 2008

Page 6

Motion made by Councilor Tafs, seconded by Councilor Thielen to recess meeting at 7:11 p.m. Motion carried.

---

Clerk

ATTEST:

---

Mayor