

A continuation of the December 1, 2008 City Council Meeting was called to order December 15, 2008 at 6:32 p.m. for the purpose of taking care of unfinished business from the December 1, 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; Arlene Tucker, Finance Director; Mike Anderson, Chief of Police

**VISITORS:** 2

### **MINUTES**

Motion made by Councilor Tafs, seconded by Councilor Koski to approve the December 1, 2008 City Council Minutes. Motion carried.

### **COUNCIL MEMBERS REPORT**

Councilor Boucher – No report

Councilor Koski – No report

Councilor Tafs – I would like to thank Mayor MacDonald for his four years of service to the city.

Councilor Thielen – Happy Holidays

Mayor MacDonald – I would like to thank everyone for the last four years. It was a pleasure working with all city staff and the rest of the Council.

### **CITY ADMINISTRATOR REPORT**

Lynn Lander, City Administrator – Lynn reviewed the proposed LGA cuts and how they could affect the city. He also showed comparisons with other cities in the area and stated how Hermantown would have the highest percentage cuts with the lowest LGA amount.

### **DEPARTMENT HEADS REPORT**

Debbie Lund, City Clerk – No report

Arlene Tucker, Finance Director – No report

Mike Anderson, Chief of Police – No report

## **COMMUNICATIONS**

Communications 2008-522 through and including 2008-538 were read and placed on file.

Communication 2008-522 from League of Minnesota Cities to City of Hermantown regarding Changes in LMCIT Coverage and Rates

Communication 2008-526 from Jeffrey & Lindsey Nelson, Shoreview, MN to Lynn Lander, John Klaers, Mayor MacDonald & City Council regarding Property in Hermantown

Communication 2008-527 from Duluth Superior MIC to Lynn Lander, City Administrator regarding Representative for MIC

Communication 2008-530 from WLSSD to Lynn Lander, City Administrator regarding 2009 Budget

Communication 2008-531 from Walter Leu, MN Department of Transportation to Salo Engineering regarding 2008 Certification of Mileage

Communication 2008-535 from Michael Anderson, Chief of Police to Mayor MacDonald & City Council regarding Beacon Sports Bar & Grill

Communication 2008-537 from MN Energy Resources to City of Hermantown regarding Rate Increase Notice

## **NEW BUSINESS**

Motion made by Councilor Koski, seconded by Councilor Thielen approving an additional 50 hours for the Building Official for 2008 and authorizing an amendment to the 2008 budget to reflect the additional hours from 1500 to 1550. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

Motion made by Councilor Tafs, seconded by Councilor Boucher to approve the following Tobacco License Renewal Applications effective January 1, 2009 through December 31, 2009: Adolph Store, 3710 Midway Road; Chalet Lounge, 4833 Miller Trunk Hwy; Dima Corp/Pure Pleasure, 5197 Miller Trunk Hwy; Hawks Landing, 5106 Miller Trunk Hwy; Hermantown BP Amoco, 4803 Miller Trunk Hwy; Hermantown General Store, 5101 Morris Thomas Road; Hermantown Liquor Store, 5115 Miller Trunk Hwy; Holiday Stationstores #190, 4795 Miller Trunk Hwy; ICO Station, 4145 Haines Road; Midway Spur, 5691 Hwy 2; Miller Trunk Superamerica, 4991 Miller Trunk Hwy; Piedmont Spur, 4704 Hermantown Road; Pike Lake Superamerica, 5601 Miller Trunk Hwy; Runway Bar & Grill, 4766 W. Arrowhead Road; Sam's Club, 4743 Maple Grove Road; SSG/Holiday, 4221 Haines Road; Wal-Mart Store, Inc., 4740 Mall Drive. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

Motion made by Councilor Boucher, seconded by Councilor Koski to hold a hearing after any criminal proceedings are completed with respect to the Beacon Sports Bare, Inc. with respect to the violation of the Hermantown Alcoholic Beverage Code. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

## **ACCOUNTS PAYABLE**

Vouchers 40532 through and including 40607 in the amount of \$134,136.42 were read. Motion made by Councilor Koski, seconded by Councilor Thielen to approve general city warrants from December 1, 2008 through December 12, 2008 in the amount of \$134,136.42. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

## **ORDINANCES**

### **2008-11**      An Ordinance Amending The Hermantown Code Of Ordinances By Requiring Specific Fee Amounts To Be Set By The Fee Schedule

The Second Reading was held on Ordinance 2008-11, An Ordinance Amending The Hermantown Code Of Ordinances By Requiring Specific Fee Amounts To Be Set By The Fee Schedule.

Motion made by Councilor Tafs, seconded by Councilor Thielen to adopt Ordinance 2008-11, An Ordinance Amending The Hermantown Code Of Ordinances By Requiring Specific Fee Amount To Be Set By The Fee Schedule. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

### **2008-12**      An Ordinance Amending Hermantown Code Of Ordinances Section 280 – Fee Schedule

The Second Reading was held on Ordinance 2008-12, An Ordinance Amending Hermantown Code Of Ordinances Section 280 – Fee Schedule.

Motion made by Councilor Tafs, seconded by Councilor Boucher to adopt Ordinance 2008-12, An Ordinance Amending Hermantown Code Of Ordinances Section 280 – Fee Schedule. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

## RESOLUTIONS

**2008-133**     Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Amendment No. 2 Of Agreement No. 89154 Between The State Of Minnesota, Department Of Transportation, St. Louis County, City Of Duluth And City Of Hermantown, Minnesota For Airport Road/Cirrus Drive

Motion made by Councilor Boucher, seconded by Councilor Koski to adopt Resolution 2008-133, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Amendment No. 2 Of Agreement No. 89154 Between The State Of Minnesota, Department Of Transportation, St. Louis County, City Of Duluth And City Of Hermantown, Minnesota For Airport Road/Cirrus Drive. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-134**     Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Maki & Overom (City Prosecuting Services)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-134, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Maki & Overom (City Prosecuting Services) including language that the city administrator shall be responsible for the day-to-day administration of this agreement. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-135**     Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Maki & Overom (City Attorney Services)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-135, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Maki & Overom (City Attorney Services) including language that the city administrator shall be responsible for the day-to-day administration of this agreement. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-136**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Salo Engineering, Inc. (City Engineer Services)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-136, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Salo Engineering, Inc. (City Engineer Services) including language that the city administrator shall be responsible for the day-to-day administration of this agreement. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-137**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With John M. Klaers (City Zoning Officer Services)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-137, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With John M. Klaers (City Zoning Officer Services) including language that the city administrator shall be responsible for the day-to-day administration of this agreement. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-138**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With John M. Klaers (City Planning Services)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-138, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With John M. Klaers (City Planning Services) including language that the city administrator shall be responsible for the day-to-day administration of this agreement. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-139**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Labor Relations Consultants, Inc. (Consulting Services)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-139, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Labor Relations Consultants, Inc. (Consulting Services) including language that the city administrator shall be responsible for the day-to-day administration of this agreement. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-140**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Compensation Consultants, Ltd. (Health Insurance Consulting Services)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-140, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Compensation Consultants, Ltd. (Health Insurance Consulting Services) including language that the city administrator shall be responsible for the day-to-day administration of this agreement. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-141**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Access Channel Coordinator Services With Neil Witikko (Independent Contractor)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-141, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Access Channel Coordinator Services With Neil Witikko (Independent Contractor) including language that the city administrator shall be responsible for the day-to-day administration of this agreement. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-142**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With James F. Rich (Building Official Services)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-142, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With James F. Rich (Building Official Services) including language that the city administrator shall be responsible for the day-to-day administration of this agreement. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-143**      A Resolution Adopting The Final City Levy For 2009 In The Amount Of \$2,715,052

Motion made by Councilor Boucher, seconded by Councilor Koski to adopt Resolution 2008-143, A Resolution Adopting The Final City Levy For 2009 In The Amount Of \$2,715,052. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-144**      A Resolution Adopting The Final City Budget For 2009 In The Amount Of \$9,520,166

Motion made by Councilor Thielen, seconded by Councilor Koski to adopt Resolution 2008-144, A Resolution Adopting The Final City Budget For 2009 In The Amount Of \$9,520,166. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-145**      Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver Agreement Between The City Of Hermantown (“City”) And Friends Of Animals Humane Society Of Carlton County (“Friends Of Animals”)

Motion made by Councilor Boucher, seconded by Councilor Tafs to adopt Resolution 2008-145, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver Agreement Between The City Of Hermantown (“City”) And Friends Of Animals Humane Society Of Carlton County (“Friends Of Animals”). Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-146**      Resolution Authorizing The Finance Director To Complete Certain Interfund Transfers Between Existing Funds

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-146, Resolution Authorizing The Finance Director To Complete Certain Interfund Transfers Between Existing Funds. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-147**      Resolution Authorizing A Summary Of Ordinance Amending The Hermantown Code Of Ordinances By Requiring Specific Fee Amounts To Be Set By The Fee Schedule

Motion made by Councilor Thielen, seconded by Councilor Koski to adopt Resolution 2008-147, Resolution Authorizing A Summary Of Ordinance Amending The Hermantown Code Of Ordinances By Requiring Specific Fee Amounts To Be Set By The Fee Schedule. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-148**      Resolution Authorizing A Summary Of Ordinance Amending Section 280 – Fee Schedule Of The Hermantown Code Of Ordinances

Motion made by Councilor Thielen, seconded by Councilor Koski to adopt Resolution 2008-148, Resolution Authorizing A Summary of Ordinance Amending Section 280 – Fee Schedule Of The Hermantown Code Of Ordinances. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**CITY ATTORNEY**

Steve Overom, City Attorney – Steve expressed appreciation for the opportunity to work with the Mayor. Suggested that the city council authorize the publication of summaries of the two ordinances approved tonight.

Motion made by Councilor Thielen, seconded by Councilor Koski to recess the meeting at 7:10 p.m. to the Legislative Round Table Discussion. Motion carried.

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Clerk

ATTEST:

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Mayor