

A continuation of the April 7, 2008 City Council Meeting was called to order April 21, 2008 at 7:04 p.m. for the purpose of taking care of unfinished business from the April 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; Mike Anderson, Chief of Police

**VISITORS:** 5

### **MINUTES**

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

### **COUNCIL MEMBERS REPORT**

Councilor Boucher – No report

Councilor Koski – The Cable TV Commission is working on a survey for the renewal of the franchise with Mediacom.

Councilor Tafs – No report

Councilor Thielen – No report

Mayor MacDonald – No report

### **CITY ADMINISTRATOR REPORT**

Lynn Lander, City Administrator – No report

### **DEPARTMENT HEADS REPORT**

Debbie Lund, City Clerk – No report

Mike Anderson, Chief of Police – No report

### **COMMUNICATIONS**

Communications 2008-126 through and including 2008-142 were read and placed on file.

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Communication 2008-132 from John Klaers, City Planner/Zoning Director to Chairman Archambeau & Planning Commission regarding CIDP Application of Timber Ridge Townhomes, LLC

Communication 2008-133 from Jim Rich, Building Official to Rob Irving regarding 4442/4444 Sugar Maple Drive/Need Necessary Documents

Communication 2008-134 from Jim Rich, Building Official to Rob Irving regarding 4442/4444 Sugar Maple Drive/Lacking Building Plans

## **RESOLUTIONS**

### **2008-43**      Resolution Approving Preliminary Plat Of Maple Village First Addition And Imposing Conditions Thereon

Motion made by Councilor Thielen, seconded by Councilor Koski to table Resolution 2008-43, Resolution Approving Preliminary Plat Of Maple Village First Addition And Imposing Conditions Thereon for two (2) weeks. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

### **2008-45**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement With St. Louis County, City Of Duluth And City Of Hermantown, Minnesota For Traffic Signal Systems On C.S.A.H. 91 (Haines Road & Anderson Road And Haines Road /Hermantown Road/C.S.A.H. 54 Piedmont Avenue)

Motion made by Councilor Tafs, seconded by Councilor Koski to adopt Resolution 2008-45, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement With St. Louis County, City Of Duluth And City Of Hermantown, Minnesota For Traffic Signal Systems On C.S.A.H. 91 (Haines Road & Anderson Road And Haines Road /Hermantown Road/C.S.A.H. 54 Piedmont Avenue). Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

### **2008-46**      Resolution Receiving Bids And Awarding Contract For Sewer Improvement District No. 429 Hermantown Road To Nels Nelson & Sons, Inc. In The Amount Of \$212,826.16

Motion made by Councilor Boucher, seconded by Councilor Thielen to adopt Resolution 2008-46, Resolution Receiving Bids And Awarding Contract For Sewer Improvement District No. 429 Hermantown Road To Nels Nelson & Sons, Inc. In The Amount Of \$212,826.16. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-47**      Resolution Receiving Proposed Assessment Roll For The Construction Of Sewer Improvement District No. 421 Midway Road (Seville Road To Highway 194) And Ordering Hearing Thereon

Motion made by Councilor Koski, seconded by Councilor Boucher to adopt Resolution 2008-47, Resolution Receiving Proposed Assessment Roll For The Construction Of Sewer Improvement District No. 421 Midway Road (Seville Road To Highway 194) And Ordering Hearing Thereon with public hearing scheduled for Monday, June 16, 2008 at 6:30 p.m. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

**2008-48**      Resolution Authorizing And Directing The Mayor To Execute Change Order Number Ten (10) For Hermantown Administrative Services Addition With UHL Security Division, LLC For Security Access To Conference Room #116 In The Amount Of \$3,170

Motion made by Councilor Koski, seconded by Councilor Thielen to adopt Resolution 2008-48, Resolution Authorizing And Directing The Mayor To Execute Change Order Number Ten (10) For Hermantown Administrative Services Addition With UHL Security Division, LLC For Security Access To Conference Room #116 In The Amount Of \$3,170. Roll Call: Councilors Boucher, Koski, Tafs, Thielen, Mayor MacDonald, aye. Motion carried.

Mayor MacDonald acknowledged our City Attorney, Steve Overom of Maki & Overom who has been recognized by Best Lawyer's of America and will be listed in the 25<sup>th</sup> Anniversary Addition. We are very proud to have you as our City Attorney. You have done a great job for us over the years and we appreciate your counsel. Congratulations!

**CITY ATTORNEY**

Steve Overom, City Attorney – Since 1976 the city has acquired hundreds of parcels of property for doing various sewer and water projects. There has been an occasional time when property owners weren't happy but the city has always worked it out with them. This will be the first time a property owner has challenged the amount the city has offered to pay them for an easement acquisition as set by two independent appraisers and in this case set by three different commissioners. Tomorrow the Koppys are taking the city to court to try and get more money. This will be a jury trial and the jury will decide what the city has to pay. I will report on this at the next meeting.

Mayor MacDonald thanked Calin Davidson for running the video system.

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Motion made by Councilor Thielen, seconded by Councilor Boucher to adjourn the meeting at 7:16 p.m. Motion carried.

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Clerk

ATTEST:

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Mayor