

CITY OF HERMANTOWN  
CITY COUNCIL MEETING  
May 4, 2020  
6:30 p.m.

## MEETING CONDUCTED VIA ZOOM

### Pledge of Allegiance

**ROLL CALL:** Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher

**CITY STAFF:** John Mulder, City Administrator; Bonnie Engseth, City Clerk; Eric Johnson, Community Development Director; Joe Wicklund, Communications Manager; Kevin Orme, Director of Finance & Administration; Jim Crace, Chief of Police; Paul Senst, Public Works Director; Steve Overom, City Attorney

**ABSENT:**

**VISITORS:** 8

### ANNOUNCEMENTS

### PUBLIC HEARING

### COMMUNICATIONS

Communications 2020-70 through and including 2020-86 were read and placed on file.

Communication 2020-70 from Steve Overom, Overom Law to Roger Behrens, MN Management & Budget regarding Essentia Wellness Center - Hermantown

Communication 2020-78 from Lance Johnson, 4060 Ugstad Rd. to Eric Johnson, Community Development Director regarding Clear Vision Builders, 4063 Ugstad Rd.

Communication 2020-79 from Becky Urbanski, 4560 Norway Pines Place to Eric Johnson, Community Development Director regarding ATK Enterprises, 45xx Norway Pines Place

Communication 2020-80 from Jim Petruga, 4054 Ugstad Rd. to Eric Johnson, Community Development Director regarding Clear Vision Builders, 4063 Ugstad Rd.

Communication 2020-81 from Eric Johnson, Community Development Director to Dave Mesojedec, 3721 Lavaque Rd. regarding Zoning Violation

Communication 2020-82 from John Mulder, City Administrator to Andy Hubley, Arrowhead Regional Development Commission regarding Termination of Contract

Communication 2020-83 from John Mulder, City Administrator to Mayor & City Council regarding Liquor License Update

Communication 2020-84 from John Mulder, City Administrator to Mayor & City Council regarding Delinquent Utility Accounts

## PRESENTATIONS

## PUBLIC DISCUSSION

## CONSENT AGENDA

Motion made by Councilor Schmidt, seconded by Councilor Peterson to approve the Consent Agenda which includes the following items:

- A. Approve April 20, 2020 City Council Continuation Minutes
- B. Approve general city warrants from April 16, 2020 through April 30, 2020 in the amount of \$819,976.15

Roll Call: Councilors Geissler, Peterson, Nelson, Schmidt, Mayor Boucher, aye. Motion carried.

## MOTIONS

## ORDINANCES

## RESOLUTIONS

**2020-54**      Resolution Approving Pay Request Number 22 & Number 23 For The Essentia Wellness Center To McGough Construction Co. LLC In The Amount Of \$39,700

Motion made by Councilor Geissler, seconded by Councilor Peterson to adopt Resolution 2020-54, Resolution Approving Pay Request Number 22 & Number 23 For The Essentia Wellness Center To McGough Construction Co. LLC In The Amount Of \$39,700. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-55**      Resolution Approving An Amendment To The City Handbook Regarding Information Security Policy

Motion made by Councilor Nelson, seconded by Councilor Schmidt to adopt Resolution 2020-55, Resolution Approving An Amendment To The City Handbook Regarding Information Security Policy. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-56**      Resolution Amending And Restating Resolution 2020-52 Resolution Providing For The Issuance, Sale And Delivery Of \$3,915,000 General Obligation Sewage Disposal System Bonds, Series 2020B, And Awarding The Sale Thereof

Motion made by Councilor Peterson, seconded by Councilor Schmidt to adopt Resolution 2020-56, Resolution Amending And Restating Resolution 2020-52 Resolution Providing For The Issuance, Sale And Delivery Of \$3,915,000 General Obligation Sewage Disposal System Bonds, Series 2020B, And Awarding The Sale Thereof. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-57**      Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Use And Operating Agreement Between The City Of Hermantown And Duluth Area Family Y.M.C.A. ("YMCA") For The Essentia Wellness Center

Motion made by Councilor Geissler, seconded by Councilor Peterson to adopt Resolution 2020-57, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Use And Operating Agreement Between The City Of Hermantown And Duluth Area Family Y.M.C.A. ("YMCA") For The Essentia Wellness Center. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-58**      Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Memorandum Of Understanding Between The City Of Hermantown And Independent School District #700 For The Essentia Wellness Center

Motion made by Councilor Schmidt, seconded by Councilor Nelson to adopt Resolution 2020-58, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Memorandum Of Understanding Between The City Of Hermantown And Independent School District #700 For The Essentia Wellness Center. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-59**      Resolution Approving Cooperative Agreement With St. Louis County To Perform Improvements On Airbase Road (CSAH 17) CP 0017-369575/SAP 069-617-005, Swan Lake Road CP 0000-533596/SAP 202-111-001 And Sundby Road CP 0000-533597/SAP 202-112-001 Within The City Of Hermantown Corporate Limits

Motion made by Councilor Geissler, seconded by Councilor Schmidt to adopt Resolution 2020-59, Resolution Approving Cooperative Agreement With St. Louis County To Perform Improvements On Airbase Road (CSAH 17) CP 0017-369575/SAP 069-617-005, Swan Lake Road CP 0000-533596/SAP 202-111-001 And Sundby Road CP 0000-533597/SAP 202-112-001 Within The City Of Hermantown Corporate Limits. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-60**      Resolution Directing Preparation Of Preliminary Engineering Feasibility Report For 2021 Road Improvement Plan (Sundby Road & Swan Lake Road)

Motion made by Councilor Peterson, seconded by Councilor Schmidt to adopt Resolution 2020-60, Resolution Directing Preparation Of Preliminary Engineering Feasibility Report For 2021 Road Improvement Plan (Sundby Road & Swan Lake Road). Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-61**      Resolution Approving Pay Request Number 2 For Sewer Improvement District No. 448 To Utility Systems Of America, Inc. In The Amount Of \$30,045.81

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2020-61, Resolution Approving Pay Request Number 2 For Sewer Improvement District No. 448 To Utility Systems Of America, Inc. In The Amount Of \$30,045.81.

Don Kallos, 4775 Anderson Rd – He stated his concerns regarding the contractor encroaching on his property.

Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-62**      Resolution Approving Change Order No. 2 For Okerstrom Road Culverts Improvement Project No. 533 To Dirt, Inc.

Motion made by Councilor Schmidt, seconded by Councilor Peterson to adopt Resolution 2020-62, Resolution Approving Change Order No. 2 For Okerstrom Road Culverts Improvement Project No. 533 To Dirt, Inc.. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-63**      Resolution Approving Preliminary And Final Planned Unit Development For ATK Storage

Motion made by Councilor Geissler, seconded by Councilor Schmidt to adopt Resolution 2020-63, Resolution Approving Preliminary And Final Planned Unit Development For ATK Storage.

Brad Edstrom, 5225 Miller Trunk Hwy – He stated his concerns regarding drainage, stormwater and security on the project.

Morgan Anderson, 5219 Miller Trunk Hwy – He stated his concerns regarding paving, drainage, wetlands and grading on the project.

Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-64**      Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver An Amended And Restated Naming Rights Agreement Between SMDC D/B/A Essentia Wellness Center And The City Of Hermantown

Motion made by Councilor Peterson, seconded by Councilor Schmidt to adopt Resolution 2020-64, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver An Amended And Restated Naming Rights Agreement Between SMDC D/B/A Essentia Wellness Center And The City Of Hermantown. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-65**      Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver An Amended And Restated Lease Agreement Between The City Of Hermantown And Essentia Health

Motion made by Councilor Schmidt, seconded by Councilor Geissler to adopt Resolution 2020-65, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver An Amended And Restated Lease Agreement Between The City Of Hermantown And Essentia Health. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

**2020-66**      Resolution Approving General Obligation Bond Proceeds Grant Agreement-End Grant For The Essentia Wellness Center Between The City Of Hermantown And Minnesota Department Of Employment And Economic Development

Motion made by Councilor Nelson, seconded by Councilor Peterson to adopt Resolution 2020-66, Resolution Approving General Obligation Bond Proceeds Grant Agreement-End Grant For The Essentia Wellness Center Between The City Of Hermantown And Minnesota Department Of Employment And Economic Development. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher. Motion carried.

Motion made by Councilor Geissler, seconded by Councilor Peterson to suspend the rules to allow for public discussion to those who were late for the meeting.

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Joe Peterson, 4240 Washington Dr. – He asked if his memo regarding Richard Avenue was received by the City Council.

Motion made by Councilor Schmidt, seconded by Councilor Peterson to recess the meeting at 7:18 p.m.  
Motion carried.

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Mayor

ATTEST:

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Clerk