



Hermantown City Council Meeting – June 1, 2020

Because attendance at the regular meeting location is not entirely feasible due to the health pandemic, Hermantown's June 1, 2020 City Council Meeting, as well as Pre-Agenda Meeting, will be conducted remotely with limited access to Council Chambers.

Both meetings will utilize the platform "Zoom" - which allows the public to view and/or hear the meeting from their phone or computer.

The 6:30 p.m. City Council Meeting will be available at:

<https://us02web.zoom.us/j/89463363708?pwd=Vm56TFNob21KREpMYWF6WWhnTURndz09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number of 894 6336 3708 and the password 928382.

Public comment may be possible, but difficult, during the meeting, but any public comments, questions, or concerns can be e-mailed to Community Engagement Manager, Joe Wicklund, at jwicklund@hermantownmn.com up to 3:30 p.m. the day of the meeting with the e-mail title "June 1, 2020 Meeting." It is important to note that all comments regarding the June 1, 2020 meeting are public data.

A few important tips regarding the Zoom platform:

- If your computer does not support audio, you can still watch the meeting on your computer and call in on your phone to hear the meeting
- It is a challenging situation for all of us, so grace and understanding are appreciated

The 4:30 p.m. Pre-Agenda Meeting will be available at:

<https://us02web.zoom.us/j/89254066053?pwd=L21GRE5xQ00vMnUydUQ4NVFpTFIzQT09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number 892 5406 6053 and the password 722953. Public comment is not a factor in the pre-agenda meeting, even in the traditional meeting setting, but the public is invited to listen to this meeting.



AGENDA

Pre-Agenda Meeting Monday, June 1, 2020 at 4:30 p.m. Large Conference Room City Hall - Hermantown Governmental Services Building

Pre-agenda: The Pre-agenda meeting is a work session between the City Council and City staff to review the upcoming City Council meeting and future meetings. The agenda is the same document as the upcoming City Council meeting, but does not follow the same format as the City Council meeting. It is a time for the City Council and City staff to have discussions about the agenda items, and asking and answering questions. Traditionally it is not a time for public comment on the agenda items, as the public can listen to the conversation and ask questions or provide input at the upcoming City Council meeting.

City Council Meeting June 1, 2020 at 6:30 p.m. Council Chambers City Hall - Hermantown Governmental Services Building

Invitation to participate:

The Hermantown City Council welcomes your thoughts, input and opinions to this meeting. The agenda for this meeting contains a brief description of each item to be considered, and the City Council encourages your participation. If you wish to speak on an item contained in the agenda, you will be allowed to address the Council when a motion is on the floor. If you wish to speak on a matter that does not appear on the agenda, you may do so during the public comment period regularly scheduled and set for the beginning of the meeting.

When addressing the City Council, please state your name and address for the record. Please address the City Council as a whole through the Mayor. Comments to individual Council Members or staff are not permitted. Speakers will be limited to three (3) minutes.

Order of discussion

- 1. Reading of the resolution title by Mayor**
- 2. Motion/Second**
- 3. Staff Explanation**
- 4. Initial Discussion by City Council**
- 5. Mayor invites public to speak to the motion (3 minute rule)**
- 6. Follow up staff explanation and/or discussion by City Council**
- 7. Call of the vote**

**CITY OF HERMANTOWN
AGENDA**

**Pre-Agenda Meeting Monday, June 1, 2020 at 4:30 p.m.
Large Conference Room
Hermantown Governmental Services Building**

**City Council Meeting June 1, 2020 at 6:30 p.m.
Council Chambers
Hermantown Governmental Services Building**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **ANNOUNCEMENTS** *(Council Members may make announcements as needed.)*
5. **PUBLIC HEARING** – *(Only when necessary. The rule adopted three minutes per person if necessary. Any action required after the public hearing will be taken immediately following the closing of the public hearing.)*
6. **COMMUNICATIONS**
 - A. **2020-94** Luke Andrus, Anytime Fitness
TO: Mayor Wayne Boucher
RE: COVID-19

 - 2020-95** Jason Christoff, 3760 Alexander Rd.
TO: Mayor Wayne Boucher & City Council Members
RE: 2020 Road Construction Project on Alexander Rd.
7. **PRESENTATIONS** *(Department Heads may give reports if necessary.)*
8. **PUBLIC DISCUSSION** *(This is the time for individuals to address the Council about any item not on the agenda. The time limit is three minutes per person.)*
9. **CONSENT AGENDA** *(All items on the Consent Agenda are items which are considered routine by the City Council and will be approved by one motion via voice vote. There will be no discussion of these items unless a Council Member or citizen so requests, in which event the item will be removed from the Consent Agenda and considered at the end of the Consent Agenda.)*
 - A. **Minutes** - Approval or correction of [May 18, 2020 City Council Continuation Minutes](#)
 - B. **Accounts Payable** – Approve general city warrants from May 16, 2020 through May 31, 2020 in the amount of \$461,813.00

(motion, roll call)

10. MOTIONS

11. ORDINANCES

- A. **2020-05** An Ordinance Amending Chapter 5, Alcoholic Beverages, Of The Hermantown City Code By Amending Section 520, License Fees And Section 530, Licensing Procedures And Requirements

Second Reading

(motion, roll call)

12. RESOLUTIONS *(Roll call will be taken only on items required by law and items requiring 4/5's votes, all others can be done by voice vote.)*

- A. **2020-75** Resolution Approving Change Order No. 2 For Ugstad Road Lift Station Sanitary Sewer Improvement District No. 449

(motion, roll call)

- B. **2020-76** Resolution Approving Pay Request Number 3 To George Bougalis & Sons, Co. In The Amount Of \$68,457.95

(motion, roll call)

- C. **2020-77** Resolution Approving Pay Request Number 3 For Sewer Improvement District No. 448 To Utility Systems Of America, Inc. In The Amount Of \$101,408.63

(motion, roll call)

- D. **2020-78** Resolution Receiving Preliminary Engineering Report And Calling For Public Hearing For 2021 Road Improvement Plan (Sundby Road & Swan Lake Road)

(motion, roll call)

- E. **2020-79** Resolution Approving An Extension Of The Preliminary Planned Unit Development Plan For Engwalls Redevelopment

(motion, roll call)

- F. **2020-80** Resolution Approving Preliminary And Final Planned Unit Development For Shaine Stokke

(motion, roll call)

- G. **2020-81** Resolution Approving Preliminary Plat, Imposing Conditions On The Approval Of The Final Plat And Authorizing And Directing The Mayor And City Clerk To Execute Such Plat Upon The Satisfaction Of Such Conditions

(motion, roll call)

13. RECESS

DATE: 2020

TO: City Council Members

FROM: John Mulder, City Administrator

RE: Correspondence

In your packet is a correspondence summary log. This briefly summarizes and assigns a log number for written correspondence received at City Hall. You are provided with the summary so that you may request a full copy of any correspondence article of interest to you. Bonnie & I have copied only the correspondence that we believe to be of special interest.

JM

5/21/2020	20-92	Eric Johnson, Community Development Director	Planning & Zoning Commission	Shaine Stokke, PUD, 5753 Maple Grove Rd.	5/19/2020
5/21/2020	20-93	Eric Johnson, Community Development Director	Planning & Zoning Commission	Shaine Stokke, Preliminary and Final Plat, 5753 Maple Grove Rd.	5/19/2020
5/26/2020	20-94	Luke Andrus, Anytime Fitness	Wayne Boucher, Mayor	COVID-19	5/22/2020
5/26/2020	20-95	Jason Christoff, 3760 Alexander Rd.	Wayne Boucher, Mayor, & City Council Members	2020 Road Construction Project on Alexander Rd.	5/22/2020

CH-Bonnie Engseth

From: CH-Wayne Boucher
Sent: Friday, May 22, 2020 12:26 PM
To: CH-Bonnie Engseth
Subject: FW: Anytime Fitness Owner

Please enter this as correspondence.

Wayne Boucher

----- Original message -----

From: Luke Andrus <Luke.Andrus@anytimefitness.com>
Date: 5/21/20 3:42 PM (GMT-06:00)
To: CH-Wayne Boucher <mayorboucher@hermantownmn.com>
Subject: Anytime Fitness Owner

Caution: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Boucher,

I hope this email finds you well.

I'm a proud local small-business owner who employs over 30 employees in the Duluth area, spanning from East to West Duluth, Cloquet, Hermantown, and Superior WI. We purchased our Anytime Fitnesses from Jinell Abernathy earlier this year. We are proud of the work she has done in building a brand there. Most of our employees have been employed for over 5 years and some up to 12 years with Anytime Fitness.

The spread of COVID-19 forced us to close our facilities and lay off many of our employees, and I am devastated to hear of the recent news from Governor Walz, changing his mind about gyms and placing us in Phase 4 of the rollout plan. Since the Federal government has recommended gyms be included in the first phase of the country's reopening strategy, I am urging the city of Hermantown to consider, like Eveleth, MN, allowing businesses to reopen despite the Stay Safe order. We are proud to have over 6000 members there that long to combat mental illness and build their immunity through physical fitness. 40% of the members coming into our Superior location have been from our Duluth area clubs and we would love to open the rest of our clubs ASAP. Here is how we are preparing to safely reopen.

As our state and country take the necessary steps to protect public health through strict social distancing practices, businesses are adapting to this new reality. As we consider how to safely and gradually reopen the economy, we must keep in mind the businesses that can readily adapt their day-to-day operations while also helping to contribute to keeping people healthy. Among these businesses are Anytime Fitness facilities like mine. Just like you, we are dedicated to the health and wellness of the lives of those in our community.

Unlike "big box" gyms, Anytime Fitness facilities are small-footprint, with door technology that controls access to the gym. Prior to the COVID-19 outbreak, during the majority of the day, Anytime Fitness clubs did not have more than 10 people in the facility at one time.

By strictly adhering to social distancing and by implementing policies for more frequent cleaning of facilities and equipment with medical grade supplies, our club can be quickly prepared to welcome a limited and appropriate number of members at a time while maintaining the guidelines recommended by local health experts and government officials. Additionally, we are prepared to equip staff members with masks and gloves, plus implement a technology system for guests to schedule their workout times online. These actions will proactively limit the number of people inside an Anytime Fitness club at any given time.

With these policies, we can allow small business owners like myself to reopen their clubs and work towards both the goal of helping people stay healthy during this epidemic and bolstering our local economy. Like other small businesses, we are struggling immensely during this crisis; to-date, it's forced me to close our location, freeze billing of our members, and lay off those 30+ employees.

Understanding how to maintain public health while limiting the risk to small businesses has represented one of the most difficult challenges of this epidemic. By making the gradual reopening of small fitness centers, such as Anytime Fitness clubs, a core part of our state's economic strategy in the months ahead, we can work toward achieving an outlet for people to achieve their personal health goals, allow gyms to remain operational, avoid further layoffs, and improve the overall health of our communities.

We desperately want, and NEED, to be opened. As you consider reopening businesses to stimulate our economy, please include small businesses like my Anytime Fitness club that are ready and prepared to reopen safely.

Thank you for your consideration.

Luke Andrus

Blue Star Investments

Chief Executive Officer

337.305.0949 | Luke.andrus@anytimefitness.com



CH-Bonnie Engseth

From: CH-Wayne Boucher
Sent: Friday, May 22, 2020 8:13 PM
To: CH-Bonnie Engseth; CH-John Mulder; PW-Paul Senst; David Bolf
Subject: FW: Alexander Rd Road Construction
Attachments: IMG_0118.jpg; IMG_0120.jpg; IMG_0095.jpg; IMG_0099.jpg; Privacy_Shrubs_3760_Alexander_Rd.jpg; Privacy_Shrubs_3760_Alexander_Rd_2.jpg

Please log this as correspondence for discussion at our next meeting.

Wayne Boucher

----- Original message -----

From: Jason Christoff <jamchris@gmail.com>
Date: 5/22/20 6:55 PM (GMT-06:00)
To: CH-Wayne Boucher <mayorboucher@hermantownmn.com>, CH-John Geissler <councilorgeissler@hermantownmn.com>, CH-Gloria Nelson <councilornelson@hermantownmn.com>, CH-Natalie Peterson <councilorpeterson@hermantownmn.com>, CH-Kristi Schmidt <councilorschmidt@hermantownmn.com>
Subject: Alexander Rd Road Construction

Caution: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am emailing this group because I have some concerns I want to have addressed in regards to some very poor communication on behalf of the city that have cost my family money and good deal of aggravation. All of this is connected to the current 2020 road construction project taking place on Alexander Rd. I am sending this email because with the city buildings currently being shut down due to COVID I'm unsure if I can get in to speak at the next city council meeting or what exactly the process is to get on the agenda for the next meeting.

The first issue I wish to highlight is the removal of approximately 45 feet of hedges in front of my house located at 3760 Alexander Rd. I understand they were planted right on the edge of the right of way of the road and the city does have the right to remove them but I couldn't understand the reason for removal. They in no way impeded the road project itself and there were no issues with drainage or the ditching that would require their removal for landscaping. As soon as I saw that they were marked for removal, I sent emails to both Joe Wicklund and David Bolf. I would also note that the trees were marked for removal sometime during the week of May 11th but my hedges were not marked until I believe sometime the morning of May 19th. Unfortunately David and Joe were about a half an hour late in coming over to my property and they were removed already on the morning of May 20th. David admitted to driving by earlier that morning and when he looked at them he agreed they could have stayed. This is a glaring issue of poor communication on the city's behalf on informing residents of what they were planning on having the tree removal services performing for work. This also shows poor due diligence on the city's behalf in evaluating and understand what was needed and what wasn't needed for removal. I think I can safely speak for any resident who had shrubs and hedges planted for privacy and had them removed that they would have preferred to have them left alone if it was at all possible. I believe there to be more instances of circumstances like this along Alexander Rd. I have included screen shots of street view pictures of my house from before. They are from 2011 according to Google Street View and prior to a substantial

amount of work shaping and pruning them into a respectable hedge. I also included current pictures as of 5/20/2020 on the day of removal. I now have to deal with everyone who walks or drives by being able to look right into our living room and watch tv with me. Anyone passing by can also see directly into my dining room. I have no other choice to keep all the curtains shut all the time now. Those hedges that were removed were a large selling point to my house when we purchased it 10 years ago and I have a very significant amount of time invested in keeping them trimmed and looking nice over the last ten years. I believe considering these were removed from my property when there was truly no need to, the city owes me reparations for their removal. Even if the city pays to have new hedges planted there they won't be nearly the 8-9 ft tall these were and is required to provide privacy from the road. My property where they are planted is approximately a 3ft lower grade than the surface of the road. I will still be forced to deal with the lack of privacy for many years before new plants will be able to grow to that size. Furthermore today on 5/22/2020 I talked to my next door neighbor at 3766 Alexander Rd and his trees and a hedge were saved from being cut down. He informed me that he never talked to the city about this and was actually surprised they were still there since they are directly in line and the same distance from the street as my hedges were. I have including a picture of his trees and hedge and a profile picture showing the stakes marking where the right of way ends and where his trees and hedge reside. This further begs a question on why mine had to go but his were allowed to stay. This inconsistency and further lack of communication is even more frustrating.

My second issue is another problem which cost my family money directly due to lack of communication on the city's part. In July of 2018 my neighbor and I contacted Paul Senst about having the city replace the culverts under our driveways. At that time my neighbor and I asked directly was there any chance of a road construction project on Alexander Rd in which the culverts under our driveways would be replaced as part of the project. We were told flat out that a project like that would not happen. I would find it very hard to believe a project of this magnitude would not be in a long term budget forecasting or some form of pre planning phases less than 2 years before actual work being performed. If my neighbor and I would have been told that there was even an evaluation of a possible project we would not have preceded with the work. It was very nice that the city provided the labor and equipment to perform the change out and I commend the city for offering those services but I still had to purchase the culvert with my own personal funds. I wanted to purchase a double walled plastic culvert with a smooth inside so it would last nearly forever and would never rot or need to be replaced but we were informed by Paul that that was not allowed at all and we had to go with the more expensive and shorter life option of a galvanized culvert. The reasons we were given was the city wouldn't be able to steam it open if needed (I have been unsuccessful in finding anyone who has actually had the city perform this service for them and it is indeed possible to steam open a plastic culvert.) and locating a culvert would be difficult (to me this is a non-issue, find each end protruding from the ground and draw a straight line). Due to the price I was forced to go with a smaller culvert than I initially wanted to. It was \$412.32 for a 30 ft section of 10 inch culvert at that time. At the time, I was not happy about the more expensive culvert requirement nor could I understand the reasoning but I was still very pleased with the deal overall. Fast forward now to present day and when David and Joe were at my property on 5/20/2020, they were explaining that they were planning on installing new 15 inch culverts under all of the driveways. I am fine with a larger culvert. I don't have frost heaving issues with the driveway and bigger and larger with more flow capability is always better, but now the purchase price of the current culvert is a total waste for me because of poor communication by the city. David offered to leave the current culvert in place or dig out the 10 inch and give it to me, but what good would either of the those solutions be for me. I have additional culverts on my property but they are all 18 inch culverts and I need that size to keep up with the drainage during large rain events. In fact I have spent a small fortune and large portion of time dealing with drainage on my property in the last 10 years and it has gone to benefit my entire neighborhood. Three houses to the north and 4 houses to the south all drain back to my property along with the 5 or 6 along Haines Rd before all the drainage goes through a 24 inch culvert under Alexander Rd and heads West towards Johnson Rd. During larger rain events I have seen my 18 inch culverts run at nearly full capacity. What David proposed to me with giving me the culvert back was actually rather insulting, but I understand

that is all he was able to offer at the time. A 10 inch culvert is simply too small to suite any purposes on my property and the going rates for used culverts aren't much more than scrap price if they are undamaged and removing a culvert without damaging it would be rather time intensive and difficult to perform for the city's contractor. Between this lack of communication and basically being lied to by a city official I again believe I am owed something by the city. I believe the city should replace my culvert with the larger one as part of the project but they also should cover the cost of the original one I purchased in July of 2018.

I will add an overall comment of everyone that I have talked to and have interacted with has been polite while providing as much help as they could. All interactions I have had with city officials have been overall positive in nature so far.

I look forward to your response and welcome any questions you may have for me.

Sincerely,

Jason Christoff, PE (MN)
3760 Alexander Rd
Hermantown, MN 55811
jamchris@gmail.com
218-969-8663





3766







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CITY OF HERMANTOWN
CITY COUNCIL CONTINUATION MEETING
May 18, 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; Kevin Orme, Director of Finance & Administration; Joe Wicklund, Communications Manager; Jim Crace, Chief of Police; Steve Overom, City Attorney

ABSENT:

VISITORS: 5

ANNOUNCEMENTS

Mayor Wayne Boucher stated he was approached by business owners requesting support from the City regarding re-opening.

PUBLIC HEARING

COMMUNICATIONS

Communications 2020-87 through and including 2020-91 were read and placed on file.

Communication 2020-87 from Eric Johnson, Community Development Director to Hermantown Park Board & User Groups regarding 2020 Spring Walk Through

Communication 2020-90 from Chad Johnson, SEH to David Bolf, City Engineer regarding Arrowhead Road at Ugstad Road Corridor Study

Communication 2020-91 from Jerrid & Danielle Anderson to Mayor Wayne Boucher regarding Constitutional & Business Friendly Resolution

PRESENTATIONS

PUBLIC DISCUSSION

Joe Peterson, 4240 Washington Dr. – He asked the City for guidance regarding the stormwater pond near his proposed development.

CONSENT AGENDA

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

- A. Approve May 4, 2020 City Council Minutes

- B. Approve general city warrants from May 1, 2020 through May 15, 2020 in the amount of \$346,401.37

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

MOTIONS

ORDINANCES

- 2020-05** An Ordinance Amending Chapter 5, Alcoholic Beverages, Of The Hermantown City Code By Amending Section 520, License Fees

First Reading

RESOLUTIONS

- 2020-67** Resolution Approving An Easement With St. Louis County Regarding Right-Of-Way For The Morris Thomas Improvement Project And Authorizing And Directing Mayor And City Clerk To Execute And Deliver The Easement Agreement On Behalf Of The City Of Hermantown

Motion made by Councilor Geissler, seconded by Councilor Peterson to adopt Resolution 2020-67, Resolution Approving And Easement With St. Louis County Regarding Right-Of-Way For The Morris Thomas Improvement Project And Authorizing And Directing Mayor And City Clerk To Execute And Deliver The Easement Agreement On Behalf Of The City Of Hermantown. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

- 2020-68** Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver An Agreement Of Assessment And Waiver Of Irregularity And Appeal Between Patriot Properties Of Hermantown 2 LLC And City Of Hermantown

Motion made by Councilor Peterson, seconded by Councilor Nelson to adopt Resolution 2020-68, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver An Agreement Of Assessment And Waiver Of Irregularity And Appeal Between Patriot Properties Of Hermantown 2 LLC And City Of Hermantown. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

- 2020-69** Resolution Approving A Consent To That Certain Assignment And Assumption Of Lease Agreement Between Northwest Angle Leasing I, LLC And American Towers LLC And Authorizing And Directing Mayor And City Clerk To Execute And Deliver The Consent On Behalf Of The City Of Hermantown

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2020-69, Resolution Approving A Consent To That Certain Assignment And Assumption Of Lease Agreement Between Northwest Angle Leasing I, LLC And American Towers LLC And Authorizing And Directing Mayor And City Clerk To Execute And Deliver The Consent On Behalf Of The City Of Hermantown. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

- 2020-70** Resolution Approving Preliminary And Final Planned Unit Development For Clear Vision Builders LLC

Motion made by Councilor Schmidt, seconded by Councilor Peterson to adopt Resolution 2020-70, Resolution Approving Preliminary And Final Planned Unit Development For Clear Vision Builders LLC.

Jim Petruga, 4054 Ugstad Rd. – He stated he and other people in the neighborhood are not in favor of this project. He is concerned that the road will become a row of duplexes and it will not enhance the neighborhood. He also stated his concerns regarding the Planning & Zoning meeting process.

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

2020-71 Resolution Approving A Special Use Permit For The Grading And Filling Within A Shoreland Overlay Zoning District

Motion made by Councilor Peterson, seconded by Councilor Schmidt to adopt Resolution 2020-71, Resolution Approving A Special Use Permit For The Grading And Filling Within A Shoreland Overlay Zoning District.

Jim Petruga, 4054 Ugstad Rd. – He questioned the process if wetland violations occur on this project.

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

2020-72 Resolution Approving Wetland Replacement Plan For Clear Vision Builders LLC

Motion made by Councilor Schmidt, seconded by Councilor Geissler to adopt Resolution 2020-72, Resolution Approving Wetland Replacement Plan For Clear Vision Builders LLC. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2020-73 Resolution Authorizing The Acceptance Of A Temporary Easement With Donald E. Kallos And Olivia S. Kallos For The Construction Of Trail And Sewer Line

Motion made by Councilor Geissler, seconded by Councilor Peterson to adopt Resolution 2020-73, Resolution Authorizing The Acceptance Of A Temporary Easement With Donald E. Kallos And Olivia S. Kallos For The Construction Of Trail And Sewer Line. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

2020-74 Resolution Directing Preparation Of Preliminary Engineering Feasibility Report For 2021 Road Improvement Plan (Lavaque Junction Road)

Motion made by Councilor Schmidt, seconded by Councilor Nelson to adopt Resolution 2020-74, Resolution Directing Preparation Of Preliminary Engineering Feasibility Report For 2021 Road Improvement Plan (Lavaque Junction Road). Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Peterson, seconded by Councilor Schmidt to recess the closed session at 7:08 p.m. to Motion carried.

Mayor

ATTEST:

Clerk

CITY OF HERMANTOWN
CHECKS #65859-#65909
05/16/2020 -05/31/2020

PAYROLL CHECKS

Electronic Checks - #72241-#72278 \$63,295.39

Electronic Checks - #72228-#72234 \$3,208.43

LIABILITY CHECKS

Electronic Checks - #72235-#72240 \$51,774.63

Electronic Checks - #72225-#72227 \$621.29

Printed Checks- #65901-65906 \$67,223.00

Printed Checks- #65909 \$120.50

PAYROLL EXPENSE TOTAL \$186,243.24

ACCOUNTS PAYABLE

Checks - #65859-65900 \$237,991.50

Checks - #65907-65908 \$2,140.50

Electronic Payments - #99939-#99941 \$5,391.95

Check- #101 TD Ameritrade to Utility Systems of America \$30,045.81

ACCOUNTS PAYABLE TOTAL \$275,569.76

TOTAL \$461,813.00

5/26/2020

Page 1

Fund	Account	Department	Vendor Name	Description	Amount	Check #
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement	2,197.35	-99941
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement	134.27	-99940
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Salo	172.40	-99939
602	494900	Sewer Administration and General	FIRST BANKCARD	First BankCard Apr Orme	3.25	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Battaglia	495.00	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Ross	126.13	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Enright	13.04	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Ross	29.80	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Crace	180.00	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Kneisl	19.40	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Sorensen	404.98	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Volk	170.30	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Sorensen	32.88	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Kneisl	199.15	-99939
101	415300	Administration & Finance	FIRST BANKCARD	First BankCard Apr Orme	9.74	-99939
101	411100	Council	FIRST BANKCARD	First BankCard Apr Mulder	188.40	-99939
602	494900	Sewer Administration and General	FIRST BANKCARD	First BankCard Apr Senst	200.00	-99939
601	494400	Water Administration and General	FIRST BANKCARD	First BankCard Apr Senst	200.00	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Johnson	28.79	-99939
101	431100	Street Department	FIRST BANKCARD	First BankCard Apr Senst	184.22	-99939
101	452100	Parks	FIRST BANKCARD	First BankCard Apr Senst	24.00	-99939
101	424100	Building Inspection	FIRST BANKCARD	First BankCard Apr Orme	-85.00	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Crace	187.22	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Marsolek	92.24	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Esterbrooks	59.80	-99939
101	421100	Police Administration	FIRST BANKCARD	First BankCard Apr Marsolek	7.60	-99939
601	494400	Water Administration and General	FIRST BANKCARD	First BankCard Apr Orme	3.25	-99939
101	431100	Street Department	FIRST BANKCARD	First BankCard Apr Senst	113.74	-99939
240	432510	Trunk Sewer Construction	UTILITY SYSTEMS OF AMERICA, INC.	Trunk Sewer Spur/ Munger Spur	30,045.81	20101
101	419901	City Hall & Police Building Maintenance	AG O'BRIEN PLUMBING & HEATING INC	Replace Leaking Pipe	240.37	65859
101	422901	Firehall #1 Maple Grove Road	AG O'BRIEN PLUMBING & HEATING INC	Replace Leaking Pipe	240.36	65859
101	419901	City Hall & Police Building Maintenance	AT&T MOBILITY	Cell Phones PW	45.49	65860
101	421100	Police Administration	AT&T MOBILITY	Cell Phones PD	1,287.86	65860
602	494900	Sewer Administration and General	AT&T MOBILITY	Tablets PW	76.46	65860
602	494900	Sewer Administration and General	AT&T MOBILITY	Cell Phones PW	85.31	65860
601	494400	Water Administration and General	AT&T MOBILITY	Tablets PW	38.23	65860
101	415300	Administration & Finance	AT&T MOBILITY	Cell Phones PW	50.19	65860

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Fund	Account	Department	Vendor Name	Description	Amount	Check #
601	494400	Water Administration and General	AT&T MOBILITY	Cell Phones PW	127.95	65860
101	431100	Street Department	AT&T MOBILITY	Cell Phones PW	159.22	65860
101	422902	Firehall #2 Morris Thomas Road	CENTURYLINK	Internet FH #2	69.98	65861
101	431901	City Garage	CINTAS CORPORATION	Mats at PW	2.10	65862
101	431901	City Garage	CINTAS CORPORATION	Mats at PW	20.58	65862
101	431100	Street Department	CINTAS CORPORATION	Uniforms	10.80	65862
101	431901	City Garage	CINTAS CORPORATION	Supplies	32.00	65862
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at CH	8.88	65862
101	431901	City Garage	CINTAS CORPORATION	Supplies	13.50	65862
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at PD/FD	30.72	65862
101	431100	Street Department	CINTAS CORPORATION	Uniforms	25.77	65862
101	431100	Street Department	CINTAS CORPORATION	Uniforms	25.77	65862
101	431901	City Garage	CINTAS CORPORATION	First Aid Kits	101.37	65862
101	431100	Street Department	CINTAS CORPORATION	Uniforms	10.80	65862
601	494300	Water Distribution	CITY OF DULUTH COMFORT SYSTEMS	April Water Charges	46,736.37	65863
601	494400	Water Administration and General	CUSTOMER ELATION INC	May Answering	28.12	65864
602	494900	Sewer Administration and General	CUSTOMER ELATION INC	May Answering	18.75	65864
101	452200	Community Building	CW TECHNOLOGY GROUP INC	Set up replace 3 firewalls	343.58	65865
101	431100	Street Department	CW TECHNOLOGY GROUP INC	Set up replace 3 firewalls	343.58	65865
101	421100	Police Administration	CW TECHNOLOGY GROUP INC	Set up replace 3 firewalls	343.59	65865
323	471000	Debt Service	EHLERS & ASSOCIATES INC	Arbitrage Report	3,000.00	65866
101	421100	Police Administration	EMERGENCY AUTOMOTIVE TECHNOLOGIES INC	Vehicle Maintenance	224.06	65867
101	419901	City Hall & Police Building Maintenance	ESC SYSTEMS SOUND AND LIFE SAFETY	Monitor GovServBid 05/20-04/21	600.00	65868
602	494900	Sewer Administration and General	FURTHER	Monthly Participant Fee	5.88	65869
101	419100	Community Development	FURTHER	Monthly Participant Fee	0.95	65869
101	419901	City Hall & Police Building Maintenance	FURTHER	Monthly Participant Fee	2.95	65869
601	494400	Water Administration and General	FURTHER	Monthly Participant Fee	3.92	65869
101	415300	Administration & Finance	FURTHER	Monthly Participant Fee	11.60	65869
101	421100	Police Administration	FURTHER	Monthly Participant Fee	39.10	65869
101	431100	Street Department	FURTHER	Monthly Participant Fee	4.75	65869
101	419901	City Hall & Police Building Maintenance	GOODIN COMPANY INC	Chiller/Heat transfer fluid	100.44	65870
601	494400	Water Administration and General	GOPHER STATE ONE-CALL INC	April Locates	99.72	65871
602	494900	Sewer Administration and General	GOPHER STATE ONE-CALL INC	April Locates	66.48	65871
411	419100	Community Development	HALLBERG ENGINEERING, INC.	EWC	3,250.00	65872
101	431901	City Garage	HARTEL'S/DBJ DISPOSAL CO LLC	Yard Trash Disposal April	165.76	65873
101	419901	City Hall & Police Building Maintenance	HARTEL'S/DBJ DISPOSAL CO LLC	Garbage Recycling/April	167.44	65873
101	414100	Elections	HERMANTOWN STAR LLC	Election Filings	66.00	65874

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Fund	Account	Department	Vendor Name	Description	Amount	Check #
101	411300	Ordinance, Public Notice and Proceedings	HERMANTOWN STAR LLC	Alc Bev Amendment 2020-04	74.25	65874
230	465100	HEDA	HERMANTOWN STAR LLC	Public Hearing HEDA	107.25	65874
601	494400	Water Administration and General	HERMANTOWN STAR LLC	Drinking Water Report	420.75	65874
409	419900	General Government Buildings & Property	HUNT ELECTRIC CORPORATION	CIP Relighting Plan CH/PD/FD	64,936.00	65875
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	455.00	65876
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	277.32	65876
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	732.32	65876
101	431100	Street Department	INTERSTATE ALL BATTERY CENTER	Battery for Neils Truck	275.90	65877
101	431100	Street Department	JAKE'S COMPANIES LLC	Road CaCl	10,185.00	65878
101	452100	Parks	KWIK TRIP EXTENDED NETWORK	Gas Park	35.92	65879
602	494500	Sewer Maintenance	KWIK TRIP EXTENDED NETWORK	Gas Utility	98.29	65879
101	421100	Police Administration	KWIK TRIP EXTENDED NETWORK	Gas PD	1,031.97	65879
101	431100	Street Department	KWIK TRIP EXTENDED NETWORK	Gas Street BG2369415	416.41	65879
101	421100	Police Administration	KWIK TRIP EXTENDED NETWORK	Car Wash PD	68.00	65879
101	419901	City Hall & Police Building Maintenance	KWIK TRIP EXTENDED NETWORK	Gas Bldg	32.25	65879
101	431100	Street Department	KWIK TRIP EXTENDED NETWORK	Car Wash PW	9.00	65879
601	494300	Water Distribution	KWIK TRIP EXTENDED NETWORK	Gas Utility	147.44	65879
603	441100	Storm Water	MACQUEEN EQUIPMENT, LLC	Street Sweeper Rental	14,000.00	65880
411	452200	Community Building	MCGOUGH CONSTRUCTION CO LLC	EWC #22 & 23	17,257.00	65881
411	452200	Community Building	MCGOUGH CONSTRUCTION CO LLC	EWC #22 & 23	22,443.00	65881
275	452200	Community Building	MEDIACOM	EWC- Internet	354.90	65882
275	452200	Community Building	MEDIACOM	EWC - Telephone	229.11	65882
275	452200	Community Building	MEDIACOM	EWC -Cable TV	77.31	65882
601	494300	Water Distribution	MENARD INC	Marking Paint	565.74	65883
602	494500	Sewer Maintenance	MENARD INC	Marking Paint	565.74	65883
101	431901	City Garage	MN ENERGY RESOURCES CORP	Natural Gas Comm Bldg	120.62	65884
275	452200	Community Building	MN ENERGY RESOURCES CORP	Natural Gas EWC	2,346.54	65884
101	419901	City Hall & Police Building Maintenance	MN ENERGY RESOURCES CORP	Natural Gas CH/PD	590.95	65884
605	431160	Street Lighting	MN POWER	Electricity Street Lights	371.85	65885
605	431160	Street Lighting	MN POWER	Electricity Overhead St Lights	297.00	65885
605	431160	Street Lighting	MN POWER	Electricity Street Lights	187.78	65885
601	494400	Water Administration and General	MN POWER	Electricity Lightning Dr	203.52	65885
601	494400	Water Administration and General	MN POWER	Electricity water	508.77	65885
101	422903	Firehall #3 Midway Road	MN POWER	Electricity FH #3	68.76	65885
101	422902	Firehall #2 Morris Thomas Road	MN POWER	Electricity FH #2	75.93	65885
275	452200	Community Building	MN POWER	Electricity EWC Garage	208.97	65885
101	422901	Firehall #1 Maple Grove Road	MN POWER	Electricity CH/PD/FD	1,210.55	65885

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Fund	Account	Department	Vendor Name	Description	Amount	Check #
275	452200	Community Building	MN POWER	Electricity EWC	5,308.35	65885
101	419901	City Hall & Police Building Maintenance	MN POWER	Electricity CH/PD/FD	1,893.42	65885
101	452200	Community Building	MN POWER	Electricity Comm bldg	554.10	65885
605	431160	Street Lighting	MN POWER	Electricity St lights Roundabo	18.03	65885
101	452100	Parks	MN POWER	Electricity Little Leagues	18.26	65885
605	431160	Street Lighting	MN POWER	Electricity Traffic Lights	658.32	65885
605	431160	Street Lighting	MN POWER	Electricity Street Lights	445.38	65885
602	494900	Sewer Administration and General	MN POWER	Electricity Lightning Dr	135.68	65885
101	431901	City Garage	MN POWER	Electricity 5255 Maple Gr	20.57	65885
101	452100	Parks	MN POWER	Electricity Parks	195.77	65885
101	431901	City Garage	MN POWER	Electricity Lightning Dr	339.21	65885
101	431100	Street Department	NAPA AUTO PARTS	Oil Filters/Plugs for Lawn Mow	26.14	65886
101	431100	Street Department	NAPA AUTO PARTS	Air & Oil Filters for Skidstee	129.86	65886
101	431100	Street Department	NAPA AUTO PARTS	UJoint H9	43.87	65886
602	494500	Sewer Maintenance	NAPA AUTO PARTS	Battery for Bobs Truck	132.15	65886
101	431100	Street Department	NAPA AUTO PARTS	Plug Wires and Parts H6	108.23	65886
101	452100	Parks	NAPA AUTO PARTS	Riding Lawn Mower Blades	43.17	65886
101	431901	City Garage	NAPA AUTO PARTS	Impact Sockets Shop	46.96	65886
101	431100	Street Department	NAPA AUTO PARTS	Tire Slime	17.76	65886
101	431100	Street Department	NAPA AUTO PARTS	Shocks H6	223.72	65886
101	421100	Police Administration	NLEAC	NLEAC Dues Crace 2020	75.00	65887
101	415300	Administration & Finance	NORTHERN BUSINESS PRODUCTS	Notepads/Envelopes	36.50	65888
601	494400	Water Administration and General	NORTHERN BUSINESS PRODUCTS	Toner - Janice Printer	45.70	65888
101	415300	Administration & Finance	NORTHERN BUSINESS PRODUCTS	Ribbon/Sheet Protector/Paper	112.56	65888
101	414100	Elections	NORTHERN BUSINESS PRODUCTS	Label Maker/Labels Election	233.13	65888
602	494900	Sewer Administration and General	NORTHERN BUSINESS PRODUCTS	Toner - Janice Printer	45.69	65888
101	419100	Community Development	NORTHERN BUSINESS PRODUCTS	Desk Sign James Nelson	19.43	65888
101	415300	Administration & Finance	NORTHERN BUSINESS PRODUCTS	Mailing Labels	30.38	65888
101	415300	Administration & Finance	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	268.25	65889
101	452100	Parks	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	4.50	65889
101	419100	Community Development	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	118.90	65889
101	424100	Building Inspection	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	19.70	65889
101	414100	Elections	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	37.10	65889
602	494900	Sewer Administration and General	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	64.64	65889
601	494400	Water Administration and General	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	96.96	65889
101	421100	Police Administration	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	95.45	65889
101	431100	Street Department	PRAXAIR DISTRIBUTION INC	Cylinder Rent/Safe Env fee	28.57	65890

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Fund	Account	Department	Vendor Name	Description	Amount	Check #
101	415300	Administration & Finance	PRO PRINT INC	1,000 regular envelopes	159.17	65891
602	494500	Sewer Maintenance	SJE-RHOMBUS, INC.	Light missed on Ugstad	520.98	65892
101	431100	Street Department	ST LOUIS COUNTY AUDITOR	Rd Maintenance Striping	12,707.95	65893
475	431150	Street Improvements	ST LOUIS COUNTY RECORDERS OFFICE	2020 RIP Easement Leppala	46.00	65894
101	419100	Community Development	ST LOUIS COUNTY RECORDERS OFFICE	Resolution-Flag Lot Subdivisio	46.00	65894
101	419100	Community Development	ST LOUIS COUNTY RECORDERS OFFICE	Special Use Permit (Lien)	46.00	65894
475	431150	Street Improvements	TKDA	Rd Reconstruction Project	134.13	65895
402	431150	Street Improvements	TKDA	Rd Reconstruction Project	4,381.05	65895
101	415300	Administration & Finance	TOSHIBA FINANCIAL SERVICES	Copier Lease/Toshiba	145.57	65896
101	431100	Street Department	TOWMASTER	Fix Box Structural corner H0	4,300.00	65897
101	421100	Police Administration	TROY'S BP AMOCO INC	Vehicle Maintenance #15	25.00	65898
603	441100	Storm Water	UNITED RENTALS (NORTH AMERICA) INC	Water Truck Rental	4,046.38	65899
101	431901	City Garage	VEIT DISPOSAL SYSTEMS - NORTH	Dumpster	428.00	65900
101	134000	Retiree Insurance/Telephone Reimb.	MN LIFE	Life Insurance McMillan June	4.50	65907
101	134000	Retiree Insurance/Telephone Reimb.	NORTHEAST SERVICE COOPERATIVE	Health Ins June Inactives	811.20	65908
101	421100	Police Administration	NORTHEAST SERVICE COOPERATIVE	Health Ins June Inactives	1,324.80	65908

Totals: 164 records printed

275,569.76

TO: Mayor & City Council
FROM: John Mulder, City Administrator
DATE: May 26, 2020
SUBJECT: Ordinance Amending Chapter 5, Alcoholic Beverages



Meeting Date: 6/1/20

Ordinance 2020-05

REQUESTED ACTION

Second reading of Ordinance Amending Chapter 5, Alcoholic Beverages by allowing liquor license fees to be paid in three installments instead of in full at the time of renewal for on-sale license holders and also to provide for a temporary outdoor service area.

BACKGROUND

The current ordinance requires liquor licenses to be paid in full as part of the license process, given that many of the license holders have been impacted by the coronavirus and the stay at home order, we are recommending that license applicants be allowed to make payment installments instead of in full. All license fees would be payable within the first six months (2020) for the annual license which runs from July 1, 2020 to June 30, 2021.

The latest Governor's executive order allows bars and restaurants to re-open on June 1st for outside sales. Many of our current license holders do not have outside service areas. The current ordinance requires any outdoor service areas to be bound by a six-foot permanent structure. The proposed amendment would waive that requirement for COVID 19 pandemic until November 1, 2020.

SOURCE OF FUNDS (if applicable)

ATTACHMENTS

List of on sale license holders and their fees.

<u>On Sale Liquor Licensees</u>	<u>2020/2021 Fee</u>	
AAD Temple	\$4,155.00	Incl. Sunday/Dance
Beacon Sports Bar	\$4,155.00	Incl. Sunday/Dance
Chalet Lounge	\$3,655.00	Incl. Sunday
Fosters Sports Bar & Grill	\$3,655.00	Incl. Sunday
Maya Authentic Mexican Restaurant	\$3,655.00	Incl. Sunday
McKenzies Bar & Grill	\$3,655.00	Incl. Sunday
Outback Steakhouse	\$3,655.00	Incl. Sunday
Skyline Lounge	\$3,655.00	Incl. Sunday
The Social House *New 11-2019*	\$3,655.00	Incl. Sunday

<u>Wine/Strong Beer Licensees</u>	<u>2020/2021 Fee</u>	
China Star	\$1,150.00	
Do North Pizzeria	\$1,355.00	Incl. Sunday
Sammys Pizza of Hermantown	\$1,355.00	Incl. Sunday
The King of Creams *New 1/2020*	\$1,355.00	Incl. Sunday
Valentini's *New 2/2020*	\$1,150.00	

Ordinance No. 2020-05

The City Council of the City of Hermantown does ordain:

AN ORDINANCE AMENDING CHAPTER 5, ALCOHOLIC BEVERAGES, OF THE HERMANTOWN CITY CODE BY AMENDING SECTION 520, LICENSE FEES AND SECTION 530, LICENSING PROCEDURES AND REQUIREMENTS

Section 1. Purpose and Intent. The purpose and intent of this amendment to Chapter 5, Alcoholic Beverages, of the Hermantown City Code (“Alcoholic Beverage Code”) is to update the provisions of the Alcoholic Beverage Code in response to the COVID-19 pandemic to provide a temporary payment solution for holders of existing licenses and new applicants for licenses issued under the Alcoholic Beverage Code and also to provide for temporary outdoor service area.

Section 2. Amendment to Section 520. The Alcoholic Beverage Code is hereby amended by adding Section 520.03, COVID-19 Pandemic Payment Plan, to read as follows:

“520.03 COVID-19 Pandemic Payment Plan. The license fees otherwise payable pursuant to Section 520 may be payable to the City Clerk in the amount listed in the Fee Schedule in three (3) equal installments on June 30, 2020, September 30, 2020 and December 31, 2020. Failure to remit such amounts may result in a suspension of the license issued under this Chapter 5. Any suspension for failure to make payment required by this Section 520.03 shall be effective five (5) days after the date of a letter from the City Clerk to the license holder advising the license holder that his/her/its license will be suspended unless the payment required to be paid is made. The provisions of this Section 520.03 shall expire and be of no further force and effective on December 31, 2020.”

Section 3. Amendment to Section 530. The Alcoholic Beverage Code is hereby amended by adding Section 530.15.1.1, COVID-19 Pandemic Temporary Outdoor Service Area, to read as follows:

“530.15.1.1 COVID-19 Pandemic Temporary Outdoor Service Area. The provisions of 530.15.1 requiring the exterior service area be bounded by a permanent structure of at least six feet, be replaced with a requirement that the exterior service area be bounded by a barrier acceptable to the Chief of Police and City Clerk. The provisions of this Section 530.15.1.1 shall expire and be of no further force and effect on November 1, 2020.

Section 4. Amendments to be Inserted in Code. After this ordinance becomes effective, the changes made by this ordinance shall be made in the appropriate place in the Hermantown City Code. This ordinance shall be published in the official newspaper of the City.

Section 5. Effective Date. The provisions of this Ordinance shall be effective immediately after adoption.

Dated:

Mayor

Attest:

City Clerk

Adopted: _____

Published: _____

Effective Date: _____

Resolution No. 2020-75

**RESOLUTION APPROVING CHANGE ORDER NO. 2 FOR UGSTAD ROAD LIFT STATION
SANITARY SEWER IMPROVEMENT DISTRICT NO. 449**

WHEREAS, the City of Hermantown has contracted with George Bougalis & Sons, Co. for construction of Ugstad Road Lift Station Sanitary Sewer Improvement District No. 449 (“Project:”); and

WHEREAS, George Bougalis & Sons, Co. has submitted Change Order No. 2 for:

1. Increase contract amount by \$2,160.00 for the contractor to perform minor extra grading to improve City access around control panel.

WHEREAS, George Bougalis & Sons, Co. has recommended such Change Order No. 2, and;

WHEREAS, Northland Consulting Engineers LLP has approved such Change Order No. 2.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hermantown, Minnesota as follows:

1. Change Order No. 2 is hereby approved.

Councilor ____ introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolution was seconded by Councilor ____ and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution has been duly passed and adopted June 1, 2020.



11 East Superior Street, Suite 420
Duluth, MN 55802
218.724.8578
tkda.com

May 26, 2020

Mr. David Bolf, PE
Hermantown City Engineer
Northland Consulting Engineers
102 South 21st Avenue West, Suite 1
Duluth, MN 55806

RE: Ugstad Road Lift Station 3—Pay Application 3 and Change Order 2
TKDA Project No. 17467.000

David,

As discussed onsite several weeks ago with City staff, the Contractor for the above-referenced project has been asked to perform minor extra grading around the wet well and control panel to create better working access to those features of Lift Station 3. The Contractor has also requested that Pay Application 3 be reviewed and approved at the June 1, 2020 Council meeting.

First, Pay Application 3 takes us to the point where the new lift station is now operational; outstanding work items include working with Primex to finalize SCADA connectivity and to touch up gravel on the access road/pad if settlement occurs. I recommend that the City make payment to George Bougalis and Sons, Co. in the amount of \$68,457.95 as shown in Pay Application 3.

Second, the additional cost associated with Change Order 2 is \$2,160.00 and I have attached a draft of Change Order 2 to this cover letter for the City's review and approval. The completion date for the project is June 15, 2020 and remains unchanged with this request. I recommend that the City approve the contract changes as reflected in Change Order 2 at this time.

Please contact me with any questions you may have. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Goetzman'.

Jeff Goetzman, PE
Project Manager
cc: John Mulder, City Administrator

Change Order

No. 2

Date of Issuance: May 26, 2020 Effective Date: May 26, 2020

Project: <u>Ugstad Rd Lift Station 3</u>	City of Hermantown	Owner's Contract No.:
Contract:		Date of Contract: <u>August 19, 2019</u>
Contractor: <u>Bougalis and Sons</u>		Engineer's Project No.: <u>17467.000</u>

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Contractor to perform minor extra grading to improve City access around control panel.

Attachments (list documents supporting change):

Email from from Contractor indicating prices for additional grading work \$2,160.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:
\$ 241,690.00

Original Contract Times: Working days Calendar days
Substantial completion (days or date): _____
Ready for final payment (days or date): November 30, 2019

~~Increase~~ [Decrease] from previously approved
Change Orders No. 1 to No. _____:
\$ 6,123.00

[Increase] [Decrease] from previously approved Change Orders
No. _____ to No. _____:
Substantial completion (days): _____
Ready for final payment (days): N/A

Contract Price prior to this Change Order:
\$ 247,813.00

Contract Times prior to this Change Order:
Substantial completion (days or date): April 15, 2020
Ready for final payment (days or date): June 15, 2020

Increase [Decrease] of this Change Order:
\$ 2,160.00

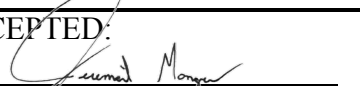
[Increase] [Decrease] of this Change Order:
Substantial completion (days or date): _____
Ready for final payment (days or date): N/A

Contract Price incorporating this Change Order:
\$ 249,973.00

Contract Times with all approved Change Orders:
Substantial completion (days or date): April 15, 2020
Ready for final payment (days or date): June 15, 2020

RECOMMENDED:
By: 
Engineer (Authorized Signature)

ACCEPTED:
By: 
Owner (Authorized Signature)

ACCEPTED:
By: 
Contractor (Authorized Signature)

Date: 05/26/2020

Date: 5/27/20

Date: 5/26/2020

Approved by Funding Agency (if applicable): _____

Date: _____

Change Order

Instructions

A. GENERAL INFORMATION

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

B. COMPLETING THE CHANGE ORDER FORM

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.

Jeff S. Goetzman

From: Jeff S. Goetzman
Sent: Wednesday, April 15, 2020 7:47 AM
To: Jeff S. Goetzman
Subject: FW: Lift Station 3--Ugstad Road update

From: jmonger@bougalisandsons.com <jmonger@bougalisandsons.com>
Sent: Wednesday, April 1, 2020 1:28 PM
To: Jeff S. Goetzman <jeff.goetzman@tkda.com>
Subject: RE: Lift Station 3--Ugstad Road update

Jeff,

We hauled in 3 loads of class 5 to build that pad and could use 1 more. That would be a total of 48CY multiplied by our contract unit price of \$45/CY = **\$2,160.00**. That will cover all our material cost as well as install (even the install of the foam).

It would be nice to add Hunt's **\$1,276.00** for the panel changes as well if you can swing it?

Jerry Monger
Project Manager



Mobile: 218.969.7323 **Email:** JMonger@BougalisAndSons.com

Address: 3402 15th Avenue East, Hibbing, MN 55746

Office: 218.263.7476 **Fax:** 218.263.3542

Website: www.BougalisAndSons.com

This communication is for the exclusive use of addressee and may contain proprietary confidential and/or privileged information from George Bougalis & Sons, Co. and is protected by law. If you are not the intended recipient, any use, copying, disclosure, dissemination or distribution is strictly prohibited

From: Jeff S. Goetzman <jeff.goetzman@tkda.com>
Sent: Monday, March 30, 2020 2:45 PM
To: jmonger@bougalisandsons.com
Subject: FW: Lift Station 3--Ugstad Road update

Jerry,

What do you see as your costs for panel grading changes?

I can drop into a change order for later this week and to be approved next Monday.

Thanks!

jeff



Jeff Goetzman, PE | Group Manager/Northland Municipal Engineering
Professional Engineer: MN, WI

11 East Superior Street, Suite 420, Duluth, MN 55802
P **218.491.7385** | C **218.390.9295**

TKDA jeff.goetzman@tkda.com
tkda.com

Resolution No. 2020-76

**RESOLUTION APPROVING PAY REQUEST NUMBER 3 TO
GEORGE BOUGALIS & SONS, CO. IN THE AMOUNT OF \$68,457.95**

WHEREAS, the City of Hermantown has contracted with George Bougalis & Sons, Co. for Ugstad Road Lift Station Sanitary Sewer Improvement District No. 449 (“Project”); and

WHEREAS, George Bougalis & Sons, Co. has performed a portion of the agreed upon work in said Project; and

WHEREAS, George Bougalis & Sons, Co. has submitted Pay Request No. 3 in the amount of \$68,457.95; and

WHEREAS, TKDA has approved such Pay Request No. 3 provided that \$12,354.45 accumulated as retainage of 5% be withheld pending final acceptance of the Project by the City of Hermantown.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hermantown, Minnesota as follows:

1. Pay Request No. 3 is hereby approved.
2. The City is hereby authorized and directed to pay to George Bougalis & Sons, Co. the sum of \$68,457.95 charged to 602-494500-590.

Councilor ____ introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolution was seconded by Councilor ____ and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution has been duly passed and adopted June 1, 2020.



11 East Superior Street, Suite 420
Duluth, MN 55802
218.724.8578
tkda.com

May 26, 2020

Mr. David Bolf, PE
Hermantown City Engineer
Northland Consulting Engineers
102 South 21st Avenue West, Suite 1
Duluth, MN 55806

RE: Ugstad Road Lift Station 3—Pay Application 3 and Change Order 2
TKDA Project No. 17467.000

David,

As discussed onsite several weeks ago with City staff, the Contractor for the above-referenced project has been asked to perform minor extra grading around the wet well and control panel to create better working access to those features of Lift Station 3. The Contractor has also requested that Pay Application 3 be reviewed and approved at the June 1, 2020 Council meeting.

First, Pay Application 3 takes us to the point where the new lift station is now operational; outstanding work items include working with Primex to finalize SCADA connectivity and to touch up gravel on the access road/pad if settlement occurs. I recommend that the City make payment to George Bougalis and Sons, Co. in the amount of \$68,457.95 as shown in Pay Application 3.

Second, the additional cost associated with Change Order 2 is \$2,160.00 and I have attached a draft of Change Order 2 to this cover letter for the City's review and approval. The completion date for the project is June 15, 2020 and remains unchanged with this request. I recommend that the City approve the contract changes as reflected in Change Order 2 at this time.

Please contact me with any questions you may have. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Goetzman'.

Jeff Goetzman, PE
Project Manager
cc: John Mulder, City Administrator

Contractor's Application for Payment No. 3

	Application Period: 1/31/2020 to FINAL	Application Date: 5/26/2020
To (Owner): City of Hermantown	From (Contractor): George Bougalis & Sons Co.	Via (Engineer): TKDA
Project: Ugstad Road Lift Station #3 Replacement	Contract: Ugstad Road Lift Station #3 Replacement	
Owner's Contract No.: Hermantown Sanitary Sewer Improvement District #449	Contractor's Project No.: 3225	Engineer's Project No.:

**Application For Payment
Change Order Summary**

Approved Change Orders	Number	Additions	Deductions			
	1	\$6,123.00		1. ORIGINAL CONTRACT PRICE	\$	\$241,690.00
				2. Net change by Change Orders	\$	\$6,123.00
				3. Current Contract Price (Line 1 ± 2)	\$	\$247,813.00
				4. TOTAL COMPLETED AND STORED TO DATE (Column F total on Progress Estimates).....	\$	\$247,089.00
				5. RETAINAGE:		
				a. 5% X \$247,089.00 Work Completed.....	\$	\$12,354.45
				b. X Stored Material.....	\$	
				c. Total Retainage (Line 5.a + Line 5.b).....	\$	\$12,354.45
				6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)	\$	\$234,734.55
				7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$	\$166,276.60
				8. AMOUNT DUE THIS APPLICATION	\$	\$68,457.95
				9. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above).....	\$	
TOTALS		\$6,123.00				
NET CHANGE BY CHANGE ORDERS		\$6,123.00				

Contractor's Certification

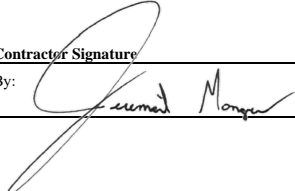
The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

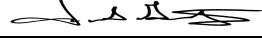
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.


Contractor Signature

By:  Date: 5/26/2020

Payment of: \$ 668,457.95
(Line 8 or other - attach explanation of the other amount)

is recommended by:  5/26/2020
(Engineer) (Date)

Payment of: \$ 668,457.95
(Line 8 or other - attach explanation of the other amount)

is approved by:  5/27/20
(Owner) (Date)

Approved by: _____
Funding or Financing Entity (if applicable) (Date)

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract): Ugstad Road Lift Station #3 Replacement								Application Number: 3			
Application Period: 1/31/2020 to FINAL								Application Date: 5/26/2020			
A						B	C	D	E	F	
Item		Contract Information				Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F / B)	Balance to Finish (B - F)
Bid Item No.	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)						
1	MOBILIZATION	1	LS	\$31,200.00	\$31,200.00	1	\$31,200.00		\$31,200.00	100.0%	
2	CLEARING & GRUBBING	1	LS	\$405.00	\$405.00	1	\$405.00		\$405.00	100.0%	
3	REMOVE LIFT STATION	1	LS	\$3,250.00	\$3,250.00	1	\$3,250.00		\$3,250.00	100.0%	
4	GEOTEXTILE FABRIC TYPE 5	160	SY	\$3.00	\$480.00	160	\$480.00		\$480.00	100.0%	
5	EXCAVATION - COMMON (P)	10	CY	\$17.00	\$170.00	10	\$170.00		\$170.00	100.0%	
6	SELECT GRANULAR EMBANKMENT, MOD 7% (CV)	100	CY	\$21.00	\$2,100.00	100	\$2,100.00		\$2,100.00	100.0%	
7	WOOD CHIPS	1	LS	\$2,000.00							
8	AGGREGATE BASE (CV), CLASS 5	35	CY	\$45.00	\$1,575.00	35	\$1,575.00		\$1,575.00	100.0%	
9	8" PVC PIPE SEWER	10	LF	\$50.00	\$500.00	10	\$500.00		\$500.00	100.0%	
10	CONNECT TO EXISTING SANITARY SEWER	1	EA	\$1,200.00	\$1,200.00	1	\$1,200.00		\$1,200.00	100.0%	
11	CONNECT TO EXISTING FORCE MAIN	1	EA	\$1,200.00	\$1,200.00	1	\$1,200.00		\$1,200.00	100.0%	
12	4.0" HDPE FORCEMAIN	18	LF	\$35.00	\$630.00	18	\$630.00		\$630.00	100.0%	
13	LIFT STATION COMPLETE	1	LS	\$188,000.00	\$188,000.00	1	\$188,000.00		\$188,000.00	100.0%	
14	SANITARY MANHOLE	9	LF	\$370.00	\$3,330.00	9	\$3,330.00		\$3,330.00	100.0%	
15	CASTING ASSEMBLY	1	EA	\$1,500.00	\$1,500.00	1	\$1,500.00		\$1,500.00	100.0%	
16	TRAFFIC CONTROL	1	LS	\$3,000.00	\$3,000.00	1	\$3,000.00		\$3,000.00	100.0%	
17	EROSION CONTROL	1	LS	\$600.00	\$600.00	1	\$600.00		\$600.00	100.0%	
18	TURF ESTABLISHMENT	1	LS	\$550.00	\$550.00	1	\$550.00		\$550.00	100.0%	
Change Orders											
	CO #1 - Panel Upgrades & Time Extension	1	LS	\$6,123.00	\$6,123.00	1	\$6,123.00		\$6,123.00	100.0%	
	CO #2 - Added Class 5 for Control Panel	1	LS	\$1,276.00	\$1,276.00	1	\$1,276.00		\$1,276.00	100.0%	
Totals									\$247,089.00	100.0%	

TO: Mayor & City Council
FROM: John Mulder, City Administrator



DATE: May 26, 2020

Meeting Date: 6/1/20

SUBJECT: Trunk Sewer Spur & Munger Trail Spur – Sanitary Sewer Improvement District No. 448
Agenda Item: 12-C **Resolution 2020-77**

REQUESTED ACTION

Approve Pay Application #3 to Utility Systems of America for the construction related to the Trunk Sewer Spur and Munger Trail Spur Project – Sanitary Sewer Improvement District No. 448.

BACKGROUND

Attached is Pay Application #3 for the work associated with the Hermantown Trunk Sewer Spur & Munger Trail Spur – Sanitary Sewer Improvement District No. 448 from Pay Application #2 through May 23, 2020. NCE and Utility Systems of America, Inc. (USA) have reviewed the project progress thus far and agreed upon quantities of work completed. The amount of Pay Application #3 is **\$101,408.63**. The City will hold a 5% retainage of the completed construction through the duration of the project. This retainage amount stands at **\$30,897.00** to date.

NCE has reviewed the quantities through construction inspection and discussions with Utility Systems of America, Inc. representatives. I recommend payment in the amount of **\$101,408.63** be authorized at the June 1, 2020 City Council Meeting.

SOURCE OF FUNDS (if applicable)

Sales Tax

ATTACHMENTS

Pay Application #3

Resolution No. 2020-77

RESOLUTION APPROVING PAY REQUEST NUMBER 3 FOR SEWER IMPROVEMENT DISTRICT NO. 448 TO UTILITY SYSTEMS OF AMERICA, INC. IN THE AMOUNT OF \$101,408.63

WHEREAS, the City of Hermantown has contracted with Utility Systems of America, Inc. for construction of Sewer Improvement District No. 448 (“Project”); and

WHEREAS, Utility Systems of America, Inc. has performed a portion of the agreed upon work in said Project; and

WHEREAS, Utility Systems of America, Inc. has submitted Pay Request No. 3 in the amount of \$101,408.63; and

WHEREAS, the City will maintain an accumulated retainage as shown on the pay requests until the final work and documentation is completed; and

WHEREAS, Northland Consulting Engineers LLP has approved such Pay Request No. 3 provided that \$30,897.00 accumulated as retainage of 5% be withheld pending final acceptance of the Project by the City of Hermantown.

WHEREAS, the necessary documentation for the pay request is on file and available for inspection.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hermantown, Minnesota as follows:

1. Pay Request No. 3 is hereby approved.
2. The City is hereby authorized and directed to pay to Utility Systems of America, Inc. the sum of \$101,408.63 which is the amount represented on Pay Request No. 3.

Councilor _____ introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolution was seconded by Councilor _____ and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution has been duly passed and adopted June 1, 2020.

May 26, 2020

John Mulder
City Administrator
City of Hermantown
5105 Maple Grove Road
Hermantown MN 55811

Re: Hermantown Trunk Sewer Spur & Munger Trail Spur – Sanitary Sewer Improvement District No. 448

Dear John:

Attached is Pay Application #3 for the work associated with the Hermantown Trunk Sewer Spur & Munger Trail Spur – Sanitary Sewer Improvement District No. 448 from Pay Application #2 through May 23, 2020. NCE and Utility Systems of America, Inc. (USA) have reviewed the project progress thus far and agreed upon quantities of work completed. The amount of Pay Application #3 is **\$101,408.63**. The City will hold a 5% retainage of the completed construction through the duration of the project. This retainage amount stands at **\$30,897.00** to date.

NCE has reviewed the quantities through construction inspection and discussions with Utility Systems of America, Inc. representatives. I recommend payment in the amount of **\$101,408.63** be authorized at the June 1, 2020 City Council Meeting.

Please contact me with any questions you may have.

Thank you,



David Bolf, P.E. – City Engineer
Northland Consulting Engineers
218-727-5995
david@nce-duluth.com

CC: Bonnie Engseth
Adam Zwak, P.E.
Jim Pucel, P.E.

Contractor's Application for Payment No.

3

Application Period: April 27, 2020 to May 23, 2020		Application Date: 5/26/2020
To (Owner): City of Hermantown	From (Contractor): Utility Systems of America, Inc.	Via (Engineer): Northland Consulting Engineers, LLP
Project: Trunk Sewer Spur & Munger Trail Spur - Sanitary Sewer Improvement District No. 448	Contract: Trunk Sewer Spur & Munger Trail Spur - Sanitary Sewer Improvement District No. 448	
Owner's Contract No.: Sanitary Sewer Improvement District No. 448	Contractor's Project No.:	Engineer's Project No.: 16-808

**Application For Payment
Change Order Summary**

Approved Change Orders		
Number	Additions	Deductions
TOTALS		
NET CHANGE BY CHANGE ORDERS		

1. ORIGINAL CONTRACT PRICE.....	\$	\$4,209,784.30
2. Net change by Change Orders.....	\$	
3. Current Contract Price (Line 1 ± 2).....	\$	\$4,209,784.30
4. TOTAL COMPLETED AND STORED TO DATE		
See attached Pay Application Summary.....	\$	\$617,939.93
5. RETAINAGE:		
a. 5% X \$457,041.50 Work Completed.....	\$	\$22,852.08
b. 5% X \$160,898.43 Stored Material.....	\$	\$8,044.92
c. Total Retainage (Line 5.a + Line 5.b).....	\$	\$30,897.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	\$587,042.93
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	\$485,634.30
8. AMOUNT DUE THIS APPLICATION.....	\$	\$101,408.63
9. BALANCE TO FINISH, PLUS RETAINAGE		
(Line 3 - 4 + Line 5.c above).....	\$	\$3,622,741.37

Contractor's Certification

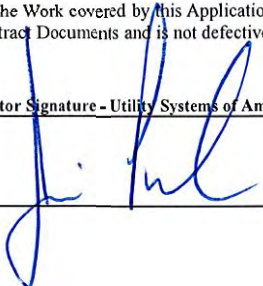
The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

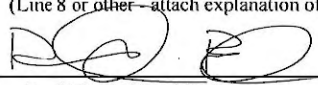
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature - Utility Systems of America

By:  Date: 5-26-20

Payment of: \$ 101,408.63
(Line 8 or other - attach explanation of the other amount)

is recommended by:  5/26/2020
David Bolf, P.E. - City Engineer (Date)



Pay Application #3 - 5/26/20
Trunk Sewer Spur & Munger Trail Spur
Sanitary Sewer District Improvement District No. 448

Item No.	Spec. Number	Item Description	Unit of Measure	Contract Total Quantities	USA Unit Price	Trunk Sewer Spur			Munger Trail Spur			Total Project	
						Contract Quantities	Completed Quantities	Completed Cost	Contract Quantities	Completed Quantities	Completed Cost	Completed Quantities	Completed Cost
BASE BID													
1	2021.501	MOBILIZATION	LS	1.00	\$ 434,000.00	0.80		\$ 86,800.00	0.20	0.10	\$ 43,400.00	0.30	\$ 130,200.00
2	2021.601	BLAST MONITORING/SURVEY	LS	1.00	\$ 45,000.00	1.00		\$ -	-		\$ -		\$ -
3	2031.601	FIELD OFFICE	LS	1.00	\$ 7,500.00	0.80	0.80	\$ 6,000.00	0.20	0.20	\$ 1,500.00	1.00	\$ 7,500.00
4	2051.601	MAINTENANCE AND RESTORATION OF HAUL ROADS	LS	1.00	\$ 1,000.00	0.80		\$ -	0.20		\$ -		\$ -
5	2101.501	CLEARING	ACRE	18.00	\$ 12,000.00	14.50	14.50	\$ 174,000.00	3.50	3.50	\$ 42,000.00	18.00	\$ 216,000.00
6	2101.506	GRUBBING	ACRE	18.00	\$ 1,500.00	14.50	6.60	\$ 9,900.00	3.50	2.10	\$ 3,150.00	8.70	\$ 13,050.00
7	2104.502	REMOVE CASTING	EACH	1	\$ 250.00	1		\$ -	-		\$ -		\$ -
8	2104.502	SALVAGE ELECTRICAL PEDESTAL AND SIGN	EACH	6	\$ 350.00	6		\$ -	-		\$ -		\$ -
9	2104.503	REMOVE CONCRETE CURB AND GUTTER	LF	20	\$ 5.00	20		\$ -	-		\$ -		\$ -
10	2104.503	REMOVE SEWER PIPE (SANITARY)	LF	10	\$ 5.00	10		\$ -	-		\$ -		\$ -
11	2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LF	156	\$ 4.00	156		\$ -	-		\$ -		\$ -
12	2104.503	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LF	170	\$ 7.00	170		\$ -	-		\$ -		\$ -
13	2104.509	REMOVE CONCRETE PAVEMENT	SY	852	\$ 9.00	852		\$ -	-		\$ -		\$ -
14	2104.509	REMOVE BITUMINOUS PAVEMENT	SY	343	\$ 4.00	227		\$ -	116		\$ -		\$ -
15	2104.518	REMOVE CONCRETE WALK	SF	630	\$ 1.00	630		\$ -	-		\$ -		\$ -
16	2104.601	REMOVE LIFT STATION	LS	1.00	\$ 20,000.00	1.00		\$ -	-		\$ -		\$ -
17	2104.602	REMOVE GREENHOUSES	EACH	8	\$ 1,000.00	8	5	\$ 5,000.00	-		\$ -	5	\$ 5,000.00
18	2106.504	GEOTEXTILE FABRIC TYPE 5 (NON-WOVEN)	SY	28,750	\$ 1.65	17,000		\$ -	11,750		\$ -		\$ -
19	2106.504	GEOTEXTILE FABRIC TYPE 5 (NON-WOVEN) (PATCHING)	SY	250	\$ 4.00	250		\$ -	-		\$ -		\$ -
20	2106.507	EXCAVATION - COMMON	CY	20,883	\$ 11.00	16,760		\$ -	3,823		\$ -		\$ -
21	2106.507	COMMON EMBANKMENT (CV)	CY	3,924	\$ 7.00	3,179		\$ -	745		\$ -		\$ -
22	2106.507	SELECT GRANULAR EMBANKMENT MOD 7% (CV)	CY	5,500	\$ 21.00	3,200		\$ -	2,300		\$ -		\$ -
23	2106.507	SELECT GRANULAR EMBANKMENT MOD 7% (CV) (PATCHING)	CY	100	\$ 22.00	100		\$ -	-		\$ -		\$ -
24	2106.601	DEWATERING	LS	1	\$ 50,000.00	0.80		\$ -	0.20		\$ -		\$ -
25	2106.601	TURF & WETLAND RESTORATION	LS	1	\$ 30,000.00	0.80		\$ -	0.20		\$ -		\$ -
26	2106.602	KEENE CREEK CROSSING	EACH	4	\$ 4,000.00	3		\$ -	1		\$ -		\$ -
27	2211.507	AGGREGATE BASE (CV) CLASS 5	CY	7,811	\$ 30.00	4,434		\$ -	3,177		\$ -		\$ -
28	2211.507	AGGREGATE BASE (CV) CLASS 5 (PATCHING)	CY	60	\$ 40.00	60		\$ -	-		\$ -		\$ -
29	2301.509	CONCRETE PAVEMENT 7" (MAPLE GROVE ESTATES)	SY	852	\$ 88.00	852		\$ -	-		\$ -		\$ -
30	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3,B)	TON	1,770	\$ 80.00	-		\$ -	1,770		\$ -		\$ -
31	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3,C) (PATCHING)	TON	35	\$ 154.00	35		\$ -	-		\$ -		\$ -
32	2360.509	TYPE SP 12.5 NON-WEARING COURSE MIXTURE (3,C) (PATCHING)	TON	32	\$ 154.00	32		\$ -	-		\$ -		\$ -
33	2412.503	3X6 PRECAST CONCRETE BOX CULVERT	LF	64	\$ 850.00	34		\$ -	30		\$ -		\$ -
34	2451.507	COARSE FILTER AGGREGATE (CV)	CY	1,045	\$ 24.00	1,045	22	\$ 528.00	-		\$ -	22	\$ 528.00
35	2451.507	GRANULAR BACKFILL (LV)	CY	6,275	\$ 14.00	6,275		\$ -	-		\$ -		\$ -
36	2451.507	STRUCTURE EXCAVATION, CLASS R	CY	4,825	\$ 52.00	4,825		\$ -	-		\$ -		\$ -
37	2501.502	12" CAS PIPE APRON	EACH	26	\$ 300.00	18		\$ -	8		\$ -		\$ -
38	2501.502	15" CAS PIPE APRON	EACH	45	\$ 325.00	-		\$ -	45		\$ -		\$ -
39	2501.503	12" CAS PIPE CULVERT	LF	328	\$ 50.00	230		\$ -	98		\$ -		\$ -
40	2501.503	15" CAS PIPE CULVERT	LF	590	\$ 53.00	-		\$ -	590		\$ -		\$ -
41	2503.503	8" PVC PIPE SEWER (SDR35)	LF	547	\$ 117.00	547		\$ -	-		\$ -		\$ -
42	2503.503	10" PVC PIPE SEWER (SDR35)	LF	5,651	\$ 119.00	5,651	252	\$ 29,988.00	-		\$ -	252	\$ 29,988.00
43	2503.503	10" PVC PIPE SEWER (SDR26)	LF	3,203	\$ 121.00	3,203		\$ -	-		\$ -		\$ -
44	2503.602	BENTONITE TRENCH DAM	EACH	74	\$ 1,900.00	74	1	\$ 1,900.00	-		\$ -	1	\$ 1,900.00
45	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	3	\$ 1,500.00	3	1	\$ 1,500.00	-		\$ -	1	\$ 1,500.00
46	2503.602	PLUG AND ABANDON PIPE SEWER	EACH	6	\$ 500.00	6		\$ -	-		\$ -		\$ -
47	2503.603	TELEWISE SANITARY SEWER	LF	9,401	\$ 2.50	9,401		\$ -	-		\$ -		\$ -
48	2504.604	3" POLYSTYRENE INSULATION	SY	135	\$ 50.00	135		\$ -	-		\$ -		\$ -
49	2506.502	CASTING ASSEMBLY	EACH	5	\$ 800.00	5		\$ -	-		\$ -		\$ -
50	2506.503	CONSTRUCT DRAINAGE STRUCTURE DESIGN 4007	LF	508	\$ 525.00	508	9.91	\$ 5,202.75	-		\$ -	10	\$ 5,202.75
51	2506.602	CASTING ASSEMBLY SPECIAL	EACH	33	\$ 800.00	33		\$ -	-		\$ -		\$ -

52	2506.602	MANHOLE FRAME SEAL (EXTERNAL)	EACH	38	\$ 250.00	38		\$ -	-	\$ -	\$ -
53	2506.603	CONSTRUCT 8" INSIDE DROP	LF	6	\$ 200.00	6		\$ -	-	\$ -	\$ -
54	2521.518	6" CONCRETE WALK	SF	630	\$ 9.25	630		\$ -	-	\$ -	\$ -
55	2531.503	CONCRETE CURB AND GUTTER, DESIGN B624	LF	20	\$ 55.00	20		\$ -	-	\$ -	\$ -
56	2545.602	INSTALL ELECTRICAL PEDESTAL AND SIGN	EACH	6	\$ 750.00	6		\$ -	-	\$ -	\$ -
57	2563.601	TRAFFIC CONTROL	LS	1.00	\$ 27,500.00	0.80	0.10	\$ 2,750.00	0.20	\$ -	0.10 \$ 2,750.00
58	2573.501	STABILIZED CONSTRUCTION EXIT	LS	1.00	\$ 1,000.00	0.80		\$ -	0.20	\$ -	\$ -
59	2573.502	STORM DRAIN INLET PROTECTION	EACH	37	\$ 300.00	27		\$ -	10	\$ -	\$ -
60	2573.503	FILTER BERM TYPE 4	LF	18,895	\$ 2.00	13,848		\$ -	5,047	\$ -	\$ -
61	2573.503	SILT FENCE, TYPE MS	LF	8,463	\$ 2.25	3,541	14,906	\$ 33,638.50	4,922	4,393	\$ 9,884.25 19,299 \$ 43,422.75
62	2573.503	SEDIMENT CONTROL LOG TYPE WOOD FIBER	LF	18,895	\$ 2.75	13,848		\$ -	5,047	\$ -	\$ -
63	2573.601	HERMANTOWN PUBLIC WORKS STORMWATER IMPROVEMENTS	LS	1.00	\$ 50,000.00	-		\$ -	1.00	\$ -	\$ -
64	2575.504	EROSION CONTROL BLANKETS CATEGORY 3N	SY	3,277	\$ 1.65	1,795		\$ -	1,482	\$ -	\$ -
65	2575.505	SEEDING	ACRE	16.75	\$ 60.00	14.00		\$ -	2.75	\$ -	\$ -
66	2575.508	SEED MIXTURE 36-311 (UPLAND)	LB	775	\$ 35.00	550		\$ -	225	\$ -	\$ -
67	2575.508	SEED MIXTURE 34-371 (WETLAND)	LB	575	\$ 75.00	450		\$ -	125	\$ -	\$ -
68	2575.605	MULCH MATERIAL TYPE 1	ACRE	16.75	\$ 700.00	14.00		\$ -	2.75	\$ -	\$ -
69	2582.503	4" DOUBLE SOLID LINE PAINT (YELLOW)	LF	71	\$ 12.00	71		\$ -	-	\$ -	\$ -
70	2582.503	4" SOLID LINE PAINT (WHITE)	LF	102	\$ 6.00	102		\$ -	-	\$ -	\$ -
71	2582.503	24" SOLID LINE PAINT (WHITE)	LF	50	\$ 14.00	-		\$ -	50	\$ -	\$ -
BID ALTERNATE #1 - MAINTENANCE ROAD PAVING											
72	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3,B)	TON	425	\$ 80.00	-		\$ -	425	\$ -	\$ -
BID ALTERNATE #2 - MAINTENANCE ROAD ALONG MAPLE GROVE											
73	2104.502	SALVAGE 24" RC PIPE APRON	EACH	1	\$ 400.00	-		\$ -	1	\$ -	\$ -
74	2104.502	SALVAGE LIGHT POLE AND BASE	EACH	1	\$ 600.00	-		\$ -	1	\$ -	\$ -
75	2104.502	SALVAGE SIGN	EACH	1	\$ 50.00	-		\$ -	1	\$ -	\$ -
76	2106.504	GEOTEXTILE FABRIC TYPE 5 (NON-WOVEN)	SY	700	\$ 3.00	-		\$ -	700	\$ -	\$ -
77	2106.507	EXCAVATION - COMMON	CY	250	\$ 25.00	-		\$ -	250	\$ -	\$ -
78	2106.507	SELECT GRANULAR EMBANKMENT MOD 7% (CV)	CY	150	\$ 30.00	-		\$ -	150	\$ -	\$ -
79	2211.507	AGGREGATE BASE (CV) CLASS 5	CY	175	\$ 32.00	-		\$ -	175	\$ -	\$ -
80	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3,B)	TON	68	\$ 83.00	-		\$ -	68	\$ -	\$ -
81	2501.503	24" RC PIPE SEWER DESIGN 3006	LF	10	\$ 120.00	-		\$ -	10	\$ -	\$ -
82	2501.602	INSTALL RC PIPE APRON	EACH	1	\$ 200.00	-		\$ -	1	\$ -	\$ -
83	2545.602	INSTALL LIGHT POLE	EACH	1	\$ 6,500.00	-		\$ -	1	\$ -	\$ -
84	2564.602	INSTALL SIGN	EACH	1	\$ 200.00	-		\$ -	1	\$ -	\$ -

TRUNK SEWER SPUR COST	MUNGER TRAIL SPUR COST	TOTAL AMOUNT EARNED
\$357,107.25	\$99,934.25	\$457,041.50

CONTRACT BREAKDOWN	
ORIGINAL TRUNK SEWER CONTRACT AMOUNT	\$3,441,999.00
ORIGINAL MUNGER TRAIL CONTRACT AMOUNT	\$767,785.30
TOTAL ORIGINAL CONTRACT AMOUNT	\$4,209,784.30
CURRENT CONTRACT AMOUNT	\$4,209,784.30

PREVIOUS MATERIALS STORED/ON HAND	\$118,534.75
ADDED MATERIALS STORED/ON HAND	\$42,363.68
TOTAL COST OF MATERIALS STORED/ON HAND	\$160,898.43

5% RETAINAGE	\$30,897.00
LESS PREVIOUS PAY APPS	\$485,634.30

PAY APPLICATION #3	\$101,408.63
---------------------------	---------------------



INVOICE

Invoice # M226462
 Invoice Date 5/01/20
 Account # 100982
 Sales Rep MITCH ENTZMINGER
 Phone # 763-428-7473
 Branch # 243 St Michael, MN
 Total Amount Due \$3,433.32

1830 Craig Park Court
 St. Louis, MO 63146

Remit To:
 CORE & MAIN LP
 PO BOX 28330
 ST LOUIS, MO 63146

541 1 MB 0.439 E0064X 10099 D8098390223 S2 P7344425 0001:0001



UTILITY SYSTEMS OF AMERICA
 EVELETH INDUSTRIAL PARK
 PO BOX 706
 EVELETH MN 55734-0706

Shipped to:
 OKERSTROM RD & HERMANTOWN RD
 Jim 218-744-4342
 HERMANTOWN, MN

CUSTOMER JOB- TRUNKSE Trunk Sewer

Thank you for the opportunity to serve you! We appreciate your prompt payment.

Date Ordered	Date Shipped	Customer PO #	Job Name	Job #	Bill of Lading	Shipped Via	Invoice #	
4/17/20	4/30/20	SEE BELOW	Trunk Sewer	TRUNKSE		BLACKDOG:ADD	M226462	
Product Code	Description	Quantity	Ordered	Shipped	B/O	Price	UM	Extended Price
CUSTOMER PO#- TRUNK SEWER SPUR WRAP								
/80016088489	24"X67'-0" MEL-ROL XLT SEALTIGHT SELF ADHESIVE WRAP	16	16			178.00000	EA	2,848.00

Visit coreandmain.com
 for a current W-9 form



Online
 ADVANTAGE

- Pay Online
- Paperless Billing
- Invoice Reprints
- Signed Delivery Receipts

Remit payment to the address shown on this invoice or access your account in Online Advantage to pay online.

Freight \$320.00
 Delivery
 Handling
 Restock
 Misc.

Subtotal: 2,848.00
 Other: 320.00
 Tax: 265.32
 Invoice Total: \$3,433.32

Terms: NET 30 Ordered By: JIM

This transaction is governed by and subject to CORE & MAIN's standard terms and conditions, which are incorporated by reference and accepted. To review these terms and conditions, please visit: <http://tandc.coreandmain.com/>.

Ess Brothers and Sons, Inc.

9350 County Rd. 19
Loretto, MN 55357

Invoice

SHIP DATE	Date	Invoice #
BY FRIDAY	4/28/2020	AA2094

Bill To
Utility Systems of America, Inc. 1280 Industrial Dr PO Box 706 Eveleth, MN. 55734-0706 Dan (218) 744-4342 (E)

Ship To
HERMANTOWN RD & OKERSTROM RD HERMANTOWN ADAM 218-421-7013

Ordered By	Terms	Salesperson	Ship Via	CITY	Project Name/#	P.O.
JIM	Net 30	AJ	BEST WAY	HERMANTWON	MUNGER TRAIL TRU...	368
ITEM	Site	QTY	DESCRIPTION	WEIGHT	PRICE EACH	AMOUNT
1916F (SAN)	Main	33	1916-F S/S Sanitary Lid	281	420.00	13,860.00T
1723SN	Main	5	R-1723 Sanitary MH "Duluth"	455	400.00	2,000.00T
36ODX12SE...	Main	38	36OD X 12 External Infi-Shield Seal	14	135.00	5,130.00T
Freight		1	Shipping & Handling	1	250.00	250.00T
			B/O 15 sets 1916-F			

WRONG PRODUCT

Subtotal		-\$21,240.00	\$16,110.00
Sales Tax (8.375%)		-\$1,778.85	\$ 1,349.21
Total		-\$23,018.85	\$17,459.21
Payments/Credits		\$0.00	
Balance Due		-\$23,018.85	\$17,459.21

Signature X _____
Print Name X _____

Invoice Subject to 1.5% late fee per month.
Credit Cards subject to 3% charge.
HDPE rings, Pro Rings & seals are non refundable!

Phone #	Fax #	Web Site
763-478-2027	763-478-8868	www.essbrothers.com

ELIGIBLE AMOUNT

Resolution No. 2020-78

**RESOLUTION RECEIVING PRELIMINARY ENGINEERING
REPORT AND CALLING FOR PUBLIC HEARING FOR 2021 ROAD IMPROVEMENT PLAN
(SUNDBY ROAD & SWAN LAKE ROAD)**

WHEREAS, pursuant to Resolution 2020-60 of the Council adopted on May 4, 2020 a preliminary engineering report (“Report”) has been prepared by Northland Consulting Engineers, LLP with reference to the Road Improvement Plan (“Project”) and this Report was received by the Council on May 26, 2020; and

WHEREAS, the City Council has been advised by Northland Consulting Engineers, LLP, the consulting engineer for such project in the Report that the Project is feasible and should best be made as proposed; and

WHEREAS, the City Council believes that it is in the best interests of the City of Hermantown that further consideration be given to the construction of Road Improvement Plan in the City of Hermantown; and

WHEREAS, Chapter 429 of the Minnesota Statutes provides that no such improvement shall be made until the City Council shall have a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating the time and place of the hearing, the general nature of the improvement, the estimated costs thereof and the area proposed to be assessed in accordance with the law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hermantown, Minnesota, as follows:

1. The Council will consider the improvement of such road in accordance with the Report and the assessment abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$414,000.00
2. A public hearing on the proposed improvements will be held **July 20, 2020 at 6:30 p.m.** in the Governmental Services Building, 5105 Maple Grove Road, Hermantown, Minnesota.
3. The notice of hearing attached hereto is approved and the City Clerk is hereby authorized and directed to cause such notice to be published twice in the official newspaper, once on **July 9, 2020** and once on **July 16, 2020**.
4. The City Clerk is further authorized and directed to mail such notice to the owner of each parcel of land within the area proposed to be assessed as described in such notice no later than **June 24, 2020**. For purpose of giving such mailed notice, owners shall be those shown to be such on the records of the St. Louis County Auditor. As to properties not listed on the records of the St. Louis County Auditor, the City Clerk shall ascertain such ownership by any practicable means and give mailed notice to such owners.

Councilor _____ introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such motion was seconded by Councilor _____ and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted June 1, 2020.

NOTICE OF PUBLIC HEARING ON
2021 ROAD IMPROVEMENT PLAN
(SUNDBY ROAD & SWAN LAKE ROAD)

NOTICE IS HEREBY GIVEN, that the City Council of the City of Hermantown will meet in the Council Chambers of Governmental Services Building, 5105 Maple Grove Road, Hermantown, Minnesota, at 6:30 p.m. on Monday, July 20, 2020 to consider the 2021 Road Improvement Plan.

The City Council proposes to proceed in accordance with the provisions of Minnesota Statutes Chapter 429.011 to 429.111 of the Minnesota Statutes.

The area proposed to be assessed for such improvement is every piece and parcel of property benefited by such improvement, whether abutting thereon or not, based upon the benefits received by each piece and parcel.

The estimated cost of such improvement is \$414,000.00.

Proposed assessment: \$9,750.00 per parcel

Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting. Written or oral comments are encouraged and will be considered at this hearing.
Authorized by the City Council.

Bonnie Engseth, City Clerk
City of Hermantown

CITY OF HERMANTOWN

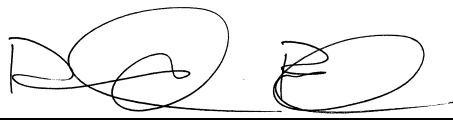
**PRELIMINARY ENGINEERING REPORT
AND
FEASIBILITY STUDY**

Prepared: May 26th, 2020

**Swan Lake Road – SAP 202-111-001 SIP #536
Sundby Road – SAP 202-112-001 SIP #536
& Bridge #88688 (New Bridge #69K86)**

NCE JOB NO. 20-8004

RECOMMENDED:



Hermantown City Engineer

5/26/2020

Date

LEGAL BASIS FOR REPORT

This report is prepared pursuant to a Resolution approved by the Hermantown City Council calling for the preparation of a preliminary engineering report, pursuant to Minnesota Statutes Section 429.031.

This report is prepared in accordance with said Section 429.031. Specifically, this report hereby advises the City Council, in a preliminary way, as to whether the proposed improvement is necessary, cost-effective and feasible and as to whether it should best be made as proposed or in connection with some other improvement.

This report also includes the estimated cost of the improvements as recommended.

The compensation paid to Northland Consulting Engineers, LLC for preparing this report is based on the following factors:

1. The time and labor required.
2. The experience and knowledge of the preparer.
3. The complexity and novelty of the problems involved.
4. The extent of the responsibilities assumed.

The compensation paid to Northland Consulting Engineers, LLC. for preparing this report is not based on a percentage of the estimated cost of the improvement.

PURPOSE

The purpose of this report is to determine the impact, cost effectiveness, and economic feasibility to reconstruct the Swan Lake Road Bridge over Miller Creek, and rehabilitating Swan Lake Road and Sundby Road.

DISCUSSION/BACKGROUND

In May 2019 the City of Hermantown began to consider the rehabilitation of Swan Lake Road from Haines Road to Air Base Road. With consideration of the future improvements necessary to the road, the City conducted a routine inspection of the bridge on Swan Lake Road over Miller Creek (State Bridge # 88688). Inspection found the bridge to be identified as being “Functionally Obsolete”. This means the bridge is not built to today’s standards to serve the traveling public safely and efficiently because it was built in 1930 and to the standards back then. As defined in the Federal Highway Recording and Coding guide, this bridge is “intolerable requiring high priority of corrective action.” Aside from being functionally obsolete, the bridge also exhibits a large amount of loss of concrete at and below the water line from years of wear from many freeze/thaw cycles, areas of exposed reinforcement exhibit much rusting, delaminated concrete at the head walls both upstream and downstream, and the railing on the bridge being substandard are not an effective vehicle barrier. As a result of the bridges condition, inspection frequency has been increased from 24 month to 12 months, and the bridge was recommended to be programmed for replacement within 5 years.

Following the inspection, the City had programmed the Bridge #88688 for replacement. In early 2019 St. Louis County (SLC) approached the City of Hermantown and notified them that they would be rehabbing Airport Approach Road, Airbase Road, and the SLC portion of Swan Lake Road in 2021. The City of Hermantown evaluated the City's 5-year Road Improvement Plan and saw the need to rehabilitate an adjoining section of Swan Lake Road, including Bridge #88688, and nearby Sundby Road. Each of these roadway segments and Bridge # 88688 area in a failing state and in need of repair. Through multiple discussions, SLC and Hermantown came to a cooperative agreement that allows SLC to add the construction of these respective segments and Bridge #88688 replacement to their 2021 project.

Sundby Road currently is paved 24' with gravel shoulders varying from 2' to 4' on each side, some of which are steep and vegetated. The pavement thickness is 3.5". Swan Lake Road has a similar section of 24' width with 2' shoulders and a pavement depth of 3.5". In order to make both roads stronger than they are today, SLC is proposing a 6" full depth reclamation, injecting Base One to a depth of 4", paving 22' with 4" & 5" bituminous to Sundby and Swan Lake respectively, and placing 2' gravel shoulders.

If Hermantown were to pave the road back to 24' it would likely necessitate removing the existing pavement, or making the shoulders/inslopes steep which would make them prone to erosion. Once SLC has determined grading limits, the City of Hermantown will need to seek temporary construction easements where necessary.

The City of Hermantown will fund the related engineering and construction costs associated with the Hermantown roads and bridge. As part of this project, 1/3 mile of Swan Lake Road, and 1/4 mile of Sundby Road would be rehabilitated with a reclaim and overlay and Bridge #88688 will be replaced (New Bridge #69K86). Construction of Bridge #69K86 will necessitate the closure of Swan Lake Road, the detour route will utilize Sundby Road and Air Base Road. See, attached map depicting each entities roads and responsibilities.

Saint Louis County Anticipated Cost *see attached engineers estimate for cost breakdown

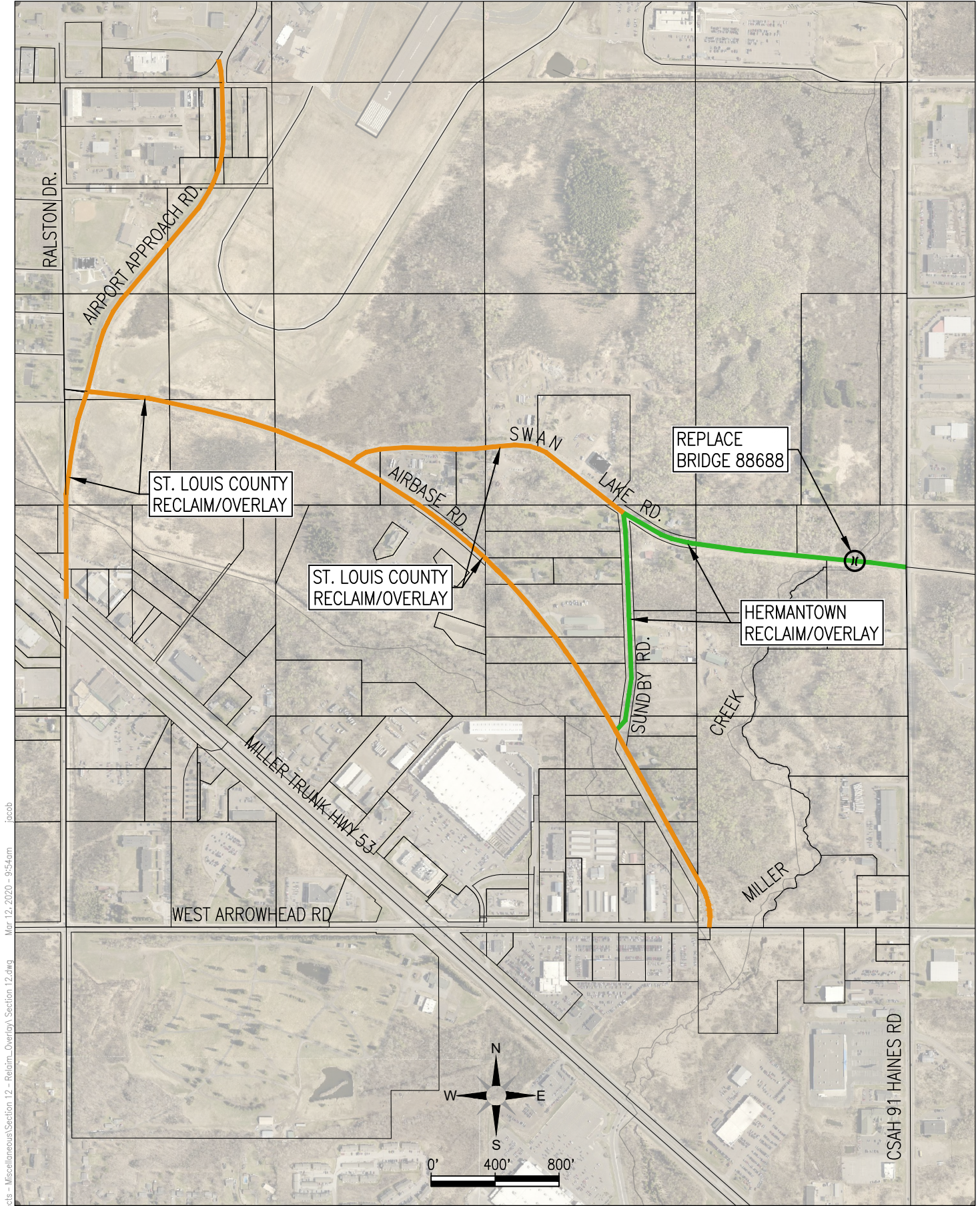
Swan Lake Road	\$159,000.00
Swan Lake Bridge (#88688)	\$133,000.00
Sundby Road	\$97,000.00
St. Louis County Engineering	\$25,000.00
TOTAL	\$414,000.00

Funding Sources

1. MSA Funds
2. Assessments – 15 Parcels – 11 Owners (1 parcel owned by City of Hermantown)
3. Stormwater Utility Fund

RECOMMENDATIONS

In reviewing the condition of Bridge #88688 and deteriorating conditions of Swan Lake Road & Sundby Road, it is recommend that the City of Hermantown proceed with both projects, with the section proposed by SLC above. This is further validated by the added economy of scale in partnering with SLC. NCE feels that SLC is providing a great service to The City of Hermantown by allowing them to participate in the project with them.



V:\City - Hermantown\Projects - Miscellaneous\Section 12 - Reclaim_Overlay\Section 12.dwg Mar 12, 2020 - 9:54am jacob


Northland
 Consulting Engineers L.L.P.
 102 South 21st. Ave. West Suite #1
 Duluth, Minnesota 55806
 Tele: 218.727.5995
 Fax: 218.727.7779
 www.nce-engineers.com

HERMANTOWN

SECTION 12

RECLAIM/OVERLAY

Sheet Title		Sheet # 1
RECLAIM/OVERLAY		
PROJECT:		
DATE:	03/12/20	
CHECKED:	DGB	
DRAWN:	JDO	

Swan Lake and Sundby Engineers Estimate

Swan Lake Road 14 x 6 Precast Box Culvert

Item Number	Description	Units	Contract Quantity	Unit Price	Total Price
2021.501	MOBILIZATION	LUMP SUM	1	\$10,000.00	\$10,000.00
2101.501	CLEARING & GRUBBING	LUMP SUM	1	\$2,000.00	\$2,000.00
2104.503	SAWING BIT PAVEMENT (FULL DEPTH)	LIN FT	48	\$5.00	\$240.00
2104.503	SALVAGE GUARDRAIL-PLATE BEAM	LIN FT	100	\$5.00	\$500.00
2104.504	REMOVE BITUMINOUS PAVEMENT	SQ YD	275.00	\$3.00	\$825.00
2105.504	GEOTEXTILE FABRIC TYPE 6	SQ YD	200	\$4.00	\$800.00
2105.601	DEWATERING	LUMP SUM	1	\$4,000.00	\$4,000.00
2105.601	TEMPORARY STREAM DIVERSION SYSTEM	LUMP SUM	1	\$10,000.00	\$10,000.00
2106.507	GRANULAR EMBANKMENT (CV) (P)	CU YD	350	\$15.00	\$5,250.00
2118.507	AGGREGATE SURFACING (CV) CLASS 5 (P)	CU YD	10	\$35.00	\$350.00
2211.507	AGGREGATE BASE (CV) CLASS 5 (P)	CU YD	90	\$35.00	\$3,150.00
2412.502	14X6 PRECAST CONCRETE BOX CULV END SECT	EACH	2	\$12,000.00	\$24,000.00
2412.503	14X6 PRECAST CONCRETE BOX CULVERT	LIN FT	45	\$950.00	\$42,750.00
2442.501	REMOVE EXISTING BRIDGE	LUMP SUM	1	\$5,000.00	\$5,000.00
2451.507	COARSE AGGREGATE BEDDING (CV) (P)	CU YD	50	\$45.00	\$2,250.00
2501.502	INSTALL CULVERT MARKER	EACH	4	\$100.00	\$400.00
2501.507	CULVERT EXCAVATION CLASS U (P)	CU YD	450.00	\$18.00	\$8,100.00
2511.507	RANDOM RIPRAP CLASS II (P)	CU YD	40	\$75.00	\$3,000.00
2511.602	PLACE BOULDER	EACH	6	\$250.00	\$1,500.00
2563.601	TRAFFIC CONTROL	LUMP SUM	1	\$3,500.00	\$3,500.00
2573.503	SILT FENCE; TYPE HI	LIN FT	250.00	\$4.00	\$1,000.00
2574.507	COMMON TOPSOIL BORROW	CU YD	75	\$25.00	\$1,875.00
2574.508	FERTILIZER TYPE 3	POUND	20	\$1.00	\$20.00
2575.504	EROSION CONTROL BLANKETS CATEGORY 3N	SQ YD	500.00	\$1.80	\$900.00
2575.505	SEEDING	ACRE	0.1	\$800.00	\$80.00
2575.508	SEED MIXTURE 25-141	POUND	15	\$6.00	\$90.00
2575.523	RAPID STABILIZATION METHOD 3	M GALLON	2	\$700.00	\$1,400.00
					\$132,980.00

Swan Lake Road Reclaim & Overlay with 6" of bituminous
0.33 miles (1,750')

Item Number	Description	Units	Contract Quantity	Unit Price	Total Price
2021.501	MOBILIZATION	LUMP SUM	1	\$7,500.00	\$7,500.00
2104.502	REMOVE AND REPLACE CULVERT	EACH	2	\$5,000.00	\$10,000.00
2104.503	SAWING BIT PAVEMENT (FULL DEPTH)	LIN FT	150	\$2.00	\$300.00
2104.504	REMOVE BITUMINOUS PAVEMENT	SQ YD	100	\$4.00	\$400.00
2118.509	AGGREGATE SURFACING CLASS 5	TON	300	\$21.00	\$6,300.00
2123.510	MOTOR GRADER	hour	8	\$325.00	\$2,600.00
2123.510	4.0 CU YD FRONT END LOADER	hour	4	\$180.00	\$720.00
2123.510	8 TON STEEL-WHEELED ROLLER	hour	8	\$300.00	\$2,400.00
2130.523	WATER	M GALLON	8	\$40.00	\$320.00
2131.506	CALCIUM CHLORIDE SOLUTION	GALLON	600	\$1.00	\$600.00
2211.509	AGGREGATE BASE CLASS 5	TON	150	\$15.00	\$2,250.00
2215.504	FULL DEPTH RECLAMATION	SQ YD	4750	\$0.65	\$3,087.50
2215.604	BASE STABILIZATION (BASE ONE)	SQ YD	4750	\$0.65	\$3,087.50
2232.504	MILL BITUMINOUS SURFACE (2.0")	SQ YD	4750	\$1.50	\$7,125.00
2357.506	BITUMINOUS MATERIAL FOR TACK COAT	GALLON	560	\$2.50	\$1,400.00
2360.509	TYPE SP 9.5 WEARING COURSE MIX (3;C)	TON	1100	\$60.00	\$66,000.00
2360.509	TYPE SP 12.5 WEARING COURSE MIX (3;C)	TON	550	\$60.00	\$33,000.00
2360.509	TYPE SP 9.5 BIT MIXTURE FOR ENTRANCES (3,C)	TON	12	\$175.00	\$2,100.00
2540.602	MAIL BOX SUPPORT	EACH	4	\$250.00	\$1,000.00
2563.601	TRAFFIC CONTROL	LUMP SUM	1	\$4,500.00	\$4,500.00
2580.503	INTERIM PAVEMENT MARKING	LIN FT	7000	\$0.15	\$1,050.00

2582.503	6" SOLID LINE MULTI COMP	LIN FT	3500	\$0.40	\$1,400.00
2582.503	24" SOLID LINE MULTI COMP	LIN FT	24	\$5.00	\$120.00
2582.503	4" DBLE SOLID LINE MULTI COMP	LIN FT	1750	\$0.75	\$1,312.50
					\$158,572.50

Sundby Road Reclaim & Overlay with 3.5" of bituminous
0.25 miles (1,320')

Item Number	Description	Units	Contract Quantity	Unit Price	Total Price
2021.501	MOBILIZATION	LUMP SUM	1	\$7,500.00	\$7,500.00
2104.502	REMOVE AND REPLACE CULVERT	EACH	2	\$5,000.00	\$10,000.00
2104.503	SAWING BIT PAVEMENT (FULL DEPTH)	LIN FT	175	\$2.00	\$350.00
2104.504	REMOVE BITUMINOUS PAVEMENT	SQ YD	100	\$4.00	\$400.00
2118.509	AGGREGATE SURFACING CLASS 5	TON	225	\$21.00	\$4,725.00
2123.510	MOTOR GRADER	HOUR	8	\$325.00	\$2,600.00
2123.510	4.0 CU YD FRONT END LOADER	HOUR	4	\$180.00	\$720.00
2123.510	8 TON STEEL-WHEELED ROLLER	HOUR	8	\$300.00	\$2,400.00
2130.523	WATER	M GALLON	8	\$40.00	\$320.00
2131.506	CALCIUM CHLORIDE SOLUTION	GALLON	440	\$1.00	\$440.00
2211.509	AGGREGATE BASE CLASS 5	TON	100	\$15.00	\$1,500.00
2215.504	FULL DEPTH RECLAMATION	SQ YD	3520	\$0.65	\$2,288.00
2215.604	BASE STABILIZATION (BASE ONE)	SQ YD	3520	\$0.65	\$2,288.00
2232.504	MILL BITUMINOUS SURFACE (2.0")	SQ YD	3520	\$1.50	\$5,280.00
2357.506	BITUMINOUS MATERIAL FOR TACK COAT	GALLON	215	\$2.50	\$537.50
2360.509	TYPE SP 9.5 WEARING COURSE MIX (3;C)	TON	310	\$60.00	\$18,600.00
2360.509	TYPE SP 12.5 WEARING COURSE MIX (3;C)	TON	410	\$60.00	\$24,600.00
2360.509	TYPE SP 9.5 BIT MIXTURE FOR ENTRANCES (3,C)	TON	24	\$175.00	\$4,200.00
2540.602	MAIL BOX SUPPORT	EACH	4	\$250.00	\$1,000.00
2563.601	TRAFFIC CONTROL	LUMP SUM	1	\$4,500.00	\$4,500.00
2580.503	INTERIM PAVEMENT MARKING	LIN FT	5280	\$0.15	\$792.00
2582.503	6" SOLID LINE MULTI COMP	LIN FT	2640	\$0.40	\$1,056.00
2582.503	24" SOLID LINE MULTI COMP	LIN FT	48	\$5.00	\$240.00
2582.503	4" DBLE SOLID LINE MULTI COMP	LIN FT	1320	\$0.75	\$990.00
					\$97,326.50

TO: Mayor & City Council
FROM: Eric Johnson, Community
Development Director



DATE: May 26, 2020 **Meeting Date:** 6/1/20
SUBJECT: Extend a Preliminary **Agenda Item: 12-E** **Resolution 2020-79**
Planned Unit Development
Approval

REQUESTED ACTION

Approve a one year extension to the Preliminary Planned Unit Development (PUD) for a twenty-six unit/lot residential project associated with the Engwall's site redevelopment.

DESCRIPTION OF REQUEST

Applicant is requesting a one year extension to the Preliminary Planned Unit Development (PUD) for a twenty-six unit/lot residential project associated with the Engwall's site redevelopment.

Section 1125 of the Hermantown Zoning code indicates that no PUD approval shall be valid for a period longer than 365 days unless a building permit is issued, which has not occurred. The applicant has requested a one year extension due to the challenges with the design of the stormwater systems combined with uncertainties created by the Covid 19 pandemic, both of which have caused delays in the project.

ATTACHMENTS:

Engwall Estates Land Development Letter

Resolution No. 2020-79

RESOLUTION APPROVING AN EXTENSION OF THE PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN FOR ENGWALLS REDEVELOPMENT

WHEREAS, Sandy Hoff (Applicant) submitted a preliminary Planned Unit Development Plan (PUD) with respect to certain property located in the City of Hermantown; and

WHEREAS, the Hermantown Planning and Zoning Commission held a public hearing on the preliminary PUD on April 23, 2019 following notice as required by the City's Zoning Code; and

WHEREAS, the Hermantown Planning and Zoning Commission held a public hearing on the preliminary PUD on May 21, 2019 following notice as required by the City's Zoning Code; and

WHEREAS, the Hermantown City Council held a public hearing on the PUD at its meeting on June 3, 2019 and approved the PUD by Resolution No. 2019-92; and

WHEREAS, the Hermantown Zoning Code states that no PUD is valid after 365 days unless a Building Permit is issued; and

WHEREAS, the Applicant has asked the City Council to extend the preliminary PUD for one year; and

WHEREAS, the Hermantown Zoning Code allows for the City Council to extend the PUD upon receiving written request by the Applicant; and

WHEREAS, the Hermantown City Council has duly considered the request to extend the preliminary PUD and believes it to be in the best interests of the City of Hermantown to grant such request.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hermantown, Minnesota, as follows:

1. The preliminary PUD is hereby extended to June 1, 2021.
2. The City Clerk is hereby directed to notify the Applicant, the planning and Zoning Administrator and the Planning and Zoning Commission of the extension of the preliminary PUD.

Councilor _____ introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolutions was seconded by Councilor _____ and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted June 1, 2020.

Engwall Estates Land Development

May 19, 2020

Mr. Eric Johnson
Community Development Director
City of Hermantown

Re: Engwall Estates Planned Unit Development Extension Request

Dear Mr. Johnson:

Over the past year our development team has worked diligently to move the proposed land development project forward. Challenges with the design of the stormwater systems combined with uncertainties created by the Covid 19 pandemic, have caused delays in the project.

Section 1125 of the Hermantown Zoning code indicates that no PUD approval shall be valid for a period longer than 365 days unless a building permit is issued, which has not occurred. Therefore, I am respectfully requesting that the City Council extend the PUD approval for another 365 days.

Thank you for your consideration.

Respectfully Submitted.



Sandy Hoff
Co-Developer
Engwall Estates

CC: Luke Sydow

TO: Mayor & City Council
FROM: Eric Johnson, Community
Development Director



DATE: May 26, 2020 **Meeting Date:** 6/1/20
SUBJECT: Preliminary and Final PUD **Agenda Item: 12-F** **Resolution 2020-80**
for a 9 lot residential
development

REQUESTED ACTION

Approve a Preliminary and Final Planned Unit Development (PUD) for construction of a nine lot single family residential development at 5753 Maple Grove Road. The property is located in an S-1, Suburban zoning district.

DESCRIPTION OF REQUEST

Applicant is requesting approval of a Preliminary and Final Planned Unit Development (PUD) for construction of a nine lot residential development at 5753 Maple Grove Road. The property is located in an S-1, Suburban zoning district.

SITE INFORMATION:

Parcel Size: 45.0 acres
Legal Access: 5753 Maple Grove Road
Wetlands: Yes, delineation approved in 2016; Impacts approved in 2020
Existing Zoning: S-1, Suburban (5.0 acre minimum)
Airport Overlay: None
Shoreland Overlay: None
Comprehensive Plan: Suburban

Development Details

The applicant is proposing to construct nine residential lots over two existing lots totaling 45.0 acres with the lots ranging in size from 2.5 acres to 11.45 acres.

A public hearing was held at the May 19, 2020 Planning and Zoning Commission meeting. There were approximately 10 members of the project who spoke regarding the proposed project. Concerns included that a residential development is out of context with the surrounding properties which are typically large acreage parcels. There was also concern that the proposed properties are less than the 5.0 acre minimum lot size. The Planning and Zoning Commission unanimously recommended the project be moved to the City Council for its consideration.

The proposed PUD includes nine lots with an average of 4.72 acres per lot and 2.50 acres of Right-of-Way for the residential street to access the lots. The PUD development will utilize the varying lot sizes to protect the existing the majority of the wetlands on the site with the impacts primarily associated with the construction of the road.

The lots will be accessed by a 1550-foot-long cul-de-sac road. The road design follows the City's typical rural residential street section, with a 66 foot width Right-of-Way, a 24 foot paved driving surface with 2 foot shoulders on both sides and a cul-de-sac at the end of the road.

PUD Process:

The City's zoning regulations governing PUD's require that each PUD obtain preliminary and final approval. At the City's discretion, the preliminary and final PUD approvals may be processed concurrently. The City determined that preliminary and final review is appropriate in this case as the project scale and density is similar to that which is allowed in an S-1 zoning district.

The PUD review and approval process include a public hearing by the Planning Commission and a recommendation to the City Council. A PUD order will be issued by the City setting project specific development standards. Following completion of the development contract the applicant will be granted final Zoning approval and can begin construction, pending approval of the associated building permits.

Per Section 1105 of the Planned Unit Development section of the Zoning Ordinance, it requires that a PUD must provide public benefits to the surrounding neighborhood and to the city above and beyond what can be reasonably achieved by application of the zoning provisions applicable to the underlying zoning district. The nature and scale of public benefit shall be determined by the City and include, but not be limited to:

Preservation and enhancement of natural systems and resources, topography, vegetation, and other natural features. – This project creates a conservation neighborhood. By creating varying sizes of lots, the applicant proposes nine lots over 42.5 acres (does not include road ROW) for an average lot size of 4.72 acres. This allows for the preservation of 14.6+/- acres of wetland area.

Zoning Analysis:

The property is zoned S-1, Suburban. The applicant has applied for a Planned Unit Development (PUD) for the property. A PUD is a permitted use in an S-1 zone district. Section 11 of the zoning ordinance explains that: 'A PUD is intended to encourage a more efficient and creative use of land and development, more efficient and effective use of streets, utilities and public services; protection of natural resources; and more efficient and effective provision of recreational, public and open space than can be achieved through conventional development procedures.

Setbacks

City Code allows a PUD to have standards that meet the City's goals for each proposed development. These standards include building height, density, roadway widths and setbacks. The proposed project is for nine single family residential lots and the design meets the underlying setback requirements of the S-1 zoning district in regards to front, side and rear yard setbacks. Lots 1-3 and 7-9 meet the required 300 foot lot width at the building setback line. The three cul-de-sac lots range in lot width from 135 to 273 feet as measured at the building setback line. The average lot width for the nine lots is 377 feet.

Plat

The developer has submitted a preliminary plat for the proposed Jenny Farms development. The plat identifies the lots, delineated wetlands and the proposed road right of way.

Utilities

The lots will have on site private water and septic sewer. Per St. Louis County requirements, each lot identifies a primary and secondary septic field. A well location is also identified on the proposed plans.

Park Dedication Fees

The developer will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100 per lot/unit will be paid at the time of PUD approval.

Wetlands

There are 14.75 acres of wetlands on the property which were delineated in 2016. The preliminary plat proposes 3,785 square feet of permanent wetland impacts. The Hermantown Technical Evaluation Panel (TEP) approved a de minimis exemption for these impacts as they are less than the allowed 10,000 square feet of wetland impacts. These wetland impacts are primarily associated with the construction of the road.

Stormwater

The applicant is proposing to treat stormwater in two separate retention treatment ponds. The site has an approximate mid-point drainage divide with 40% of the site flowing to the southern pond and the remaining 60% flowing to the north. The applicant has engaged an engineer to prepare drainage and grading plans with the final location, sizing, and design of permanent stormwater control subject to approval of final stormwater plans and MS4 Letter of Compliance by the City Engineer.

Summary

Staff recommends approval of the Preliminary and Final PUD based on the findings of this report and the following conditions

1. The proposed development plan meets the intent of the S-1, Suburban Zoning District and the overall goals and policies of the Zoning Ordinance.
2. The proposed development meets the Comprehensive Plan for residential development and standards of a Planned Unit Development by providing public benefit through clustering of development to protect shorelands and wetlands.
3. A PUD may be allowed in any zoning district in the City of Hermantown. In addition, all permitted and conditional uses listed in the underlying specific district are allowed in a PUD.
4. Prior to issuance of a building permit:
 - a. All necessary permits shall be obtained
 - b. Developer shall obtain a Stormwater Certificate and submit the required cash escrow or letter of credit.
5. The Property Owner shall take measures to control erosion that has the potential to damage adjacent land, and control sedimentation that has the potential to leave the site.
6. Prior to issuance of a building permit, all necessary permits shall be obtained, including, without limitation, any stormwater permits required by the Minnesota Pollution Control Agency.
7. Finalization of all construction documents (roadway, stormwater) according to City standards and coordinated with the City Engineer.

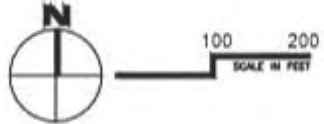
8. The applicant shall describe best management methods that will be used to demarcate and protect wetlands that are located on site, including physically signing boundaries and providing electronic and GIS information to City documenting the wetland boundaries.
9. The developer shall comply with the following conditions during construction:
 - a. Development activity shall comply with all City noise ordinances. There shall be no construction activity between the hours of 10 p.m. and 7 a.m.
 - b. Loud equipment shall be kept as far as possible from adjacent residences.
 - c. The site shall be kept free of dust and debris that could blow onto neighboring properties.
 - d. Public streets shall be maintained free of dirt and shall be cleaned as necessary.
 - e. The City shall be contacted a minimum of 72 hours prior to any work in a public street or right-of-way. Work in a public street shall take place only upon the determination by the Public Works Director that appropriate safety measures have been taken to ensure motorist and pedestrian safety.
 - f. The Zoning Administrator may impose additional conditions if it becomes necessary in order to mitigate the impact of construction on surrounding properties.
10. Prior to the issuance of any temporary or permanent occupancy permit the following shall be completed:
 - a. All exterior building improvements shall be completed.
 - b. All disturbed areas on the site shall be seeded or sodded.
11. The developer shall pay a park dedication fee of \$1,100 per lot/unit in lieu of dedicated park land. This fee will be paid at the time of PUD approval. Bedroom fees of \$150/bedroom shall be paid at time of building permit application.
12. The applicant will have one year from the Final PUD approval to enter into a Development Agreement with the City.
13. The applicant shall sign a consent form assenting to all conditions of this approval.
14. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS:

- Location Map
- Preliminary Grading/Stormwater Plan
- Narrative

Location Map



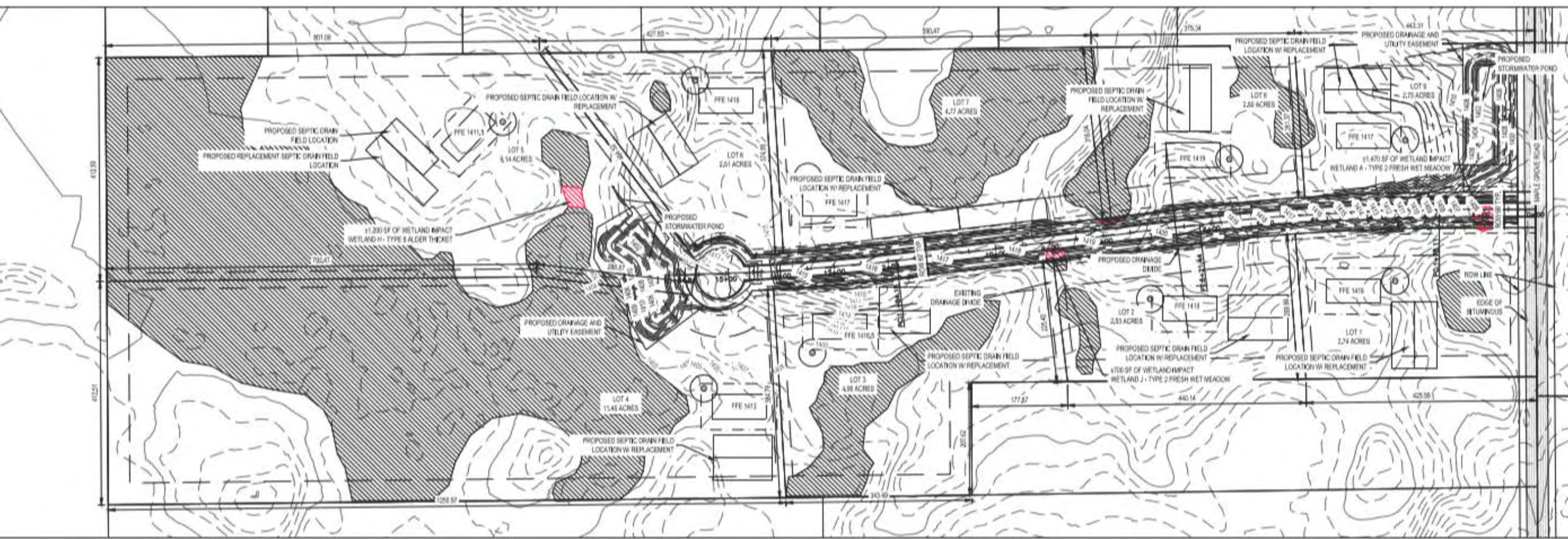


- PROPOSED CONDITIONS LEGEND:**
- EXISTING PROPERTY BOUNDARY LINE
 - PROPOSED RIGHT OF WAY LINE
 - PROPOSED PROPERTY BOUNDARY LINE
 - PROPOSED SETBACK LINE
 - PROPOSED SEPTIC SETBACK LINE
 - EXISTING MINOR CONTOUR
 - EXISTING MAJOR CONTOUR
 - DELINEATED WETLAND
 - PROPOSED WELL LOCATION W/30 SANITARY OFFSET

SITE TABLE		
ZONING CLASSIFICATION	RURAL / SUBURBAN S1	
EXISTING SITE CONDITIONS		
TOTAL SITE AREA	±1,900,200 SF	± 45.00 ACRE
EXISTING IMPERVIOUS	± 0 SF	± 0.00 ACRE
EXISTING PERVIOUS	±1,900,200 SF	± 45.00 ACRE
PROPOSED SITE CONDITIONS		
PROPOSED RESIDENTIAL LOTS	9	
PROPOSED IMPERVIOUS FROM LOTS	81,900 SF	
PROPOSED IMPERVIOUS ROADWAY	± 47,938 SF	
TOTAL NEW IMPERVIOUS AREA	± 129,838 SF	
NOTES: PUD - THE PUD WOULD ALLOW FOR THE MINIMUM LOT SIZES TO BE LESS THAN THE REQUIRED 5.0 ACRE LOT IN A S1 ZONING CLASSIFICATION		

- NOTES:**
- ASSUMPTIONS:**
- HOUSE PAD SIZING OF 45' X 100'
 - AN ALLOWED MAXIMUM OF 13,200 SF OF WETLAND IMPACTS
 - 16' WIDE DRIVEWAYS FOR HOUSES
 - TYPICAL RURAL RESIDENTIAL STREET SECTION
 - TYPICAL DIMENSIONS FOR SEPTIC DRAIN FIELDS
 - 17' LONGER THAN ROCK BED ON EACH END
 - 14' WIDER THAN ROCK BED ON THE UP GRADIENT SLOPE
 - 37' WIDER THAN ROCK BED ON THE DOWN GRADIENT SLOPE

WETLAND IMPACTS	
TOTAL PROPOSED WETLAND IMPACT AREA	± 3,695 SF
TOTAL TYPE 2 - FRESH WET MEADOW IMPACT	± 2,170 SF
TOTAL TYPE 6 - ALDER THICKET MAP	± 1,525 SF





91 Main St. Superior, WI 54880 715.718.2193

Memo

To: City of Hermantown
From: Noah P. Tapper
cc: Karen Keenan, Gary Gilbert, Shaine Stokke
Date: 04/03/2020
Re: Jenny Farms PUD Development – 5753 Maple Grove Road

The Jenny Farms development located at 5753 Maple Grove Road will be started as a PUD development. The development is in zoning district Rural/Suburban S-1. The Jenny Farms development will require a variance from the City of Hermantown on the minimum lot size of 5 acres. The total development area is a combined 45 acres between the two parcels owned by Shaine Stokke to be used for this development. The two parcels include PID numbers 395-0010-04990 (25.00 Acres) and 395-0010-05020 (20.00 Acres). The 2 parcels are to be replatted into nine separate lots. The nine lots will have an average of 4.72 acres per a lot and 2.50 acres of Right-of-Way for the residential street to access the lots. The largest lot in the development will be 11.45 acres and the smallest being 2.50 acres. The PUD development will utilize the variance to protect the existing wetlands on the site and minimize the impact of the wetlands while also providing nine new rural residential lots for the expansion of the City of Hermantown housing.

The entirety of the 45 acres will be used to support residential housing, there will be an approximately 1550-foot-long cul-de-sac road that will provide access to the nine residential lots. Following the City of Hermantown's typical rural residential street section, the Right-of-Way will be 66 feet wide through the entirety of the street, with a cul-de-sac at the end of the street.

We request this information be reviewed by the City of Hermantown along with the supporting documents in the application for the PUD and Subdivision Application, and approval to start the design of the 9 lot development of Jenny Farms in the City of Hermantown.

Feel free to reach out to me at noah.tapper@amiengineers.com or 715-718-5719 if you have any questions or concerns about the PUD and the development.

Thank you,

Noah Tapper

Resolution No. 2020-80

**RESOLUTION APPROVING PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT
FOR SHAINÉ STOKKE**

WHEREAS, Shaine Stokke (Applicant) has submitted a complete application (Application) for a preliminary and final Planned Unit Development (PUD) to allow construction of a nine lot single family development located at 5753 Maple Grove Road; and

WHEREAS, the Hermantown Planning and Zoning Commission held a public hearing on the preliminary and final PUD on May 19, 2020 following notice as required by the City's Zoning Code; and

WHEREAS, following the public hearing on the preliminary and final PUD, the Hermantown Planning Commission recommend on a 4-0 vote that the City Council approve the preliminary and final PUD; and

WHEREAS, the City Council has duly considered this matter and believes that it is in the best interests of the City of Hermantown that the preliminary and final PUD be approved, subject to certain conditions being met.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hermantown, Minnesota, as follows:

1. The proposed development plan meets the intent of the S-1, Suburban Zoning District and the overall goals and policies of the Zoning Ordinance.
2. The proposed development meets the Comprehensive Plan for residential development and standards of a Planned Unit Development by providing public benefit through clustering of development to protect shorelands and wetlands.
3. A PUD may be allowed in any zoning district in the City of Hermantown. In addition, all permitted and conditional uses listed in the underlying specific district are allowed in a PUD.
4. The tract of land ("Land") affected by the Plan is legally described on **Exhibit A** attached hereto and is under unified control and scheduled to be developed as one lot.
5. The Plan includes provisions for the preservation of natural amenities.
6. The Plan appears to harmonize with both existing and proposed development in the area surrounding the project site.
7. The Plan is comprised of at least two and one half (2 ½) acres of contiguous land.
8. The Plan includes residential uses.
9. Maps were provided with the Plan and contained the following:
 - 9.1 The existing topographic character of the land.

- 9.2 A composite of all natural amenities of the site including steep slopes, drainage ways plus marshes, ponds and lakes.
 - 9.3 The size of the site and proposed uses of the land to be developed together with an identification of off-site land uses.
 - 9.4 The density of land use to be allocated to the overall development.
10. The Plan includes the following:
- 10.1 A statement of the ownership of all land involved in the Planned Unit Development.
 - 10.2 An explanation of the general character of the planned development.
 - 10.3 A general indication of the expected time schedule of development.
11. The approval of the Final Development Plan is subject to the following modifications/conditions:
- 10.1 The Developer will cause all buildings within the development to be constructed in accordance with all applicable building and fire codes.
 - 10.2 In order to insure that the spirit and intent of the Hermantown Zoning Code is met modifications must be made to the Plan and conditions imposed on the development proposed by the Plan.
- 10 To accomplish the complex review process for approval of the Plan, the dates and deadlines of Chapter 11, "Planned Unit Developments" were reviewed and requirements met by the Developer.
- 11 The approval given by this Resolution is not effective until Developer executes and delivers an acceptance of the terms and provisions of this Resolution.
- 12 The developer will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100 per unit with an additional \$150 per bedroom fee will be paid at the time of application for each building permit. This will satisfy the requirements of Hermantown City Code Section 565.14.
- 13 A Final PUD Order consistent with the provisions of this resolution will be prepared by staff and the Mayor and City Clerk are authorized to execute the Final PUD Order.
- 14 Developer must pay all costs and expenses incurred by the City, including attorney's fees, planner fees and out of pocket costs incurred by the City.

Councilor _____ introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolutions was seconded by Councilor _____ and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted June 1, 2020.

LEGAL DESCRIPTION

Parcel 1

East 50 rods of Southwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$ ex. 5 acres at Southwest corner of Section 18, Township 50, Range 15.

Parcel 2

East 50 rods of Northwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$ of Section 18, Township 50, Range 15.

TO: Mayor & City Council
FROM: Eric Johnson, Community
Development Director



DATE: May 26, 2020 **Meeting Date:** 6/1/20
SUBJECT: Preliminary and Final Plat **Agenda Item: 12-G** **Resolution 2020-81**
for a 9 lot residential
development

REQUESTED ACTION

Approve a Preliminary and Final Plat for construction of a nine lot single family residential development at 5753 Maple Grove Road. The property is located in an S-1, Suburban zoning district.

DESCRIPTION OF REQUEST

Applicant is requesting approval of a Preliminary and Final Plat for construction of a nine lot residential development at 5753 Maple Grove Road. The property is located in an S-1, Suburban zoning district.

SITE INFORMATION:

Parcel Size: 45.0 acres
Legal Access: 5753 Maple Grove Road
Wetlands: Yes, delineation approved in 2016; Impacts approved in 2020
Existing Zoning: S-1, Suburban (5.0 acre minimum)
Airport Overlay: None
Shoreland Overlay: None
Comprehensive Plan: Suburban

Development Details

The applicant is proposing to construct nine residential lots over two existing lots totaling 45.0 acres with the lots ranging in size from 2.5 acres to 11.45 acres.

A public hearing was held at the May 19, 2020 Planning and Zoning Commission meeting. There were approximately 10 members of the project who spoke regarding the proposed project. Concerns included that a residential development is out of context with the surrounding properties which are typically large acreage parcels. The Planning and Zoning Commission unanimously recommended the project be moved to the City Council for its consideration.

The proposed plat includes nine lots with an average of 4.72 acres per lot and 2.50 acres of Right-of-Way for the residential street to access the lots. The PUD development will utilize the varying lot sizes to protect the existing the majority of the wetlands on the site with the impacts primarily associated with the construction of the road.

The lots will be accessed by a 1550-foot-long cul-de-sac road. The road design follows the City's typical rural residential street section, with a 66 foot width Right-of-Way, a 24 foot paved driving surface with 2 foot shoulders on both sides and a cul-de-sac at the end of the road.

PUD Process:

The developer has submitted a preliminary PUD for the proposed development. The City's zoning regulations governing PUD's require that each PUD obtain preliminary and final approval. At the City's discretion, the preliminary and final PUD approvals may be processed concurrently. The City determined that preliminary and final review is appropriate in this case as the project scale and density is similar to that which is allowed in an S-1 zoning district.

Zoning Analysis:

The property is zoned S-1, Suburban. The dimensional requirements for a lot in the S-1, Suburban district is 5.0 acre minimum lots with 300 feet of lot width.

Lot Size

The proposed plat includes nine lots with an average of 4.72 acres per lot and 2.50 acres of Right-of-Way for the residential street to access the lots. Lots 1-3 and 7-9 meet the required 300 foot lot width at the building setback line. The three cul-de-sac lots range in lot width from 135 to 273 feet as measured at the building setback line. The average lot width for the nine lots is 377 feet.

Setbacks

The proposed project is for nine single family residential lots and the design meets the underlying setback requirements of the S-1 zoning district in regards to front, side and rear yard setbacks.

Wetlands

There are 14.75 acres of wetlands on the property which were delineated in 2016. This preliminary plat proposes 3,785 square feet of permanent wetland impacts. The Hermantown Technical Evaluation Panel (TEP) approved a de minimis exemption for these impacts as they are less than the allowed 10,000 square feet of wetland impacts. These wetland impacts are primarily associated with the construction of the road.

Park Dedication Fees

The developer will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100 per lot/unit will be paid at the time of PUD approval.

Summary

Staff recommends approval of the Preliminary and Final Plat based on the following findings:

1. The proposed subdivision plan meets the criteria of the S-1, Suburban Zoning District and the overall goals and policies of the Zoning Ordinance.
2. The proposed subdivision meets the Comprehensive Plan for residential development.
3. The lots will have on site private water and septic sewer. Per St. Louis County requirements, each lot identifies a primary and secondary septic field. A well location is also identified on the proposed plans.
4. The development agreement shall prescribe either a:
 - a. Letter of Credit or other financial surety acceptable to the City Attorney for 125% of the construction value of the road and stormwater facilities to be made at the time of approval of the Final Plat, or
 - b. Installation of road and stormwater facilities prior to obtaining the Final Plat for the development.

5. Prior to starting any site work, the Applicant shall hold a preconstruction meeting with the appropriate development, construction, and City representatives.
6. Prior to issuance of a building permit:
 - a. All necessary permits shall be obtained.
7. Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.
8. Prior to issuance of a building permit, all necessary permits shall be obtained, including, without limitation, any stormwater permits required by the Minnesota Pollution Control Agency.
9. The Applicant shall comply with the following conditions during construction:
 - a. Development activity shall comply with all City noise ordinances. There shall be no construction activity between the hours of 10 p.m. and 7 a.m.
 - b. Loud equipment shall be kept as far as possible from adjacent residences.
 - c. The site shall be kept free of dust and debris that could blow onto neighboring properties.
 - d. Public streets shall be maintained free of dirt and shall be cleaned as necessary.
 - e. The City shall be contacted a minimum of 72 hours prior to any work in a public street or right-of-way. Work in a public street shall take place only upon the determination by the Public Works Director that appropriate safety measures have been taken to ensure motorist and pedestrian safety.
 - f. The Zoning Administrator may impose additional conditions if it becomes necessary in order to mitigate the impact of construction on surrounding properties.
10. Prior to the issuance of any temporary or permanent occupancy permit the following shall be completed:
 - a. All exterior building improvements shall be completed.
 - b. All disturbed areas on the site shall be seeded or sodded.
11. The Applicant shall pay a park dedication fee of \$9,900 (\$1,100/lot for 9 lots) in lieu of dedicated park land. This fee will be paid at the time of plat approval.
12. The Applicant shall sign a consent form assenting to all conditions of this approval.
13. The Applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS:

Location Map
Preliminary Plat

Location Map



PRELIMINARY PLAT OF JENNY FARMS

OWNER

Shaine Stokke
3708 Midway Road
Hermantown, MN. 55810

Legal Description

Parcel 395-0010-05020

The east 50 rods of the SW 1/4 of the SE 1/4 of Section 18, Township 50, Range 15, Except that part described as follows:
Beginning at a point on the South line of the East 50 rods of the SW 1/4 of the SE 1/4 of Section 18, Township 50, Range 15, a distance of 616.25 feet West of the Southeast corner thereof; thence North parallel with the west line of said East 50 rods, a distance of 1043.75 feet; thence West parallel with the South line of said East 50 rods a distance of 208.75 feet to the West line of said East 50 rods; thence South along said West line a distance of 1043.75 feet to the south line of said East 50 rods; thence East along said South line a distance of 208.75 feet to the point of beginning.

Parcel 395-0010-04990

The East 50 rods of the NW 1/4 of the SE 1/4 of Section 18, Township 50, Range 15.

Total Land Area = 45 Acres

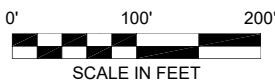
Wetlands as shown were located by Rob Peterson of Leggette, Brashears & Graham, Inc.

Soil testing by Spectrum Research, Inc.

Property address is 5753 Maple Grove Rd.

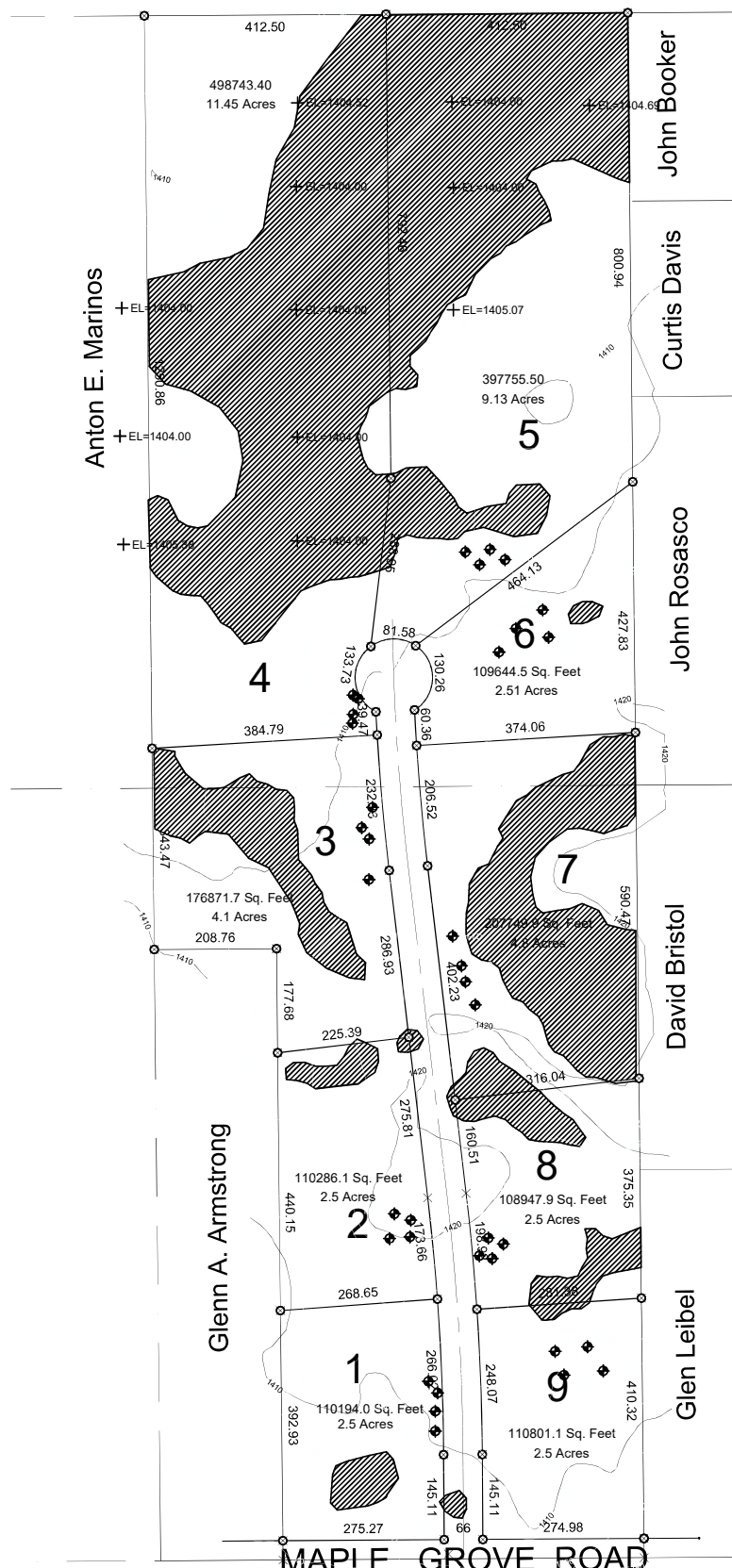
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Date: 3/27/20
Ronald L. Krueger
Ronald L. Krueger MN License No. 14374



DATE: 3/27/20
SCALE: 1 IN = 200 FEET
PROP ADD: XXX
PROJECT NO: 16-001

Britt E. Buerskin



MAPLE GROVE ROAD

Britt E. Buerskin

RON KRUEGER
Registered Land Surveyor, LLC
7066 HIGHWAY 8
SAGINAW, MN 55779
Phone: 218-390-4030

Resolution No. 2020-81

RESOLUTION APPROVING PRELIMINARY PLAT, IMPOSING CONDITIONS ON THE APPROVAL OF THE FINAL PLAT AND AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE SUCH PLAT UPON THE SATISFACTION OF SUCH CONDITIONS

WHEREAS, paper prints of the preliminary plat (“Plat”) have been submitted to the City Clerk; and

WHEREAS, the developer (“Developer”) of the Preliminary Plat has requested that the City Council approve the Plat; and

WHEREAS, the Hermantown Planning and Zoning Commission has recommended the approval of the Preliminary Plat; and

WHEREAS, upon the satisfaction of the conditions set forth herein, the Preliminary Plat will satisfy the requirements of the Hermantown Zoning Code; and

WHEREAS, the City Council has duly considered this matter and believes that it is in the best interests of the City of Hermantown that the Preliminary Plat be approved, subject to certain conditions being met.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hermantown, Minnesota, as follows:

1. The Preliminary Plat is hereby approved.
2. The Mayor and the City Clerk are hereby authorized to execute and deliver the Final Plat on behalf of the City of Hermantown when the Mayor, City Clerk, City Attorney determine that all of the following items have been satisfied:
 - (a) Either (i) the construction of the public road and stormwater improvements within the Plat are completed in accordance with City specifications or (ii) the Developer provides the City with a performance bond, letter of credit or cash deposit in an amount equal to 125% of the City Engineer’s estimate of cost of constructing the public road and stormwater improvements within the Plat, that is in form and substance acceptable to the City Attorney and provided by a financial institution or surety acceptable to the City to be in effect for one year to cover the cost of constructing the public road and stormwater improvements within the Plat.
 - (b) The Developer pays all costs incurred by the City of Hermantown in connection with the review and consideration of the Plat to the date such Plat is executed, and executes and delivers a Development Agreement, in form and substance acceptable to the City Attorney and approved by the City Council, wherein, among other things, the Developer agrees to pay all costs incurred by the City in connection with the Plat and the public road and stormwater improvements within such Plat to the date the Plat is executed. The execution and delivery of an agreement will satisfy this requirement.
 - (c) The City Attorney examines or causes the title of the land underlying the Plat to be examined and the Developer completes all actions required to be taken by the City Attorney and City Engineer.

- (d) The Plat dedication on the final Plat is in form and substance acceptable to the City Attorney and City Engineer.
- (e) The final Plat is duly and properly executed by all parties with an interest in the land underlying the Plat, as determined by the City Attorney, and the signatures of such parties are duly and properly notarized.
- (f) The City is provided with the copies of the final Plat as is required under the Hermantown subdivision platting regulations.
- (g) The final Plat is approved in writing by the City Planner, City Surveyor and City Engineer as being in compliance with the Hermantown subdivision platting regulations or if found as not being in compliance, the Developer completes all actions to be taken by the City Planner and City Surveyor/Engineer to cause it to be in compliance with such regulations.
- (h) Any deficiency noted by the surveyor on the Preliminary Plat will be corrected on the final Plat.

Councilor ____ introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolutions was seconded by Councilor _____ and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted June 1, 2020.