



## **Hermantown City Council Meeting – September 21, 2020**

Because attendance at the regular meeting location is not entirely feasible due to the health pandemic, Hermantown's September 21, 2020 City Council Meeting, as well as Pre-Agenda Meeting, will be conducted remotely with limited access to Council Chambers. People can attend in person, but will be expected to follow social distancing guidelines and are required to wear a mask.

Both meetings will utilize the platform "Zoom" – which allows the public to view and/or hear the meeting from their phone or computer. Attendance is allowed at City Hall, with social distancing guidelines to be followed and masks required.

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

<https://us02web.zoom.us/j/82829942978?pwd=ZFlod2tmdWx1S0RQVzhQSVFvb3JHdz09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number of 828-2994-2978 and the password 465145.

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](mailto:jwicklund@hermantownmn.com) up to 3:30 p.m. the day of the meeting with the e-mail title "September 21, 2020 Meeting." It is important to note that all comments regarding the September 21, 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/87920653380?pwd=MXRRUEM1eFg2eEw2bWINS2VIRDlaUT09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number 879-2065-3380 and the password 136051. Public comment is not a factor in the pre-agenda meeting, but the public is invited to listen to this meeting.



## **AGENDA**

### **Pre-Agenda Meeting Monday, September 21, 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.

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### **City Council Continuation Meeting September 21, 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, September 21, 2020 at 4:30 p.m.  
Large Conference Room  
Hermantown Governmental Services Building**

**City Council Continuation Meeting September 21, 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. **20-151** Greg Zylka, Mayor, Little Falls  
TO: John Mulder, City Administrator  
RE: Coalition of Greater Minnesota Cities
  - B. **20-153** Ann Porter, LHB  
TO: Phil Johnson & Jake Klocke, McGough  
RE: Essentia Wellness Center 11-Month Warranty Walk Through
7. **PRESENTATIONS** *(Department Heads may give reports if necessary.)*
  - A. Paul Senst, Public Works Director *(Pre-Agenda Only)*  
RE: [Stormwater Efforts](#)
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 [September 8, 2020 City Council Minutes](#)

- B. Accounts Payable** – Approve general city warrants from September 1, 2020 through September 15, 2020 in the amount of \$254,071.25

(motion, roll call)

**10. MOTIONS**

Motion regarding a recommendation on request by Arrowhead Builders Association regarding rent payments.

**11. ORDINANCES**

- A. 2020-06**      An Ordinance Amending Sections 1005 And 1010 Of The Hermantown Zoning Regulations

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. 2020-131**      Resolution To Adopt The Proposed Property Tax And Proposed Budget For Taxes Payable 2021 And Scheduling The Truth In Taxation Hearing

(motion, roll call)

- B. 2020-132**      Resolution Authorizing The Hiring Of An Additional Police Officer in 2020

(motion, roll call)

- C. 2020-133**      Resolution Approving CARES Budget And The First Funding Report

(motion, roll call)

- D. 2020-134**      Resolution Directing Preparation Of Preliminary Engineering Feasibility Report For Construction Of A New Road Near The Intersection Of Lavaque Road And Highway 53

(motion, roll call)

- E. 2020-135**      Resolution Requesting Variance From State Aid Rule 8820.2800 Subpart 2A For Loberg Avenue Project And Arrowhead Road Scrub And Seal Project (SAP 202-030-002; SAP 069-030-04 And SAP 069-030-05)

(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

9/3/2020	20-149	Stacy Caldwell Melcher, St. Louis County	Bonnie Engseth, City Clerk	Proposed Sale of State Tax Forfeited Land	8/27/2020
9/14/2020	20-150	John Mulder, City Administrator	Jason Christoff, 3760 Alexander Rd.	Road Improvement Project	8/20/2020
9/14/2020	20-151	Greg Zylka, Mayor, Little Falls	John Mulder, City Administrator	Coalition of Greater Minnesota Cities	8/27/2020
9/14/2020	20-152	Cathy Rand, North Risk Partners	John Mulder, City Administrator	Workers' Compensation	8/27/2020
9/14/2020	20-153	Ann Porter, LHB	Phil Johnson & Jake Klocke, McGough	Essentia Wellness Center 11-Month Warranty Walk Through	9/4/2020
9/14/2020	20-154	Mai Moua, State of MN, DNR	John Mulder, City Administrator	Park Visit	9/4/2020
9/14/2020	20-155	James MacGillis, Attorney at Law	John Mulder, City Administrator & Steve Overom, Overom Law	5028 Miller Trunk Hwy	9/8/2020



20-151

DEDICATED TO A STRONG GREATER MINNESOTA

rec'd  
8/31/20

August 27, 2020

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

Dear Mr. Mulder,

As President of the Coalition of Greater Minnesota Cities (CGMC), I am writing to urge your city to join our organization for the coming year. It's no secret that 2020 has been a difficult one, and I know that I am writing to you at a time when you are making difficult decisions about how to allocate your city's resources amid extreme uncertainty. A global pandemic, economic downturn, civil unrest, and continued partisan political bickering have combined to make this one of the most trying times in our state's history.

As we prepare to take on these difficult challenges, I believe that your city would benefit significantly from membership in the CGMC, and the CGMC would be stronger with your city's voice. 2021 will bring a difficult legislative session, during which state policy makers will grapple with how to deal with a state budget deficit, and how to set Minnesota on the right course for recovery. As this takes place, CGMC will be right where it always has been—on the front lines fighting to ensure Greater Minnesota communities get the support they need to emerge from this crisis stronger.

Before we look ahead any further, I would like to share with you some of the CGMC's recent work to help cities navigate the first five months of the COVID-19 pandemic:

- Fought for and secured \$841 million in federal CARES Act funding for local governments and a fair and equitable distribution formula that addresses needs in all corners of the state.
- Helped cities navigate the pandemic through a new COVID-19 resources page on its website ([greatermncities.org/resources/covid-19/](http://greatermncities.org/resources/covid-19/)), webinars on labor & employment concerns and the state budget, and increased member communications, as well as ensuring that the needs of Greater Minnesota cities are communicated to the Governor's office and in the media.
- Secured millions of dollars in emergency grant and loan funding for small businesses and child care providers.
- Advocated for a large bonding bill that includes significant funding for priorities such as water infrastructure, roads and bridges, child care facilities, housing, and economic development programs.
- Advocated for and defended Local Government Aid amid the state's emerging budget woes.
- Defended cities from harmful legislation that could have placed unfair and unwarranted liability on municipalities for the presence of PFAS chemicals in wastewater.

I am proud of these accomplishments and the work of the CGMC, but there is much more work to do. As



the state faces a significant budget deficit, CGMC will be more important than ever in fighting for the needs of our cities.

As the COVID-19 pandemic lingers on, CGMC is working hard to ensure our cities have the necessary tools to persevere through this challenging time. If there is another round of federal relief, CGMC will lead the fight for Greater Minnesota to receive its fair share of funding. In addition, CGMC advocates for state funding to ease the burden on small businesses and child care providers and to increase housing options.

As we look toward the November election, CGMC will be instrumental in educating candidates for the Minnesota Legislature on our issues and tracking what they say about topics such as local budgeting, infrastructure funding, and environmental regulation. We will also make sure our issues are top of mind as new and returning legislators take office in January.

**Your city is unique, and we need you at the table**

We have seen what happens when Greater Minnesota communities don't push to have a seat at the table. Economic Development proposals favor the metro area, economic recovery efforts leave certain industries behind, and programs fail to recognize the unique characteristics of rural development. Our collective voice is a powerful tool, and we hope you will consider joining us.

Moreover, we recognize that Hermantown is unique in that you do not receive Local Government Aid (LGA). LGA is a high priority for the CGMC, but it is only one of the many issue areas we work on. As you consider whether to join us, note that the CGMC's dues structure accounts for this by allowing cities who do not receive LGA to join at half of the regular dues cost as other cities. This 50% adjustment is applied after any phase-in discounts detailed in the following paragraph.

Enclosed with this letter are handouts with additional information on the CGMC, the issues we work on at the Capitol, and information about the benefits of CGMC membership. As you consider membership for the coming year, we have also included a sample invoice and resolution that reflect what your city's general dues would be for 2020–21 membership. For new CGMC members (or returning members that have not been members of the organization for more than five years) the CGMC offers a four-year dues phase-in period, during the first year of which your city will pay 25% of its full dues amount, scaling up 25% in each of the following years.

To learn more about membership, CGMC issues, or to schedule a meeting with CGMC staff to obtain additional information, please contact CGMC staff person Shane Zahrt at [SAZahrt@flaherty-hood.com](mailto:SAZahrt@flaherty-hood.com) or (651) 295-1123. You can also find more information on the CGMC's website at [greatermncities.org](http://greatermncities.org).

**Join the CGMC today!**

These are pivotal times for Greater Minnesota. Join the CGMC to help us continue the important work of strengthening Greater Minnesota communities. I look forward to working with you.

Sincerely,



Greg Zylka, Mayor, Little Falls  
President, Coalition of Greater Minnesota Cities



SAMPLE **CITY** RESOLUTION TO JOIN THE  
COALITION OF GREATER MINNESOTA CITIES

WHEREAS, the interests of **CITY** and its residents are deeply impacted by the actions of the Minnesota State Legislature and Minnesota state government; and

WHEREAS, the Coalition of Greater Minnesota Cities (CGMC) is a nonprofit advocacy organization whose mission is to pursue policies at the state legislature that benefit Cities located outside of the seven-county Twin Cities Metropolitan area; and

WHEREAS, the CGMC works on issues including economic development, environment, transportation, and annexation, as well as working to protect Local Government Aid (“LGA”), which benefit **CITY** and other Greater Minnesota communities; and

WHEREAS, this is a pivotal time in Minnesota’s history, and it is important for Greater Minnesota communities to speak with a collective voice on issues at the State Capitol;

WHEREAS the CGMC offers a phased-in dues structure for new or returning member cities, under which, **CITY** will pay 25% of our full dues amount during our first year of membership, 50% of dues in the second year, 75% in the third year, and 100% of our dues during the third year.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF **CITY**:

1. That the City of **CITY** hereby agrees to join the Coalition of Greater Minnesota Cities.

Adopted this the \_\_\_ day of \_\_\_\_\_, 2020



## SAMPLE – 2021 CGMC Dues Invoice

**To:** John Mulder, City Administrator  
City of Hermantown

**From:** Lisa Bode, CGMC Treasurer

**Date:** August 27, 2020

**Re:** SAMPLE – 2021 CGMC General Dues Assessment

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This **sample** invoice reflects the general dues assessment for your city should you elect to join the Coalition of Greater Minnesota Cities (“CGMC”) for 2021. This dues assessment is based on the assessment policy approved by the CGMC membership at its annual meeting in July 2020.

**2021 general assessment for Hermantown** \$2,000

For research, advocacy, and general services related to property taxes, annexation, environmental regulation and funding, economic development, and transportation. This also includes services for labor and employee relations that will be provided to all CGMC cities.

For new member cities or returning member cities that have not been CGMC members for more than five years, this assessment is based on a policy of phasing in. For the first year, new cities are assessed 25% of their total dues. In the second year, 50% of their total. For the third year, 75% of their total. In the fourth year of membership and thereafter, cities pay their full dues.

Moreover, this general assessment includes a 50% reduction of dues applied after the phase-in to reflect that your city does not receive Local Government Aid.

Payment may be made out of your 2020 or 2021 budgets, but payment should be made by February 1, 2021. About 11% of your general assessment is used for annexation and environment programs, which some cities pay out of their utility funds because of the direct impact of these issues on their sewer and water service.

**For additional information about joining the CGMC or to request an official invoice for 2021 dues assessment, please contact CGMC staff member Shane Zahrt at (651) 225-8840 or SAZahrt@flaherty-hood.com.**



# Coalition of Greater Minnesota Cities 40 Years of Legislative Advocacy

*The CGMC is a nonprofit, nonpartisan advocacy organization that represents cities outside of the Twin Cities metropolitan area. Its five core advocacy issues are **Local Government Aid/property tax relief, economic development, transportation, environment & energy and annexation.***

## **Local Government Aid (LGA)/Property Tax Relief**

- Fight for a fair, rational and sustainable LGA formula
- Advocate for annual LGA increases
- Inform legislators and the public about the importance of the LGA program and its impact on Greater Minnesota communities
- Vigorously defend the LGA program and oppose any cuts

## **Economic Development**

- Support the creation, enhancement and expansion of economic development tools for Greater Minnesota communities and businesses in areas such as child care, job training, housing and broadband expansion

## **Environment & Energy**

- Advocate for funding for state grant and loan programs that help cities cover the costs of necessary facility upgrades and repairs
- Educate legislators and the public on environmental issues facing Greater Minnesota cities
- Support regulations that provide effective and measurable benefits to the environment

## **Transportation**

- Develop comprehensive plans to fund highways and transit
- Fight for a fair distribution of transportation dollars between the metro area and Greater Minnesota
- Support funding for city streets in cities of all sizes

## **Annexation**

- Promote orderly municipal growth and land use policies that support the efficient provision of government services and infrastructure
- Promote better land use and zoning controls in areas surrounding cities





# Coalition of Greater Minnesota Cities

## 40 Years of Legislative Advocacy



### Lobbying: Fending Off the Sharks

No one else stands up for Greater Minnesota cities. Minneapolis, St. Paul, the Association of Metropolitan Municipalities and many suburbs all had paid lobbyists before the CGMC came into existence. The professional lobbying presence of the metro-area local governments at the Capitol far outweighs the lobbying of Greater Minnesota—both in terms of the number of lobbyists and the amount of money spent on lobbying. Before the CGMC there was no unified voice for Greater Minnesota at the Capitol.



### Members: The Keys to Success

The CGMC is successful because of its members. Mayors, council members, city administrators and city staff members are involved in every aspect of the CGMC's advocacy work, from policy formation to lobbying at the Capitol. City officials have an immeasurable impact on shaping public policy by attending lobby days at the Capitol, responding to "action alerts" from CGMC staff, testifying in front of committees, engaging in social media and keeping in close contact with legislators.



### Policy Analysis: Knowing the Numbers

The CGMC's advocacy is effective because it is based on policy, facts and analysis. The CGMC philosophy is that city officials, legislators and the public should know and understand legislation that is being considered and the impact of the legislation once it is passed. Because of this philosophy, the CGMC has a policy analyst on staff who can run the numbers and analyze the impact of legislative proposals in real time.



### Staff: Close When You Can't Be

It is extremely difficult for city officials from Greater Minnesota, on their own, to have a constant presence at the Capitol simply because of the distance from St. Paul. It is far easier for a mayor from Edina or Minneapolis to visit the Capitol than a mayor from Worthington or Warroad. CGMC offices are located one block from the Capitol, and staff are there on a daily basis during the legislative session. This proximity has allowed CGMC staff to strengthen relationships with key lawmakers.



### Media: More Than Just a Press Release

The CGMC understands that a crucial component of good lobbying strategy is a strong media presence that helps build public support and keeps members informed. The CGMC is in regular contact with editors and journalists throughout the state. The CGMC is very successful at getting our message out through guest columns, letters to the editor, radio and TV interviews, and on social media. Legislators pay attention to the news from back home and we make sure they hear our message loud and clear.



DEDICATED TO  
A STRONGER  
GREATER  
MINNESOTA

The CGMC is fighting for Greater Minnesota cities throughout the COVID-19 pandemic.

### Looking Out for Your Bottom Line

- Leading efforts to demand this year's LGA be paid on time and in full
- Fought for Greater MN cities' fair share of federal CARES Act dollars
- Successfully fought against a prohibition on new local sales taxes
- Pushing for more budgetary tools and increased flexibility for cities

### Labor & Employment Support

- Hosts webinars to help cities navigate public employment concerns
- Consistently communicate up-to-date legal guidance and resources
- Publish in-depth reports on how COVID-19 directly impacts public employment

### Investing in Your Recovery

- Pushing for a bonding bill to support Minnesota's economy
- Helped craft COVID-19 small business loan legislation
- Fought for new investment and reforms to solve the child care shortfall
- Examined a regional approach to re-opening businesses with Gov. Walz

For more COVID-19 resources and tools for cities, visit the CGMC website at [greatermncities.org/resources/covid-19/](https://greatermncities.org/resources/covid-19/).





# CGMC Environmental Program Emerging Issues & Continued Advocacy

## Legislative Issues



### Per- and Polyfluoroalkyl Substances (PFAS)

PFAS are a class of pervasive chemicals that have been linked to various health concerns and have been found in a variety of waterbodies across the state. PFAS can be removed from drinking water through expensive treatment, but there is no technologically feasible method for removing them from wastewater.

**CGMC's Role:** We plan to focus on source reduction strategies at the Legislature and with the Minnesota Pollution Control Agency (MPCA), as well as defend against any proposals that seek to place liability on cities for the presence of PFAS in wastewater or drinking water.

### Chloride

More than 100 cities may be facing chloride limits in their wastewater permits, but there is no feasible method to remove chloride at a wastewater facility. Most cities will need a variance from these permit requirements, and a variance will still require efforts by the city to reduce chloride. Some cities may be required to install central water softening, but others may be able to address the issue by working with citizens to remove and/or upgrade home water softening equipment.



**CGMC's Role:** We are pushing for legislative funding for grants to assist cities with the removal or upgrade of home water softeners. We will also continue to monitor this issue, submit comments, and take other steps to support chloride variances.



### Reestablishment of Wastewater and Water Operator Advisory Council

The Wastewater and Water Operator Advisory Council provided operators from our cities an opportunity to help shape the requirements and regulations governing their operations, but the statutory authority for this council lapsed. MPCA sought to reestablish this council during the 2020 legislative session, but the legislation stalled.

**CGMC's Role:** We supported this legislation and will continue to do so.

### Microplastics

Tiny bits of plastic, known as microplastic, are appearing in waters across the globe. By themselves, plastics may cause harm to humans and animals, but this concern is compounded because PFAS and other contaminants may accumulate on microplastics. Federal regulators and state legislators are looking at ways to mitigate this risk.



**CGMC's Role:** We are monitoring this issue to ensure that sole responsibility for addressing microplastics is not placed on municipal wastewater facilities



### Funding for Innovative Approaches and Climate Impact

As the cost of wastewater treatment increases, cities are looking to alternative approaches to address water quality issues and the impacts of the changing climate. Current state funding may not always support innovative projects because they do not fit into traditional program definitions.

**CGMC's Role:** CGMC is exploring how current funding programs can be improved and/or how new programs might be created to support innovative water quality approaches.



# CGMC Environmental Program Emerging Issues & Continued Advocacy

## Legal & Regulatory Issues

### Integrating Wastewater Permitting in Watershed Framework



At the directive of the Legislature, state and local agencies have been moving toward a water quality framework based on watersheds, but to date permitting for wastewater facilities had not been well integrated into that approach.

**CGMC's Role:** We are working with MPCA to explore better and more cost-effective ways to integrate wastewater permitting into the watershed framework. This work will include an informational webinar for municipal wastewater operators and examining whether further legislation is needed to assist in this integration.

### Lake Pepin TMDL

Nearly two-thirds of Minnesota's watersheds drain into Lake Pepin and are therefore subject to the Lake Pepin Total Maximum Daily Load (TMDL) plan. This plan seeks to impose phosphorus limits on cities' wastewater and stormwater even though data shows the lake is no longer impaired.



**CGMC's Role:** We joined with other local government advocacy organizations to bring a contested case action on the TMDL. We hope to negotiate a solution with the MPCA on this issue.

### Nitrogen and Nitrate Standards (EPA Nutrient Criteria)



The federal Environmental Protection Agency is developing nutrient criteria for lakes that will regulate nitrogen and nitrate. These standards could have major negative economic impacts for municipal wastewater facilities.

**CGMC's Role:** CGMC is participating in the federal rulemaking process and will monitor state developments.

### Class 3 & 4 Waters/Salty Parameters

Multiple CGMC members have unnecessary permit limits based on MPCA's outdated Class 3 and 4 water quality standards, which have caused major impediments to economic development (i.e. Luverne and TruShrimp). In addition to the cities that currently have problematic permit limits, more than 20 CGMC members are slated to receive outdated permit limits unless MPCA updates the underlying water quality standards.



**CGMC's Role:** We are engaging with MPCA to push for revised Class 3 and 4 water quality limits and for the revision of permits with outdated limits.

### Proposed Permit Fee Increase



MPCA is seeking to impose a fee increase on water quality related permits to generate more funding for its water quality operations. A significant portion of this increase will fall on municipalities.

**CGMC's Role:** We continue to push for increased general fund spending for water quality operations, rather than requiring local municipalities to pay for these increases.





**PERFORMANCE  
DRIVEN DESIGN.**

LHBcorp.com

## Memorandum

DATE: September 4, 2020  
 TO: Phil Johnson, McGough  
 Jake Klocke, McGough  
 FROM: Anne Porter, LHB  
 RE: Essentia Wellness Center 11-Month Warranty Walk Through  
 PRESENT: John Mulder, City Administrator  
 Jeramy Katchuba, YMCA  
 Phil Johnson, McGough  
 Scott Nelson, McGough  
 Ashley Litman, LHB  
 David Polson, LHB (August 28, 2020 visit only)

The following items were noted during the 11-Month Warranty Walk Through of the Essentia Wellness Center conducted on August 17, 2020 (Building Walk Through) and August 28, 2020 (Site Walk Through).

It was discussed that if the items are identified within the warranty period, the contractor can work beyond that timeline to correct the issues.

The document originally issued on September 1, 2020 has been modified to include Warranty Updates, Owner Direction and two additional items that inadvertently were missed in the original document.

### Lobby – Fireplace 1000

- Issue: Fireplace dampers & controls have been a concern. Fireplace control switch doesn't always work. The YMCA was recently trained on how to remove the glazing to clean the glass. However, they have concerns with the frequent cleaning required due to condensation and down draft. They have been told that this should improve once the damper issue has been addressed. The glazing was last cleaned in June.

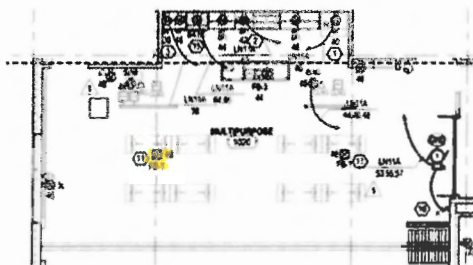
*Warranty Correction:* Confirm control switch & damper issue has been addressed. If not, correct damper. Confirm with fireplace supplier how often cleaning should be required.

### Multipurpose 1020

- Issue: Floor outlet not working.

*Warranty Correction:* Correct outlet to ensure proper function

*Warranty Update (09/04/2020):* Issue resolved. YMCA (Craig) has confirmed outlet is working on 9/2/2020.



Café 1003

1. Issue: Cracked wall tile at Café Counter. Buckled/cracked plastic laminate trim at Café Counter plastic laminate gate.  
*Warranty Correction:* Remove and replace cracked wall tile. Repair or replace buckled/cracked plastic laminate.

Daycare – Ice/Rain Door Issues

1. Issue: All classroom exterior doors are drafty and allow for heavy rain to enter below doors. Ice build-up is occurring at stoops.  
*Owner Action:* Ensure wood chips are not getting lodged below door.  
*Warranty Correction:* Review, replace seals and sweeps are installed properly. Verify that threshold and concrete stoop pitch away from door. Provide correct measures to reduce water infiltration or present LHB with information for review.

Daycare – Vestibule Security Hardware – Door 1207

1. Issue: Punch code security door access hardware has been failing. Has been replaced 3-4 times.  
*Warranty Correction:* Follow-up to confirm hardware function is maintained. If not, replace door hardware with alternative product to meet function intent or present LHB with information for review.

Essentia Lobby/Vestibule Door 1130

1. Issue: Repair soffit mud and paint above door frame 1130.  
*Owner Action:* YMCA to provide McGough with stock of existing paint for touch-up.  
*Warranty Correction:* Repair mud, sand and paint at soffit.

Essentia – Elevator 2 Signal Loss

1. Issue: Emergency signal lost to Essentia Lobby elevator 2.  
*YMCA Action:* YMCA has been trained on how to reset the signal if lost again.  
*Action:* No corrective action required.

Essentia – Lobby Toilet 2114

1. Issue: Wall hung toilet is not secure, can move it by hand 1/8" to 1/4". Plumbing contractor did secure anchors after construction completion; however, the toilet still allows for movement. Caulk joint shows cracks and separation from tile, due to movement.  
*Warranty Correction:* Secure toilet anchor to reduce movement and recaulk or present LHB with information for review.

Fitness Area – Roof Leaks

1. Issue: There have been several roof leaks addressed by McGough and subcontractors.  
*Warranty Correction:* Investigate cause and correct as necessary.

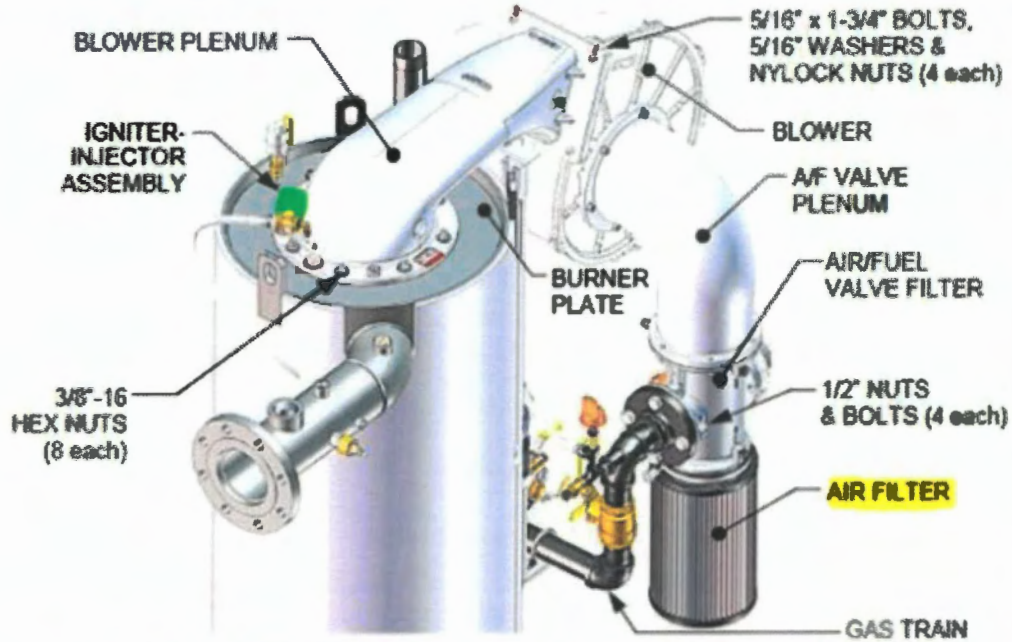
Boiler Room

1. Issue: The burners for the boilers are consistently dirty. The manual states that there are intake filters that can be cleaned, but they cannot seem to locate said filters.  
*LHB Action:* LHB to review specification and confirm if intake filters were specified.  
*Warranty Correction:* No correction required. Filter was specified and installed at project completion. Owner to reference training video and highlighted product manual shown below.  
*Warranty Update (09/04/2020):* McGough provided YMCA with information on intake filters.

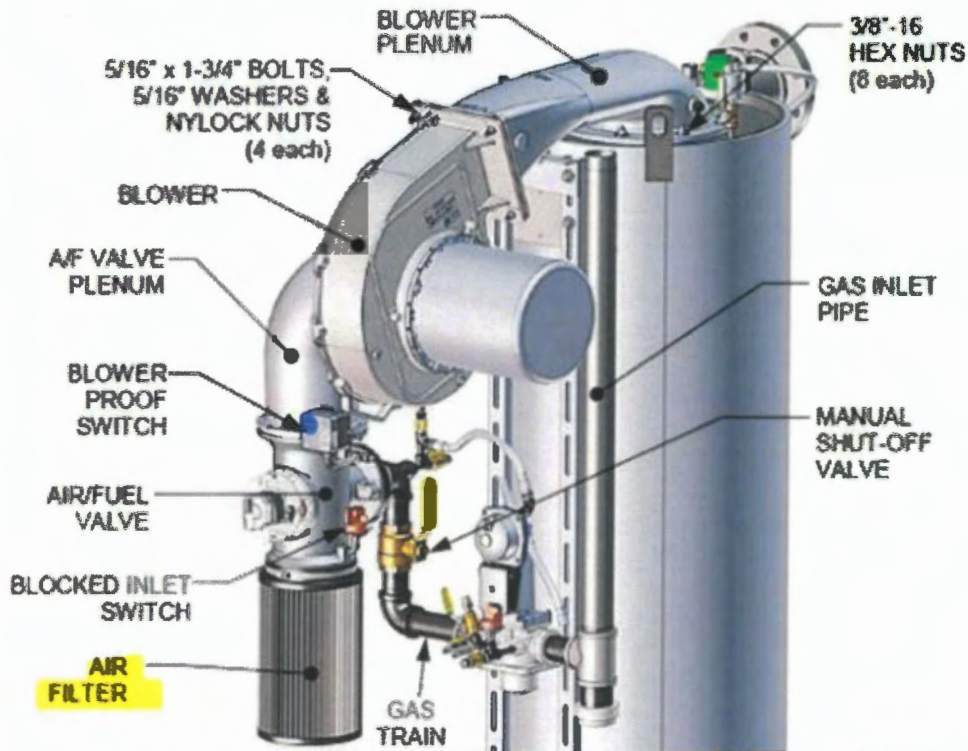
**Benchmark 750-3000 Boiler Operation & Maintenance Manual**  
**SECTION 4 – MAINTENANCE**



**BMK 1500-3000 Burner Inspection Instructions**



**Figure 4-5c: BMK 2500/3000 Burner Assembly Mounting Details**



**Figure 4-5d: BMK 2500/3000 Burner Assembly Mounting Details**

Women's Locker Room 1121

1. Issue: There is a crack in the underside of the precast plank that spans column to column in the Women's Locker room. This crack occurs directly below the squat lift weights on Level 2.  
*LHB Action:* LHB to review design calculations and follow up with precast manufacturer on how to proceed.

McGough/City/YMCA PlanGrid Punch List Items from June

1. LHB reviewed items identified on plan grid during McGough, City & YM CA walk through that occurred in June. The plan grid punch list items #1007 and #997 were observed to still be open.
  - #1007 Northmost tree along the east side of the site is still leaning and should be staked.  
*Warranty Action (Peterson Companies):* Re-stake tree and inform owner of intent that stakes must remain until stabilized.
  - #997 Tree was placed in the wrong location and hasn't been moved.  
*Warranty Action:* Confirm history of previous conversation with owner to determine if owner accepts tree in current location. McGough noted that verbal direction was given on site to relocate tree different than plan.  
*Warranty Update (09/04/2020):* Per City of Hermantown (Johns Mulder), Tree to stay where planted. No action required.

Site Walk Through Items

(Refer to attached site issues map showing numeric location of noted items.)

1. Issue: Silt fence needs to be removed from the site. (around the pond, pond bottom, the clearing to the underdrain outlet at the SW corner of the site, along the south side of the site between the soccer field, etc.) All erosion control devices must be removed if the surrounding area has been stabilized.  
*Owner Action:* City now maintains erosion control as of January 2020. City to remove silt fence as desired/required.
2. Issue: Gravel in the pond bottom near the north end of the pond. Some riprap is also missing from the slope, and there are chunks of blacktop mixed in with the riprap.  
*Warranty Action:* Remove the gravel and blacktop and place the riprap to cover the geotextile fabric that is exposed.  
*Warranty Correction (09/04/2020):* Riprap/Blacktop removed and relocated over fabric from bottom of pond at North End.



Photo: Gravel in the bottom of pond at north end.



3. **Issue:** Erosion around the riprap on the east side of the pond and no visible geotextile fabric.  
**Warranty Action:** McGough confirmed that contractor provided riprap at east side of the pond outside of noted project scope to aid in erosion control. LHB agrees with contractor intent, however, wishes the question would have been brought up via RFI during construction. LHB recommends reconstructing the riprap spillway between pools to provide geotextile fabric below riprap to minimize erosion. Realizing that this work is outside of the specified project scope, McGough to consult with city if they desire to proceed.  
**Warranty Update (09/04/2020):** Per direction of City of Hermantown (John Mulder), leave riprap as installed. No further action required.



Photo: East side of pond; erosion at riprap.

4. **Issue:** There are (2) dead trees at the SE corner of the site.  
**Warranty Action:** Verify that these were placed as part of construction and not by owner, replace as necessary.  
**Warranty Update (09/04/2020):** Per direction of City of Hermantown (John Mulder), trees installed by owner. No further action required by McGough/Contractor.
5. **Issue:** There are (7) dead trees at the N, NE corner of the site.  
**Warranty Action:** Verify that these were placed as part of construction and not by owner, replace as necessary.  
**Warranty Update (09/04/2020):** Per direction of City of Hermantown (John Mulder), trees installed by owner. No further action required by McGough/Contractor.
6. **Issue:** Pea rock at the SE corner of the site along silt fence.  
**Warranty Action:** Remove any pea rock within project limits and place topsoil and seed per plan.
7. **Issue:** Low point near CB 02 that doesn't drain to the catch basin.  
**Warranty Action:** Regrade, place topsoil and seed per plan.



Photo: CB 02 and ponding where not sloped to catch basin.

8. Issue: Large debris found embedded within topsoil at northeast corner of site/building.  
*Warranty Action:* Hand pick debris, provide spot topsoil and seed. Remove debris as to not disturb surrounding established grass.



Photos: Noted large debris and unestablished grass in topsoil at northeast area of building/site.

9. Issue: South East parking lot entrance asphalt and curb were modified to address standing water noted on punch list. Contractor solution was to grind asphalt and pavement leaving the asphalt and concrete finish unacceptable.  
*Warranty Correction:* Provide options for upgrade of asphalt and pavement finish where grinding occurred. Install approved finish after LHB/McGough review of options and direction.
10. Issue: Sidewalk panel at main entrance of building has settled below curb causing tripping hazard.  
*Warranty Correction:* Remove and replace concrete sidewalk panel to provide level with adjacent curb.

#### General Discussion

1. A separate walk through occurred in June between the City of Hermantown, YMCA and McGough. Jake will send LHB the list of items noted and addressed from that walk through. LHB will schedule a follow-up 11-Month walk through to review site and the previously addressed list. LHB will issue any warranty concerns via memorandum.

2. Basketball hoops were replaced to break away style which has reduced the wear and tear on the equipment. The YMCA says that this replacement has reduced the damage by individuals hanging on the rims.
3. The cages installed at the SolaTubes in the gymnasium has reduced the damage from balls.

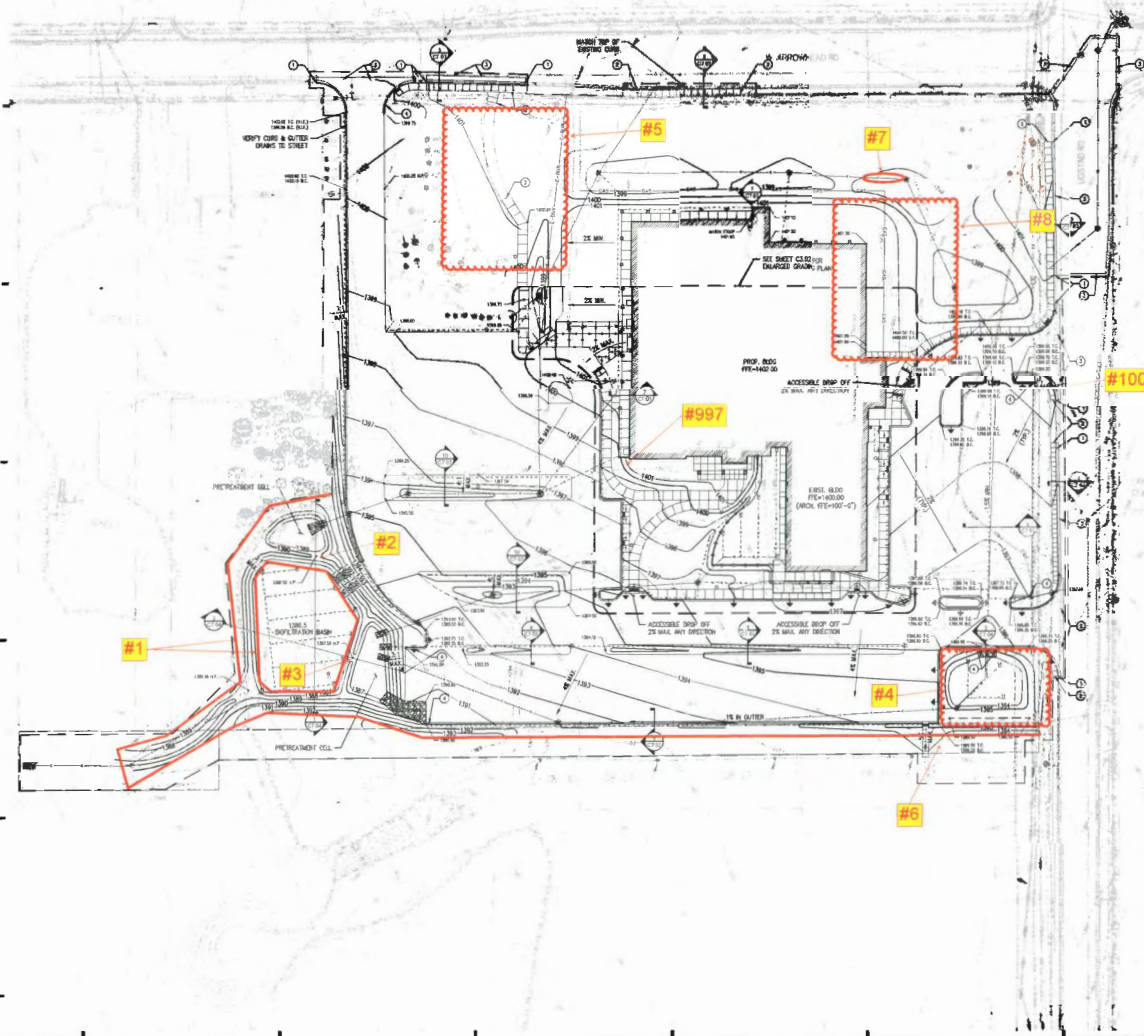
This constitutes my understanding of items discussed and decisions reached. If there are any omissions or discrepancies, please notify the author in writing.

Attachment: Site Issues Map

c: LHB File No. 140462

\\192.168.34.58\DLHprojects\14Proj\140462\800 Construction\810 Closeout\11-Month Walk Through\140462\_11 Month Walk Through.docx





**SHEET LEGEND**

- EXIST. CONTOUR (5' INTERVAL)
- EXIST. CONTOUR (1' INTERVAL)
- 1300 PROP. CONTOUR (5' INTERVAL)
- 1310 PROP. CONTOUR (1' INTERVAL)
- 1320.50 PROP. SPIKE ELEVATION
- SP. OUT CURB & OUTER

**SHEET NOTES**

1. ALL PROPOSED AND EXISTING UTILITY STRUCTURE CHANGES SHALL BE ADHERED TO THE PROPOSED FINISHED GRADES.
2. FINISH GRADE ADJACENT TO THE BUILDING SHALL BE 6" BELOW F.F.E. IN LANDSCAPED AREAS AND 1" BELOW F.F.E. IN PAVEMENT AREAS UNLESS OTHERWISE NOTED.
3. ALL ELEVATIONS SHOWN IN THIS PLAN ARE TO FINISH GRADE. CONTRACTOR SHALL MAKE APPROPRIATE SELECTION FOR VARIOUS SURFACING TECHNIQUES.

**SHEET KEY NOTES**

- MATCH EXIST. OVER & OUTER.
- MATCH EXIST. UNDER.
- MATCH EXIST. INTERMEDIATE.
- TAPER TOP OF CURB OVER 1/2' LENGTH TO MATCH OUTER ELEVATION.

**WARNING**  
 LOCATION OF ALL UNDERGROUND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR. CALL BEFORE DIGGING.  
 MINNESOTA ONE-CALL SYSTEM  
 1-800-252-1166  
 PREPARED BY: MPT STUDIO 2400

**CITY OF HERMANTOWN**

5105 MAPLE GROVE ROAD  
 HERMANTOWN, MN 55911

NO.	DATE	DESCRIPTION
1	10/15/2018	ISSUED FOR PERMITS
2	10/15/2018	ISSUED FOR PERMITS
3	10/15/2018	ISSUED FOR PERMITS
4	10/15/2018	ISSUED FOR PERMITS
5	10/15/2018	ISSUED FOR PERMITS
6	10/15/2018	ISSUED FOR PERMITS
7	10/15/2018	ISSUED FOR PERMITS
8	10/15/2018	ISSUED FOR PERMITS
9	10/15/2018	ISSUED FOR PERMITS
10	10/15/2018	ISSUED FOR PERMITS

DESIGNED BY: J. J. JENSEN  
 CHECKED BY: J. J. JENSEN  
 DRAWN BY: J. J. JENSEN  
 DATE: 10/15/2018  
 TIME: 10:00 AM

**ESSENTIA HEALTH**  
 REGIONAL WELLNESS CENTER

4288 LOGSTAD ROAD  
 HERMANTOWN, MN 55911

**GRADING AND DRAINAGE PLAN**

**TO:** Mayor & City Council  
**FROM:** Paul Senst, Director of Public Works



**DATE:** September 16, 2020

**Meeting Date:** 9/21/20

**SUBJECT:** Stormwater Efforts

**Agenda Item:** 7-A

**Presentation**

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## REQUESTED ACTION

**Informational presentation on the work performed regarding Stormwater in 2019 and 2020.**

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## BACKGROUND

There are five different areas of focus for Public Works regarding Stormwater. The first is centerline culverts, which move stormwater under our road ways. The second is ditching, which moves stormwater along our roads. Ditch work includes digging and mowing efforts. The City also does work with driveway culverts – which move stormwater along the roadway, but under driveways. Finally, there is stormwater pipe work and street sweeping.

The included maps outline work performed since 2019 that includes centerline culverts. Hermantown's Public Works team installed five of these culverts in 2019. In 2020, all of the new centerline culverts have been outsourced as part of larger projects – with Dirt Inc. placing three on Okerstrom Road (and removing a fourth) and several being included in the 2020 portion of the Road Improvement Plan.

In terms of driveway culverts, we replaced six in 2019 and by the time work is complete in 2020, we will have done another 20. This does not include the 50+ driveway culverts that have been included in the 2020 portion of the Road Improvement Plan, which are also part of our stormwater system. This brings the total number of new driveway culverts in Hermantown to roughly 80.

Ditching has been performed in a few areas across Hermantown, also noted in the attached maps. Lightning Drive and Stebner Road received ditching, while sections of Okerstrom, Arrowhead, Getchell, and all the 2020 portion of the Road Improvement Plan were also ditched. Mowing efforts are also part of the ditching, which was performed all throughout Hermantown.

In terms of street sweeping, we picked up 500 cubic yards of sand from Hermantown streets utilizing three employees over the month we rented the sweeper. On the stormwater pipe work front, the purchasing of the vacuum trailer allowed us to increase our efforts to 1000 feet of cleaning and roughly two dozen storm basins, rather than having to outsource that work.

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## SOURCE OF FUNDS (if applicable)

N/A

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## ATTACHMENTS

Maps

104

W Arrowhead Rd

104

Getchell Rd

Getchell Rd

Marko Dr



# Centerline Culvert - Marko Drive

3310



# Centerline Culvert - Arrowhead Road

# Centerline Culvert - Sundby Road

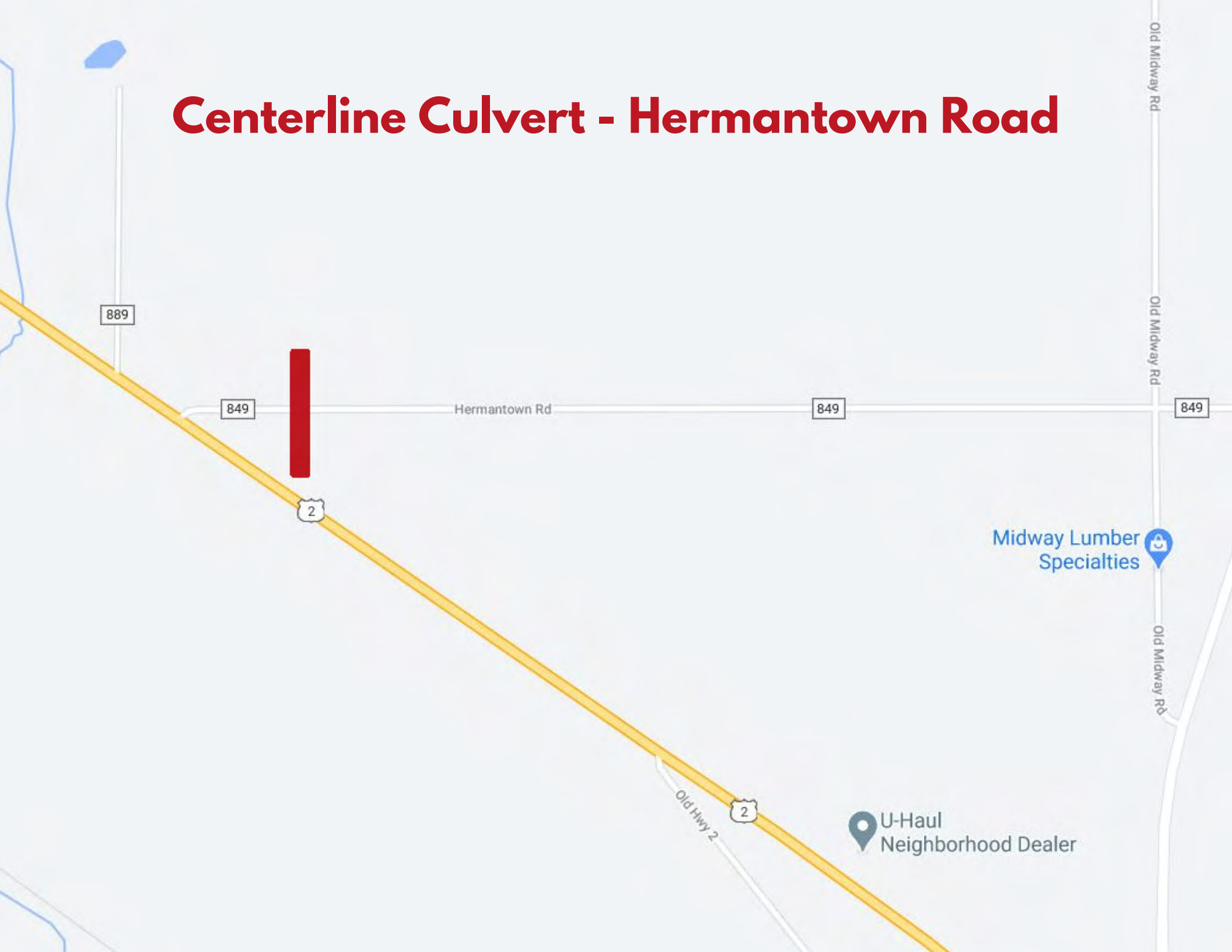




# Centerline Culvert - Anderson Road



# Centerline Culvert - Hermantown Road



Midway Lumber  
Specialties

U-Haul  
Neighborhood Dealer



# Centerline Culverts - Okerstrom Road



Kidz Kollege Learning Center

— = Ditching

Hermantown Rd

Okerstrom Rd

Okerstrom Rd

Portland Rd

Carlson St

Johnson Rd

Alexander Rd

Stebner Rd

C.S.A.H. 56

Linda Rd

Heritage Hwy

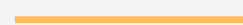
Hermantown Middle School 

Hermantown Elementary School 

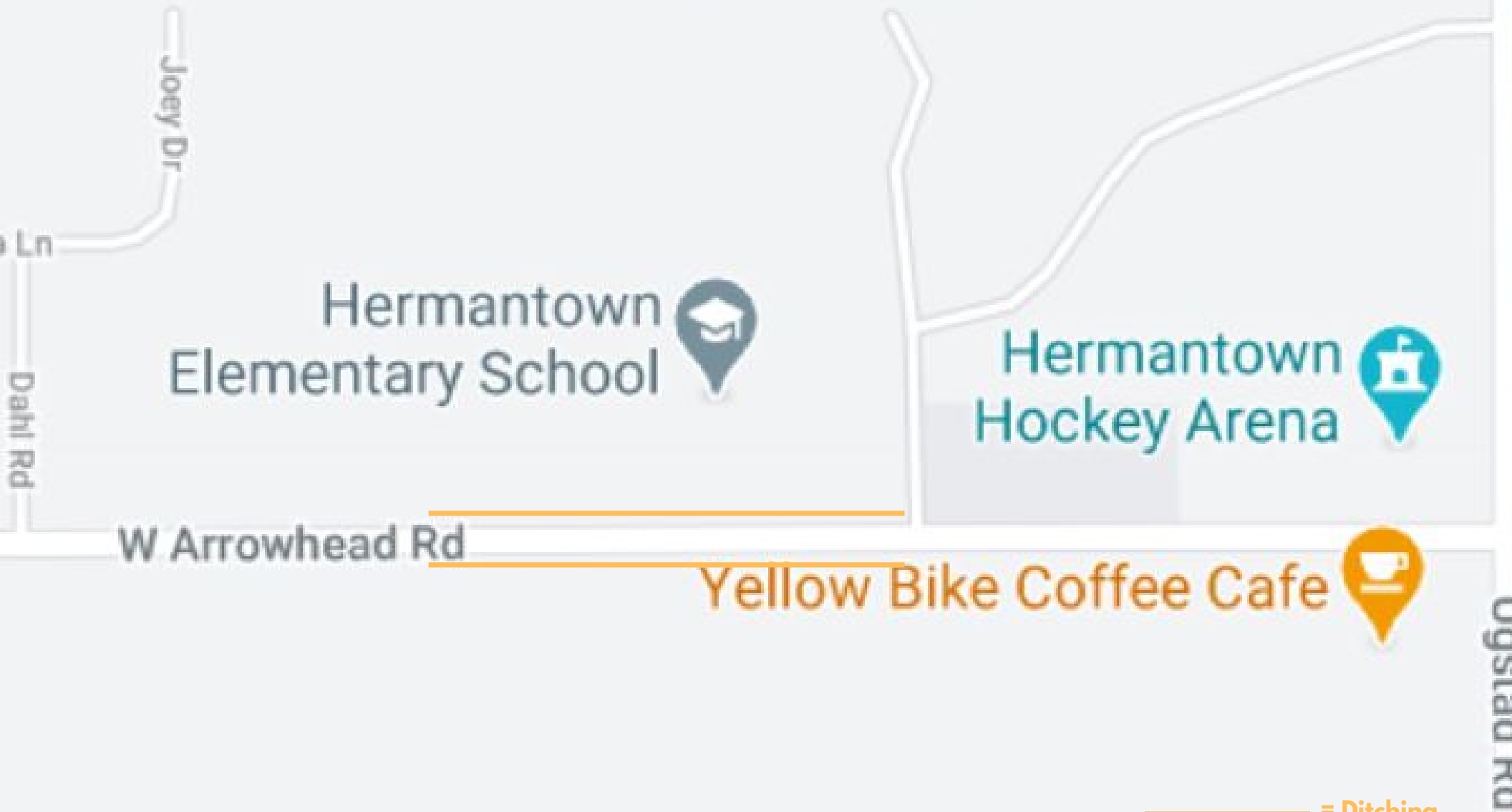
Hermantown Hockey Arena 

Yellow Bike Coffee Cafe 

W Arrowhead Rd

 = Ditching

## Ditching - Arrowhead Road



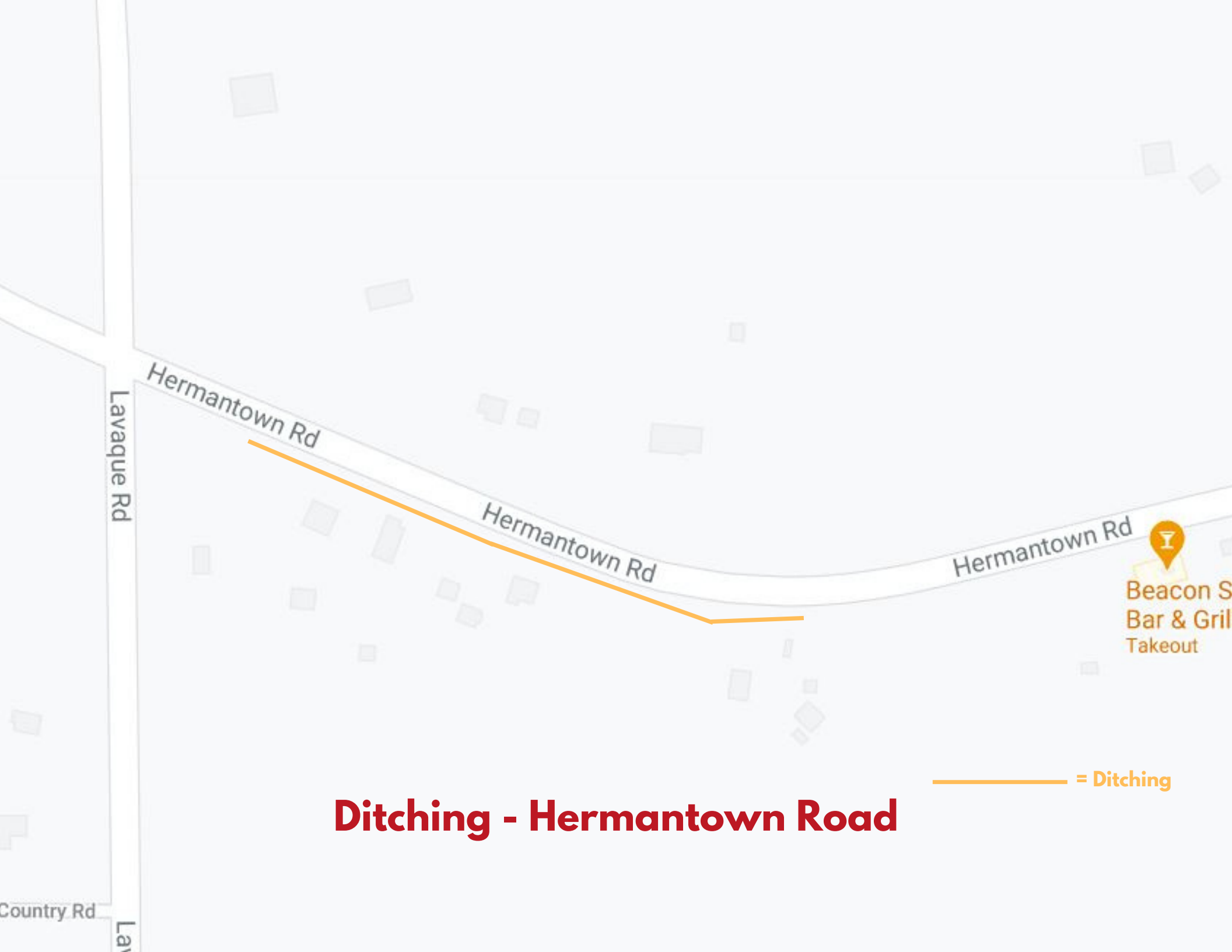
# Ditching - Getchell Road



Stebner Rd

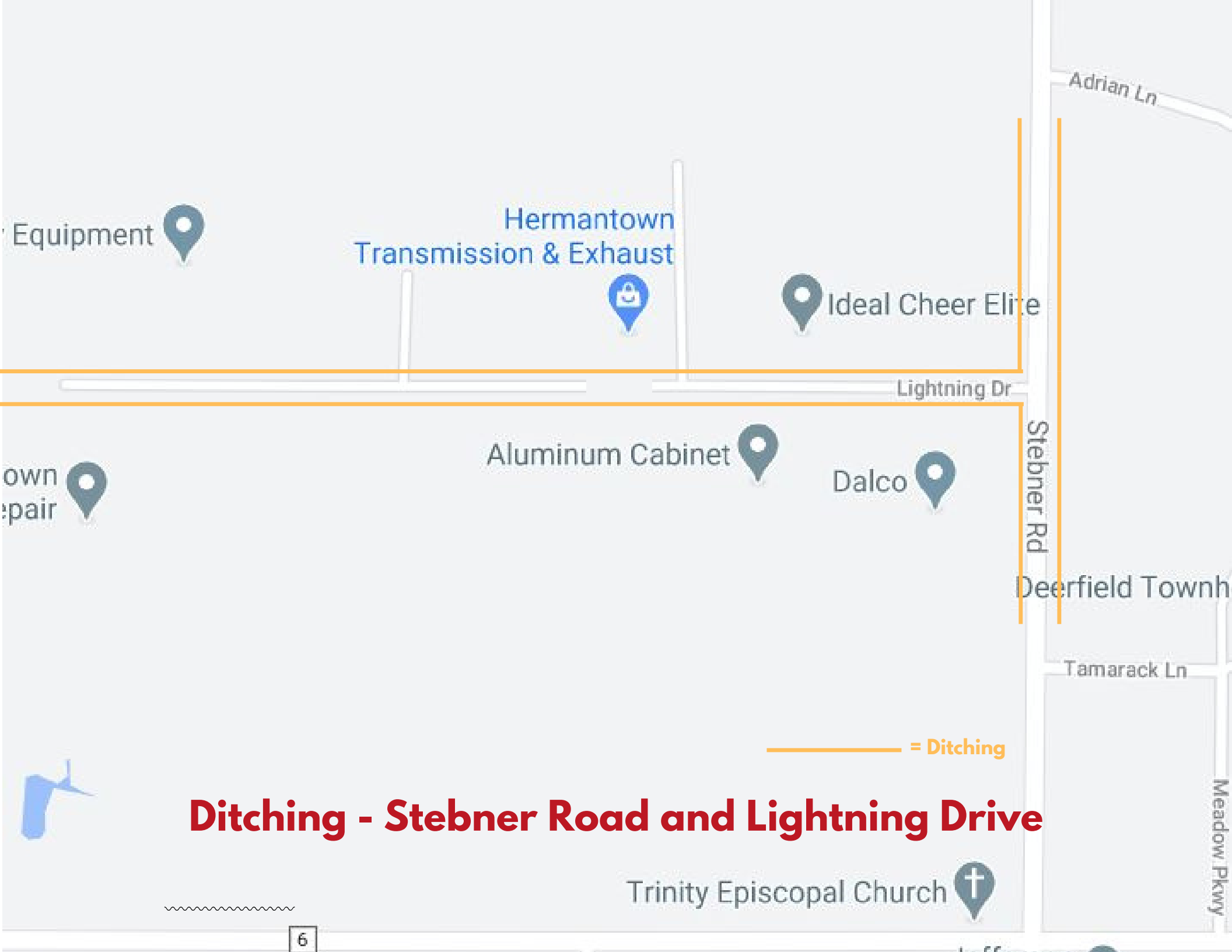
89

— = Ditching



————— = Ditching

## Ditching - Hermantown Road



Hermantown  
Transmission & Exhaust

Ideal Cheer Elite

Aluminum Cabinet

Dalco

Trinity Episcopal Church

Deerfield Townh

Tamarack Ln

Adrian Ln

Lightning Dr

Stebner Rd

Meadow Pkwy

———— = Ditching

# Ditching - Stebner Road and Lightning Drive



# Ditching - West Arrowhead Road

———— = Ditching

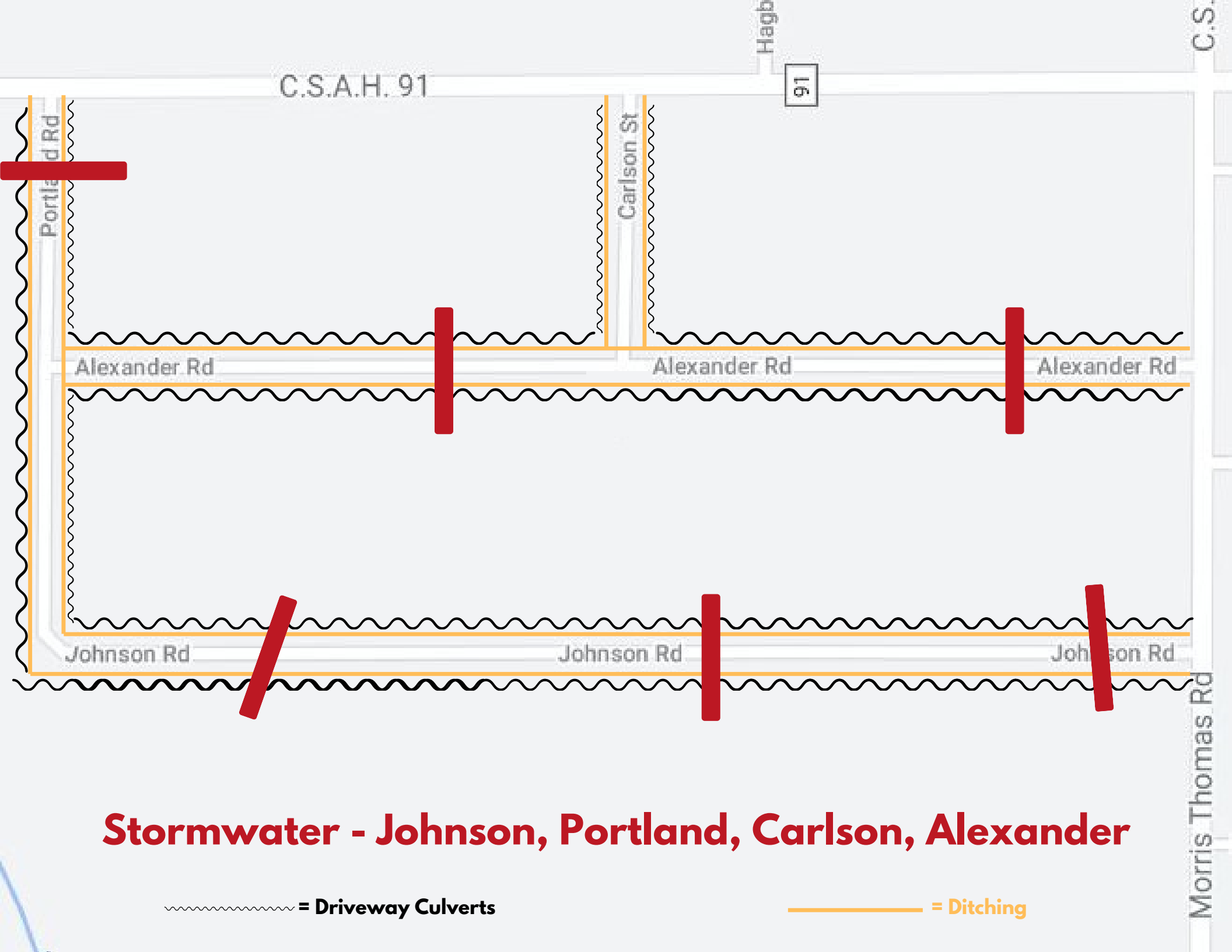


## Stormwater - Hermantown Road

~~~~~ = Driveway Culverts

———— = Ditching





C.S.A.H. 91

Hagb

91

C.S.

Portland Rd

Carlson St

Alexander Rd

Alexander Rd

Alexander Rd

Johnson Rd

Johnson Rd

Johnson Rd

Morris Thomas Rd

# Stormwater - Johnson, Portland, Carlson, Alexander

~~~~~ = Driveway Culverts

———— = Ditching



## Stormwater - Hermantown Road

~~~~~ = Driveway Culverts

———— = Ditching

CITY OF HERMANTOWN  
CITY COUNCIL MEETING  
September 8, 2020  
6:30 p.m.

## MEETING CONDUCTED IN PERSON & VIA ZOOM

### Pledge of Allegiance

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

**CITY STAFF:** Bonnie Engseth, City Clerk; Kevin Orme, Director of Finance & Administration; Eric Johnson, Community Development Director; Joe Wicklund, Communications Manager; Jim Crace, Chief of Police; Steve Overom, City Attorney, David Bolf, City Engineer

**ABSENT:** Councilor Peterson

**VISITORS:** 4

### ANNOUNCEMENTS

### PUBLIC HEARING

### COMMUNICATIONS

Communications 20-137 through and including 2020-148 were read and placed on file.

Communication 20-139 from Chelle Eliason, Arrowhead Builders Association to John Mulder, City Administrator regarding Rental Payments

Communication 20-148 from Eric Albrecht, Utility Commission Member to Janice Shepherd, Utility Billing Clerk regarding Resignation

### PRESENTATIONS

### PUBLIC DISCUSSION

Jodi Wendt, 5800 W. Arrowhead Rd. – She questioned the stormwater fee.

### CONSENT AGENDA

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

- A. Approve August 17, 2020 City Council Continuation Minutes & August 31, 2020 Work Session Minutes
- B. Approve general city warrants from August 16, 2020 through August 31, 2020 in the amount of \$609,792.89

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

**MOTIONS**

**ORDINANCES**

- A. 2020-06**      An Ordinance Amending Sections 1005 And 1010 Of The Hermantown Zoning Regulations

First Reading

**RESOLUTIONS**

- 2020-121**      Resolution Approving The City Of Hermantown Minnesota Government Data Practices Act City Hall Procedures

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2020-121, Resolution Approving The City Of Hermantown Minnesota Government Data Practices Act City Hall Procedures. Roll Call: Councilors Geissler, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

- 2020-122**      Resolution Approving The City Of Hermantown Minnesota Government Data Practices Act Police Department Procedures

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2020-122, Resolution Approving The City Of Hermantown Minnesota Government Data Practices Act Police Department Procedures. Roll Call: Councilors Geissler, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

- 2020-123**      Resolution Approving The Acceptance Of Declaration Of Use Restrictions For David M. Mesojedec And Melanie C. Mesojedec

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2020-123, Resolution Approving The Acceptance Of Declaration Of Use Restrictions For David M. Mesojedec And Melanie C. Mesojedec. Roll Call: Councilors Geissler, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

- 2020-124**      Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Assessment Roll For The Construction Of 2020 Road Improvement District No. 531 & No. 532

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2020-124, Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Assessment Roll For The Construction Of 2020 Road Improvement District No. 531 & No. 532. Roll Call: Councilors Geissler, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

- 2020-125**      Resolution Receiving Proposed Assessment Roll For The Construction Of 2020 Road Improvement District No. 531 & No. 532

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2020-125, Resolution Receiving Proposed Assessment Roll For The Construction Of 2020 Road Improvement District No. 531 & No. 532. Roll Call: Councilors Geissler, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

**2020-126**      Resolution Approving Pay Request No. 2 For Okerstrom Road Culverts Improvement Project No. 533 To Dirt Inc In The Amount Of \$105,185.42

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2020-126, Resolution Approving Pay Request No. 2 For Okerstrom Road Culverts Improvement Project No. 533 To Dirt Inc. In The Amount Of \$105,185.42. Roll Call: Councilors Geissler, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

**2020-127**      Resolution Approving Pay Request No. 4 For 2020 Road Improvement District No. 531 & No. 532 To Ulland Brothers, Inc. In The Amount Of \$456,777.67

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2020-127, Resolution Approving Pay Request No. 4 For 2020 Road Improvement District No. 531 & No. 532 To Ulland Brothers, Inc. In The Amount Of \$456,777.67. Roll Call: Councilors Geissler, Peterson, Mayor Boucher, aye. Councilor Nelson, absent. Motion carried.

**2020-128**      Resolution Authorizing The City Of Hermantown To Amend A Grant Funding Approval Associated With The Purchase And Planting Of Trees

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2020-128, Resolution Authorizing The City Of Hermantown To Amend A Grant Funding Approval Associated With The Purchase And Planting Of Trees. Roll Call: Councilors Geissler, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

**2020-129**      Resolution Approving Pay Request Number 6 For Sewer Improvement District No. 448 To Utility Systems Of America, Inc. In The Amount Of \$573,269.10

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2020-129, Resolution Approving Pay Request Number 6 For Sewer Improvement District No. 448 To Utility Systems Of America, Inc. In The Amount Of \$573,269.10. Roll Call: Councilors Geissler, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

**2020-130**      Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver An Agreement For Engineering Services With A Total Not To Exceed Contract Amount Of \$179,170 For 2021 Road Improvement District No. 537 (Lavaque Junction Road) With Northland Consulting Engineers

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2020-130, Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver An Agreement For Engineering Services With A Total Not To Exceed Contract Amount Of \$179,170 For 2021 Road Improvement District No. 537 (Lavaque Junction Road) With Northland Consulting Engineers. Roll Call: Councilors Geissler, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

Motion made by Councilor Nelson, seconded by Councilor Geissler to recess the meeting at 7:03 p.m. Motion carried.

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Mayor

ATTEST:

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Clerk

**CITY OF HERMANTOWN**

CHECKS #66312 - #66357  
09/01/2020 -09/15/2020

PAYROLL CHECKS

Electronic Checks - #71756-71793 65,656.24

LIABILITY CHECKS

Electronic Checks - #71799-71805 \$50,640.81

Printed Checks- #66312 \$870.31

**PAYROLL EXPENSE TOTAL \$117,167.36**

ACCOUNTS PAYABLE

Checks - #66313 \$38.31

Checks - #66314-66357 \$135,976.58

Electronic Payments - #99921-99920 \$889.00

**ACCOUNTS PAYABLE TOTAL \$136,903.89**

**TOTAL \$254,071.25**

**CITY OF HERMANTOWN, MN 09/01/2020-09/15/2020**  
**Check # is between 66312 and 66357 or Check # is between -99921 and -99920**

9/15/2020

Page 1

| Fund | Account | Department                              | Vendor Name                            | Description                    | Amount   | Check # |
|------|---------|-----------------------------------------|----------------------------------------|--------------------------------|----------|---------|
| 101  | 217450  | Employee Flexplan                       | FURTHER ELECTRONIC PAYMENTS            | Claim Reimbursement - ACH      | 570.80   | -99921  |
| 101  | 217450  | Employee Flexplan                       | FURTHER ELECTRONIC PAYMENTS            | Claim Reimbursement Electronic | 318.20   | -99920  |
| 101  | 134000  | Retiree Insurance/Telephone Reimb.      | MN LIFE                                | Life Ins Inact Kneisl Sept     | 38.31    | 66313   |
| 101  | 415300  | Administration & Finance                | 4 ALARM, LLC                           | Employee Photos                | 414.00   | 66314   |
| 101  | 492100  | Unallocated - COVID CARES Act           | ADVANTAGE EMBLEM & SCREEN PRINTING INC | Face Masks - COVID             | 80.00    | 66315   |
| 101  | 419100  | Community Development                   | ARROWHEAD ABSTRACT & TITLE CO.         | O&E Twin Ports Prop O-308132-F | 40.00    | 66316   |
| 101  | 421100  | Police Administration                   | AT-SCENE LLC                           | Software subscription iCrimeFi | 2,400.00 | 66317   |
| 601  | 220100  | Refund Payable                          | BOHM, MARK                             | Refund overpayment final bill  | 4.20     | 66318   |
| 475  | 431150  | Street Improvements                     | BRAUN INTERTEC CORPORATION             | Materials test Alex,Johns,Carl | 1,381.25 | 66319   |
| 402  | 431150  | Street Improvements                     | BRAUN INTERTEC CORPORATION             | Materials test Hermantown rd   | 3,441.25 | 66319   |
| 101  | 431100  | Street Department                       | BROCK WHITE COMPANY, LLC               | Plexi Melt @ Valves & MH's for | 2,595.00 | 66320   |
| 601  | 494300  | Water Distribution                      | CENTRAL PENSION FUND                   | Training Per Contract          | 28.19    | 66321   |
| 602  | 494500  | Sewer Maintenance                       | CENTRAL PENSION FUND                   | Training Per Contract          | 28.18    | 66321   |
| 101  | 431100  | Street Department                       | CENTRAL PENSION FUND                   | Training Per Contract          | 28.19    | 66321   |
| 101  | 422903  | Firehall #3 Midway Road                 | CENTURYLINK                            | Internet FH #3                 | 69.98    | 66322   |
| 101  | 419901  | City Hall & Police Building Maintenance | CINTAS CORPORATION                     | Mats at FD/PD                  | 30.72    | 66323   |
| 101  | 431901  | City Garage                             | CINTAS CORPORATION                     | Supplies                       | 13.50    | 66323   |
| 101  | 431100  | Street Department                       | CINTAS CORPORATION                     | Uniforms                       | 25.79    | 66323   |
| 101  | 431100  | Street Department                       | CINTAS CORPORATION                     | Uniforms                       | 10.80    | 66323   |
| 101  | 419901  | City Hall & Police Building Maintenance | CINTAS CORPORATION                     | Mats at CH                     | 8.88     | 66323   |
| 101  | 431100  | Street Department                       | CINTAS CORPORATION                     | Uniforms                       | 10.80    | 66323   |
| 101  | 431100  | Street Department                       | CINTAS CORPORATION                     | Uniforms                       | 46.59    | 66323   |
| 101  | 431901  | City Garage                             | CINTAS CORPORATION                     | Supplies                       | 32.00    | 66323   |
| 101  | 431901  | City Garage                             | CINTAS CORPORATION                     | 1st Aid Cabinet                | 51.99    | 66323   |
| 101  | 431901  | City Garage                             | CINTAS CORPORATION                     | Mats at PW                     | 2.10     | 66323   |
| 101  | 431901  | City Garage                             | CINTAS CORPORATION                     | Mats at PW                     | 20.58    | 66323   |
| 101  | 452100  | Parks                                   | CINTAS CORPORATION                     | Safety Cabinet                 | 129.60   | 66323   |
| 601  | 494300  | Water Distribution                      | CORE & MAIN LP                         | Water Meters                   | 2,196.35 | 66324   |
| 601  | 494300  | Water Distribution                      | CORE & MAIN LP                         | Setters/Check Valves           | 1,698.92 | 66324   |
| 230  | 465100  | HEDA                                    | CREATIVE ARCADE                        | Website Monthly Maintenance    | 150.00   | 66325   |
| 601  | 494400  | Water Administration and General        | CUSTOMER ELATION INC                   | August Answering               | 27.45    | 66326   |
| 602  | 494900  | Sewer Administration and General        | CUSTOMER ELATION INC                   | August Answering               | 18.30    | 66326   |
| 101  | 413100  | Mayor                                   | CW TECHNOLOGY GROUP INC                | CW Care Aug/Backup Protect Clo | 89.22    | 66327   |
| 101  | 492100  | Unallocated - COVID CARES Act           | CW TECHNOLOGY GROUP INC                | Monitors -COVID                | 453.75   | 66327   |
| 101  | 431100  | Street Department                       | CW TECHNOLOGY GROUP INC                | CW Care Aug/Backup Protect Clo | 356.10   | 66327   |
| 275  | 452200  | Community Building                      | CW TECHNOLOGY GROUP INC                | EWC -CW Care - July            | 855.00   | 66327   |
| 101  | 421100  | Police Administration                   | CW TECHNOLOGY GROUP INC                | CW Care Aug/Backup Protect Clo | 1,958.53 | 66327   |
| 101  | 415300  | Administration & Finance                | CW TECHNOLOGY GROUP INC                | CW Care Aug/Backup Protect Clo | 558.00   | 66327   |

CITY OF HERMANTOWN, MN 09/01/2020-09/15/2020  
 Check # is between 66312 and 66357 or Check # is between -99921 and -99920

9/15/2020

Page 2

| Fund | Account | Department                              | Vendor Name                    | Description                    | Amount   | Check # |
|------|---------|-----------------------------------------|--------------------------------|--------------------------------|----------|---------|
| 101  | 492100  | Unallocated - COVID CARES Act           | CW TECHNOLOGY GROUP INC        | Cables for monitors -COVID     | 38.97    | 66327   |
| 101  | 415300  | Administration & Finance                | CW TECHNOLOGY GROUP INC        | CW Care Aug/Backup Protect Clo | 534.15   | 66327   |
| 602  | 494900  | Sewer Administration and General        | CW TECHNOLOGY GROUP INC        | CW Care Aug/Backup Protect Clo | 267.26   | 66327   |
| 101  | 419100  | Community Development                   | CW TECHNOLOGY GROUP INC        | CW Care Aug/Backup Protect Clo | 267.26   | 66327   |
| 601  | 494400  | Water Administration and General        | CW TECHNOLOGY GROUP INC        | CW Care Aug/Backup Protect Clo | 267.26   | 66327   |
| 101  | 424100  | Building Inspection                     | CW TECHNOLOGY GROUP INC        | CW Care Aug/Backup Protect Clo | 89.22    | 66327   |
| 101  | 492100  | Unallocated - COVID CARES Act           | DALCO                          | Disinfectant Aerosol - COVID   | 169.84   | 66328   |
| 101  | 452100  | Parks                                   | DULUTH LAWN CARE INC           | Insecticide Treat softball fie | 966.00   | 66329   |
| 101  | 421100  | Police Administration                   | DVS RENEWAL                    | Vehicle Registration           | 14.25    | 66330   |
| 601  | 494300  | Water Distribution                      | FERGUSON WATERWORKS #2516      | H2O Repair Valve Box Hermantow | 66.72    | 66331   |
| 602  | 494900  | Sewer Administration and General        | GOPHER STATE ONE-CALL INC      | August Locates                 | 152.02   | 66332   |
| 601  | 494400  | Water Administration and General        | GOPHER STATE ONE-CALL INC      | August Locates                 | 228.03   | 66332   |
| 101  | 421100  | Police Administration                   | GREAT LAKES MOBIL LUBE EXPRESS | Oil Change Squad #11           | 42.07    | 66333   |
| 602  | 494500  | Sewer Maintenance                       | GREAT LAKES PIPE SERVICE INC   | Clean Sanitary Sewers          | 5,200.00 | 66334   |
| 460  | 465100  | HEDA                                    | HERMANTOWN STAR LLC            | Annual Disclosure Tax Incremen | 41.25    | 66335   |
| 101  | 414100  | Elections                               | HERMANTOWN STAR LLC            | Notice Precinct 3 voting entra | 41.25    | 66335   |
| 101  | 419100  | Community Development                   | HERMANTOWN STAR LLC            | PH P&Z WKK Inc                 | 78.38    | 66335   |
| 101  | 421100  | Police Administration                   | HOLIDAY COMPANIES              | August Car Washes              | 15.00    | 66336   |
| 101  | 431100  | Street Department                       | INTER CITY OIL CO INC          | Fuel                           | 647.71   | 66337   |
| 101  | 431100  | Street Department                       | INTER CITY OIL CO INC          | Fuel                           | 719.30   | 66337   |
| 101  | 431100  | Street Department                       | INTER CITY OIL CO INC          | Fuel                           | 676.93   | 66337   |
| 601  | 494300  | Water Distribution                      | JOHLIN MEASUREMENT LTD         | Coin Reader at Fill Station    | 375.00   | 66338   |
| 101  | 411100  | Council                                 | LEAGUE OF MINNESOTA CITIES     | Membership Dues 20-21          | 9,578.00 | 66339   |
| 101  | 413100  | Mayor                                   | LEAGUE OF MINNESOTA CITIES     | MN Mayors Assn Dues Boucher    | 30.00    | 66339   |
| 601  | 220100  | Refund Payable                          | LOWINSKI, JAMES                | Refund overpayment final bill  | 32.20    | 66340   |
| 601  | 494400  | Water Administration and General        | MEDIACOM                       | Internet PW                    | 41.38    | 66341   |
| 101  | 419901  | City Hall & Police Building Maintenance | MEDIACOM                       | Phone CH                       | 388.86   | 66341   |
| 101  | 422901  | Firehall #1 Maple Grove Road            | MEDIACOM                       | Phone FD                       | 97.22    | 66341   |
| 101  | 419901  | City Hall & Police Building Maintenance | MEDIACOM                       | Internet CH                    | 163.92   | 66341   |
| 601  | 494400  | Water Administration and General        | MEDIACOM                       | Phone PW                       | 8.93     | 66341   |
| 101  | 431100  | Street Department                       | MEDIACOM                       | Phone PW                       | 22.32    | 66341   |
| 275  | 452200  | Community Building                      | MEDIACOM                       | EWC-dedicated internet-(2 mos) | 980.00   | 66341   |
| 101  | 431100  | Street Department                       | MEDIACOM                       | Internet PW                    | 103.45   | 66341   |
| 101  | 422901  | Firehall #1 Maple Grove Road            | MEDIACOM                       | Internet FD                    | 40.98    | 66341   |
| 275  | 452200  | Community Building                      | MEDIACOM                       | EWC - Line for Elevator        | 181.78   | 66341   |
| 275  | 452200  | Community Building                      | MEDIACOM                       | EWC - Internet                 | 354.90   | 66341   |
| 602  | 494900  | Sewer Administration and General        | MEDIACOM                       | Internet PW                    | 62.07    | 66341   |
| 602  | 494900  | Sewer Administration and General        | MEDIACOM                       | Phone PW                       | 13.39    | 66341   |



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9/15/2020

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| Fund | Account | Department                              | Vendor Name                           | Description                    | Amount    | Check # |
|------|---------|-----------------------------------------|---------------------------------------|--------------------------------|-----------|---------|
| 101  | 431901  | City Garage                             | MENARD INC                            | Trash Cans                     | 89.91     | 66342   |
| 101  | 421100  | Police Administration                   | METRO SALES INC                       | Copier Lease                   | 369.22    | 66343   |
| 101  | 419901  | City Hall & Police Building Maintenance | MN TELECOMMUNICATIONS                 | Internet                       | 524.16    | 66344   |
| 101  | 422901  | Firehall #1 Maple Grove Road            | MN TELECOMMUNICATIONS                 | Internet                       | 131.04    | 66344   |
| 601  | 494300  | Water Distribution                      | NAPA AUTO PARTS                       | Bolts                          | 1.32      | 66345   |
| 101  | 431100  | Street Department                       | NAPA AUTO PARTS                       | DEF Fluid                      | 46.76     | 66345   |
| 101  | 431100  | Street Department                       | NAPA AUTO PARTS                       | Grease                         | 197.60    | 66345   |
| 101  | 431100  | Street Department                       | NAPA AUTO PARTS                       | Grease Cartridge               | 63.30     | 66345   |
| 101  | 431100  | Street Department                       | NAPA AUTO PARTS                       | DEF Fluid                      | 23.38     | 66345   |
| 101  | 431100  | Street Department                       | NAPA AUTO PARTS                       | Hydraulic Fluid                | 47.89     | 66345   |
| 101  | 431130  | City Engineer                           | NORTHLAND CONSULTING ENGINEERS L.L.P. | 4 Square,Preagenda, Council mt | 1,300.00  | 66346   |
| 475  | 431150  | Street Improvements                     | NORTHLAND CONSULTING ENGINEERS L.L.P. | Alexander, Johnson, Carlson, P | 3,185.00  | 66346   |
| 101  | 419100  | Community Development                   | NORTHLAND CONSULTING ENGINEERS L.L.P. | Peyton Property Development    | 1,755.00  | 66346   |
| 603  | 441100  | Storm Water                             | NORTHLAND CONSULTING ENGINEERS L.L.P. | Okerstrom Rd Culverts          | 1,105.00  | 66346   |
| 412  | 419100  | Community Development                   | NORTHLAND CONSULTING ENGINEERS L.L.P. | Keene Creek Park Trail         | 940.00    | 66346   |
| 101  | 419100  | Community Development                   | NORTHLAND CONSULTING ENGINEERS L.L.P. | P&R Properties                 | 260.00    | 66346   |
| 101  | 431130  | City Engineer                           | NORTHLAND CONSULTING ENGINEERS L.L.P. | PO 2316 old hwy 2 closure      | 65.00     | 66346   |
| 402  | 431150  | Street Improvements                     | NORTHLAND CONSULTING ENGINEERS L.L.P. | Hermantown Rd Reconditioning   | 1,397.50  | 66346   |
| 101  | 431130  | City Engineer                           | NORTHLAND CONSULTING ENGINEERS L.L.P. | PO 2313 -MSA                   | 32.50     | 66346   |
| 101  | 419100  | Community Development                   | NORTHLAND CONSULTING ENGINEERS L.L.P. | Platinum Properties            | 260.00    | 66346   |
| 412  | 419100  | Community Development                   | NORTHLAND CONSULTING ENGINEERS L.L.P. | Munger Trail Connector         | 1,830.00  | 66346   |
| 240  | 432510  | Trunk Sewer Construction                | NORTHLAND CONSULTING ENGINEERS L.L.P. | Hermantown trunk sew spur sect | 25,725.00 | 66346   |
| 101  | 492100  | Unallocated - COVID CARES Act           | OVEROM LAW, PLLC                      | COVID-19 Issues                | 281.00    | 66347   |
| 101  | 419100  | Community Development                   | OVEROM LAW, PLLC                      | Clear Vision Development       | 30.00     | 66347   |
| 475  | 431150  | Street Improvements                     | OVEROM LAW, PLLC                      | 2020 Street project            | 210.00    | 66347   |
| 101  | 419100  | Community Development                   | OVEROM LAW, PLLC                      | Peyton Acres Development       | 120.00    | 66347   |
| 230  | 465100  | HEDA                                    | OVEROM LAW, PLLC                      | Ice Arena Matters              | 155.00    | 66347   |
| 230  | 214500  | Escrow Deposits Payable                 | OVEROM LAW, PLLC                      | HEDA Slae to Eric Dawe         | 45.00     | 66347   |
| 101  | 416100  | City Attorney                           | OVEROM LAW, PLLC                      | Keene Creek stream bed restora | 28.00     | 66347   |
| 230  | 465100  | HEDA                                    | OVEROM LAW, PLLC                      | Joe Peterson/Paulson Mktplace  | 14.00     | 66347   |
| 230  | 465100  | HEDA                                    | OVEROM LAW, PLLC                      | HEDA Sale of 5028 miller trunk | 119.00    | 66347   |
| 101  | 416100  | City Attorney                           | OVEROM LAW, PLLC                      | JAZB Board of Appeals          | 3,777.00  | 66347   |
| 101  | 419100  | Community Development                   | OVEROM LAW, PLLC                      | P&R Apartment project          | 60.00     | 66347   |
| 603  | 441100  | Storm Water                             | OVEROM LAW, PLLC                      | 2019 Okerstrom Rd Culverts     | 28.00     | 66347   |
| 101  | 419100  | Community Development                   | OVEROM LAW, PLLC                      | Planning and Zoning Commission | 28.00     | 66347   |
| 101  | 416100  | City Attorney                           | OVEROM LAW, PLLC                      | Mesojedec Property Use Mattter | 480.00    | 66347   |
| 101  | 416100  | City Attorney                           | OVEROM LAW, PLLC                      | Flag Mapped lot Ordinance      | 56.00     | 66347   |
| 101  | 416100  | City Attorney                           | OVEROM LAW, PLLC                      | Data Practice Procedures       | 277.50    | 66347   |

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| Fund | Account | Department                              | Vendor Name                      | Description                    | Amount    | Check # |
|------|---------|-----------------------------------------|----------------------------------|--------------------------------|-----------|---------|
| 101  | 419100  | Community Development                   | OVEROM LAW, PLLC                 | Subdivision Amendments         | 35.00     | 66347   |
| 602  | 432550  | Sewer Lift Stations                     | OVEROM LAW, PLLC                 | Ugstad rd Lift stations        | 21.00     | 66347   |
| 240  | 432510  | Trunk Sewer Construction                | OVEROM LAW, PLLC                 | Northwoods prop esmt sew trunk | 75.00     | 66347   |
| 101  | 416100  | City Attorney                           | OVEROM LAW, PLLC                 | General Matters/Retainer       | 1,250.00  | 66347   |
| 240  | 432510  | Trunk Sewer Construction                | OVEROM LAW, PLLC                 | Sect 24 emin domain/condemn ma | 959.50    | 66347   |
| 411  | 419100  | Community Development                   | OVEROM LAW, PLLC                 | EWC                            | 75.00     | 66347   |
| 101  | 419100  | Community Development                   | OVEROM LAW, PLLC                 | Kevin Kuklis Development       | 60.00     | 66347   |
| 101  | 416100  | City Attorney                           | OVEROM LAW, PLLC                 | Data Practice requests         | 657.80    | 66347   |
| 101  | 416100  | City Attorney                           | OVEROM LAW, PLLC                 | Lavaque rd/hwy 53 access issue | 42.00     | 66347   |
| 101  | 421100  | Police Administration                   | PITNEY BOWES PURCHASE POWER      | Refill Postage Meter 4745753   | 30.25     | 66348   |
| 601  | 494400  | Water Administration and General        | PITNEY BOWES PURCHASE POWER      | Refill Postage Meter 4745753   | 32.13     | 66348   |
| 101  | 424100  | Building Inspection                     | PITNEY BOWES PURCHASE POWER      | Refill Postage Meter 4745753   | 18.65     | 66348   |
| 101  | 419100  | Community Development                   | PITNEY BOWES PURCHASE POWER      | Refill Postage Meter 4745753   | 0.50      | 66348   |
| 101  | 419100  | Community Development                   | PITNEY BOWES PURCHASE POWER      | Refill Postage Meter 4745753   | 135.40    | 66348   |
| 101  | 414100  | Elections                               | PITNEY BOWES PURCHASE POWER      | Refill Postage Meter 4745753   | 340.60    | 66348   |
| 602  | 494900  | Sewer Administration and General        | PITNEY BOWES PURCHASE POWER      | Refill Postage Meter 4745753   | 21.42     | 66348   |
| 101  | 415300  | Administration & Finance                | PITNEY BOWES PURCHASE POWER      | Refill Postage Meter 4745753   | 126.55    | 66348   |
| 101  | 431100  | Street Department                       | SAM'S CLUB DIRECT                | Misc Supplies PW               | 47.44     | 66349   |
| 101  | 415300  | Administration & Finance                | SAM'S CLUB DIRECT                | Misc Supplies CH               | 99.60     | 66349   |
| 101  | 421100  | Police Administration                   | SAM'S CLUB DIRECT                | Misc Supplies PD               | 15.48     | 66349   |
| 101  | 492100  | Unallocated - COVID CARES Act           | SAM'S CLUB DIRECT                | Misc Supplies COVID            | 98.56     | 66349   |
| 603  | 441100  | Storm Water                             | SATHERS, LLC                     | Class 5 - Crushed Material     | 1,377.00  | 66350   |
| 101  | 341090  | Photocopies City                        | SHEL/DON GROUP INC               | Copies Smith House (reimburse  | 19.00     | 66351   |
| 101  | 419100  | Community Development                   | ST LOUIS COUNTY RECORDERS OFFICE | Dev Agreement JLG Ent          | 46.00     | 66352   |
| 101  | 419100  | Community Development                   | ST LOUIS COUNTY RECORDERS OFFICE | Flag Lot Wolk, William         | 46.00     | 66352   |
| 101  | 419100  | Community Development                   | ST LOUIS COUNTY RECORDERS OFFICE | CIDP P&R Prop                  | 46.00     | 66352   |
| 101  | 419100  | Community Development                   | ST LOUIS COUNTY RECORDERS OFFICE | WRP P&R Prop                   | 46.00     | 66352   |
| 603  | 441100  | Storm Water                             | ST LOUIS COUNTY RECORDERS OFFICE | Stormwater cert Patriot prop   | 46.00     | 66352   |
| 603  | 441100  | Storm Water                             | ST LOUIS COUNTY RECORDERS OFFICE | Stormwater Cert P&R Prop       | 46.00     | 66352   |
| 101  | 419100  | Community Development                   | ST LOUIS COUNTY RECORDERS OFFICE | Agreement of Assess            | 46.00     | 66352   |
| 101  | 452100  | Parks                                   | STONE RIVER WILDLIFE CONTROL     | Beaver Removal at Old FB       | 85.00     | 66353   |
| 101  | 431100  | Street Department                       | TELCOLOGIX                       | Sept Maintenance               | 16.75     | 66354   |
| 101  | 422901  | Firehall #1 Maple Grove Road            | TELCOLOGIX                       | Sept Maintenance               | 70.35     | 66354   |
| 101  | 419901  | City Hall & Police Building Maintenance | TELCOLOGIX                       | Sept Maintenance               | 237.85    | 66354   |
| 101  | 452200  | Community Building                      | TELCOLOGIX                       | Sept Maintenance               | 10.05     | 66354   |
| 101  | 415300  | Administration & Finance                | TOSHIBA FINANCIAL SERVICES       | Copier Lease Toshiba (2 months | 313.14    | 66355   |
| 101  | 421100  | Police Administration                   | TROY'S BP AMOCO INC              | Tire Repair 14                 | 45.00     | 66356   |
| 602  | 494500  | Sewer Maintenance                       | WLSSD                            | Wastewater Charges             | 39,826.00 | 66357   |

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| Fund | Account | Department        | Vendor Name | Description        | Amount   | Check # |
|------|---------|-------------------|-------------|--------------------|----------|---------|
| 602  | 494500  | Sewer Maintenance | WLSSD       | Wastewater Charges | 2,202.00 | 66357   |

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**Totals: 153 records printed** **136,903.89**

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



**DATE:** September 15, 2020      **Meeting Date:** 9/21/20  
**SUBJECT:** Ordinance Amendment to the flag lot approval process      **Agenda Item:** 11-A      **Ordinance** 2020-06

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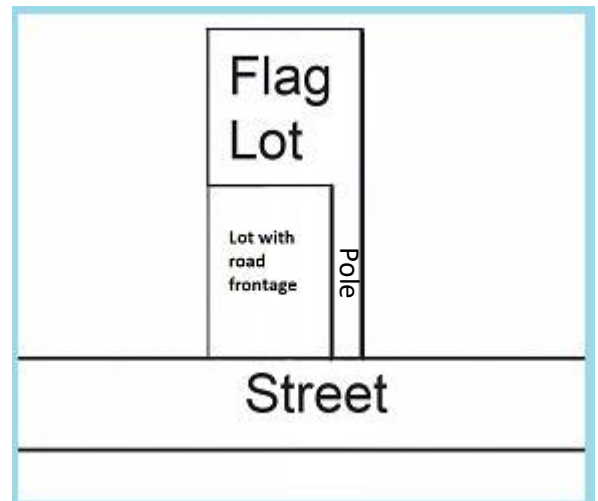
### REQUESTED ACTION

**Second reading on an amendment to Chapter 10 Land Splits and Platting as it pertains to the flag lot approval process.**

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### BACKGROUND

In 2016, the Planning and Zoning Commission recommended changes to the City’s subdivision ordinance allowing the creation of flag lots. A flag lot is a lot containing an area shaped like a “flag” which is the portion of the lot for a house to be located and an area shaped like a “pole” which is the portion of the lot connecting to the road. Flag lots were not previously allowed because they do not meet the standards for road frontage.



Flag lots were allowed if specific conditions could be met and the City found that the flag lot would not interfere with future development of the area.

Key conditions include:

- The pole cannot exceed 500 feet.
- The pole must be a minimum of 30’ wide and driveway setback at least 10’ from the neighboring property.
- The flag must meet width and area standards for the zoning district.
- The regular lot must continue to meet width and area standards for the zoning district.
- Only single family residential and accessory uses are allowed on the flag lot.
- Only one flag lot can be created from a property.

Since 2016, the City has approved 5 flag lots. The City has not denied a flag lot application. Flag lots require a public hearing and both Planning Commission and City Council approval. The City currently allows administrative approval of non-flag lots that result in three or fewer new lots. Requiring the Planning and Zoning Commission and City Council to approve the flag lot adds two to four weeks to the lot splitting process. Considering the lack of reported issues with flag lots, City staff is recommending that the ordinance be amended to eliminate the City Council’s required approval to provide more responsive service. Staff is recommending that the ordinance be amended to include a process that would allow aggrieved parties to appeal the

Planning Commission's decision to the City Council and for the Council to review a decision of its own accord.

**RECOMMENDATION:**

City Staff recommends that the Planning Commission forward amendments to Chapter 10 Land Splits and Platting amending Section 1010.04 regarding the approval process for flag lots based on the following findings:

1. The Hermantown Planning and Zoning Commission finds that the proposed amendments are consistent with the Hermantown Zoning Regulations Purpose and Objectives to ensure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities, and to promote the public health, safety and general welfare.
2. The Hermantown Planning and Zoning Commission finds that the proposed amendments are consistent with the established role of the Hermantown Planning and Zoning Commission granting zoning approvals and provides the City Council the ability to make final decisions through the appeals and review process.
3. The Planning and Zoning Commission recommends approval of the amendments to Chapter 10 Land Splits and Platting of the Hermantown Zoning Regulations which are attached as Attachment A. Proposed Flag Lot Amendments

**ATTACHMENTS:**

- Attachment A. Proposed Flag Lot Amendments

**Ordinance No. 2020-06**

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE AMENDING SECTIONS 1005 AND 1010 OF THE HERMANTOWN ZONING REGULATIONS**

**Section 1.** Purpose and Intent. The purpose of this Ordinance is to amend the provisions of Sections 1005 and 1010 of the Hermantown Zoning Regulations to incorporate the policy recommendations of the City Council pertaining to flag lots.

**Section 2.** Amending. Section 1005 of the Hermantown Zoning Regulations is hereby amended to:

**1005.01.5.** “Flag Lot” means a lot containing an area shaped like a “flag” which is the portion of the lot where all structures are to be located and an area shaped like a “pole” which is the portion of the lot where the vehicular access between the flag and its adjoining road shall be located.

**Section 3.** Amending. Section 1010.04 of the Hermantown Zoning Regulations is hereby amended to:

**1010.04.11.4.** Upon receipt of a complete application, the Zoning Officer will set a date for a public hearing before the Planning and Zoning Commission. Not less than ten days before the public hearing, the City will publish a notice in the official newspaper and send notice by mail to the Applicant and to the owners of all property wholly or partially within 350 feet of the property to be subdivided. The Hermantown Police and Fire Department will be notified at the same time.

**1010.04.11.5. Decision by Planning and Zoning Commission.** Following the hearing, the Planning and Zoning Commission shall make its decision on an application for a Flag Lot. Action shall be my majority vote of the members present and voting.

**1010.04.11.6.** Appeal to Council. The decision of the Planning and Zoning Commission shall be subject to appeal to the City Council by any person or persons, jointly or severally aggrieved by any decision of the Planning and Zoning Commission, or any taxpayer, officer, department, board or bureau of the City under the procedures as set forth for appeals from decisions of the Board of Appeals and Adjustments under Section 355 of this code.

**1010.04.11.7 Review by Council.** The City Council, upon its own motion, may review any action of the Planning and Zoning Commission made under this section. Such review shall be initiated within ten days of the date of the decision by the Planning and Zoning Commission by the majority vote of those Council members present and voting on the matter.

**1010.04.11.8 Procedures.** Upon a review of any such action of the Planning and Zoning Commission, the City Council shall proceed in accordance with the procedures set forth in Section 355 of this code.

**1010.04.11.9 Finality.** A decision by the Planning and Zoning Commission under this section

shall not be final until any appeal period specified herein shall have expired. No action shall be taken by any party in reliance on any such decision of the Planning and Zoning Commission until it shall be final.

**Section 7.**     Added to the City Code. The terms and provisions of this ordinance shall be amended in the appropriate place in the Hermantown City Code, after adoption and becoming effective.

**Section 8.**     Effective Date. The provisions of this Ordinance shall be effective after adoption immediately upon publication once in the official newspaper of the City of Hermantown and upon recording with the St. Louis County Recorder's Office.

Dated:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Adopted:

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

## **Attachment A. Proposed Flag Lot Revisions**

**1005.01.5.** “Flag Lot” means a lot containing an area shaped like a “flag” which is the portion of the lot where all structures are to be located and an area shaped like a “pole” which is the portion of the lot where the vehicular access between the flag and its adjoining road shall be located.

**1010.04 Flag Lots.** Flag lots may be allowed in the S-1, R-1, and R-3 Zoning Districts provided that:

**1010.04.1.** The resulting lots do not violate any provision of the Hermantown Zoning Regulations, Comprehensive Plan, or any other local ordinance.

**1010.04.2.** The width of the flag lot at the front yard setback line must meet the lot width requirements of the Hermantown Zoning Regulations.

**1010.04.3.** The pole portion of a flag lot shall not exceed 500 feet.

**1010.04.4.** The pole portion of a flag lot must have a minimum width of 30 feet, be of uniform width, be a platted part of the flag lot, and connect to a public street. The driveway shall be set back a minimum of 10 feet from the neighboring property that was not used to create the flag lot and five feet from the mother property.

**1010.04.5.** The pole portion of the flag lot will not be included in calculating the minimum lot area.

**1010.04.6.** Only one flag lot may be created from an existing mother property.

**1010.04.7.** Must be used exclusively for single family dwelling and accessory uses.

**1010.04.8.** The City must determine that the creation of the flag lot will not interfere with future development of roads or interior lands.

**1010.04.9.** The City must determine that the flag lot provides adequate accessibility of emergency responders.

**1010.04.10.** All flag lots must display an address at their closest point of access to a public street for emergency responders.

**1010.04.11. Procedure for Filing, Review, and Approval of Flag Lots.** An application to create a flag lot must be submitted to the Zoning Officer on a form provided by the City accompanied by the following:

**1010.04.11.1.** An application fee set by the City Council.

**1010.04.11.2.** A certificate of survey map for abstract land or registered land survey for



Torrens land.

**1010.04.11.3.** A full legal description of the existing property and resulting parcels documented by all current land title records.

**1010.04.11.4.** Upon receipt of a complete application, the Zoning Officer will set a date for a public hearing before the Planning and Zoning Commission. Not less than ten days before the public hearing, the City will publish a notice in the official newspaper and send notice by mail to the Applicant and to the owners of all property wholly or partially within 350 feet of the property to be subdivided. The Hermantown Police and Fire Department will be notified at the same time.

**1010.04.11.5. Decision by Planning and Zoning Commission.** Following the hearing, the Planning and Zoning Commission shall make its decision on an application for a Flag Lot. Action shall be my majority vote of the members present and voting.

**1010.04.11.6. Appeal to Council.** The decision of the Planning and Zoning Commission shall be subject to appeal to the City Council by any person or persons, jointly or severally aggrieved by any decision of the Planning and Zoning Commission, or any taxpayer, officer, department, board or bureau of the City under the procedures as set forth for appeals from decisions of the Board of Appeals and Adjustments under Section 355 of this code.

**1010.04.11.7 Review by Council.** The City Council, upon its own motion, may review any action of the Planning and Zoning Commission this section. Such review shall be initiated within ten days of the date of the decision by the Planning and Zoning Commission by the majority vote of those Council members present and voting on the matter.

**1010.04.11.8 Procedures.** Upon a review of any such action of the Planning and Zoning Commission, the City Council shall proceed in accordance with the procedures set forth in Section 355 of this code.

**1010.04.11.9 Finality.** A decision by the Planning and Zoning Commission under this section shall not be final until any appeal period specified herein shall have expired. No action shall be taken by any party in reliance on any such decision of the Planning and Zoning Commission until it shall be final.

**TO:** Mayor & City Council

**FROM:** Kevin Orme, Finance Director



**DATE:** September 10, 2020

**Meeting Date:** 9/21/20

**SUBJECT:** 2021 Proposed General Fund Budget and Total Levy      **Agenda Item: 12-A**      **Resolution 2020-131**

---

**REQUESTED ACTION**

**Adopt preliminary proposed property tax levy and set the Truth in Taxation hearing date.**

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**BACKGROUND**

The Preliminary 2020 General Fund Budget Booklet was presented to you August 17, 2020. In that booklet it proposed a total levy of \$6,502,851. It also showed general fund expenditures increasing 2.53%, the general fund levy increasing 5.37%, and the effective tax rate increasing 1.96%. As a comparison, our Financial Management Plan showed an effective tax rate increase of 8.64% in 2021. We took steps to reduce this percentage increase from the proposed 8.64% to the current 1.96%.

The City Council must set the preliminary levy on Monday September 21, 2020 and will then take final action following the public hearing to be tentatively held on December 7, 2020.

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**SOURCE OF FUNDS (if applicable)**

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**ATTACHMENTS**

**Resolution No. 2020-131**

**RESOLUTION TO ADOPT THE PROPOSED PROPERTY TAX  
AND PROPOSED BUDGET FOR TAXES PAYABLE 2021 AND SCHEDULING THE TRUTH IN  
TAXATION HEARING**

WHEREAS, the City Council will hold a Truth In Taxation Hearing on Monday, December 7, 2020 at 6:30 p.m.

BE IT RESOLVED, by the City Council of the City of Hermantown, County of St. Louis, Minnesota, that the following sums of money be levied for the current year, collectible in 2021, upon taxable property in the City of Hermantown, for the following purposes:

|                                |             |
|--------------------------------|-------------|
| General Fund Levy              | \$5,954,917 |
| General Obligation Bonded Debt | \$ 332,537  |
| Other Debt                     | \$ -0-      |
| Fleet Farm Abatement           | \$ 139,397  |
| HEDA Levy                      | \$ 76,000   |
| Total Levy                     | \$6,502,851 |

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of St. Louis County, Minnesota.

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 was declared duly passed and adopted September 21, 2020.

**TO:** Mayor & City Council

**FROM:** Jim Crace, Chief of Police



**DATE:** August 24, 2020

**Meeting Date:** 9/21/20

**SUBJECT:** Officer Hiring

**Agenda Item: 12-B**

**Resolution 2020-132**

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### **REQUESTED ACTION**

**Approve a resolution which authorizes the Chief of Police to hire an additional Police Officer in Mid-November 2020 that is in the proposed 2021 General Fund Budget.**

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### **BACKGROUND**

HPD previously had an additional Police Officer in the 2020 General Fund budget which was scheduled to be filled in July of 2020. The position was cut from the 2020 budget due to budget concerns associated with the COVID19 pandemic (It should be noted, that this additional Police Officer position is presently in the 2021 General Fund Budget proposal).

Since the time of initial cuts, a number of things have transpired. First, COVID19 pandemic has turned out to be less impactful to the budget than we feared in the Spring of 2020. Secondly, HPD had an officer resign in the beginning of August 2020 which left us under staffed and having to complete a hiring process immediately. The resignation has resulted in a budget savings which, if unfilled would be equivalent to 5 months' salary for 1 FTE.

Since we currently have the funds available for 5 months' salary (for 1 FTE) in this fiscal year, I am requesting to hire two officers for the remaining 1.5 months (which would be equivalent to 3 months' salary for 1 FTE). This would be much more efficient and we would ultimately end with a surplus in this budget category. I propose this for a number of reasons. First and foremost, there is a significant efficiency in hiring two officers simultaneously when the timelines are this close. Advertisement, interviews, background investigations, psychological testing, uniform fitting, academy classes, defensive tactics, firearms training and Field Officer Training are all very time consuming for the HPD administration. It virtually takes the same amount of time to perform all of these tasks for hiring one officer as it does for two. Secondly, we have a very good candidate pool this time around and I would recommend to get two officers hired from this pool rather than gamble on one of the top candidates getting hired by another agency if we were to wait as there are many agencies currently vying for a small pool of candidates.

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### **SOURCE OF FUNDS (if applicable)**

General Fund

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### **ATTACHMENTS**

**Resolution No. 2020-132**

**RESOLUTION AUTHORIZING THE HIRING OF AN ADDITIONAL POLICE OFFICER  
IN 2020**

WHEREAS, the City Council had previously authorized the creation of an additional police officer position in the 2020 Budget; and

WHEREAS, the decision to postpone the hiring of this position until 2021 was part of cuts made to the 2020 Budget due to concerns regarding the budgetary impact of COVID 19, and

WHEREAS, this new position is included in the 2021 proposed budget,

WHEREAS, due to an unexpected resignation, the Police Department is recruiting to fill a vacant position before the end of 2020, and

WHEREAS, there are significant efficiencies in hiring two officers at the same time, and

WHEREAS, the City Council believes it in the best interest of the City to authorize hiring the additional police officer at the same time as filling the vacancy,

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

1. The City Council authorizes hiring an the additional police officer that is in the 2021 Proposed Budget in 2020.

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 was declared duly passed and adopted September 21, 2020.

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



**DATE:** September 15, 2020      **Meeting Date:** 9/21/20  
**SUBJECT:** CARES Budget & Report      **Agenda Item: 12-C**      **Resolution 2020-133**

**REQUESTED ACTION**

**Approve a resolution approving the CARES budget and the first funding report**

**BACKGROUND**

The City has received \$733,136 from the State of Minnesota in CARES funding. The proposed budget sets two priorities. The first is addressing Organizational needs of the City. The intent is to cover costs the City has directly incurred in responding and preparing for the COVID 19 pandemic which includes expenses the City has incurred, such as cleaning supplies, personal protection equipment for employees, and expenses related to working from home and remote meetings.

The second priority is to assist our identified partners that are separate non-profits that carry out various functions for the City. This would provide support for organizations that may have had significant COVID expenses and did not have any other specific COVID relief funding. We want to support the Duluth Area Family YMCA, Hermantown Volunteer Fire Department, Hermantown Area Chamber of Commerce, and the Hermantown School District.

The League of MN Cities has recommended that the City Council approve a budget for the CARES funds and the actual expenditure reports.

**SOURCE OF FUNDS (if applicable)**

CARES Funds

**ATTACHMENTS**

CARES Budget  
Local Government Expenditure Report

**Resolution No. 2020-133**

**RESOLUTION APPROVING CARES BUDGET AND THE FIRST FUNDING REPORT**

WHEREAS, the City has received \$733,136 in CARES Funding for COVID 19 related expenditures; and

WHEREAS, the City Administrator and Director of Finance and Administration have recommended two priorities for the CARES funding, Organizational needs and Community Partner needs, and

WHEREAS, the City Administrator presented the proposed CARES Budget to the City Council at a work session on August 31, 2020

WHEREAS, the guidance from the federal government and the State of Minnesota is subject to change, and

WHEREAS, the City Council of the City of Hermantown believes it is in the best interest to approve a budget for the CARES Funding

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

1. The City Council hereby approves the CARES Budget dated August 31, 2020.
2. The City Council hereby approves the submission of the Local Government Expenditure Report for the period ending August 31, 2020

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 was declared duly passed and adopted September 21, 2020.

Please save your report based on the following example:  
 RochesterCity\_August2020  
 Submit in Excel format to [CRAOffice.mmb@state.mn.us](mailto:CRAOffice.mmb@state.mn.us) seven  
 business days after the end of each reporting period.

| Local Government Expenditure Report                                                                                                                                                                               |                                                                                       |                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------|
| Name of Local Government (this will auto populate based on your SWIFT Supplier ID)                                                                                                                                | 10 digit SWIFT Supplier ID # (begins with 0000)<br>Select this link for SWIFT ID list | Date Submitted (Enter in MM/DD/YYYY Format)             |
| HERMANTOWN CITY                                                                                                                                                                                                   | 0000202485                                                                            | 9/9/2020                                                |
| Name and Title of Person Filling Out Form                                                                                                                                                                         | DUNS Number (Select this link for more information)                                   | Phone Number (enter 10 digits without spaces or dashes) |
| Dana Cunningham, Accountant                                                                                                                                                                                       | 034490789                                                                             | 2187293607                                              |
| Email Address                                                                                                                                                                                                     | Amount of CRF Received from the Department of Revenue                                 | Total Spent to Date (this amount will autofill)         |
| dcunningham@hermantownmn.com                                                                                                                                                                                      | \$ 733,136                                                                            | \$ 153,837.72                                           |
| Use the drop down in cell D14 to select "Interim" if your agency has any unspent funds and "Final" in the box if all available CRF funds have been spent and this will be your final report.                      | <b>Interim</b>                                                                        |                                                         |
| Please submit this report no later than 7 business days after the end of each month to provide the spend status of allotted Coronavirus Relief Funds (CRF), CFDA Number 21.019 awarded by the State of Minnesota. | <b>Amount of CRF Remaining (this amount will autofill)</b>                            |                                                         |
|                                                                                                                                                                                                                   | \$ 579,298.28                                                                         |                                                         |

The covered period for these expenses is March 1, 2020 through November 15 (cities and towns) /December 1, 2020 (counties).

**DO NOT USE CRF FUNDS FOR ANY COST INCURRED OUTSIDE THIS COVERED PERIOD.**





|                                                                                                                                  |                                                                                                                                                                                                                |           |          |          |      |      |      |      |
|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|----------|------|------|------|------|
| <b>Personal Protective Equipment</b>                                                                                             | N-95 masks and cartridges, disposable coveralls, gloves, face sheilds, hand sanitizer, surface cleaner, storage boxes, squeeze bottles, face masks, cloth masks for employees, cleaning supplies.              | 3894.88   | 3006.48  | 888.40   | 0.00 | 0.00 | 0.00 | 0.00 |
| <b>Public Health Expenses</b>                                                                                                    | Acrylic sheets for election dividers, PVC for dividers election, bins for election pens, paper towels, payroll expense for employee told to stay home by doctor, technology to enable remote Council meetings. | 59150.25  | 956.82   | 58193.43 | 0.00 | 0.00 | 0.00 | 0.00 |
| <b>Small Business Assistance</b>                                                                                                 |                                                                                                                                                                                                                | 0.00      | 0.00     | 0.00     | 0.00 | 0.00 | 0.00 | 0.00 |
| <b>Unemployment Benefits</b>                                                                                                     |                                                                                                                                                                                                                | 0.00      | 0.00     | 0.00     | 0.00 | 0.00 | 0.00 | 0.00 |
| <b>Workers' Compensation</b>                                                                                                     |                                                                                                                                                                                                                | 0.00      | 0.00     | 0.00     | 0.00 | 0.00 | 0.00 | 0.00 |
| <b>Items Not Listed Above - to include other eligible expenses that are not captured in the available expenditure categories</b> |                                                                                                                                                                                                                | 0.00      | 0.00     | 0.00     | 0.00 | 0.00 | 0.00 | 0.00 |
| <b>Total Spent</b>                                                                                                               |                                                                                                                                                                                                                | 153837.72 | 67154.83 | 86682.89 | 0.00 | 0.00 | 0.00 | 0.00 |

**CARES Budget  
City Of Hermantown  
August 31, 2020**

Funding: \$733,136

To qualify, expenses must satisfy all three elements:

1. Necessary expenditures incurred due to the public health emergency with respect to COVID 19.
2. Costs not accounted for in the city's budget most recently approved as of March 27, 2020.
3. Performance or delivery must occur during the covered period, and payment of funds must be made during that time. For cities, the covered period is March 1, 2020 November 15, 2020.

Guidance from State of MN and the Federal Government is subject to change.

The League of MN Cities has stated, “Caution is advised to ensure that the purchase of proposed equipment is necessary to address the immediate needs of the current health pandemic. Updating equipment used in the general course of providing fire and first responder service may not meet the requirement.”

Priority Areas:

1. Organizational needs:
  - A. Public Health: Personal protection equipment
  - B. Compliance: Remote work, remote meetings, etc
  - C. Economic Support: see Community Partners below
  - D. Other
  - E. Payroll: Staff time attributed to managing the response
  
2. Community Partners:
  - a. Fire Department: Current request \$62,846
  - b. Y @ EWC Current request \$50,000
  - c. Chamber of Commerce - still in discussion
  - d. School District still in discussion

**City of Hermantown  
CARES Budget**

| Date      | Description               | Medical | Public Health | Compliance with |                  | Other      | Payroll    | Total      | Balance       |
|-----------|---------------------------|---------|---------------|-----------------|------------------|------------|------------|------------|---------------|
|           |                           |         |               | Public Health   | Economic Support |            |            |            |               |
| 7/29/2020 | Disbursement from MMB     |         |               |                 |                  |            |            |            | 733,136.00    |
|           | Mar-Jul Expenditures      | -       | 3,705.04      | 3,599.51        | -                | 2,258.80   | 57,733.08  | 67,296.43  | 665,839.57    |
|           | Aug Budgeted Expenditures | -       | 2,000.00      | 112,000.00      | -                | 2,000.00   | 13,000.00  | 129,000.00 | 536,839.57    |
|           | Sep Bud Expenditures      | -       | 2,000.00      | 40,000.00       | 85,000.00        | 2,000.00   | 13,000.00  | 142,000.00 | 394,839.57    |
|           | Oct Bud Expenditures      | -       | 2,000.00      | 5,000.00        | 85,000.00        | 2,000.00   | 13,000.00  | 107,000.00 | 287,839.57    |
|           | Nov Bud Expenditures      | -       | 2,000.00      | 3,000.00        | 85,000.00        | 2,000.00   | 8,000.00   | 100,000.00 | 187,839.57    |
|           | Contingency *             |         |               |                 |                  | 187,839.57 |            | 187,839.57 | (0.00)        |
|           | Totals                    | -       | 11,705.04     | 163,599.51      | 255,000.00       | 198,098.37 | 104,733.08 | 733,136.00 | <b>(0.00)</b> |

\*Contingency: We feel there's a fair chance that the federal government will either extend the date COVID expenditures can be spent and/or let municipalities use CARES money as income replacement. We feel it would be prudent to keep a contingency at this time in case that happens or the above budget is not sufficient.

**City of Hermantown  
CARES ACT Funding**

|                                                                                                          |                  |
|----------------------------------------------------------------------------------------------------------|------------------|
| Date of Request:                                                                                         |                  |
|                                                                                                          |                  |
| Name of Proposed Purchase                                                                                |                  |
|                                                                                                          |                  |
| Description of Proposed Purchase                                                                         |                  |
|                                                                                                          |                  |
| Why is this purchase a necessary expenditure due to the public health emergency with respect to COVID 19 |                  |
|                                                                                                          |                  |
| A receipt must be attached.                                                                              |                  |
| Was the cost of this item accounted for in the 2020 Budget                                               |                  |
| <u>      </u> Yes                                                                                        | <u>      </u> No |
|                                                                                                          |                  |
| Approval by the City: (signature by City Administrator)                                                  |                  |
| Date of approval by City:                                                                                |                  |

I certify that this expenditure has been incurred by the Fire Department and has not otherwise been reimbursed by other funds received by the Fire Department for COVID related expenses.

\_\_\_\_\_  
Mike Marshall, Fire Chief

\_\_\_\_\_  
Date

**City of Hermantown  
CARES ACT Funding**

|                                                                                                          |                  |
|----------------------------------------------------------------------------------------------------------|------------------|
| Date of Request:                                                                                         |                  |
|                                                                                                          |                  |
| Name of Proposed Purchase                                                                                |                  |
|                                                                                                          |                  |
| Description of Proposed Purchase                                                                         |                  |
|                                                                                                          |                  |
| Why is this purchase a necessary expenditure due to the public health emergency with respect to COVID 19 |                  |
|                                                                                                          |                  |
| A receipt must be attached.                                                                              |                  |
| Was the cost of this item accounted for in the 2020 Budget                                               |                  |
| <u>      </u> Yes                                                                                        | <u>      </u> No |
|                                                                                                          |                  |
| Approval by the City: (signature by City Administrator)                                                  |                  |
| Date of approval by City:                                                                                |                  |

I certify that this expenditure has been incurred by the Y at the Essentia Wellness Center and has not otherwise been reimbursed by other funds received by the Y at the Essentia Wellness Center for COVID related expenses.

\_\_\_\_\_  
 Jeramy Katchuba  
 District Vice President  
 Duluth Area Family YMCA

\_\_\_\_\_  
 Date

**TO:** Mayor & City Council  
**FROM:** John Mulder, City Administrator  
**DATE:** September 15, 2020  
**SUBJECT:** Feasibility Study –  
Construction of New Road



**Meeting Date:** 9/21/20

**Agenda Item:** 12-D      **Resolution 2020-134**

**REQUESTED ACTION**

**Approve the preparation of a Preliminary Feasibility report for the possible construction of a new road near the intersection of Lavaque Road and Highway 53**

**BACKGROUND**

The City has an easement between the BP Gas Station and Centricity Credit Union near the intersection of Lavaque Road and Highway 53. It is not an accepted city street and the driveway has been privately maintained and does not meet the City's standards for a city street. It is recommended that the City Engineer prepare a feasibility study to construct a road. The report would then be shared with the adjacent property owners to consider the construction of the road and assessing the property owners.

**SOURCE OF FUNDS (if applicable)**

General fund 101-431130. If this project were to proceed, the cost of the feasibility study would be included in the overall cost and calculation of any proposed assessments.

**ATTACHMENTS**

Engineers Cost proposal

**Resolution No. 2020-134**

**RESOLUTION DIRECTING PREPARATION OF PRELIMINARY ENGINEERING  
FEASIBILITY REPORT FOR CONSTRUCTION OF A NEW ROAD NEAR THE  
INTERSECTION OF LAVAQUE ROAD AND HIGHWAY 53**

WHEREAS, the City Council of the City of Hermantown desires a Feasibility Report for the possible construction of a public road near the intersection of Lavaque Road and Highway 53; and

WHEREAS, Section 429.031 of the Minnesota Statutes requires that the City Council obtain a preliminary report from the City's consulting engineer before it establishes a date for a public hearing on such improvements.

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

1. The proposed improvement is hereby referred to Northland Consulting Engineers ("City Engineer") for study and the City Engineer is instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed road is necessary, cost-effective and feasible and as to whether it should best be made as proposed or in connection with some other improvement and the estimated cost of the improvement as recommended.
2. The City reasonably expects to finance the Project from an issue of tax-exempt bonds. In advance of issuance of the bonds it will be necessary for the City to temporarily finance certain costs of the Project by using either working capital or cash reserves, which are needed for other purposes. The City reasonably expects to reimburse itself from the proceeds of the bonds within eighteen (18) months after the date the Project is paid from such working capital or cash reserves.
3. The cost of the preparation of the Feasibility Report will not exceed \$4,690 charged to General Fund 101-431130.

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 was declared duly passed and adopted September 21, 2020.



# Civil Engineering Fee Proposal



**August 31, 2020**

**Proposal #: P0831**

**Project Title:** Do North Road  
**Project Location:** Hermantown, MN

**Company:** City of Hermantown  
**Client Contact:** John Mulder

**Full Address:** 5105 Maple Grove Road, Hermantown, MN 55811

**Client Email:** [jmulder@hermantownmn.com](mailto:jmulder@hermantownmn.com)

**Office Phone:** (218) 729-3600

**Cell Phone:**

## Project Description

NCE understands that there is a need to provide a feasibility study to the city of Hermantown for construction of a potential roadway near the intersection of HWY 53 and Lavaque Road. The roadway would run between the existing Centricity Credit Union and the old BP gas station at the southwest corner of the intersection. A private roadway currently exists in this location. The feasibility study will review what it will take to bring the roadway up to city standards and also look at the alignment of the roadway.

## Scope of Civil Engineering Services

1. Meetings, Communications with city staff.
2. Site visits and investigations.
3. Provide roadway alignment options.
4. Provide cost estimates to the associated options.
5. Provide a feasibility study based on our findings.

| Proposed Fee Calculation Table         | Estimated Hours / Hourly Rates |          |         |          |                 | Extended Cost      |
|----------------------------------------|--------------------------------|----------|---------|----------|-----------------|--------------------|
|                                        | Principal                      | PE       | Tech.   | Clerical | Other           |                    |
| Feasibility Study                      | \$130.00                       | \$130.00 | \$80.00 | \$50.00  |                 |                    |
| Meetings with City Staff               | 2                              | 2        |         |          |                 | \$ 520.00          |
| Site Visits and Utility Investigations | 1                              | 2        | 2       |          |                 | \$ 550.00          |
| Present Project to City Council        | 1                              |          |         |          |                 | \$ 130.00          |
| Preliminary Roadway Options            | 2                              | 4        | 16      |          |                 | \$ 2,060.00        |
| Cost Estimates for each option         | 1                              | 4        |         |          |                 | \$ 650.00          |
| Feasibility Report on Roadway Analysis | 2                              | 4        |         |          |                 | \$ 780.00          |
|                                        |                                |          |         |          | <b>Subtotal</b> | <b>\$ 4,690.00</b> |
| <b>Total NCE Engineering Fees</b>      |                                |          |         |          |                 | <b>\$ 4,690.00</b> |

## Assumptions

1. Compensation for limited services described above will be performed on a Hourly Not-to-Exceed basis based on the overall project description and limited scope of services listed above.
2. Additional Services may be required. Additional services will be performed only upon written approval by the client and billed on an hourly rate basis in accordance with NCE current rate schedule.
3. If acceptable, this proposal along with the attached terms and conditions sheet will serve as our contract for the project.

We understand that this proposal including the attached terms and conditions will serve as our contract for this project.

## Submitted By

## Accepted By

\_\_\_\_\_  
Signature Date

David Bolf, P.E.

Principal Partner - Civil Department  
 Northland Consulting Engineers LLP

\_\_\_\_\_  
Signature Date

Printed Name \_\_\_\_\_

Title \_\_\_\_\_  
 Representing \_\_\_\_\_

**Resolution No. 2020-135**

**REQUESTING VARIANCE FROM STATE AID RULE 8820.2800  
SUBPART 2A FOR LOBERG AVENUE PROJECT AND ARROWHEAD ROAD SCRUB AND  
SEAL PROJECT (SAP 202-030-002; SAP 069-030-04 AND SAP 069-030-05)**

WHEREAS, the City of Hermantown, Minnesota (“City”) completed construction of the Scrub and Seal on Arrowhead Road (MSA 104) from Midway Road (CSAH 13) to Lindahl Road (in Project SAP 069-030-05 Segment 11) (“Arrowhead Road Scrub and Seal Project”) and Chip Seal Project on Market Street from Loberg Avenue to Haines Road (CSAH 91) and Loberg Avenue (MSA 107) from Miller Trunk Highway (TH 53) to Maple Grove Road (CSAH 6) (in Project SAP 069-030-04 Segments 5 and 6) (“Loberg Avenue Project”); and

WHEREAS, the Arrowhead Road Scrub and Seal Project and Loberg Avenue Project were approved by the City Council with the intention paying for the Arrowhead Road Scrub and Seal Project and Loberg Avenue Project from the City’s general fund; and

WHEREAS, the City encountered unanticipated budget impacts related to the COVID-19 pandemic; and

WHEREAS, the City is obligated to pay St. Louis County \$47,576.05 for Project SAP 069-030-05; and

WHEREAS, the City is obligated to pay St. Louis County \$124,205.89 for Project SAP 069-030-04; and

WHEREAS, the City desires to utilize State Aid Funds to pay the amounts due St. Louis County identified above; and

WHEREAS, the City Council of the City of Hermantown has duly considered this matter and desires to request a variance from State Aid Rule 8820.2800, Subpart A to allow State Aid Funds to be utilized for the Arrowhead Road Scrub and Seal Project and Loberg Avenue Project; and

WHEREAS, the City Council approved Resolution No. 2020-107 making a request from a variance in State Aid Funding; and

WHEREAS, the State has requested that additional information be included in the Resolution requesting the variance; and

WHEREAS, this Resolution is intended to supplement Resolution No. 2020-17 and provide additional information requested by the State.

NOW, THEREFORE, BE IT RESOLVED, that the City of Hermantown, St. Louis County, Minnesota, hereby request a variance from State Aid Rule 8820.2800, Subpart 2A to allow State Aid funding to be applied to pay amounts due St. Louis County for the Arrowhead Road Scrub and Seal Project and Loberg Avenue Project.

BE IT FURTHER RESOLVED, that the City of Hermantown hereby indemnifies, saves and holds harmless the State of Minnesota and its agents and employees of any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting of this variance.

BE IT FURTHER RESOLVED, that this Resolutions supplements Resolution No. 2020-107.

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 was declared duly passed and adopted September 21, 2020.