



Hermantown City Council Meeting – February 16, 2021

Because of attendance limitations at the regular meeting location due to the health pandemic, Hermantown's February 16, 2021, City Council Meeting, as well as Pre-Agenda Meeting, will be conducted both remotely and with limited access to Council Chambers.

Both meetings will utilize the platform "Zoom" - which allows the public to view and/or hear the meeting from their phone or computer. Interested parties can also choose to attend this meeting in person at City Hall, but only ten (10) members of the public will be allowed in Council Chambers at any time. Masks and distancing requirements are also in place, per Minnesota Department of Health guidelines.

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

<https://us02web.zoom.us/j/81100182557?pwd=UzQ1SnIUU1ZJQmxZM3YwZWtLbW9RUT09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number of 811-0018-2557 and the passcode of 960680.

Public comment may be possible, but difficult, during the meeting, but any public comments, questions, or concerns can be e-mailed to Community Engagement Manager, Joe Wicklund, at jwicklund@hermantownmn.com up to 3:30 p.m. the day of the meeting with the e-mail title "February 16, 2021, Meeting." It is important to note that all comments regarding the February 16, 2021, 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/84367154591?pwd=aXFobS84cWJMc3prandsdkZSMG1yQT09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number 843-6715-4591 and the password 950399. 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 Tuesday, February 16, 2021 at 4:30 p.m. Large Conference Room City Hall - Hermantown Governmental Services Building

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

City Council Continuation Meeting February 16, 2021 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 Tuesday, February 16, 2021 at 4:30 p.m.
Large Conference Room
Hermantown Governmental Services Building**

**City Council Continuation Meeting February 16, 2021 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. **21-19** MN Employment & Economic Development
TO: Mediacom
RE: MN Border to Broder Broadband Development Grant
 - B. **21-20** Paul Vizanko, AAD Shriners
TO: Natalie Peterson, City Councilor
RE: Liquor License Fees
 - C. **21-23** MN Dept. of Transportation
TO: Steven Hanke, Deputy City Attorney, City of Duluth
RE: Duluth Int’l Airport Zoning Ordinance
7. **PRESENTATIONS** *(Department Heads may give reports if necessary.)*
 - A. Eric Johnson, Community Development Director *(Pre-Agenda Only)*
RE: [Community Development Annual Report](#)
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 [February 1, 2021 City Council Minutes](#)
- B. **Accounts Payable** – Approve general city warrants from February 1, 2021 through February 15, 2021 in the amount of \$387,237.86

(motion, roll call)

10. MOTIONS

- A. Motion to approve/deny the following Liquor License:

I Mart Stores 4221 Haines Rd. 3.2 Malt Liquor

(motion, roll call)
- B. Motion to approve/deny the following Tobacco License:

I Mart Stores 4221 Haines Rd.

(motion, roll call)

11. ORDINANCES

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. **2021-22** 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 \$266,927 For Road Improvement District No. 534 (Ugstad Road) With MSA Professional Services, Inc.

(motion, roll call)
- B. **2021-23** Resolution Approving An Extension Of The Final Planned Unit Development Plan For The Pillars Of Hermantown

(motion, roll call)
- C. **2021-24** Resolution Awarding Contract For 2021 John Deere 624L High Lift Loader To McCoy Construction & Forestry No To Exceed \$109,329 And Authorizing The Disposal Of Surplus City Property

(motion, roll call)
- D. **2021-25** Resolution Receiving Bids And Awarding Contract For Road Improvement District No. 537 (Lavaque Junction Road) In The Amount Of \$ _____

(motion, roll call)

E. **2021-26** Resolution Receiving Bids And Awarding Contract For 2021 Road Improvement
District No. 536 In The Amount Of \$ _____

(motion, roll call)

13. **RECESS**

DATE: 2021

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

1/28/2021	21-13	CNA Surety	City of Hermantown	Blanket Notary Erros and Omissions Policy	1/22/2021
1/28/2021	21-14	Wayne Boucher, Mayor	Victor Lund, St. Louis County	Midway Road Roundabout	1/28/2021
1/28/2021	21-15	Wayne Boucher, Mayor	Victor Lund, St. Louis County	Midway Road Roundabout	1/28/2021
2/1/2021	21-16	Margaret Kelliher, MN Dept of Transportation	David Bolf, City Engineer	Notice of Annual Distribution	1/28/2021
2/1/2021	21-17	Lora Skarman, St. Louis County	Bonnie Engseth, City Clerk	Tentative 2021 LBAE Meeting Schedule	1/29/2021
2/2/2021	21-18	Stacy Melcher, St. Louis County	Bonnie Engseth, City Clerk	Classification of State Tax Forfeited Land, Board Resolution #21-69, Dated 1/26/2021	1/27/2021
2/3/2021	21-19	Steve Grove, Minnesota Employment & Economic Development	Bill Jensen, Mediacom	Minnesota Border to Border Broadband Development Grant	1/28/2021
2/4/2021	21-20	Paul Vizanko, AAD Shriners	Natalie Peterson, City Councilor	Liquor License Fees	2/4/2021
2/8/2021	21-21	Marianne Bohren, WLSSD	John Mulder, City Administrator	2020 Wastewater Treatment Year-End Adjustments	2/5/2021
2/9/2021	21-22	Kimberly Parmeter, Hermantown Chamber of Commerce	John Mulder, City Administrator	Maximize Your Membership Workshop	1/1/2021
2/9/2021	21-23	Cassandra Isackson, Minnesota Department of Transportation	Steven Hanke, Deputy City Attorney, City of Duluth	Duluth International Airport Zoning Ordinance	2/8/2021

21-19

January 28, 2021

Bill Jensen
Mediacom Minnesota LLC - Field of Dreams - Hermantown, MN
1504 2nd Street SE, PO Box 110
Waseca, MN 56093

Dear Mr. Jensen:

I am pleased to inform you that Mediacom's application for the Minnesota Border to Border Broadband Development Grant is approved.

As outlined in your application, Mediacom is expected to invest the following:

- \$1,249,503 in overall eligible expenditures in the Field of Dreams - Hermantown, MN project, including the **\$624,751** in state grant funds contributed and awarded to you by Minnesota's citizens.

The grant will have a 2-year term, in which the project is expected to be completed as stated in your application.

A grant contract agreement is being prepared by the Office of Broadband Development staff. They will also provide you with information on performance goals, reporting, and the process for requesting grant funds. For additional information, please contact Jennifer Frost, Broadband Grants Administrator, at 651-259-7442.

Thank you for advancing border-to-border broadband development in Minnesota. We are excited about your project, and look forward to the long-term community and economic development success made possible by this infrastructure investment.

My best regards,



Steve Grove
Commissioner

C: Senator Thomas M. Bakk
Representative Mary Murphy

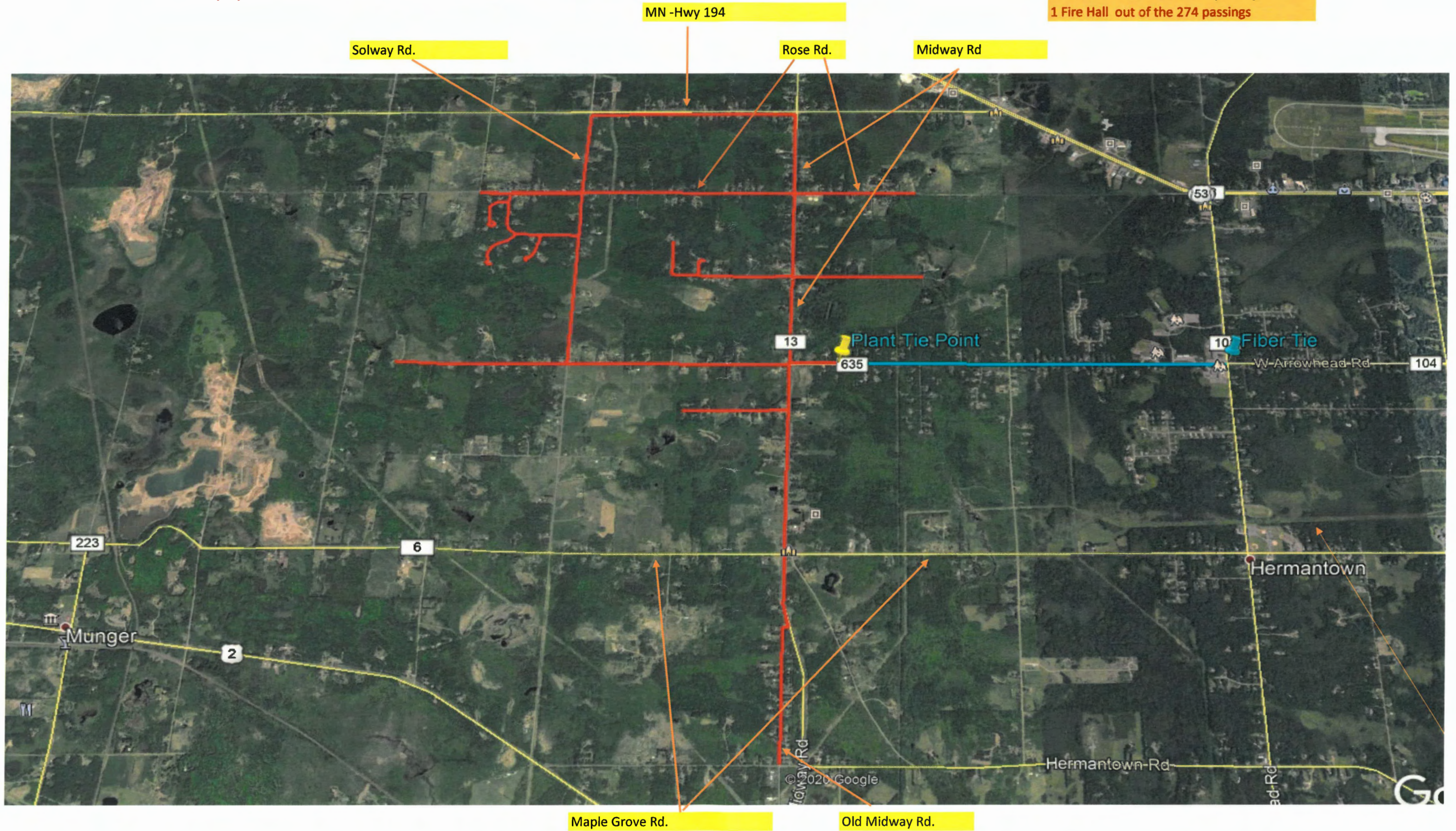
Mediacom (Field of Dreams) Proposed Build

Mediacom proposed build area =

274 Total Addresses

6 Businesses out of the 274 passings

1 Fire Hall out of the 274 passings



ADDNUM	StreetNam	Unit	Address	USPS_City	ZIP5	Town_Name	CITYCODE
4449	Aspenway Rd		4449 Aspenway Rd	Duluth	55810	Solway Twp	SW
4450	Aspenway Rd		4450 Aspenway Rd	Duluth	55810	Solway Twp	SW
4453	Aspenway Rd		4453 Aspenway Rd	Duluth	55810	Solway Twp	SW
4458	Aspenway Rd		4458 Aspenway Rd	Duluth	55810	Solway Twp	SW
4465	Aspenway Rd		4465 Aspenway Rd	Duluth	55810	Solway Twp	SW
4466	Aspenway Rd		4466 Aspenway Rd	Duluth	55810	Solway Twp	SW
4469	Aspenway Rd		4469 Aspenway Rd	Duluth	55810	Solway Twp	SW
4473	Aspenway Rd		4473 Aspenway Rd	Duluth	55810	Solway Twp	SW
5976	Birchway Rd		5976 Birchway Rd	Duluth	55810	Solway Twp	SW
5979	Birchway Rd		5979 Birchway Rd	Duluth	55810	Solway Twp	SW
5980	Birchway Rd		5980 Birchway Rd	Duluth	55810	Solway Twp	SW
5983	Birchway Rd		5983 Birchway Rd	Duluth	55810	Solway Twp	SW
5987	Birchway Rd		5987 Birchway Rd	Duluth	55810	Solway Twp	SW
5988	Birchway Rd		5988 Birchway Rd	Duluth	55810	Solway Twp	SW
5991	Birchway Rd		5991 Birchway Rd	Duluth	55810	Solway Twp	SW
5992	Birchway Rd		5992 Birchway Rd	Duluth	55810	Solway Twp	SW
4409	Cedarway Rd		4409 Cedarway Rd	Duluth	55810	Solway Twp	SW
4412	Cedarway Rd		4412 Cedarway Rd	Duluth	55810	Solway Twp	SW
4417	Cedarway Rd		4417 Cedarway Rd	Duluth	55810	Solway Twp	SW
4426	Cedarway Rd		4426 Cedarway Rd	Duluth	55810	Solway Twp	SW
4409	Cold Creek Ln		4409 Cold Creek Ln	Hermantov	55811	Hermantown	HE
4420	Cold Creek Ln		4420 Cold Creek Ln	Hermantov	55811	Hermantown	HE
4425	Cold Creek Ln		4425 Cold Creek Ln	Hermantov	55811	Hermantown	HE
5564	Hagberg Rd		5564 Hagberg Rd	Hermantov	55811	Hermantown	HE
5577	Hagberg Rd		5577 Hagberg Rd	Hermantov	55811	Hermantown	HE
5647	Hagberg Rd		5647 Hagberg Rd	Hermantov	55811	Hermantown	HE
5651	Hagberg Rd		5651 Hagberg Rd	Hermantov	55811	Hermantown	HE
5655	Hagberg Rd		5655 Hagberg Rd	Hermantov	55811	Hermantown	HE
5665	Hagberg Rd		5665 Hagberg Rd	Hermantov	55811	Hermantown	HE
5743	Hagberg Rd		5743 Hagberg Rd	Hermantov	55811	Hermantown	HE
5760	Hagberg Rd		5760 Hagberg Rd	Hermantov	55811	Hermantown	HE
5765	Hagberg Rd		5765 Hagberg Rd	Hermantov	55811	Hermantown	HE
5768	Hagberg Rd		5768 Hagberg Rd	Hermantov	55811	Hermantown	HE
5779	Hagberg Rd		5779 Hagberg Rd	Hermantov	55811	Hermantown	HE
5780	Hagberg Rd		5780 Hagberg Rd	Hermantov	55811	Hermantown	HE
5804	Hagberg Rd		5804 Hagberg Rd	Hermantov	55811	Hermantown	HE
5815	Hagberg Rd		5815 Hagberg Rd	Hermantov	55811	Hermantown	HE
5709	Hermantown Rd		5709 Hermantown Rd	Hermantov	55810	Hermantown	HE
5714	Hwy 194		5714 Hwy 194	Hermantov	55811	Hermantown	HE
5720	Hwy 194		5720 Hwy 194	Hermantov	55811	Hermantown	HE
5728	Hwy 194		5728 Hwy 194	Hermantov	55811	Hermantown	HE
5742	Hwy 194		5742 Hwy 194	Hermantov	55811	Hermantown	HE
5752	Hwy 194		5752 Hwy 194	Hermantov	55811	Hermantown	HE

5764 Hwy 194	5764 Hwy 194	Hermantov	55811 Hermantown	HE
5772 Hwy 194	5772 Hwy 194	Hermantov	55811 Hermantown	HE
5778 Hwy 194	5778 Hwy 194	Hermantov	55811 Hermantown	HE
5782 Hwy 194	5782 Hwy 194	Hermantov	55811 Hermantown	HE
5788 Hwy 194	5788 Hwy 194	Hermantov	55811 Hermantown	HE
5796 Hwy 194	5796 Hwy 194	Hermantov	55811 Hermantown	HE
5808 Hwy 194	5808 Hwy 194	Hermantov	55811 Hermantown	HE
5810 Hwy 194	5810 Hwy 194	Hermantov	55811 Hermantown	HE
5842 Hwy 194	5842 Hwy 194	Hermantov	55811 Hermantown	HE
5846 Hwy 194	5846 Hwy 194	Hermantov	55811 Hermantown	HE
5856 Hwy 194	5856 Hwy 194	Hermantov	55811 Hermantown	HE
5864 Hwy 194	5864 Hwy 194	Hermantov	55811 Hermantown	HE
5872 Hwy 194	5872 Hwy 194	Hermantov	55811 Hermantown	HE
5706 Jamebard Rd	5706 Jamebard Rd	Hermantov	55811 Hermantown	HE
5707 Jamebard Rd	5707 Jamebard Rd	Hermantov	55811 Hermantown	HE
5716 Jamebard Rd	5716 Jamebard Rd	Hermantov	55811 Hermantown	HE
5726 Jamebard Rd	5726 Jamebard Rd	Hermantov	55811 Hermantown	HE
5731 Jamebard Rd	5731 Jamebard Rd	Hermantov	55811 Hermantown	HE
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5778 Jamebard Rd	5778 Jamebard Rd	Hermantov	55811 Hermantown	HE
5780 Jamebard Rd	5780 Jamebard Rd	Hermantov	55811 Hermantown	HE
5787 Jamebard Rd	5787 Jamebard Rd	Hermantov	55811 Hermantown	HE
5792 Jamebard Rd	5792 Jamebard Rd	Hermantov	55811 Hermantown	HE
5693 Maple Grove Rd	5693 Maple Grove Rd	Hermantov	55811 Hermantown	HE
4045 Midway Rd	4045 Midway Rd	Hermantov	55810 Hermantown	HE
4054 Midway Rd	4054 Midway Rd	Hermantov	55810 Hermantown	HE
4061 Midway Rd	4061 Midway Rd	Hermantov	55810 Hermantown	HE
4096 Midway Rd	4096 Midway Rd	Hermantov	55810 Hermantown	HE
4121 Midway Rd	4121 Midway Rd	Hermantov	55811 Hermantown	HE
4124 Midway Rd Grussendorf Nursery	4124 Midway Rd	Hermantov	55811 Hermantown	HE
4141 Midway Rd	4141 Midway Rd	Hermantov	55811 Hermantown	HE
4149 Midway Rd	4149 Midway Rd	Hermantov	55811 Hermantown	HE
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4175 Midway Rd	4175 Midway Rd	Hermantov	55811 Hermantown	HE
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4214 Midway Rd	4214 Midway Rd	Hermantov	55811 Hermantown	HE
4215 Midway Rd	4215 Midway Rd	Hermantov	55811 Hermantown	HE
4244 Midway Rd	4244 Midway Rd	Hermantov	55811 Hermantown	HE
4255 Midway Rd Do It Right Prof. Tax Service	4255 Midway Rd	Hermantov	55811 Hermantown	HE
4258 Midway Rd	4258 Midway Rd	Hermantov	55811 Hermantown	HE
4295 Midway Rd	4295 Midway Rd	Hermantov	55811 Hermantown	HE
4317 Midway Rd	4317 Midway Rd	Hermantov	55811 Hermantown	HE

4344 Midway Rd	4344 Midway Rd	Hermantov	55811 Hermantown	HE
4350 Midway Rd Mikes Signs	4350 Midway Rd	Hermantov	55811 Hermantown	HE
4367 Midway Rd	4367 Midway Rd	Hermantov	55811 Hermantown	HE
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4483 Midway Rd	4483 Midway Rd	Hermantov	55811 Hermantown	HE
4494 Midway Rd Fire Hall	4494 Midway Rd	Hermantov	55811 Hermantown	HE
4511 Midway Rd	4511 Midway Rd	Hermantov	55811 Hermantown	HE
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4595 Midway Rd	4595 Midway Rd	Hermantov	55811 Hermantown	HE
3906 Old Midway Rd	3906 Old Midway Rd	Hermantov	55810 Hermantown	HE
3912 Old Midway Rd	3912 Old Midway Rd	Hermantov	55810 Hermantown	HE
3916 Old Midway Rd	3916 Old Midway Rd	Hermantov	55810 Hermantown	HE
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3932 Old Midway Rd	3932 Old Midway Rd	Hermantov	55810 Hermantown	HE
3941 Old Midway Rd	3941 Old Midway Rd	Hermantov	55810 Hermantown	HE
3950 Old Midway Rd	3950 Old Midway Rd	Hermantov	55810 Hermantown	HE

3953 Old Midway Rd	3953 Old Midway Rd	Hermantov	55810 Hermantown	HE
3954 Old Midway Rd	3954 Old Midway Rd	Hermantov	55810 Hermantown	HE
3956 Old Midway Rd	3956 Old Midway Rd	Hermantov	55810 Hermantown	HE
3959 Old Midway Rd	3959 Old Midway Rd	Hermantov	55810 Hermantown	HE
3962 Old Midway Rd	3962 Old Midway Rd	Hermantov	55810 Hermantown	HE
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4002 Old Midway Rd	4002 Old Midway Rd	Hermantov	55810 Hermantown	HE
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4021 Old Midway Rd	4021 Old Midway Rd	Hermantov	55810 Hermantown	HE
4027 Old Midway Rd	4027 Old Midway Rd	Hermantov	55810 Hermantown	HE
5597 Rose Rd	5597 Rose Rd	Hermantov	55811 Hermantown	HE
5602 Rose Rd	5602 Rose Rd	Hermantov	55811 Hermantown	HE
5611 Rose Rd	5611 Rose Rd	Hermantov	55811 Hermantown	HE
5620 Rose Rd	5620 Rose Rd	Hermantov	55811 Hermantown	HE
5624 Rose Rd	5624 Rose Rd	Hermantov	55811 Hermantown	HE
5630 Rose Rd	5630 Rose Rd	Hermantov	55811 Hermantown	HE
5650 Rose Rd	5650 Rose Rd	Hermantov	55811 Hermantown	HE
5652 Rose Rd	5652 Rose Rd	Hermantov	55811 Hermantown	HE
5655 Rose Rd	5655 Rose Rd	Hermantov	55811 Hermantown	HE
5665 Rose Rd	5665 Rose Rd	Hermantov	55811 Hermantown	HE
5675 Rose Rd	5675 Rose Rd	Hermantov	55811 Hermantown	HE
5676 Rose Rd	5676 Rose Rd	Hermantov	55811 Hermantown	HE
5679 Rose Rd	5679 Rose Rd	Hermantov	55811 Hermantown	HE
5705 Rose Rd	5705 Rose Rd	Hermantov	55811 Hermantown	HE
5720 Rose Rd	5720 Rose Rd	Hermantov	55811 Hermantown	HE
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5739 Rose Rd	5739 Rose Rd	Hermantov	55811 Hermantown	HE
5743 Rose Rd	5743 Rose Rd	Hermantov	55811 Hermantown	HE
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5753 Rose Rd	5753 Rose Rd	Hermantov	55811 Hermantown	HE
5759 Rose Rd	5759 Rose Rd	Hermantov	55811 Hermantown	HE
5767 Rose Rd	5767 Rose Rd	Hermantov	55811 Hermantown	HE
5770 Rose Rd	5770 Rose Rd	Hermantov	55811 Hermantown	HE
5787 Rose Rd	5787 Rose Rd	Hermantov	55811 Hermantown	HE
5792 Rose Rd	5792 Rose Rd	Hermantov	55811 Hermantown	HE
5799 Rose Rd	5799 Rose Rd	Hermantov	55811 Hermantown	HE
5804 Rose Rd	5804 Rose Rd	Hermantov	55811 Hermantown	HE
5809 Rose Rd	5809 Rose Rd	Hermantov	55811 Hermantown	HE
5810 Rose Rd	5810 Rose Rd	Hermantov	55811 Hermantown	HE

5817 Rose Rd		Hermantov	55811 Hermantown	HE
5835 Rose Rd		Hermantov	55811 Hermantown	HE
5846 Rose Rd		Hermantov	55811 Hermantown	HE
5852 Rose Rd		Hermantov	55811 Hermantown	HE
5853 Rose Rd		Hermantov	55811 Hermantown	HE
5860 Rose Rd		Hermantov	55811 Hermantown	HE
5867 Rose Rd		Hermantov	55811 Hermantown	HE
5868 Rose Rd		Hermantov	55811 Hermantown	HE
5871 Rose Rd		Hermantov	55811 Hermantown	HE
5884 Rose Rd		Hermantov	55811 Hermantown	HE
5895 Rose Rd		Hermantov	55811 Hermantown	HE
5917 Rose Rd		Duluth	55810 Solway Twp	SW
5939 Rose Rd		Duluth	55810 Solway Twp	SW
5942 Rose Rd		Duluth	55810 Solway Twp	SW
5946 Rose Rd		Duluth	55810 Solway Twp	SW
5947 Rose Rd	Great North Candle Co.	Duluth	55810 Solway Twp	SW
5953 Rose Rd		Duluth	55810 Solway Twp	SW
5954 Rose Rd		Duluth	55810 Solway Twp	SW
5956 Rose Rd		Duluth	55810 Solway Twp	SW
5959 Rose Rd		Duluth	55810 Solway Twp	SW
5964 Rose Rd		Duluth	55810 Solway Twp	SW
5965 Rose Rd		Duluth	55810 Solway Twp	SW
5973 Rose Rd		Duluth	55810 Solway Twp	SW
5983 Rose Rd		Duluth	55810 Solway Twp	SW
5985 Rose Rd		Duluth	55811 Solway Twp	SW
4353 Solway Rd		Duluth	55810 Solway Twp	SW
4358 Solway Rd		Hermantov	55810 Hermantown	HE
4373 Solway Rd		Duluth	55810 Solway Twp	SW
4382 Solway Rd		Hermantov	55810 Hermantown	HE
4415 Solway Rd		Duluth	55810 Solway Twp	SW
4423 Solway Rd		Duluth	55810 Solway Twp	SW
4425 Solway Rd		Duluth	55810 Solway Twp	SW
4428 Solway Rd		Hermantov	55810 Hermantown	HE
4430 Solway Rd		Hermantov	55810 Hermantown	HE
4439 Solway Rd		Duluth	55810 Solway Twp	SW
4444 Solway Rd		Hermantov	55810 Hermantown	HE
4452 Solway Rd		Hermantov	55810 Hermantown	HE
4460 Solway Rd		Hermantov	55810 Hermantown	HE
4471 Solway Rd		Duluth	55810 Solway Twp	SW
4472 Solway Rd		Hermantov	55810 Hermantown	HE
4482 Solway Rd		Hermantov	55810 Hermantown	HE
4489 Solway Rd		Duluth	55810 Solway Twp	SW
4509 Solway Rd		Duluth	55811 Solway Twp	SW
4517 Solway Rd		Duluth	55811 Solway Twp	SW
4528 Solway Rd		Hermantov	55811 Hermantown	HE
4538 Solway Rd		Hermantov	55811 Hermantown	HE
4545 Solway Rd		Duluth	55811 Solway Twp	SW

4568 Solway Rd	4568 Solway Rd	Hermantov	55811 Hermantown	HE
4582 Solway Rd RWH Co. Welding Supply	4582 Solway Rd	Hermantov	55811 Hermantown	HE
4598 Solway Rd	4598 Solway Rd	Hermantov	55811 Hermantown	HE
5677 W Arrowhead Rd	5677 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5680 W Arrowhead Rd	5680 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5682 W Arrowhead Rd	5682 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5691 W Arrowhead Rd	5691 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5745 W Arrowhead Rd	5745 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5750 W Arrowhead Rd	5750 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5757 W Arrowhead Rd	5757 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5761 W Arrowhead Rd	5761 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5775 W Arrowhead Rd	5775 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5778 W Arrowhead Rd	5778 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5787 W Arrowhead Rd	5787 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5795 W Arrowhead Rd	5795 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5800 W Arrowhead Rd	5800 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5801 W Arrowhead True North Flag and Flagpoles	5801 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5821 W Arrowhead Rd	5821 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5841 W Arrowhead Rd	5841 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5842 W Arrowhead Rd	5842 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5853 W Arrowhead Rd	5853 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5875 W Arrowhead Rd	5875 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5895 W Arrowhead Rd	5895 W Arrowhead Rd	Hermantov	55811 Hermantown	HE
5903 W Arrowhead Rd	5903 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
5917 W Arrowhead Rd	5917 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
5928 W Arrowhead Rd	5928 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
5931 W Arrowhead Rd	5931 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
5941 W Arrowhead Rd	5941 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
5942 W Arrowhead Rd	5942 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
5954 W Arrowhead Rd	5954 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
5963 W Arrowhead Rd	5963 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
5964 W Arrowhead Rd	5964 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
5976 W Arrowhead Rd	5976 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
6010 W Arrowhead Rd	6010 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
6046 W Arrowhead Rd	6046 W Arrowhead Rd	Duluth	55810 Solway Twp	SW
4409 Welsh Rd	4409 Welsh Rd	Hermantov	55811 Hermantown	HE
4410 Welsh Rd	4410 Welsh Rd	Hermantov	55811 Hermantown	HE
4411 Welsh Rd	4411 Welsh Rd	Hermantov	55811 Hermantown	HE
4414 Welsh Rd	4414 Welsh Rd	Hermantov	55811 Hermantown	HE
4428 Woodgate Rd	4428 Woodgate Rd	Duluth	55810 Solway Twp	SW
4435 Woodgate Rd	4435 Woodgate Rd	Duluth	55810 Solway Twp	SW
4460 Woodgate Rd	4460 Woodgate Rd	Duluth	55810 Solway Twp	SW
4476 Woodgate Rd	4476 Woodgate Rd	Duluth	55810 Solway Twp	SW

274 Total Addresses

6 Businesses out of the 274 passings

1 Fire Hall out of the 274 passings

21-20

From: CH-Natalie Peterson
Sent: Thursday, February 04, 2021 10:43 AM
To: CH-John Mulder <jmulder@hermantownmn.com>
Subject: Fwd:

See below

Natalie
Sent from my iPhone

Begin forwarded message:

From: Paul Vizanko <pvizan755@gmail.com>
Date: February 4, 2021 at 10:35:26 AM CST
To: CH-Natalie Peterson <councilorpeterson@hermantownmn.com>

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

Hi Natalie, my name is Paul Vizanko and I am a Board Member for the Aad Shriners. I was wondering if you would ever consider lowering our liquor license fees due to the Covid situation we all find ourselves in. I would imagine the local establishments would appreciate the help as well. Thanks for your time and consideration.

Paul Vizanko
Aad Shriners
218-590-7540



MnDOT Office of Aeronautics
395 John Ireland Blvd. MS 410
St. Paul, MN 55155

February 8, 2020

Steven Hanke
Deputy City Attorney
City of Duluth

Dear Mr. Hanke,

The Office of Aeronautics has reviewed the proposed Duluth International Airport Zoning Ordinance received on November 10. We appreciate the efforts of the Joint Airport Zoning Board in drafting the custom ordinance.

Minnesota Statute §360.0656 Subd. 1 requires the joint airport zoning board to include in the record a detailed analysis that explains how the factors listed in Subd. 1 items 1-5 are addressed by the zoning regulations to provide a reasonable level of safety. Subd. 2 requires the zoning board to submit both the proposed ordinance and the supporting record. The commissioner must determine whether the proposed zoning regulations and supporting record evaluate the criteria under Subd. 1 and provide a reasonable level of safety.

The commissioner objects to the proposed Duluth International Airport Zoning Ordinance on the basis that the provided record and analysis insufficiently explain how the proposed regulations address the factors in Minnesota Statute §360.0656 Sub. 1 to provide a reasonable level of safety. Attached is a detailed explanation of the commissioner's objection.

This objection does not mean that we reject the entirety of your proposal. The objection starts the next phase of a collaborative process. We look forward to working together and discussing the specifics of the commissioner's objections and our recommendations for the next submission.

The Duluth International Airport Joint Airport Zoning Board must now review, consider, and provide a detailed explanation demonstrating how it evaluated the commissioner's objections and what action the Zoning Board took or did not take in response to the objections. If the Zoning Board amends the proposed regulations after its initial public hearing, the Zoning Board must conduct a second public hearing on the revisions prior to resubmitting the revised proposed regulations to the commissioner for review.

If you have questions, please contact Rylan Juran at rylan.juran@state.mn.us. We look forward to working with you to complete this effort.

Sincerely,

Cassandra Isackson
Director, Office of Aeronautics

Duluth Custom Airport Zoning Ordinance Review

The commissioner cannot determine whether the proposed custom airport zoning regulations and supporting record provide a reasonable level of safety. Presented below are the statutory requirements for the acceptance of a custom airport zoning ordinance as interpreted by the Office of Aeronautics, the staff's analysis of the proposed custom airport zoning ordinance, and recommendations for the next submission by the Joint Airport Zoning Board.

Statutory Requirements

Minnesota Statute Section 360.0656, Subdivision 1 (c) requires that the joint airport zoning board include a detailed analysis that explains how the proposed custom airport zoning regulations address the following factors to ensure a reasonable level of safety:

- (1) the location of the airport, the surrounding land uses, and the character of neighborhoods in the vicinity of the airport, including:
 - (i) the location of vulnerable populations, including schools, hospitals, and nursing homes, in the airport hazard area;
 - (ii) the location of land uses that attract large assemblies of people in the airport hazard area;
 - (iii) the availability of contiguous open spaces in the airport hazard area;
 - (iv) the location of wildlife attractants in the airport hazard area;
 - (v) airport ownership or control of the federal Runway Protection Zone and the department's Clear Zone;
 - (vi) land uses that create or cause interference with the operation of radio or electronic facilities used by the airport or aircraft;
 - (vii) land uses that make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of pilots using the airport, or impair visibility in the vicinity of the airport;
 - (viii) land uses that otherwise inhibit a pilot's ability to land, take off, or maneuver the aircraft;
 - (ix) airspace protection to prevent the creation of air navigation hazards in the airport hazard area; and
 - (x) the social and economic costs of restricting land uses;
- (2) the airport's type of operations and how the operations affect safety surrounding the airport;
- (3) the accident rate at the airport compared to a statistically significant sample, including an analysis of accident distribution based on the rate with a higher accident incidence;
- (4) the planned land uses within an airport hazard area, including any applicable platting, zoning, comprehensive plan, or transportation plan; and
- (5) any other information relevant to safety or the airport.

Minnesota Statute Section 360.0656, Subd. 2 (a) requires the commissioner to determine whether the proposed custom airport zoning ordinance and supporting record (1) **evaluate the criteria under Subdivision 1**, and (2) **provide a reasonable level of safety**.

The purpose of airport zoning is "that the creation or establishments of airport hazards be prevented" (Chapter 360.062 (b) (2)). For a custom airport zoning ordinance to successfully provide a reasonable level of safety, the regulations should control future land uses in the areas and manner most impactful on airport safety to an extent reasonable given the social and economic costs specific to unique conditions of area surrounding the airport. Not all land use regulations are equal, and the social and economic costs involved in prohibiting the creation of certain airport hazards are higher than prohibiting the creation of others. Therefore, the commissioner would expect that a proposed custom zoning ordinance incorporate existing and future land use regulations from local zoning ordinances, transportation plans, and comprehensive plans.

Does the analysis adequately address the factors?

To assist the commissioner to determine if the documents provided adequately address the factors in statute, the Office of Aeronautics has prepared the table below assessing each factor individually. In order to determine if a factor is satisfactorily addressed in the proposed custom zoning ordinance, the provided analysis must first be complete. The table has been color-coded: green indicating that the analysis or ordinance satisfactorily addresses the factor, yellow indicating that the factor has been addressed, but there are areas that office believes should be expanded on, and red indicating that the office does not find the analysis or ordinance to adequately address the factor.

This table is a guide to better communicate the commissioner's evaluation of a specific proposed custom zoning ordinance. The purpose of custom zoning, as opposed to the commissioner's standard, is to provide joint airport zoning boards with the opportunity to craft a zoning ordinance which responds to the unique qualities of each airport and the surrounding area. This table is not a rubric and should not be interpreted as a second standard zoning template, and it is not a requirement that every factor be green.

Factor	Addressed in analysis	Addressed in ordinance
Factor 1: The location of the airport, the surrounding land uses, and the character of the neighborhoods in the vicinity of the airport		
i. The location of vulnerable populations, including schools, hospitals, and nursing homes, in the airport hazard area;	The analysis doesn't examine future or potential land uses	Uses are prohibited in zone 2
ii. The location of land uses that attract large assemblies of people in the airport hazard area;	The analysis doesn't examine future or potential land uses	Uses are prohibited in zone 2
iii. The availability of contiguous open spaces in the airport hazard area;	The analysis doesn't examine future or potential land uses	Land use restrictions in zone 2 provide for open space
iv. The location of wildlife attractants in the airport hazard area;	The analysis doesn't examine future or potential land uses	Uses are prohibited in zone 2
v. Airport ownership or control of the federal Runway Protection Zone and the department's Clear Zone;	Addressed to the satisfaction of the commissioner	Addressed to the satisfaction of the commissioner
vi. Land uses that create or cause interference with the operation of radio or electronic facilities used by the airport or aircraft;	Addressed to the satisfaction of the commissioner	Addressed to the satisfaction of the commissioner
vii. Land uses that make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of pilots using the airport, or impair visibility in the vicinity of the airport;	Addressed to the satisfaction of the commissioner	Addressed to the satisfaction of the commissioner
viii. Land uses that otherwise inhibit a pilot's ability to land, take off, or maneuver the aircraft;	Addressed to the satisfaction of the commissioner	Addressed to the satisfaction of the commissioner
ix. Airspace protection to prevent the creation of air navigation hazards in the airport hazard area; and	Addressed to the satisfaction of the commissioner	Addressed to the satisfaction of the commissioner
x. The social and economic costs of restricting land uses;	The analysis does not examine the balance between costs and safety	N/a
2. The airport's type of operations and how the operations affect safety surrounding the airport;	Addressed to the satisfaction of the commissioner	Addressed to the satisfaction of the commissioner
3. The accident rate at the airport compared to a statistically significant sample, including an analysis of accident distribution based on the rate with a higher accident incidence;	The analysis does not provide enough detail to determine how their statistical analysis was made	Insufficient information
4. The planned land uses within an airport hazard area, including any applicable platting, zoning, comprehensive plan, or transportation plan; and	The analysis states that the custom zones are compatible with current comprehensive, zoning, or transportation plans in the surrounding jurisdictions, but does not elaborate	Insufficient information
5. Any other information relevant to safety or the airport.	N/a	N/a

Factor 1 (Minn. Stat. § 360.0656, subd. 1 (1) the location of the airport, the surrounding land uses, and the character of neighborhoods in the vicinity of the airport)

i. The location of vulnerable populations, including schools, hospitals, and nursing homes, in the airport hazard area;

JAZB Conclusion: *"Because Zone 1 consists exclusively of Airport property, facilities containing vulnerable populations will not be developed in Zone 1. Future development of properties containing vulnerable populations are unlikely to be developed in Zone 2. Future development of properties containing vulnerable populations are acceptable in Zone 3."*

MnDOT Response: The purpose of airport zoning is to prevent the creation or establishment of airport hazards. The identification of existing land uses is an important part of the analysis, but the analysis provided by the JAZB does not contain the location of future or potential land uses containing vulnerable populations or the identification of areas where the development of land uses containing vulnerable populations would be most harmful to airport safety. Placing land use regulations on parcels which are already developed with compatible uses will prevent their transition to incompatible land uses in the future, thereby providing a potential future safety benefit. Because all the land in Zone 1 is owned and controlled by the airport, land use restrictions there do not provide a meaningful increase in safety as there already exists more robust mechanisms preventing the creation of airport hazards. Land use restrictions in Zone 2 prevent the creation of land uses which contain vulnerable populations, but the analysis does not explain how the ordinance provides a reasonable level of safety regarding vulnerable populations off the ends of runways 3 and 2, where there is no Zone 2.

ii. The location of land uses that attract large assemblies of people in the airport hazard area;

JAZB Conclusion: *"Future development of properties containing land uses that may attract large assemblies of people will not be developed in Zone 1. Future development of properties containing land uses that may attract large assemblies of people are unlikely to be developed in Zone 2. Future development of properties containing vulnerable populations are acceptable in Zone 3."*

MnDOT Response: The same comments made above regarding vulnerable populations apply to large assemblies of people. The land use restrictions in the ordinance are robust, but the JAZB has not sufficiently explained how the configuration of Zone 2 best provides a reasonable level of safety off of runways 3 and 21. The JAZB analysis states that the area along highway 52 off of runway 3 is an areas where a future facility containing large assemblies of people is likely to be built. How does the proposed zoning ordinance provide a reasonable level of safety in that area with the land use restrictions present under Zone 3?

iii. The availability of contiguous open spaces in the airport hazard area;

JAZB Conclusion: *"Zone 1 is contained fully on Airport property and will not be developed. Future development in Zone 2 will remain low-density, with a minimum parcel size of 2.5 acres. The rural atmosphere surrounding the Airport will maintain sufficient buffer for the pilot of a malfunctioning airport to steer clear of structures."*

MnDOT Response: Without a map of existing open spaces as well as those the airport zoning ordinance would preserve; it is difficult to determine the level of safety provided by the zoning ordinance relating to the contiguity of open space. The analysis explains the land use restrictions and safety benefits of Zone 2, but does not explain how the ordinance provides a reasonable level of safety in the areas under Zone 3 located near the ends of runways 3 and 21. The analysis does not provide evidence that the rural atmosphere surrounding the airport will persist in the future.

iv. The location of wildlife attractants in the airport hazard area;

JAZB Conclusion: *"Based on existing development patterns, no new wildlife attractants are likely to be established in the foreseeable future."*

MnDOT Response: Without a map, it is difficult to determine the impact of existing wildlife attractants on airport safety. The analysis does not explain how the ordinance provides a reasonable level of safety regarding the prevention of the creation of wildlife attractants.

v. Airport ownership or control of the federal Runway Protection Zone and the department's Clear Zone;

JAZB Conclusion: *"The proposed custom zones fully comply with the standard zones."*

MnDOT Response: No objection

vi. Land uses that create or cause interference with the operation of radio or electronic facilities used by the airport or aircraft;

JAZB Conclusion: *"Hazards created by land use are primarily the result of the forested areas in the vicinity of the airport. The tree canopy likely presents more of a hazard to aircraft than any built structures."*

MnDOT Response: No objection

vii. Land uses that make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of pilots using the airport, or impair visibility in the vicinity of the airport;

JAZB Conclusion: *"Hazards created by land use are primarily the result of the forested areas in the vicinity of the airport. The tree canopy likely presents more of a hazard to aircraft than any built structures."*

MnDOT Response: No objection

viii. Land uses that otherwise inhibit a pilot's ability to land, take off, or maneuver the aircraft;

JAZB Conclusion: *"Hazards created by land use are primarily the result of the forested areas in the vicinity of the airport. The tree canopy likely presents more of a hazard to aircraft than any built structures."*

MnDOT Response: No objection

ix. Airspace protection to prevent the creation of air navigation hazards in the airport hazard area; and

JAZB Conclusion: *"Existing land uses, the proposed custom zones, and existing land use plans all combine to ensure no existing or future land uses intrude on the airspace surrounding the Airport."*

MnDOT Response: No objection

x. the social and economic costs of restricting land uses

JAZB Conclusion: *“The custom zones minimize these important social and economic costs associated with the relocation and displacement of homes and existing businesses.”*

MnDOT Response: The purpose of custom zoning is to provide airports with flexibility to best balance the social and economic costs of zoning with providing a reasonable level of safety in a manner which considers the unique qualities of the airport. How do the custom zones balance these costs with airport safety?

Factor 2 (Minn. Stat. § 360.0656, subd. 1 (2) the airport’s type of operations and how the operations affect safety surrounding the airport.)

JAZB Conclusion: *“The custom zones recognize the potential for aircraft accidents in the vicinity of the runway ends and are appropriately sized to the primary types of operations at the Airport.”*

MnDOT Response: No objection

Factor 3 (Minn. Stat. § 360.0656, subd. 1 (3) the accident rate of the airport compared to a statistically significant sample, including an analysis of accident distribution based on the rate with a higher accident incidence.)

JAZB Conclusion: *“The Airport’s low historical accident rate and the existing land use protections in place through the existing RPZs provide an acceptable level of safety for the community in the vicinity of the airport. Statistically, an aircraft could be expected to crash within the airport hazard area off one of the runway ends but outside the RPZ approximately once every 800 years.”*

MnDOT Response: The statistical analysis of distribution of probability of an accident refers to data from the 2008 ACRP Report 3, *Analysis of Aircraft Overruns and Undershoots for Runway Safety Area*, but does not provide the data nor model which were used to reach the conclusions presented to the commissioner.

Factor 4 (Minn. Stat. § 360.0656, subd. 1 (4) the planned land uses within an airport hazard area, including any applicable platting, zoning, comprehensive plan, or transportation plan.)

JAZB Conclusion: *“The custom zones do not impact the existing municipal plans and reinforce the policies found within each plan.”*

MnDOT Response: The analysis states that the custom zones are compatible with current comprehensive, zoning, or transportation plans in the surrounding jurisdictions, but none of the relevant plans or maps are provided, nor explained how the plans affect airport safety or how the airport zoning ordinance provides a reasonable level of safety. Land use regulations created outside of airport zoning are subject to change at the discretion of the community and may impact airport safety, possibly to the degree requiring the closure of a runway or the airport. The purpose of airport zoning is to give the airport some control over the surrounding land uses to prevent the creation of airport hazards.

Factor 5 (Minn. Stat. § 360.0656, subd. 1 (5) any other information relevant to safety or the airport.)

N/a

Do the proposed regulations provide a reasonable level of safety?

Because of the objections listed above, the commissioner cannot determine whether the proposed custom airport zoning ordinance provides a reasonable level of safety.

Recommendations

These recommendations are only suggestions made by the Office of Aeronautics. They should not be considered a requirement for the acceptance of the custom zoning ordinance.

Provide more information explicitly explaining how, and in what ways, the proposed ordinance provides a reasonable level of safety relative to each statutory factor

The commissioner must determine whether the custom airport zoning ordinance provides a relative level of safety regarding each factor listed in Minnesota Statutes 360.0656, subdivision 1(c). Providing a clear link between the specific regulations and configuration of the proposed ordinance to each factor will better assist the commissioner in making that determination.

Incorporate local zoning ordinances/comprehensive plans

While the analysis looks at existing land use regulations and current transportation and comprehensive plans, these factors are not incorporated into the ordinance. This leaves the airport vulnerable to future development of the surrounding communities, potentially threatening airport safety or the future viability of the airport. Incorporating existing restrictions into the airport zoning ordinance will protect current conditions which are favorable to airport safety with minimal social and economic cost.

Consider less-burdensome land use regulations as opposed to no land use regulations

The analysis of the social and economic costs of zoning does not include the difference between different land uses regulations. Consider alternatives between the most restrictive land use regulations and the least restrictive, particularly while considering land uses which house vulnerable populations, attract large assemblies of people, and protect the availability of open space. For example, land use regulations such as prohibiting the creation of hospitals and schools are less costly than prohibiting all development, particularly in areas where such uses are already prohibited or not planned.

Conduct an alternatives analysis of different configurations of safety zones

The analysis does not compare the social and economic costs and the safety provided by the proposed configuration of the safety zones to alternative zoning configurations. The analysis doesn't provide any information as to how the size and shape of the proposed safety zones were determined. A broader analysis would provide a clearer justification for the proposed JAZB safety zones and a clearer understanding of how the ordinance provides a reasonable level of safety. Consider additional safety zones which could provide a finer balance between costs and safety.



Planning & Zoning Commission
and Community Development
Department

2020 Hermantown Planning & Zoning Commission

Joseph Peterson, *Chair*

Corey Kolquist *Vice Chair*

Chad Scott

Sam Clark

Greg Zimmerman

Tracy Lundeen

Valerie Ouellette

Shannon Sweeney Jorgenson

Kristi Schmidt, *Council Liaison*

Wayne Boucher, *Council Liaison*

Summary of Applications

In 2020 the Planning Commission held public hearings on numerous applications. The applications are listed by type, and the projects are described in the paragraphs to follow.

Applications Processed:	31
Rezoning	1
Commercial Industrial Development Permit	4
Planned Unit Development	7
Preliminary and Final Plat	3
Wetland Replacement Plan	2
Ordinance/Zoning Text Amendment	1
Special Use Permits	5
Variance	2
Flag Lot Subdivision	6

DEVELOPMENT & REDEVELOPMENT

Projects that came before the Planning & Zoning Commission in 2020 are briefly summarized below:

PRELIMINARY AND FINAL PLAT

Peyton Acres – JLG Enterprises of Hermantown, LLP

An application for the subdivision of an existing 65 acre lot into 19 lots and one outlot broken into 2 phases. Phase 1A was for 6 lots with 1B for the remainder. The first two phases are entirely within the R-3 zoning district with the lots being ½ acre minimum in size.

Action Taken:

Planning & Zoning Commission approved the plat contingent on 10 conditions.

Result of Planning & Zoning Commission recommendation:

The preliminary plat was approved by the City Council in April 2020. The final plat for phase 1A (6 lots) was approved in July 2020. The developer commenced work on the project in September 2020 and it is anticipated the first 6 lots will be for sale in the spring of 2021. The developer is planning on starting phase 1B in the spring of 2021 as well.

Jenny Farms – Shaine Stokke

An application for a plat and PUD for the subdivision of an existing 45 acre lot into 9 lots. The property is within the S-1 zoning district with the lots ranging from 2.5 acres to 11.5 acres in size.

Action Taken:

Planning & Zoning Commission approved the plat contingent on 13 conditions and the PUD with 14 conditions.

Result of Planning & Zoning Commission recommendation:

The preliminary plat and PUD was approved by the City Council in June 2020. The developer has not commenced work on the project as of this time.

PLANNED UNIT DEVELOPMENTS

Engwall's Redevelopment – Sandy Hoff/Rod Saline

An application for a Final Planned Unit Development (PUD) to construct 25 units/lots on the northern portion of the Engwall's property. The PUD proposed small lot single family residential units utilizing a shared green space and alleyway concept.

Action Taken:

Planning & Zoning Commission approved contingent on 10 conditions.

Result of Planning & Zoning Commission recommendation:

The application for the Final Planned Unit Development received approval at the City Council. The developer is continuing to review the project to determine its development costs. The developer has retained an engineer and has indicated they are ready to start with the Development Agreement process with the City.

The Pillars of Hermantown – Oppidan Development Company/KTJ 360, LLC

Oppidan Development Company submitted a scaled down version of the previous plan for the Arbours at Maple Grove. An application for a Preliminary and Final Planned Unit Development (PUD) was submitted in March 2020 to construct a 110 unit senior living facility on a 10 acre site located at the NE quadrant of Maple Grove Road and Lavaque Road.

Action Taken:

Planning & Zoning Commission approved contingent on 9 conditions.

Result of Planning & Zoning Commission recommendation:

The application for the Final Planned Unit Development received approval at the City Council in April 2020. The developer has requested a one year extension of the PUD approval to April 2022.

Maple Grove Townhomes – JP Holding Co., LLC

The applicant presented a proposal for a 72 unit, three story apartment building and 18 townhome units comprised of duplexes and threeplexes. The proposed site was located to the east of the Maple Grove Road/Lavaque Road intersection, along the trunk sanitary sewer corridor.

Action Taken:

The Planning and Zoning Board did not recommend the project as they stated they were not in favor of an apartment on this property.

Result of Planning & Zoning Commission recommendation:

This action eventually led to the PUD moratorium within the R-3 zoning district on PUD applications greater than 3 units per acre.

COMMERCIAL INDUSTRIAL DEVELOPMENT PERMIT

Hermantown Apartments – P&R Properties

The applicant proposed a 147-unit, five story apartment building consisting of 11 alcove/studio units, 84 one bedroom units, 33 two bedroom units and 20 three bedroom units. The building has a footprint of approximately 42,260 square feet for a total of approximately 222,050 square feet in size. Parking spaces of 2 per unit was achieved through a combination of surface parking, covered parking (within the building footprint) and proof of parking. The property is a 5 acre site located in the C, Commercial zoning district.

Action Taken:

Planning & Zoning Commission approved contingent on 12 conditions

Result of Planning & Zoning Commission recommendation:

The developer started work on the project in the fall of 2020 with the anticipated opening date of the facility being October 2021.

Fresenius Kidney Care/Patriot Properties of Hermantown

The applicant proposed a 12,000 square foot, one story building in the Hermantown Marketplace to house a medical clinic. This building was the third one developed by Patriot Properties of Hermantown, LLC as part of the overall master plan for this 12 acre area.

Action Taken:

Planning & Zoning Commission approved contingent on 6 conditions.

Result of Planning & Zoning Commission recommendation:

The project developer started the project in the fall of 2020 with an anticipated opening date in the summer of 2021.

ADDITIONAL APPLICATIONS

- A CIDP to WKK, Inc. for the redevelopment of the existing convenience store to a multi-tenant building with potential drive-thru, located at 4803 Miller Trunk Hwy. This new business is expected to open in 2021. This project was approved by the Planning and Zoning Commission in August 2020.
- A PUD to Clear Vision Builders, LLC for the construction of two duplexes (4 units total) was approved in April 2020. The property is located in a R-3 zoning district and is located at 4063 Ugstad Road.
- A PUD to ATK Enterprises, Inc. for the first phase of a multi-phase development. The first phase includes two cold storage buildings with future phases to include climate-controlled garage condos for personal or small business use and an office space for ATK. The property is located in a C, Commercial zoning district and is located along Norway Pines Place.

Community Development Department

In 2020 the Community Development Department processed 81 varying applications as well as spoke to multiple developers regarding housing and commercial development opportunities within the City. There continues to be strong interest in housing opportunities, especially in developments incorporating housing types other than single family residential projects.

Applications Processed:	81
Rezoning	1
Commercial Industrial Development Permits	4
Planned Unit Development	7
Development Agreements	2
Preliminary and Final Plat	3
Wetland Replacement Plan	2
Property Splits/Subdivisions	14
Wetland Delineations	19
Wetland Exemptions	1
Zoning Certificates	21
Erosion Control Permits	1
Ordinance/Zoning Text Amendments	1
Special Use Permits	5

CITY OF HERMANTOWN
CITY COUNCIL MEETING
February 1, 2021
6:30 p.m.

MEETING CONDUCTED IN PERSON & VIA ZOOM

Pledge of Allegiance

ROLL CALL: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher

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

ABSENT:

VISITORS: 3

ANNOUNCEMENTS

PUBLIC HEARING – Road Improvement District No. 534

NOTICE OF PUBLIC HEARING ON
ROAD IMPROVEMENT DISTRICT NO. 534
(UGSTAD ROAD)

NOTICE IS HEREBY GIVEN, that the City Council of the City of Hermantown will meet in the Council Chambers of Governmental Services Building, 5105 Maple Grove Road, Hermantown, Minnesota, at 6:30 p.m. on Monday, February 1, 2021 to consider Road Improvement District No. 534 (Ugstad Road).

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

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

The estimated cost of such improvement is \$3,656,243.80.

Proposed assessment: \$9,750.00 per parcel

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

The Public Hearing held Monday, February 1, 2021 regarding the Road Improvement District No. 534 has been recorded but not transcribed. There were no persons present who spoke on this matter.

Public Hearing closed at 6:59 p.m.

2021-17 Resolution Ordering Improvement And Directing Preparation Of Final Plans And Specifications For Road Improvement District No. 534 (Ugstad Road)

Motion made by Councilor Hauschild, seconded by Councilor Geissler to adopt Resolution 2021-17, Resolution Ordering Improvement And Directing Preparation Of Final Plans And Specifications For Road Improvement District No. 534 (Ugstad Road). Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

COMMUNICATIONS

Communications 21-08 through and including 21-12 were read and placed on file.

Communication 21-10 from Ben Sosniecki, 5320 Sunnyview Rd. to Wayne Boucher, Mayor regarding Maple Grove Road Property

PRESENTATIONS

PUBLIC DISCUSSION

CONSENT AGENDA

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

- A. Approve January 19, 2021 City Council Continuation Minutes and January 25, 2021 Work Session Minutes
- B. Approve general city warrants from January 16, 2021 through January 31, 2021 in the amount of \$4,074,010.10

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

MOTIONS

ORDINANCES

RESOLUTIONS

2021-18 Resolution Authorizing The City Of Hermantown To Sponsor A Grant For The Purchase Of Snowmobile Trail Maintenance Equipment By The Hermantown Night Riders

Motion made by Councilor Peterson, seconded by Councilor Nelson to adopt Resolution 2021-18, Resolution Authorizing The City Of Hermantown To Sponsor A Grant For The Purchase Of Snowmobile Trail Maintenance Equipment By The Hermantown Night Riders. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

2021-19 Resolution Approving A Special Use Permit For The Grading And Filling Within A Shoreland Overlay Zoning District

Motion made by Councilor Geissler, seconded by Councilor Hauschild to adopt Resolution 2021-19, Resolution Approving A Special Use Permit For The Grading And Filling Within A Shoreland Overlay Zoning District. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

2021-20 Resolution Approving A Special Use Permit For The Grading And Filling Within A Shoreland Overlay Zoning District

Motion made by Councilor Peterson, seconded by Councilor Geissler to adopt Resolution 2021-20, Resolution Approving A Special Use Permit For The Grading And Filling Within A Shoreland Overlay Zoning District. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

2021-21 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Master Lease-Purchase Agreement And Amendment Master Lease-Purchase Agreement

Motion made by Councilor Hauschild, seconded by Councilor Nelson to adopt Resolution 2021-21, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Master Lease-Purchase Agreement And Amendment Master Lease-Purchase Agreement. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

2021-15 Resolution Receiving Bids And Awarding Contract For Old Hwy 2 To Sinnott Contracting, LLC In The Amount Of \$44,000.00

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2021-15, Resolution Receiving Bids And Awarding Contract For Old Hwy 2 To Sinnott Contracting, LLC In The Amount Of \$44,000.00. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Hauschild, seconded by Councilor Peterson to recess the meeting at 7:15 p.m. Motion carried.

Mayor

ATTEST:

Clerk

CITY OF HERMANTOWN

CHECKS #66992-#67056
02/01/2021-02/15/2021

PAYROLL CHECKS

Electronic Checks - #71122-71161 71,733.71

LIABILITY CHECKS

Electronic Checks - #71117-71121 \$54,905.21

Checks #66992 \$966.35

PAYROLL EXPENSE TOTAL \$127,605.27

ACCOUNTS PAYABLE

Checks - #66993-67056 \$249,941.05

Electronic Payments -#99889-99894 \$9,691.54

ACCOUNTS PAYABLE TOTAL \$259,632.59

TOTAL \$387,237.86

CITY OF HERMANTOWN, MN 02/01/2021-02/15/2021
 Check # is between 66992 and 67056 or Check # is between -99894 and -99889

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Fund	Account	Department	Vendor Name	Description	Amount	Check #
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement - Electron	4,237.00	-99894
101	421100	Police Administration	FURTHER ELECTRONIC PAYMENTS	1st qtr VEBA Gottschald Strace	833.34	-99893
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Williams	120.00	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Crace	199.99	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Knapp	14.08	-99892
601	494300	Water Distribution	FIRST BANKCARD	Dec First Bankcard Bjonskaas	12.45	-99892
601	494400	Water Administration and General	FIRST BANKCARD	Dec First Bankcard Orme	3.25	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Esterbrooks	40.45	-99892
101	431901	City Garage	FIRST BANKCARD	Dec First Bankcard Senst	104.71	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Crace	172.95	-99892
101	415300	Administration & Finance	FIRST BANKCARD	Dec First Bankcard Orme	40.36	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Pfeiffer	16.10	-99892
101	415300	Administration & Finance	FIRST BANKCARD	Dec First Bankcard Orme	9.74	-99892
101	419901	City Hall & Police Building Maintenance	FIRST BANKCARD	Dec First Bankcard Vatne	90.00	-99892
101	415300	Administration & Finance	FIRST BANKCARD	Dec First Bankcard Mulder	100.80	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Ross	58.32	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Knapp	4.32	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Mischke	98.96	-99892
601	494300	Water Distribution	FIRST BANKCARD	Dec First Bankcard Senst	112.31	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Gunderson	39.99	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Esterbrooks	51.80	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Esterbrooks	49.98	-99892
602	494900	Sewer Administration and General	FIRST BANKCARD	Dec First Bankcard Orme	3.25	-99892
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Volk	20.95	-99892
101	431100	Street Department	FIRST BANKCARD	Dec First Bankcard Bjonskaas	212.79	-99891
101	415300	Administration & Finance	FIRST BANKCARD	Dec First Bankcard Orme	35.22	-99891
101	419901	City Hall & Police Building Maintenance	FIRST BANKCARD	Dec First Bankcard Vatne	43.50	-99891
101	431901	City Garage	FIRST BANKCARD	Dec First Bankcard Senst	45.82	-99891
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Knapp	79.35	-99891
101	421100	Police Administration	FIRST BANKCARD	Dec First Bankcard Ross	58.87	-99891
101	419901	City Hall & Police Building Maintenance	FIRST BANKCARD	Jan First Bankcard Vatne	45.99	-99890
101	421100	Police Administration	FIRST BANKCARD	Jan First Bankcard Estebrooks	151.98	-99890
602	494900	Sewer Administration and General	FIRST BANKCARD	Jan First Bankcard Orme	3.25	-99890
101	421100	Police Administration	FIRST BANKCARD	Jan First Bankcard Pfeiffer	50.00	-99890
101	421100	Police Administration	FIRST BANKCARD	Jan First Bankcard Estebrooks	50.00	-99890
101	421100	Police Administration	FIRST BANKCARD	Jan First Bankcard Pernu	50.00	-99890
602	494500	Sewer Maintenance	FIRST BANKCARD	Jan First Bankcard Senst	20.11	-99890
101	411100	Council	FIRST BANKCARD	Jan First Bankcard Mulder	175.00	-99890

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Fund	Account	Department	Vendor Name	Description	Amount	Check #
602	494500	Sewer Maintenance	FIRST BANKCARD	Jan First Bankcard Bjonskaas	140.38	-99890
601	494400	Water Administration and General	FIRST BANKCARD	Jan First Bankcard Orme	3.25	-99890
101	431100	Street Department	FIRST BANKCARD	Jan First Bankcard Senst	54.99	-99890
101	421100	Police Administration	FIRST BANKCARD	Jan First Bankcard Ross	50.00	-99890
101	431100	Street Department	FIRST BANKCARD	Jan First Bankcard Senst	36.48	-99890
101	421100	Police Administration	FIRST BANKCARD	Jan First Bankcard Ross	77.98	-99890
101	421100	Police Administration	FIRST BANKCARD	Jan First Bankcard Dwyer	75.00	-99890
101	415300	Administration & Finance	FIRST BANKCARD	Jan First Bankcard Mulder	30.00	-99890
601	494300	Water Distribution	FIRST BANKCARD	Jan First Bankcard Bjonskaas	166.90	-99890
101	419901	City Hall & Police Building Maintenance	FIRST BANKCARD	Jan First Bankcard Vatne	30.00	-99890
101	421100	Police Administration	FIRST BANKCARD	Jan First Bankcard Sorensen	53.32	-99890
101	415300	Administration & Finance	FIRST BANKCARD	Jan First Bankcard Orme	9.74	-99890
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement - Electron	1,506.52	-99889
101	415300	Administration & Finance	ADVANTAGE EMBLEM & SCREEN PRINTING INC	Dahlin Employee Recognition	25.00	66993
101	421100	Police Administration	ANGEL ARMOR	Vests Stracek and Gottschald	2,197.32	66994
101	421100	Police Administration	ANGEL ARMOR	Vest Williams	1,250.00	66994
101	419100	Community Development	ARROWHEAD ABSTRACT & TITLE CO.	O-308520 SUP Robert Doblal O&E	75.00	66995
101	431100	Street Department	BOBCAT OF DULUTH INC	Fuel Filter for Skid Steer	40.92	66996
101	431100	Street Department	BOYER TRUCKS INC	H3 Thermostat	30.69	66997
101	431100	Street Department	BOYER TRUCKS INC	H0 Rear Differential	5,377.82	66997
411	419100	Community Development	BRAUN INTERTEC CORPORATION	EWC - Vapor Mitigation	1,325.00	66998
602	494500	Sewer Maintenance	BRAUN INTERTEC CORPORATION	Sanitary Sewer Inspections	1,125.00	66998
411	419100	Community Development	BRAUN INTERTEC CORPORATION	EWC RAP/CCP Implementation	4,255.00	66998
411	419100	Community Development	BRAUN INTERTEC CORPORATION	EWC - Vapor Mitigation	1,880.00	66998
602	494500	Sewer Maintenance	CENTRAL PENSION FUND	Training Per Contract	45.65	66999
101	431100	Street Department	CENTRAL PENSION FUND	Training Per Contract	45.65	66999
601	494300	Water Distribution	CENTRAL PENSION FUND	Training Per Contract	45.65	66999
101	422902	Firehall #2 Morris Thomas Road	CENTURYLINK	Internet FH #2 Jan 28-Feb 27	69.98	67000
101	422903	Firehall #3 Midway Road	CENTURYLINK	Internet FH #3	79.98	67000
101	431901	City Garage	CINTAS CORPORATION	Mats at PW	20.58	67001
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at FD/PD	30.72	67001
101	431100	Street Department	CINTAS CORPORATION	Uniforms	48.42	67001
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at CH	8.88	67001
101	431901	City Garage	CINTAS CORPORATION	Supplies	32.00	67001
101	431100	Street Department	CINTAS CORPORATION	Uniforms	10.80	67001
101	431901	City Garage	CINTAS CORPORATION	1st Aid Cabinet	166.31	67001
101	431100	Street Department	CINTAS CORPORATION	Uniforms	26.42	67001
101	431901	City Garage	CINTAS CORPORATION	Supplies	13.50	67001

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Fund	Account	Department	Vendor Name	Description	Amount	Check #
101	431100	Street Department	CINTAS CORPORATION	Uniforms	10.80	67001
101	431901	City Garage	CINTAS CORPORATION	Mats at PW	2.10	67001
101	421100	Police Administration	CITY OF DULUTH	CIT Training Pfeiffer Mischke	500.00	67002
101	415300	Administration & Finance	CLIFTONLARSONALLEN LLP	2020 Audit	2,205.00	67003
602	494900	Sewer Administration and General	CLIFTONLARSONALLEN LLP	2020 Audit	472.50	67003
601	494400	Water Administration and General	CLIFTONLARSONALLEN LLP	2020 Audit	472.50	67003
601	494300	Water Distribution	CORE & MAIN LP	Water Meters	6,296.22	67004
601	494300	Water Distribution	CORE & MAIN LP	Sensus Annual Support	2,400.00	67004
230	465100	HEDA	CREATIVE ARCADE	Website Monthly Maint Feb	250.00	67005
101	431100	Street Department	CRYTEEL TRUCK EQUIPMENT	H4 hydraulic control solenoid	349.17	67006
275	452200	Community Building	CW TECHNOLOGY GROUP INC	EWC CW Care Feb	855.00	67007
101	415300	Administration & Finance	CW TECHNOLOGY GROUP INC	CW Care Feb	534.15	67007
101	424100	Building Inspection	CW TECHNOLOGY GROUP INC	CW Care Feb	89.22	67007
602	494900	Sewer Administration and General	CW TECHNOLOGY GROUP INC	CW Care Feb	267.26	67007
601	494400	Water Administration and General	CW TECHNOLOGY GROUP INC	CW Care Feb	267.26	67007
101	415300	Administration & Finance	CW TECHNOLOGY GROUP INC	Backup Protect Cloud	558.00	67007
101	419100	Community Development	CW TECHNOLOGY GROUP INC	CW Care Feb	267.26	67007
101	421100	Police Administration	CW TECHNOLOGY GROUP INC	Workstation Disk Encryption	24.00	67007
101	415300	Administration & Finance	CW TECHNOLOGY GROUP INC	Credit-Ultrasm docks returne	-920.00	67007
101	421100	Police Administration	CW TECHNOLOGY GROUP INC	CW Care Feb	1,958.53	67007
101	413100	Mayor	CW TECHNOLOGY GROUP INC	CW Care Feb	89.22	67007
101	431100	Street Department	CW TECHNOLOGY GROUP INC	CW Care Feb	356.10	67007
101	422901	Firehall #1 Maple Grove Road	DOORCO, INC.	FH #1 Door receivers	358.00	67008
101	452100	Parks	DOORCO, INC.	Replaced Operator for MT5011U	1,220.00	67008
101	431901	City Garage	DSC COMMUNICATIONS	Battery for Portable Radio	110.00	67009
101	421100	Police Administration	DVS RENEWAL	00-036319630 Vehicle Registrat	17.25	67010
460	431150	Street Improvements	EXPRESS INVESTORS OF DULUTH, LLC	2nd half TIF Payment 2020	32,065.32	67011
460	431150	Street Improvements	EXPRESS INVESTORS OF DULUTH, LLC	2nd half TIF Payment 2020	9,476.94	67011
475	431150	Street Improvements	FORUM COMMUNICATIONS	ad for bids hwy 2 reclamation	214.50	67012
601	494400	Water Administration and General	GOPHER STATE ONE-CALL INC	Jan Locates	44.13	67013
602	494900	Sewer Administration and General	GOPHER STATE ONE-CALL INC	Jan Locates	29.42	67013
602	494500	Sewer Maintenance	GREAT LAKES PIPE SERVICE INC	Sewer Plug Jaime Dr Emergency	1,300.00	67014
101	431901	City Garage	HARTEL'S/DBJ DISPOSAL CO LLC	Yard Trash Disposal Jan	61.92	67015
101	419901	City Hall & Police Building Maintenance	HARTEL'S/DBJ DISPOSAL CO LLC	Garbage Recycling Jan	232.58	67015
101	431100	Street Department	HERMANTOWN HYDRAULICS	Hyd Fittings	71.56	67016
475	431150	Street Improvements	HERMANTOWN STAR LLC	Bids Lavaque Junction Rd Recon	297.00	67017
402	431150	Street Improvements	HERMANTOWN STAR LLC	PH Rd Improvement district#534	107.26	67017
101	421100	Police Administration	HOLIDAY COMPANIES	Jan Car Washes	20.00	67018

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Fund	Account	Department	Vendor Name	Description	Amount	Check #
101	421100	Police Administration	IACP	Dues Crace 01595858	190.00	67019
230	465100	HEDA	ICS	Hermantown Rec Initiative	2,400.00	67020
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	348.44	67021
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	433.21	67021
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	374.43	67021
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	403.96	67021
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	413.02	67021
101	421100	Police Administration	KOLAR	Relay and Radiator 2015 Tahoe	1,847.45	67022
101	419901	City Hall & Police Building Maintenance	KWIK TRIP EXTENDED NETWORK	Gas Building	126.20	67023
602	494500	Sewer Maintenance	KWIK TRIP EXTENDED NETWORK	Gas Utility	144.70	67023
601	494300	Water Distribution	KWIK TRIP EXTENDED NETWORK	Gas Utility	217.05	67023
101	421100	Police Administration	KWIK TRIP EXTENDED NETWORK	Car Washes PD	73.00	67023
101	431100	Street Department	KWIK TRIP EXTENDED NETWORK	Gas Street	367.33	67023
101	421100	Police Administration	KWIK TRIP EXTENDED NETWORK	Gas PD	2,183.65	67023
101	431100	Street Department	LAKE CITY TOWING	Tow Western Star to Boyer	200.00	67024
101	421100	Police Administration	LEADS ONLINE	Software fee 1/15/21-1/14/22	2,128.00	67025
101	431100	Street Department	LEIBEL, GLEN M	Reimburse Safety Jacket	20.09	67026
601	494300	Water Distribution	LEIBEL, GLEN M	Reimburse Safety Jacket	20.09	67026
602	494500	Sewer Maintenance	LEIBEL, GLEN M	Reimburse Safety Jacket	20.09	67026
101	214500	Escrow Deposits Payable	LUCZAK, CHET	Refund Erosion Control Permit	500.00	67027
101	431100	Street Department	MCCOY CONSTRUCTION & FORESTRY, INC	Shear Bolts Snow Blower	11.84	67028
602	494900	Sewer Administration and General	MEDIACOM	Phone PW	13.55	67029
601	494400	Water Administration and General	MEDIACOM	Phone PW	9.03	67029
275	452200	Community Building	MEDIACOM	EWC -dedicated internet	490.00	67029
101	419901	City Hall & Police Building Maintenance	MEDIACOM	Internet CH	163.92	67029
275	452200	Community Building	MEDIACOM	EWC Line for Elevator	191.31	67029
101	431100	Street Department	MEDIACOM	Internet PW	103.45	67029
101	422901	Firehall #1 Maple Grove Road	MEDIACOM	Phone FD	98.70	67029
101	431100	Street Department	MEDIACOM	Phone PW	22.57	67029
601	494400	Water Administration and General	MEDIACOM	Internet PW	41.38	67029
101	422901	Firehall #1 Maple Grove Road	MEDIACOM	Internet FD	40.98	67029
275	452200	Community Building	MEDIACOM	EWC - Internet	354.90	67029
602	494900	Sewer Administration and General	MEDIACOM	Internet PW	62.07	67029
101	419901	City Hall & Police Building Maintenance	MEDIACOM	Phone CH	394.82	67029
101	431100	Street Department	MENARD INC	Garden Sprayer for Wash Soap	69.98	67030
101	421100	Police Administration	METRO SALES INC	Copier Lease	320.03	67031
101	431100	Street Department	MID-STATE TRUCK SERVICE INC.	Front Fenders JD Row Mower	386.88	67032
602	494900	Sewer Administration and General	MN ENERGY RESOURCES CORP	Natural Gas Lightning Dr	214.99	67033

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Fund	Account	Department	Vendor Name	Description	Amount	Check #
101	452200	Community Building	MN ENERGY RESOURCES CORP	Natural Gas old CH	595.51	67033
601	494400	Water Administration and General	MN ENERGY RESOURCES CORP	Natural Gas Lightning Dr	343.98	67033
101	431901	City Garage	MN ENERGY RESOURCES CORP	Natural Gas Lightning Dr	300.99	67033
101	431901	City Garage	MN ENERGY RESOURCES CORP	Natural Gas old CH	66.17	67033
101	431100	Street Department	MN EQUIPMENT	Link, End, Ball	92.27	67034
601	494300	Water Distribution	MN MUNICIPAL UTILITIES ASSN	2021 Water Utility Member Dues	496.00	67035
101	421100	Police Administration	MN POLICE & PEACE OFFICERS ASSN	MPPOA dues Crace Gunderson	100.00	67036
475	431150	Street Improvements	NAGELL APPRAISAL & CONSULTING INC	Street Improve Project	1,800.00	67037
101	431100	Street Department	NAPA AUTO PARTS	Sockets & Ratchet JD Tractor S	38.07	67038
602	494500	Sewer Maintenance	NAPA AUTO PARTS	Spark Plugs/ Battery for pump	145.21	67038
101	431100	Street Department	NAPA AUTO PARTS	Battery Maintainer for H6	32.99	67038
101	431100	Street Department	NAPA AUTO PARTS	Wiper Blades H0	25.98	67038
101	431100	Street Department	NAPA AUTO PARTS	Air Filter	11.88	67038
101	431100	Street Department	NAPA AUTO PARTS	Grease for Vehicles	89.90	67038
101	431100	Street Department	NAPA AUTO PARTS	Wiper Blades	77.94	67038
101	431100	Street Department	NAPA AUTO PARTS	Gasket Material	76.55	67038
602	494500	Sewer Maintenance	NAPA AUTO PARTS	Oil & Filter for H22 Bob's tru	53.91	67038
101	421100	Police Administration	NORTHERN BUSINESS PRODUCTS	Paper, Highlighters, tape PD	42.01	67039
101	415300	Administration & Finance	NORTHERN BUSINESS PRODUCTS	Duster and Pencils	9.36	67039
101	415300	Administration & Finance	NORTHERN BUSINESS PRODUCTS	Paper and Sharpies	31.73	67039
101	419901	City Hall & Police Building Maintenance	NORTHERN DOOR & HARDWARE INC	Door Lock Parts PD Lobby Door	293.00	67040
601	494300	Water Distribution	NORTHERN STATES SUPPLY INC	Battery Pack for Cordless tool	199.99	67041
412	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	Keene Creek Trail	5,815.00	67042
101	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2323 - John Stauber	130.00	67042
412	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	Munger Trail Connector	780.00	67042
475	431150	Street Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	Old Hwy 2 Reclamation	910.00	67042
101	431130	City Engineer	NORTHLAND CONSULTING ENGINEERS L.L.P.	Four Square, PreAgenda, Council	1,365.00	67042
101	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2322 - Engwall	130.00	67042
101	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2324 - Zierden/Weets	130.00	67042
101	431130	City Engineer	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2313 - MSA	300.00	67042
240	432510	Trunk Sewer Construction	NORTHLAND CONSULTING ENGINEERS L.L.P.	Hermantown Trunk Sewer spur	19,705.00	67042
601	494400	Water Administration and General	NORTHLAND CONSULTING ENGINEERS L.L.P.	Morris Thomas Rd - Utility Rel	5,800.00	67042
475	431150	Street Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	Lavaque Junction Rd Reconstruc	33,193.00	67042
402	431150	Street Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	Ugstad Rd - SP 202-101-014	8,925.00	67042
101	452100	Parks	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	9.20	67043
101	415300	Administration & Finance	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	294.27	67043
101	424100	Building Inspection	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	40.20	67043
601	494400	Water Administration and General	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	94.75	67043

CITY OF HERMANTOWN, MN 02/01/2021-02/15/2021
 Check # is between 66992 and 67056 or Check # is between -99894 and -99889

2/9/2021

Page 6

Fund	Account	Department	Vendor Name	Description	Amount	Check #
101	421100	Police Administration	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	165.04	67043
602	494900	Sewer Administration and General	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	63.16	67043
101	419100	Community Development	PITNEY BOWES PURCHASE POWER	Refill Postage Meter 4745753	38.88	67043
101	415300	Administration & Finance	PRO PRINT INC	1,000 #10 Regular Envelopes	161.32	67044
101	421100	Police Administration	SAM'S CLUB DIRECT	Misc Supplies PD	93.90	67045
101	431100	Street Department	SAM'S CLUB DIRECT	Misc Supplies PW	46.44	67045
101	415300	Administration & Finance	SAM'S CLUB DIRECT	Misc Supplies CH	120.88	67045
101	421100	Police Administration	SCREEN GRAPHICS UNIFORM CONNECTION	Hermantown Badge for Name Plat	284.65	67046
402	431150	Street Improvements	SHORT ELLIOTT HENDRICKSON INC	Arrowhead/Ugstad Rd Traffic Im	17,866.40	67047
602	494500	Sewer Maintenance	SJE-RHOMBUS, INC.	SCADA Monitoring Jan-Mar 2021	1,264.50	67048
601	220100	Refund Payable	SMITH, TIM	Refund overpayment 0452-01	9.14	67049
251	421500	Drug/Alcohol Fund	ST LOUIS COUNTY ATTORNEY'S OFFICE	Attorney portion of auction pr	1,363.18	67050
101	419100	Community Development	ST LOUIS COUNTY RECORDERS OFFICE	Mesojedec Use Restrictions	46.00	67051
101	419100	Community Development	ST LOUIS COUNTY RECORDERS OFFICE	Engwalls SUP	46.00	67051
101	419100	Community Development	ST LOUIS COUNTY RECORDERS OFFICE	Engwalls PUD	46.00	67051
101	421100	Police Administration	STEWART-TAYLOR COMPANY	250 medical exam sheets	195.00	67052
101	422901	Firehall #1 Maple Grove Road	TELCOLOGIX	Feb Maintenance	70.35	67053
101	419901	City Hall & Police Building Maintenance	TELCOLOGIX	Feb Maintenance	237.85	67053
101	452200	Community Building	TELCOLOGIX	Feb Maintenance	10.05	67053
101	431100	Street Department	TELCOLOGIX	Feb Maintenance	16.75	67053
101	415300	Administration & Finance	TOSHIBA FINANCIAL SERVICES	Copier Lease Toshiba	145.57	67054
401	431100	Street Department	UNITED TRUCK BODY COMPANY INC	Plow for 1 ton	7,521.56	67055
602	494500	Sewer Maintenance	WLSSD	2020 Adjustment	-1,587.00	67056
602	494500	Sewer Maintenance	WLSSD	Wastewater Charges	42,613.00	67056

Totals: 214 records printed

259,632.59

TO: Mayor & City Council

FROM: Bonnie Engseth, City Clerk



DATE: February 10, 2021

Meeting Date: 2/16/21

SUBJECT: New Liquor & Tobacco
Licenses – 4221 Haines Rd

Agenda Item: 10-A & B Motions

REQUESTED ACTION

Approve the new Liquor License and Tobacco License for I Mart Stores

BACKGROUND

An application for a 3.2 Malt Liquor License has been submitted for the convenience store located at 4221 Haines Road. This store has new ownership. They were previously Express Lane owned by Applegreen Midwest. They are now called I Mart Stores and owned by IYS Ventures, LLC. They did not have a liquor license previously. All the required paperwork has been submitted. The license will be good through June 30, 2021.

They are also applying for a Tobacco License. A tobacco license was issued to Applegreen Midwest but tobacco licenses cannot be transferred, so IYS Ventures, LLC is applying for a new license at this location. All the required paperwork has been submitted. The license will be good through December 31, 2021.

SOURCE OF FUNDS (if applicable)

ATTACHMENTS

TO: Mayor & City Council
FROM: John Mulder, City Administrator
DATE: February 10, 2021
SUBJECT: Engineering Services – Road Improvement District No. 534 – Ugstad Rd



Meeting Date: 2/16/21

Agenda Item: 12-A **Resolution:** 2021-22

REQUESTED ACTION

Approve the resolution authorizing the Mayor and Clerk to sign and enter an agreement with MSA for Engineering services not to exceed \$266,927 for the Road Improvement District No. 534 – Ugstad Rd

BACKGROUND

As part of the Ugstad Road improvement, the City solicited proposals for design and construction engineering services for this project. We received proposals from five firms:

Firm	Cost Proposal	Design Hours	Construction Hours	Total Hours	Avg Hourly Rate
Alliant	\$399,515	1,639	1,900	3,539	\$112.89
SEH	\$391,000	1,888	1,491	3,379	\$115.71
Widseth	\$376,205	1,218	1,353	2,571	\$146.33
MSA	\$266,927	1,756	1,040	2,796	\$95.47
Bolton & Menk	\$249,909	797	1,208	2,005	\$124.64

The estimated costs for design and construction administration in the preliminary engineering report was \$457,766, so all of the proposals were under that original estimate.

The proposals were initially reviewed by the Public Works Director, City Engineer, and City Administrator. Following that initial review, we invited the two low proposals (MSA, and Bolton & Menk) along with SEH to interviews on February 4, 2021. We invited SEH because they had previously provided work on two separate projects for the City and had completed the traffic study for the Arrowhead & Ugstad intersection.

During the interview process we wanted to meet the engineer who would be doing the engineering work, the site inspector, and who would be the “face” of the project. Our interviews focused on three areas: 1. Overview of the project and their approach to it. 2. The Federal Aid process and their experience with it, and 3. Reviewing their proposed hours.

Our scoring process gave the cost proposal 40% of the weight and 60% is based on Goals and Objectives, Experience, Knowledge of Hermantown Requirements, and Work Plan/Schedule. We scored the proposals based on their submission and their interviews. Given the range of costs and proposed hours, along with

the added complexity of intersection improvements, pedestrian improvements and the federal aid process, we were concerned about the firms' ability to handle this highly visible project in the community. Based on the proposals and the interviews, we believe that MSA has the capabilities, adequate hours, and the best value for the project and therefore are recommending that the City Council award the project to MSA. While their fee is slightly higher than Bolton & Menk, we believe that their proposed hours (at a lower average hourly rate) provides a more thorough design process on a project that will involve changes to several intersections and the addition of improved pedestrian access along the entire corridor.

As this project has proceeded and we have re-evaluated the construction a six-foot-wide walk north of Hawk Circle instead of a 10-foot-wide trail, we believe that we can reduce the engineering costs because the work related to the Right of Way (ROW) will be greatly reduced.

SOURCE OF FUNDS (if applicable)

402-431150-305

ATTACHMENTS

Agreement
MSA Proposal

Resolution No. 2021-22

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 \$266,927 FOR ROAD IMPROVEMENT DISTRICT NO. 534 (UGSTAD ROAD) WITH MSA PROFESSIONAL SERVICES, INC.

WHEREAS, the City of Hermantown (“City”) desires to obtain design and construction engineering services with respect to Road Improvement District No. 534 (Ugstad Road) (“Project”); and

WHEREAS, MSA Professional Services, Inc. (“Engineer”) submitted a proposal to the City to provide such services and

WHEREAS, City and Engineer desire to enter into an Agreement for Engineering Services for Road Improvement District No. 534 (Ugstad Road) (“Agreement”) as shown on Exhibit A attached hereto in which Engineer provides engineering to City pursuant to these terms of the Agreement; and

WHEREAS, the City Council believes that it is in the best interests of the City of Hermantown to approve the Agreement and authorize and direct the Mayor and City Clerk to execute and deliver it on behalf of the City of Hermantown.

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

1. The Mayor and City Clerk are hereby authorized and directed to execute and deliver to Engineer the Agreement for Consulting Services for Road Improvement District No. 534 (Ugstad Road) substantially in the form attached hereto as Exhibit A.

2. The source of payment for the consultant services will be City Fund No. 402-431150-305.

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 February 16, 2021.

**AGREEMENT FOR ENGINEERING SERVICES
FOR ROAD IMPROVEMENT DISTRICT #534
(UGSTAD ROAD)**

THIS AGREEMENT FOR ENGINEERING SERVICES (“Agreement”) is made effective as of the ____ day of _____, 2021 by and between the **City of Hermantown**, hereinafter referred to as “City”, and MSA Professional Services, Inc., hereinafter referred to as “Engineer”, in response to the following situation:

A. City desires to obtain design and construction engineering services for improvements to roads located in Road Improvement District #534 (“Project”).

B. Engineer is willing to provide engineering services to City pursuant to these terms of this Agreement.

NOW, THEREFORE, City and the Engineer do mutually agree as follows:

1. Services to be Performed.

1.1. The primary contact person for services to be performed by Engineer shall be Andrew Barnebey.

1.2. The scope of services to be provided to City by Consultant is as set forth on Exhibit A attached hereto.

2. Personnel. Engineer will secure, at its own expense, all personnel required to perform the services under this Agreement, and such personnel shall not be the employee(s) of, nor have a contractual relationship with, City.

3. Assignability. Engineer shall not assign any interest in this Agreement, shall not contract with others to perform Engineer’s services and shall not transfer any interest in this Agreement without the prior written approval of City.

4. Agreement Period. This Agreement shall be effective as of the date hereof and shall continue until terminated as provided in paragraph 5 hereof.

5. Termination of Agreement. Either Engineer or City may, by giving written notice specifying the effective date which shall not be less than thirty (30) days from the date such notice is given, terminate this Agreement in whole or in part. In the event of termination, all property and finished or unfinished documents and other writings prepared by the Engineer under this Agreement shall be delivered to City and Engineer shall be entitled to compensation for time expended and expenses incurred to the date of termination.

6. **Independent Contractor.** The relationship between the Engineer and City shall be that of an independent contractor. Nothing herein shall in any way make or create any employer employee relationship between City and Engineer.

7. **Standard of Performance and Insurance; Indemnity.**

7.1. **Standards of Performance.**

7.1.1. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily exercised by members of Engineer's profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with its services.

7.1.2. Engineer neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform the work in accordance with its construction contract or the construction documents prepared by Engineer. Owner acknowledges Engineer will not direct, supervise or control the work of construction contractors or their subcontractors at the site or otherwise. Engineer shall have no authority over or responsibility for the contractor's acts or omissions, nor for its means, methods or procedures of construction. Engineer's services do not include review or evaluation of the Owner's, contractor's or subcontractor's safety measures, or job site safety or furnishing or performing any of the Contractor's work.

7.1.3. When requested, the Engineer will provide an Opinion of Probable Construction Cost. Engineer's Opinions of Probable Construction Cost provided for herein are to be made on the basis of Engineer's experience and qualifications and represent Engineer's best judgment as a professional generally familiar with the industry. However, since Engineer has no control over the cost of labor, materials, equipment or service furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that proposals, bids or actual construction cost will not vary from Opinions of Construction Cost prepared by Engineer. If Owner wishes greater assurance as to probable Construction Cost, Owner shall employ an independent cost estimator or negotiate additional services and fees with Engineer.

7.2. **Insurance and Indemnity.** All services to be performed by Engineer hereunder shall be performed in a skilled, professional and non-negligent manner. Engineer shall obtain and maintain at his/her/its cost and expense:

7.2.1. Commercial general liability insurance that covers the engineering services performed by Engineer for Owner with a limit of liability of at least One

Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) in the aggregate.

7.2.2. Automobile liability insurance that covers the engineering services performed by Engineer for Owner with a limit of liability of at least One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) in the aggregate.

7.2.3. Errors and omissions or equivalent insurance that covers the engineering services performed by Engineer for City with a combined single limit of liability of at least One Million Dollars (\$1,000,000.00).

7.2.4. Worker's compensation insurance covering Engineer (if an individual) all of Engineer's employees with coverages and limits of coverage required by law.

Engineer shall indemnify and hold harmless Owner from and against all errors, omissions and/or negligent acts causing claims, damages, liabilities and damages arising out of the performance of his/her/its services hereunder.

Engineer certifies that Engineer is in compliance with all applicable worker's compensation laws, rules and regulations. Neither Engineer (if an individual) nor Engineer's employees and agents will be considered Owner employees. Any claims that may arise under any worker's compensation laws on behalf of any employee of Engineer and any claims made by any third party as a consequence of any act or omission on the part of Engineer or any employee of Engineer are in no way Owner's obligation or responsibility. By signing this Agreement, Engineer certifies that Engineer is in compliance with these laws and regulations.

Engineer shall deliver to Owner, concurrent with the execution of this Agreement, one or more certificate(s) of insurance evidencing that Engineer has the insurance required by this Agreement in full force and effect. Owner shall be named as additional insured under the Engineer's commercial general liability policy and automobile policy. The insurer will provide at least thirty (30) days prior written notice to Owner, without fail, of any cancellation, non-renewal, or modification of any of the policies required to be maintained by Engineer and evidenced by said certificate(s) for any cause, except for nonpayment of premium. The insurer will provide at least ten (10) days prior written notice to Owner, without fail, of any cancellation of any such policy or coverage evidenced by said certificate(s) for nonpayment of premium. Engineer shall provide Owner with appropriate endorsements to Engineer's commercial general liability policy and automobile policy reflecting the status of Owner as an additional insured and requiring that the foregoing required notice of cancellation, material alteration or non-renewal be provided Owner by the insurance company providing such insurance policy to Engineer.

The Engineer shall require any subcontractor permitted by Owner to perform work for Engineer on the Project to have in full force and effect the insurance coverage required of the Engineer under this Agreement before any subcontractor(s) begin(s) work on the Project. Engineer shall require any such subcontractor to provide to Engineer a Certificate of Insurance evidencing that such subcontractor has the insurance required by this Agreement in full force and effect. The Engineer and Owner shall be named as additional insureds under such policies. The insurer will provide 30 day written notice to Owner and Engineer, without fail, of any cancellation, non-renewal, or modification of the policies required to be maintained by the subcontractor for any cause, except for nonpayment of premium. The insurer will provide at least ten (10) days prior written notice to Owner, without fail, of any cancellation of any of the subcontractor's policies or coverage evidenced by said certificate(s) for nonpayment of premium. Owner shall also be provided with appropriate endorsements to subcontractor's policies reflecting the status of Owner as an additional insured and requiring that the foregoing required notice of cancellation, material alteration or non-renewal be provided Owner by the insurance company providing subcontractor's policies.

8. **Compensation.** Engineer shall be compensated for the services to be performed hereunder as set forth in the RFP Response subject to a total not to exceed amount of One Hundred Eighty-six Thousand Eight Hundred and No/100 Dollars (\$186,800.00). Engineer shall submit to City itemized statements of services rendered during each month setting forth the date such services were rendered, a description of the services rendered, the person performing such services and the amount of time expended in performing such services.

9. **Recordkeeping.** Engineer hereby agrees:

9.1. To maintain all books, documents, papers, accounting records and other evidence pertaining to the fees and expenses for which it seeks payment or reimbursement hereunder and appropriate records with respect to the services performed by it under this Agreement.

9.2. To make such materials available at its office at all reasonable times during the Agreement Term and for three (3) years from the date of final payment under this Agreement for inspection by City and copies thereof shall be furnished to City upon request by City.

10. **No Prohibited Interest.** Engineer represents and warrants to City that no employee, officer or agent of City, any member of the family of any such person, any partner of any such person or any organization which employs or is about to employ any of the above has a financial or other interest in the business of Engineer.

11. **Confidentiality.** Engineer agrees that, at all times, both during the term of this Agreement and after the termination of this Agreement, it will be faithful to City by not

divulging, disclosing or communicating to any person, firm or corporation, in any manner whatsoever, except in furtherance of the business of City or as required by any applicable law, rule, regulation or ordinance of City or any other governmental authority, any information of any kind, nature or description concerning any matters affecting or relating to the business, employees, agents, customers of City, or parties contracting with City.

12. **Intellectual Property Rights.** For the purposes of this Agreement, Project Materials means all works developed in the performance of this Agreement by the Engineer, including, but not limited to, the finished product and any deliverables, including any software or data.

Project Materials do not include any materials that Engineer developed, acquired or otherwise owned or had a license to use prior to the date of this Agreement.

The City shall have the sole and exclusive right, title and interest, including all rights to ownership of all Project Materials upon completion of the work and payment in full all monies due to the Engineer.

Engineer shall, at no cost to City, provide City with copies of all Project Materials o in a format at acceptable to City.

Upon request by Engineer, City may authorize Engineer to use specified Project Materials to evidence Engineer's progress and capability. In all such uses of Project Materials by Engineer, reference shall be made to City and the Project and that the Project Materials are owned by City.

Engineer also acknowledges and agrees that all names and logos provided to Engineer by City for use in connection with the Project are and shall remain the sole and exclusive property of City.

Engineer shall have no liability related to the use by City of any Project Materials by City that are not in connection with the performance of services by Engineer.

13. **Notices.** Any notice required to be given under this Agreement shall be deemed sufficient if in writing, sent by mail to the last known office address of Engineer, or to City at 5105 Maple Grove Road, Hermantown, Minnesota 55811.

14. **Miscellaneous.** This Agreement constitutes the sole and complete agreement relating to the subject matter of this Agreement between the parties, superseding any and all other agreements between the parties and no verbal or other statements, inducements or representations have been made or relied upon by either party. No modifications hereof shall be binding upon either party unless in writing and properly executed.

15. **No Contractual Authority.** Engineer shall have no authority to enter into any contracts or agreements binding upon City or to create any obligations on the part of City.

16. **Data Practices Act.** Engineer acknowledges that City is subject to the provisions of the Minnesota Government Data Practices Act. Engineer must comply with the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, as it applies to all data provided by City in accordance with this Agreement and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by Engineer in accordance with this Agreement. The civil remedies of Minnesota Statutes § 13.08, apply to Engineer and City. Minnesota Statutes, Chapter 13, provides that all government data are public unless otherwise classified. If Engineer receives a request to release the data referred to in this Section, Engineer must immediately notify City and consult with City as to how Engineer should respond to the request. Engineer's response shall comply with applicable law, including that the response is timely and, if Engineer denies access to the data, that Engineer's response references the statutory basis upon which Engineer relied. Engineer does not have a duty to provide public data to the public if the public data is available from City.

17. **Choice of Law and Venue.** All matters relating to the validity, construction, performance, or enforcement of this Agreement shall be determined in accordance with the laws of the State of Minnesota. All legal actions initiated with respect to or arising from any provision contained in this Agreement shall be initiated, filed and venued in the State of Minnesota District Court located in the City of Duluth, County of St. Louis, State of Minnesota.

18. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be an original, but such counterparts shall together constitute one and the same instrument.

19. **RFP Response.** Engineer agrees to comply with the terms and provisions contained in the RFP Response.

[SIGNATURES APPEAR ON NEXT PAGE]

IN WITNESS WHEREOF, City and Engineer have executed this Agreement for Consulting Services as of the date first above written.

CITY:
City of Hermantown

By _____
Its Mayor

And By _____
Its City Clerk

ENGINEER:

By _____
Its _____

EXHIBIT A



PROPOSAL FOR

Municipal State Aid Project

Ugstad Road from Maple Grove Road to Miller Trunk Highway
SP 202-101-014

PREPARED FOR:

City of Hermantown, MN | January 21, 2021

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Knowledge of Hermantown Requirements	8
Work Plan and Schedule	8
References	10
Disclosures and Assurances	Submitted with Cost Proposal
Exhibit A - Tennessen Warning City Engineer Form	
Cost Proposal	Separate Envelope



332 W. Superior Street, Suite 600
Duluth, MN 55802

Contact: Andrew Barnebey, PE
(218) 499-3174

abarnebey@msa-ps.com



332 W. Superior Street, Suite 600
Duluth, MN 55802
P: (218) 722-3915 | TF: (800) 777-7380 | F: (218) 722-4548

January 21, 2021

John Mulder, City Administrator | City of Hermantown
5105 Maple Grove Road | Hermantown, MN 55811
jmulder@hermantownmn.com

Re: Proposal for Municipal State Aid Project
Ugstad Road from Maple Grove Road to Miller Trunk Highway | SP 202-101-014

Dear Mr. Mulder,

With a long history of meeting the needs of our municipal clients, we at MSA Professional Services, Inc. (MSA) understand your combination of federal, state, and local funding and the deliverables required for this project. MSA also understands the City of Hermantown and its city engineer's working relationship—as well as details of the recently completed Ugstad and Arrowhead Road Corridor Traffic Study. We look forward to working with all partners in a professional and cooperative way to successfully and seamlessly deliver this project. To aid the City in achieving its goals for the project, MSA intends to fulfill the following objectives:

Build a framework for tight cooperation with local decision-makers including Northland Consulting Engineers (NCE) and the MnDOT office of State Aid. MSA, as an active consultant in the Hermantown area, knows local conditions and staff at MnDOT District 1 and the St. Louis County Highway Department. A template for project success will be developed cooperatively with the City of Hermantown Administrator, Public Works Director, and NCE so as to meet the project design schedule and budget goals. These goals will be closely coordinated with MnDOT State Aid.

Tailor the public involvement for the project to current COVID-19 realities while still achieving the goals of an informed public and project support. MSA will customize the City of Hermantown's public outreach approach to current COVID-19 realities. Meetings with key stakeholders (school district, Essentia Health, St. Louis County Highway Department staff) will be in a COVID-responsible fashion.

Meet and Exceed Design Goals. We get the details of moisture density control, aggregate quality, and pavement design right. The project goal of improved intersection control is a strength of MSA. MSA also understands the Ugstad Road and Arrowhead Road intersection to be an integral part of the Hermantown community. With the middle school, ice hockey arena and Essentia wellness center all in one area, an operable yet accessible solution to documented traffic congestion will be a top goal of MSA's.

We look forward to working with the City of Hermantown on this exciting project. Feel free to contact us at any time or reach out to me directly at (218) 499-3174 or abarnebey@msa-ps.com to further discuss our qualifications or ask any questions regarding the work plan—and please do not hesitate to contact our references as listed in this proposal.

Sincerely,
MSA Professional Services, Inc.

A handwritten signature in blue ink that reads "Andrew Barnebey".

Andrew Barnebey, PE | Project Manager

MSA has received and acknowledges Addendum #1 dated January 8, 2021, and Addendum #2 dated January 15, 2021.

GOALS AND OBJECTIVES

The Ugstad Road project is an excellent opportunity for the City of Hermantown to improve the corridor by enhancing its safety, accessibility and functionality. Documented Level of Service (LOS) issues during peak hours of the day at the Ugstad Road/Arrowhead Road intersection indicate the intersection has reached its functional capacity. These same LOS issues have also been documented at the Arrowhead Road/Hawk Circle Drive intersection and the Ugstad Road/Hawk Circle Drive intersection.

With the Hermantown Middle School, hockey arena, and Essentia wellness center all located within the vicinity of these intersections, it is clear this part of the City is a popular destination for area residents. The planned Munger Trail Connection will provide even greater accessibility by creating a safe route to school for students and faculty.

To meet project objectives, we have assembled a team of professionals that will lead each of these components, under the guidance and support of Project Manager, Andrew Barnebey, P.E. The team also has the support of the entire MSA organization, including in-house professional surveyors, transportation engineers, and individuals experienced in road and storm water construction. Our wetland delineators and environmental scientists are ready to handle wetland coordination issues or any contaminated soils issues. This provides the City of Hermantown with a team that has the ability to quickly adapt to changing project needs while requiring limited coordination or staffing modifications.

With respect to the City of Hermantown's vision of the project as a whole, we have formulated the following goals and objectives to complete during project delivery:

GOALS

Informed and Engaged Project Stakeholders. Project stakeholders along the corridor will be involved early in the design process and informed of the project as it progresses. Our aim is for stakeholders to understand the impacts and short-term inconveniences expected during the construction phase and what is to be accomplished by this important project.



Improved Road Corridor for All Users. Improving the functionality of the Ugstad Road/Arrowhead Road area for all modes of transportation will be top priority. The final design will aim to blend enhanced intersection functionality for the motoring public with an ADA-compliant facility for bicycle and pedestrian users.

Develop Cost- and Environmentally-Conscious Solutions. The finished utility, stormwater and pavement infrastructure is designed with impacts to the surrounding property owners and stakeholders' budgets in mind. The final design of the intersection improvements and the trail connection will aim to balance the community's goals for greater accessibility within the corridor with impacts to the surrounding environment.

Effective Management of Team Resources to Maintain Project Schedule. Maintaining a defined project schedule is paramount. MSA's experienced project manager and team will ensure efficient staff involvement throughout all public engagement, scheduling, communications and QA/QC project components.

OBJECTIVES

The following are objectives to complete for remediation of known corridor design issues.

- Engage stakeholders and refine design as required based on feedback from public informational meetings.
- Investigate ways to construct the new trail segment while providing a safe separation from Ugstad Road and minimizing easement acquisition.
- Provide intersection geometrics that improve the level of service for the motoring public as well as accessibility for bicycle and pedestrian users.



RELEVANT EXPERIENCE



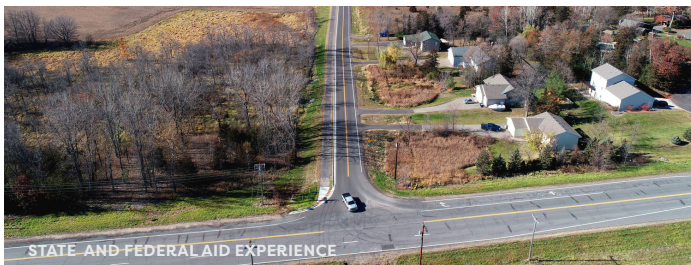
S.A.P. 069-596-012 | Chicago Ave. & W. Austin St. Reconstruction | Rice Lake, MN

During the design of the reconstruction of Chicago Avenue, City staff requested a curb and gutter system to better accommodate runoff from the hilly terrain on the west side. Stormwater drainage frequently channelized on the western edge of Chicago Avenue prior to reaching poorly defined ditches, resulting in continual washouts of the gravel roadway. To accommodate this storm runoff, this local road was reconstructed into a standard 22-foot-wide bituminous surface with curb and gutter and associated storm sewer network. Upgrades also included water main and sanitary sewer utilities. To help fund the roadway construction, MSA helped the City apply for and receive Local Road Improvement Program administered by MnDOT State-Aid funds. The water main construction was funded through the MnPFA's Clean Water Revolving Fund.



S.P. 118-010-028 | River West Drive Duluth, MN

River West Drive, formerly referred to as Kayak Bay Drive during project planning, is a proposed new city street that provides access to mixed-use residential and commercial development between the St. Louis River and Minnesota Trunk Highway 23 (Grand Avenue) on the west side of Duluth. The project features a new signalized intersection at Grand Avenue (TH 23) and an at-grade crossing of the Munger Trail. Railroad coordination was required to complete a new, at-grade crossing of an active BNSF rail spur. The project includes construction of new sewer, water, gas utility facilities as well as a new storm sewer system for the urban street section. The project is funded through a wide range of sources, including Transportation Economic Development funds, County Transportation Sales Tax, and City of Duluth funding. This project was designed to State Aid Standards.



S.P. 013-090-006 | 288th Street | Lindstrom, MN

The City of Lindstrom was looking to provide pedestrian access to a land-locked development along 288th street. This corridor had provided no pedestrian access due to a 1-foot shoulder between the drive lane and steep side slopes down to the adjacent ditch.

The City hired MSA to design the three-quarter-mile trail and street segment utilizing Federal Transportation Alternatives Program funding. The project was sponsored by Chisago County and oversaw by the MnDOT State Aid – Metro district. The trail was designed and built to comply with Minnesota State Aid and Bikeway Facility Design Manual requirements. Federal materials testing and quantity compliance were administered during the construction phase. The City received \$515,000 in grant funding for the project.



S.A.P. 030-600-007 | Typo Creek Drive Improvements | Oxford Township, MN

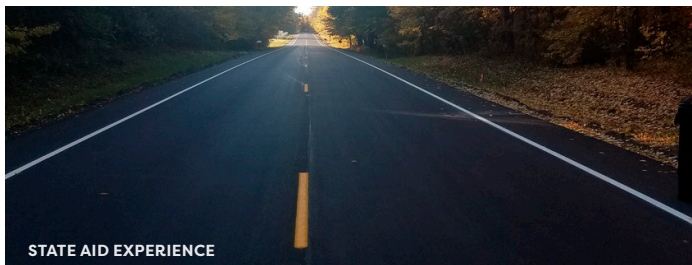
With a funding gap of nearly \$400,000, Oxford Township was faced with the possibility of never seeing the Typo Creek Drive NE Improvements project coming to fruition. MSA's James Watters reviewed previous designs and worked with MnDOT State-Aid District Three to agree upon a design speed for a problematic horizontal curve that had seen accidents in the past. The proposed improvements to Typo Creek Drive NE will be a paved road with safer horizontal geometry through the Marvin W. Schubring Wildlife Management Area. This area is run by the MnDNR and provides access to local hunting ground and Typo Lake. Due to the new horizontal geometry, MSA was able to reduce the construction costs by \$200,000 and was able to secure an additional \$200,000 to close the funding gap. Construction costs are now fully funded through MnDNR State Park Road Account Fund.

RELEVANT EXPERIENCE



CP 016-617-001 | CSAH 17 Reconditioning Cook County, MN

MSA aided Cook County and the Grand Portage Tribal Community with the development of plans and specifications for reconstruction of this 10.1-mile road. CSAH 17 is a part of Cook County’s State Aid Highway system, yet located on the Grand Portage Reservation. This unique arrangement brought with it the task of ensuring all project deliverables met not only Cook County’s needs, but also those of the Grand Portage Tribal Community, which this road largely serves. The project included reclamation of the entire 10.1 miles with roughly 6.5 miles remaining gravel and 3.6 miles paved with a bituminous surface. All roadway culverts (80+) were assessed in the field and rated based on current condition and hydraulic conveyance. Culverts were replaced and sized accordingly. Existing corridor geometrics were analyzed with respect to a design speed deemed reasonable for this road given its location, current/future ADT counts, and types of vehicles present.



S.A.P. 223-110-001 | Raven Street NW | Oak Grove, MN

In 2018, the City of Oak Grove chose to use Municipal State-Aid funds to reclaim a 1-mile stretch of Raven Street NW. This corridor is located on the north side of town and intersects Anoka County State-Aid Highway 24 on its northern terminus. Being that this road is one of only a few north/south routes through town, a right turn lane off CSAH 24 was installed to provide safer turning movements for eastbound to southbound traffic. Due to ROW issues and an existing tree line, a portion of the right turn lane saw urban aspects in the form of a curb and gutter system. Raven Street NW was subsequently reclaimed, paved and striped. Upgraded signage was provided throughout the corridor to finish out the project.



S.A.P. 223-108-001 | Nightingale Street NW Oak Grove, MN

This nearly \$1-million project encompassed 2.5 miles of Nightingale Street NW from County State-Aid Highway 22 (Viking Boulevard NW) to Lake George Parkway NW. Along this corridor was access to City Hall as well as a popular soccer field complex. This project saw the existing road milled and then reclaimed before being repaved to a bituminous surface. Additionally, existing turn lanes were lengthened and a bypass lane was constructed to meet State-Aid standards. ADA-compliant pedestrian ramps were installed where an existing trail crossed Nightingale Street NW near city hall. All signage throughout the corridor was replaced and upsized in trouble areas due to past accidents. Drainage in the area was improved by replacing an existing cross culvert with a 48” RCP culvert. This culvert maintains flow for an Anoka County ditch that ran through the corridor. County coordination was required in the form of wetland delineation, a drainage design memo and traffic control plans. These tasks were completed for Anoka County to review before a permit could be issued.



East Second Street Reconstruction | Duluth, MN

Reconstruction of East Second Street is a highly visible and important project for the City. The Second Street corridor is a primary east-west traffic corridor, connecting downtown to the eastern neighborhoods. It also serves the hospital district, home of the two regional medical centers based in Duluth. This project will involve an urban street reconstruction, installation of a new 20-inch water main with services, street design and layout, coordination with the City’s gas engineers and Duluth Energy systems (hot water heating loop replacement) as well as two years of construction effort—all coordinated in conjunction with the planned reconstruction of St. Luke’s Hospital.

TEAM SUMMARY

- **Project Manager: Andrew Barnebey.** Andrew will be the main point of contact responsible for the overall project oversight, coordinating directly with the City of Hermantown.
- **Area Construction Supervisor: Phil Lockett.** Phil will be responsible for the construction observation of this project and has over 25 years overseeing similar projects.
- **Proposed Team:** The staff listed on the following pages have the expertise and availability to match the scope of this project. As 100% employee-owners of MSA, they are exceptionally dedicated to meeting your goals, creating a successful project and positive project experience.



Andrew Barnebey, PE

PROJECT MANAGER

Andrew has more than 20 years of engineering experience. He has experience with municipal engineering, project management, SWMM stormwater modeling and analysis, stormwater BMP design, planning and design for site development projects, as well as cost estimating and permitting.

EDUCATION

B.S. Civil Engineering
Purdue University

REGISTRATION

Professional Engineer, MN, CO, MI, WI

SELECTED PROJECT EXPERIENCE

- Second Street Reconstruction, City of Duluth, MN
- Calvary Road Water Main Improvements, Rice Lake, MN
- Chicago Avenue Road Reconstruction, Rice Lake, MN
- River West Road Design, City of Duluth, MN
- Town Engineer, Town of Thomson, MN
- Town and Sanitary District Engineer, Various Communities



James Watters, PE

PROJECT ENGINEER

James has more than 10 years of experience in transportation design, covering many forms of mobility ranging from DOT interchange projects to rural highway design. James has designed and managed projects throughout Minnesota utilizing Municipal State Aid, State Park Road accounts, county and federal funding sources.

EDUCATION

B.S. Civil Engineering
Iowa State University

REGISTRATION & CERTIFICATION

Professional Engineer, MN, IA, WI
MnDOT Bituminous Street
MnDOT Concrete Field MnDOT Grading and Base
U of M Design of SWPPP
MnDOT 2018 Accessible Design in the Public Right of Way Training

SELECTED PROJECT EXPERIENCE

- Typo Creek Dr. NE Improvements, Oxford Township, MN
- CSAH 17 Reconditioning, Cook County, MN
- Chicago Ave. & W. Austin St. Reconstruction, Rice Lake, MN
- River West Drive, Duluth, MN
- 288th Street, Lindstrom, MN
- Nightingale Street NW, Oak Grove, MN



Al Goodman, PE

SENIOR PROJECT ENGINEER | QA/QC

Alan brings more than 30 years of experience to the transportation preliminary design, design and construction areas as the former Lake County engineer and bridge engineer as well as assistant Itasca County engineer in Minnesota.

Education

Mini M.B.A., University of St. Thomas
B.S., Civil Engineering
University of Minnesota

Registration

Professional Engineer, MN

Selected Project Experience*

- Wrote Project Memorandum (NEPA Process) and served as Project Manager for State Project 38-602-23, Minnesota Project No. STPX 3806(119) for Lake County CSAH 2
- Wrote Project Memorandum and served as Project Manager for State Project 38-606-08, Minnesota Project STPX 3810(169) for Lake County CSAH 6
- Wrote Project Memorandum and served as Project Manager for the Bituminous Reclamation and Surfacing of CSAH 18 (Fernberg Road) between Winton and Lake One.

*Denotes experience prior to MSA



Marissa Wacker, EIT
ENGINEER

Marissa is a graduate of the University of Minnesota-Duluth and has experience developing construction documentation for roadway design, utility, grading and drainage and stormwater management projects. She also has experience performing project management as well as construction materials testing on concrete, bituminous and aggregate.



Curt Schley, PLS
SR. PROJECT SURVEYOR

Curt has been a project manager responsible for field and office operations of municipal and private surveying services. He has numerous years of experience performing construction, topographic, America Land Title Association (ALTA) and cadastral surveys specializing in street reconstruction projects and right-of-way retracement/definition. As a survey department coordinator, he was responsible for the supervision of field crews working on many forms of control, boundary and construction surveys for county, municipal, commercial, industrial and residential projects.



Brian Huibregtse, PE, PTOE
SR. TRANSPORTATION ENGINEER

Brian is experienced in project management and design engineering for traffic and transportation projects. Project experience includes traffic signal design, intersection control evaluations, preliminary and final intersection design, microsimulation modeling, public involvement, crash and safety analyses, and signage and pavement markings for both rural and urban projects. Brian has been lead design engineer for a variety of projects types that have included pavement rehabilitation projects to roundabout reconstruction projects.



Kate Eiynek
PLANNER & PUBLIC ENGAGEMENT SPECIALIST

Kate will lead the public engagement portions of the project. Kate has more than 19 years of client relations management experience. She serves as MSA's client liaison and planner for several municipalities in Minnesota, leveraging her strong communication skills to make sure project teams are meeting clients' expectations.



Phillip Lockett
AREA CONSTRUCTION SUPERVISOR

Phil has provided on-site management and oversight for road reconstruction and placement of large water lines and storm sewers for various municipal clients. He has supervised hundreds of thousands of feet of pipe ranging in size from one inch to 48 inches. He maintains quality control on projects and ensures proper construction methods are implemented. He brings his expertise in the collection of topographic data for the completion of design surveys and surveys for construction stacking projects.

KNOWLEDGE OF CITY OF HERMANTOWN REQUIREMENTS

Throughout the region, you will see a number of great municipal infrastructure improvements that have been completed. MSA's involvement in these projects over the years has included planning, design, construction and survey services. No matter the type or size of the project, MSA is dedicated to working right by the community's side, because to us, it's more than a project; it's a commitment. We feel that our years of experience yields unique efficiencies and an increased level of passion to each project. The same applies to you, and we are 100% committed to the City of Hermantown's success.

WORK PLAN AND SCHEDULE

PROJECT APPROACH

100 – INITIAL SITE VISIT AND CONSULTATION

One (1) kick-off meeting will be held with stakeholders, including the City, MSA, utilities, geotechnical consultant, and necessary agencies. MSA will prepare invitations and meeting minutes. The meeting will be held at a location determined by the City of Hermantown. MSA will prepare a roadway overview exhibit for discussion at the meeting. MSA will attend (3) three additional teleconference consultations to discuss the project status.

Deliverables (MSA):

- Coordinate and distribute meeting invitations for and attend one (1) project kick-off meeting.
- Distribute meeting minutes to all attendees (notes).
- Attend three (3) status/consultation meetings via teleconference.

City-Provided Deliverables:

- Provide project materials (prior plans, reports, as-built drawings, and aerial photography).

200 – DATA COLLECTION, WETLAND DELINEATION, AND PERMITTING AND FIELD SURVEYS

MSA will perform topographic, right of way, and utility surveys within the project limits based on anticipated need to complete the project design. MSA will provide information, exhibits, and application forms for an anticipated three (3) permits. It is MSA's understanding that wetland permitting will be contracted and completed by a separate consultant.

Deliverables (MSA):

- Base map and surface of topographical survey in AutoCAD Civil 3D 2012 or later for use in design.
- Exhibits and information for three (3) permits.
- Coordinate and submit Gopher One Locate tickets.
- MPCA NPDES Storm Water permit for construction.
- Permit for work in MnDOT highway right of way (northern project termini with USH 53/TH 194).
- Permit for work in Saint Louis County highway right of way (southern project termini with County State Aid Highway 6).

City Provided Deliverables:

- Wetland delineation information in the form of written reports and AutoCAD files from wetland sub-consultant for incorporation into project base map.

Assumptions/Extra Services:

- Joint Application Form for Activities Affecting Water Resources in Minnesota (for wetlands) done by others.
- U.S. Army Corps of Engineers permit is not anticipated.
- U.S. Fish and Wildlife permit is not anticipated.

300 – RECOMMENDATIONS AND COSTS

After the initial site visit, consultation, and data collection phases are completed, MSA will review the available data and develop preliminary recommendations and associated estimate. Any changes in scope or new recommendations based off these initial phases will be made at this time.

Deliverables (MSA):

- Recommendation memo
- Updated cost estimate

400A – PRELIMINARY DESIGN

MSA will perform preliminary design and layouts based upon the data and information collected in the previous stages. These designs and layouts will be provided to the City at the 30%, 60%, and 90% design stages for review. Three (3) project review meetings, one at each stage, will be held at the City of Hermantown's choosing to discuss design elements at each stage. During preliminary design, MSA will prepare the project memorandum for submittal and approval by regulatory agencies. Agency coordination will be provided in the form of emails, phone calls, and review request forms. Agency coordination information will be incorporated into the Project Memorandum. At this time, MSA will guide the City through the Delegated Contract Process (DCP).

Deliverables (MSA):

- Preliminary design/plans at 30%, 60%, 90% design phases.
- Three (3) design review meetings. One at each stage.
- Answer questions and provide clarification on the DCP process.

400B – RIGHT-OF-WAY-ACQUISITION

At the 30% phase, MSA believes it is important to have a firm idea of the project right-of-way acquisition needs. Based on the 30% design project impacts, MSA will provide acquisition staking, easement exhibits, legal descriptions, right-of-way plats, field monumentation, and Ownership & Encumbrance (O&E) report coordination services for new easement needs.

Deliverables (MSA):

- Acquisition staking services, based on 25 parcels.
- Easement exhibits and legal descriptions, based on 25 parcels.
- Preparation of right-of-way plats, based on 25 parcels.
- Field monumentation for new easement needs.
- Coordination of O&E report search, based on 25 parcels.

City Provided Deliverables:

- Secure and contract directly with separate consultant for real estate assessment and negotiation services.

Assumptions/Extra Services:

- Staking, easement, exhibits, legal descriptions, right-of-way plat and O&E report needs for additional parcels above 25 count will be considered extra services.

500 – PLANS AND SPECIFICATIONS

MSA will provide construction plans and specifications necessary for all work as required by state and federal aid standards and regulatory agencies. Specifications will include bidding, bonding, agreements and special provisions. Bid proposal documents will meet city, state, and federal aid standards. Copy of project plans will be submitted in AutoCAD Civil 3D version 2012 or later.

Deliverables (MSA):

- Final plans in electronic format
- Final project bid proposal package in electronic format
- Copy of project plans in AutoCAD Civil 3D version 2012 or later

City-Provided Deliverables:

- Final plan and special provision review
- Special provisions template
- Bid advertising costs

600 – COST ESTIMATES

MSA will prepare cost estimates at the 30%, 60%, 90%, and final plan stages. The cost estimate will detail each funding source used and their associated bid items.

Deliverables (MSA):

- Detailed cost estimates (4)

City-Provided Deliverables:

- Access to bid information from previous Hermantown projects

700-PUBLIC PARTICIPATION

MSA will work with the City of Hermantown to conduct two (2) public meetings to share and receive public feedback on the project. Additionally, MSA will plan to attend one (1) council meeting and one (1) public hearing meeting.

Deliverables (MSA):

- Attendance at public informational meetings (2), council meeting (1), and public hearing meeting (1)
- Exhibits for meetings

City-Provided Deliverables:

- Invitation mailings to adjacent residents and project stake holders
- Press releases and coordination with region media outlets
- Meeting location

Assumptions/Extra Services:

COVID-19 considerations may dictate the format of public meetings. Coordination of the location and duration may be influenced by small groups, social distancing and masks. Scheduled opportunities for small groups to circulate among exhibits and ask questions of staff may be necessary. A video recording of a project presentation may be helpful for posting on the City/project website. Also, individual mailings/email contacts may be helpful. MSA's proposal assumes the normal public meeting process (see cost estimate). Additional public participation efforts by MSA can be provided at additional cost.

800 - CONSTRUCTION (PROJECT) MANAGEMENT

Final plans and specifications will be provided to the City for bid purposes. MSA will provide construction services based on a 22-week construction period. Services provided during this time will include construction observation, construction contract management, attendance at preconstruction meeting, state and federal aid compliance documents and reports, construction staking and record drawings. Record drawings will be provided in the form of scanned copies of field plans.

Deliverables (MSA):

- Construction staking
- Construction observation and progress reports
- Scanned copies of field plans for record drawings
- Attend one (1) preconstruction meeting

City-Provided Deliverables:

- Bidding administration (advertising, bid opening, bid award, and contract)
- Public outreach and updates to local residents during construction

Assumptions/Extra Services

MSA assumes the public outreach during construction is the responsibility of the City. MSA is available to create a project website with weekly updates to inform the public. Print mailings are an option for outreach as well. Cost for public outreach by MSA is available at an extra cost. A pre-bid conference will be considered extra services.

CONCLUSION

We have developed this work plan based on the RFP, our review of the project site, available project materials, and the assumptions listed within each of the phases. We recognize that the City is looking for a project consultant who will manage project delivery with City staff taking an active role in the process.

WORK SCHEDULE

DATE	TASK
February 2021	Notice to Proceed
March 2021	Project Kick-off Meeting
April 2021	Recommendations Memo & Preliminary Cost Estimate #1, Begin Work on Project Memo, Review Additional Consultation Needs
May 2021	Real Estate Assessment & Negotiation Subconsultant Should be Selected by End of Month
May 31, 2021	Project Memorandum Draft Due to City of Hermantown
June 18, 2021	30% Plan Completed – Public Information meeting
June 30, 2021	Project Memorandum to Office of State Aid
August 13, 2021	60% Plan Completed
November 20, 2021	90% Plan Completed
December 2021	Public Meeting #2
January 7, 2022	Final Plans, Specs and other Necessary Documents Submitted to State Aid
February 7, 2022	Approval to Advertise for Bids
March 21, 2022	Award Construction Contract
May 16, 2022	Construction Begins
October 15, 2022	Construction Complete
December 31, 2022	Record Drawings and Final Project Documentation Submitted to the City

REFERENCES

REFERENCES

CITY OF DULUTH, MN

Cari Pederson
 Chief Engineer of Transportation
 cpederson@duluthmn.gov
 (218) 730-5091

OXFORD TOWNSHIP, MN

Mike Miller
 Supervisor
 mike@thehitchingcompany.com
 (612) 209-2495 (m)

CITY OF RICE LAKE, MN

John Werner
 Mayor
 clerk1@ricelakecitymn.com
 (218) 721-3778

CITY OF OAK GROVE, MN

Loren Wickham
 City Administrator
 lwickham@ci.oak-grove.mn.us
 (763) 404-7075

EXHIBIT A
TENNESSEN WARNING
Data Practices Advisory

The information that you are asked to provide is classified by state law as either public, private or confidential. Public data is information that can be given to the public. Private data is information that generally cannot be given to the public but can be given to the subject of the data. Confidential data is information that generally cannot be given to either the public or the subject of the data.

Our purpose and intended use of this information is to consider your proposal in response to a Request for Proposal.

You are not legally required to provide this information.

You may refuse to provide this information.

The consequences of supplying or refusing to supply data are that your proposal may not be considered or it may be denied.

Other persons or entities may be authorized by law to receive this information. The identity of those persons or entities, if known, are as follows: _____

_____.

The undersigned has read this advisory and understands it.

Dated this 21 day of January, 2021.

MSA Professional Services, Inc.

Print Name



Vice President | Transportation Service Line Leader

Signature and Title (if signing on behalf of an entity)

CITY ENGINEER PARTICIPATION IN RFP REVIEW

As noted elsewhere in this RFP, David Bolf, P.E., who is the City Engineer for the City of Hermantown, will participate in the review of RFP proposals.

David Bolf is the brother of Matt Bolf who works for Short Elliot Hendricksen, Inc., which is expected to submit a proposal.

David Bolf also previously worked for Salo Engineering, Inc., which is now Toltz, King, Duvall, Anderson and Associates, Incorporated.

David Bolf also has personal and professional relationships with other engineers who are expected to submit proposals.

David Bolf has consulted with the City Council of the City, the City Attorney of the City and the City Administration for the City and all have determined that he does not have an impermissible conflict of interest that would preclude him from fully participating in the RFP review process.


Notwithstanding the foregoing, the City desires to determine if its views are shared by Responders to the RFP. Accordingly, please check one of the boxes below and sign it and submit this form with your response to the RFP.

- The undersigned Responder consents to David Bolf participating in the RFP review process.
- The undersigned Responder objects to David Bolf participating in the RFP review process.

This page will not count against the ten (10) page maximum number of pages allowed for a proposal.

MSA Professional Services, Inc.

Name of Responder



Signature and Title

Vice President | Transportation Service Line Leader

January 21, 2021

Date

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



DATE: February 8, 2021 **Meeting Date:** 2/16/21
SUBJECT: Extend a Planned Unit **Agenda Item: 12-B** **Resolution 2021-23**
Development Approval

REQUESTED ACTION

Approve a one year extension to the Planned Unit Development (PUD) for a 110 unit senior living project known as the Pillars of Hermantown.

DESCRIPTION OF REQUEST

Applicant is requesting a one year extension to the Planned Unit Development (PUD) for a 110 unit senior living project known as the Pillars of Hermantown.

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

ATTACHMENTS:

Oppidan Extension Request Letter

Resolution No. 2021-23

RESOLUTION APPROVING AN EXTENSION OF THE FINAL PLANNED UNIT DEVELOPMENT PLAN FOR THE PILLARS OF HERMANTOWN

WHEREAS, KTJ 360 LLC (Applicant) submitted a final Planned Unit Development Plan (PUD) with respect to certain property located in the City of Hermantown; and

WHEREAS, the Hermantown Planning and Zoning Commission held a public hearing on the final PUD on March 17, 2020 following notice as required by the City's Zoning Code; and

WHEREAS, the Hermantown City Council held a public hearing on the final PUD at its meeting on April 6, 2020 and approved the PUD by Resolution No. 2020-47; and

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

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

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

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

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

1. The final PUD is hereby extended to April 6, 2022.
2. The City Clerk is hereby directed to notify the Applicant, the Planning and Zoning Administrator and the Planning and Zoning Commission of the extension of the PUD.

Councilor ____ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted February 16, 2021.

ACCEPTANCE OF RESOLUTION

KTJ 360 LLC (“Applicant”) hereby acknowledges and accepts the conditions specified on the foregoing Resolution and covenants and agrees to comply with each and every such condition.

Applicant acknowledges that the failure to comply with all of the modifications and conditions shall constitute a violation of the Hermantown Zoning Ordinance and that the City of Hermantown may, in such event, exercise and enforce its rights against the undersigned by instituting any appropriate action or proceeding to prevent, restrain, correct or abate the violation including, without limitation, exercising and enforcing its rights against any security that the undersigned may provide to the City to insure its compliance with the conditions contained in the foregoing Resolution.

Applicant acknowledges that this Resolution shall be recorded with the title to the property described in the text of the Resolution.

IN WITNESS WHEREAS, KTJ 360 LLC has executed this acceptance this ____ day of _____, 2021.

KTJ 360 LLC

STATE OF MINNESOTA)
)ss.
COUNTY OF ST. LOUIS)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by KTJ 360 LLC.

Notary Public



February 5, 2021

Mr. Eric Johnson
City of Hermantown
5105 Maple Grove Road
Hermantown, MN 55811

RE: The Pillars of Hermantown Senior Living Development

Dear Eric,

Over the past year our development team has worked diligently to move the proposed Senior Living development project forward. Our ESA Phase II testing last year yielded trace amounts of petroleum. We were required to report to the MPCA and have since obtained a No Action Letter. However, as a condition to the No Action Letter the MPCA will require a CCP (Construction Contingency Plan) for the site which is currently being drafted by Braun and needs to be approved by the MPCA. This item that we are currently working on, combined with market demand and construction uncertainties created by the Covid 19 pandemic, has caused unpredicted delays in the project. We are respectfully requesting to extend our entitlements for this project for another year. This would extend our entitlement to April 6, 2022.

We look forward to continuing to work with the City of Hermantown. It has been a very positive experience to date.

Thank you,

Shannon Rusk

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



DATE: February 10, 2021 **Meeting Date:** 2/16/21
SUBJECT: Trade of existing Motor Grader **Agenda Item: 12-C** **Resolution 2021-24**
 and purchase of Front-End
 Loader

REQUESTED ACTION

Approve Trade of 2013 12M2 Motor Grader and Purchase of 2021 John Deere 624L High Lift Loader from McCoy Construction & Forestry

BACKGROUND

As part of our 2021 Capital improvement plan, we have the purchase of a 2021 John Deere 624 L High Lift Wheel Loader with Falls Snow Plow equipment (front plow and wing). We will be trading our existing motor grader against the purchase of the wheel loader due to excessive maintenance/repair costs, (over \$87,000) in the last 4.5 years. The council approved the contract for the loader by Resolution on October 19, 2020. (Res. 2020-142)

Because of the lease that was approved at the last council meeting on 2/1/2021 (Res. 2021-21), we have an existing motor grader that we will need to remove from the City fleet. We have worked with McCoy Construction to trade the City's existing motor grader for a new front-end loader w/ snow equipment to our fleet of equipment.

This equipment is purchased through McCoy Construction & Forestry through the State of Minnesota State Bid process.

SOURCE OF FUNDS (if applicable)

CIP – 601-494300-580

ATTACHMENTS

McCoy Construction & Forestry Proposal
Used Retail Motor Grader Information
Asset Disposal Form

Resolution No. 2021-24

RESOLUTION AWARDING CONTRACT FOR 2021 JOHN DEERE 624L HIGH LIFT LOADER TO MCCOY CONSTRUCTION & FORESTRY NOT TO EXCEED \$109,329 AND AUTHORIZING THE DISPOSAL OF SURPLUS CITY PROPERTY

WHEREAS, the City of Hermantown desires to obtain a 2021 John Deere 624L High Lift Loader; and

WHEREAS, the 2021 John Deere 624L High Lift Loader desired by the City is available on the "State Contract;" and

WHEREAS, the 2021 John Deere 624L High Lift Loader will be purchased from McCoy Construction & Forestry for the purchase price of \$109,329 along with the trade in of the City owned 2012 Caterpillar 12M2 Motor Grader; and

WHEREAS, after fully considering this matter, the City Council of the City of Hermantown believes that it is in the best interest of the City of Hermantown to award the contract for the 2021 John Deere 624L High Lift Loader to McCoy Construction & Forestry; and

WHEREAS, the Public Works Director of the City of Hermantown is seeking authorization to dispose of city surplus equipment; and

WHEREAS, various vehicles are removed from use through sale or trade-in; and

WHEREAS, the Hermantown City Council deems it appropriate to dispose of such surplus equipment; and

WHEREAS, the Hermantown City Council desires to proceed forward with the disposal of the surplus equipment listed as follows:

A. Asset #2780 - 2012 Caterpillar 12M2 Motor Grader

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

1. McCoy Construction & Forestry is hereby determined to be able to provide the 2021 John Deere 624L High Lift Loader to the City pursuant to the State Contract.

2. The price not to exceed \$109,329 for the 2021 John Deere 624L High Lift Loader in accordance with the State Contract is hereby accepted.

3. Per the CIP the funds for the payment of the 2021 John Deere 624L High Lift Loader will be paid from Fund No. 601 and expensed to 602-494300-580.

4. The City Administrator and Public Works Director are hereby Authorized And Directed to Proceed to Dispose of Surplus Equipment in the Possession of the City of Hermantown listed above.

5. All items will be scrapped or discarded by administrative staff in accordance with all applicable laws, rules and regulations.

6. The sale of the vehicle will be traded to McCoy Construction & Forestry. Once traded, the asset will be removed from inventory.

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 February 16, 2021.

10-6-20

City of Hermantown
Attn: Paul Senst

2021 John Deere **624L High Lift** Loader Proposal
Loader Pricing Reflects 2020 MN State Contract.

2021 John Deere 624L High Lift Wheel Loader
Spec per Public Works Request:

- JD Power Tech PVX 6068 6.8L / 203hp
- 5 Speed Transmission with Lock Up Torque Converter
- Auto Reversing Fan
- Premium Cab
- Premium Seat Heated / Air Suspension
- Joystick Bucket Controls
- 6 Function Hydraulics Total
- Ride Control
- 30 Amp Converter
- Wheel Spin Control System
- High Traction Front & Rear Locking Differential
- Automatic Differential Lock
- Michelin Sno Plus 20.5R25 L2 Radial Tires
- Full Coverage Front & Rear Fenders with Mud Flaps
- JRB 416 Pattern Hyd. Coupler
- 3.5 Yd. Bucket
- 72 Inch Forks
- Premium LED Work & Drive Lights
- Engine Block Heater
- Rear Hitch
- Dedicated Rear Camera
- Strobe Beacon with Bracket
- Remote Powered & Heated Exterior Mirrors
- Premium AM/FM Weather-Band with Bluetooth
- Transmission & Bottom Guards
- JD Link 5 Years

Falls Snow Plow Equipment

Falls LLDL-10A SNOW WING 5/8X6 10FT CUTTING EDGE
Dual Cylinder Control/Front and Rear Mounted

LLDLHPP Falls Snow Wing Hydraulic Push Bar Assembly w/Nitrogen Cushioned
Cylinder.

GPR1243E1 Falls Reversible Snow Plow 12ft. 43"-9'10" Clearing Width
Screw-Adjustable Mushroom Shoes, Built in Snow Deflector
Moldboard Trip Spring Assembly

L3PFQ, L5PFQ, Hydraulic Ports Quick Coupler Disconnect
LJRB, LADAPT 416 JRB Coupler Hooks and Blank

Tony Macke | Territory Manager
3401 Arrowhead Rd.
Duluth, MN 55811
Office: 218-722-7456 | Cell: 218-355-8067
<http://mccoycf.com>

-60 Month/5000Hrs Comprehensive Warranty
-4Year/2500Hrs Maintenance Contract \$9629.04

Total Configured Price:	
Loader/Falls Snow Equipment/Warranty & PM Service(s)	\$249,329
Trade: 2012 Caterpillar 12M2 Motor Grader	
Ser# CAT0012MJF9B00159	
Hours: 2805 as of 10-4-2020	\$140,000
Less Trade:	\$109,329

MN State Contract for 2020 Wheel Loaders Expires November 27th, 2020. Order taken up to this time will be locked in under 2020 terms. John Deere model year loader will be a 2021 and fall under 2020 pricing. McCoy will agree to hold the loader until 1st half of January 2021 for Hermantown budgetary purposes.

I greatly appreciate the opportunity to work with the City of Hermantown.

Thank you,



Tony Macke | Territory Manager
3401 Arrowhead Rd.
Duluth, MN 55811
Office: 218-722-7456 | Cell: 218-355-8067
<http://mccoycf.com>

PW-Paul Senst

From: Brian Durfee <BrianDurfee@mccoyscf.com>
Sent: Tuesday, February 2, 2021 1:26 PM
To: PW-Paul Senst
Cc: Anthony Macke
Subject: 12M valuation

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

Good afternoon Paul. Tony wanted me to share how we came to value of your 2012 Cat 12M2. We research like machines for age and condition. Looking at both retail offerings and auction results, what effect current market conditions and our past history with machines like this have been. In this case our market research (in this case Machinery Trader) showed **average auction of \$86,000 x 11 units**, **average retail advertised \$140,000 x 10 units**. Yours due to good condition and lower hours brought us to the **trade offer** that we have presented to you. If you need further information please feel free to contact Tony or myself. Thanks

Brian Durfee - Corporate Used Equipment Manager

4341 S Prairie View Rd
Chippewa Falls, WI 54729
Office: 715-834-2924
Cell: 715-514-9462
Fax: 715-834-1173
briandurfee@mccoyscf.com



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[ZIEGLERCAT.COM/EQUIPMENT/USED/](https://www.zieglercat.com/equipment/used/) / 2014 CATERPILLAR 12M2AWD



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Search by Model

SEARCH

[USED EQUIPMENT \(/EQUIPMENT/USED/\)](#)

2014 CATERPILLAR 12M2AWD

MOTOR GRADERS



DETAILS

Price: \$138,400

Location: Altoona, IA, US

Serial number: R9P00166

Stock number: N5653

Hours: 7,995 hours

Contact

Used Equipment Sales
888.363.3921

[UsedConstructionLeads@zieglercat.c](mailto:UsedConstructionLeads@zieglercat.com)

<mailto:UsedConstructionLeads@zieg>



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Search by Model

SEARCH



[USED EQUIPMENT \(/EQUIPMENT/USED/\)](#)

2014 CATERPILLAR 12M2

MOTOR GRADERS



DETAILS

Price: \$128,950

Location: Altoona, IA, US

Serial number: F9M00427

Stock number: N5613

Hours: 5,805 hours

Contact

Used Equipment Sales
888.363.3921

[UsedConstructionLeads@zieglercat.c](mailto:UsedConstructionLeads@zieglercat.com)

[\(/mailto:UsedConstructionLeads@zieg](mailto:UsedConstructionLeads@zieg)

COMMENTS

INSPECTED 4/30/20 @5,804 HOURS

FEATURES

- 14' MOLDBOARD
- AIR CONDITIONER
- AIR SUSPENSION SEAT
- AM FM RADIO
- AUTO SHIFT
- BLADE EXTENSION
- DIFFERENTIAL LOCK
- EROPS
- ETHER AID
- FENDERS
- FRONT HITCH/LIFT
- JOYSTICK STEERING
- LIGHTING
- MIRRORS
- SNOW ARRANGEMENT
- ULTRA LOW SULFUR DIESEL FUEL
- VARIABLE HORSEPOWER

CONDITION

GENERAL APPEARANCE

SAFETY ITEMS

GAUGES, OPERATOR STATION, CONSOLE

ENGINE

REQUEST INFO

First Name

Last Name

Email Address

Phone Number

Zip Code

Company Name

Additional Information

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Search by Model

SEARCH

[USED EQUIPMENT \(/EQUIPMENT/USED/\)](#)

2012 CATERPILLAR 12M2

MOTOR GRADERS



DETAILS

Price: \$104,860

Location: Altoona, IA, US

Serial number: F9M00150

Stock number: N5612

Hours: 7,431 hours

Category: Construction

Contact

Used Equipment Sales
888.363.3921

[UsedConstructionLeads@zieglercat.c](mailto:UsedConstructionLeads@zieglercat.com)

[\(/mailto:UsedConstructionLeads@zieg](mailto:UsedConstructionLeads@zieg)

Equipment (/equipment/) FEATURES

Service (/service/)

Parts (/parts/)

Specials (/specials/)

REQUEST INFO



AIR CONDITIONER

- AIR SUSPENSION SEAT
- AM FM RADIO
- AUTO SHIFT
- BLADE EXTENSION
- EROPS
- FENDERS
- FRONT HITCH/LIFT
- JOYSTICK STEERING
- LIGHTING
- ULTRA LOW SULFUR DIESEL FUEL
- VARIABLE HORSEPOWER
- ACCUMULATORS
- BLADE FLOAT
- DIFF LOCK/UNLOC
- ENGINE ENCLOSURES
- LIFT GROUP
- SIDE SHIFT
- SLIPCLUTCH
- SNOW PLOW
- TIP CONTROL

About (/about/) First Name Contact (/contact/)

Last Name

Email Address

Phone Number

Zip Code

Company Name

Additional Information

By providing my email address, I consent to receive communications sent by Ziegler. I may opt out at any time.

SUBMIT

CONDITION

GENERAL APPEARANCE

SAFETY ITEMS

GAUGES, OPERATOR STATION, CONSOLE

ENGINE

2012 CAT 12M For Sale In Alamo, Texas



For Sale Price: \$109,500

Rental Prices:
[View Rental Prices](#)

Contact Information

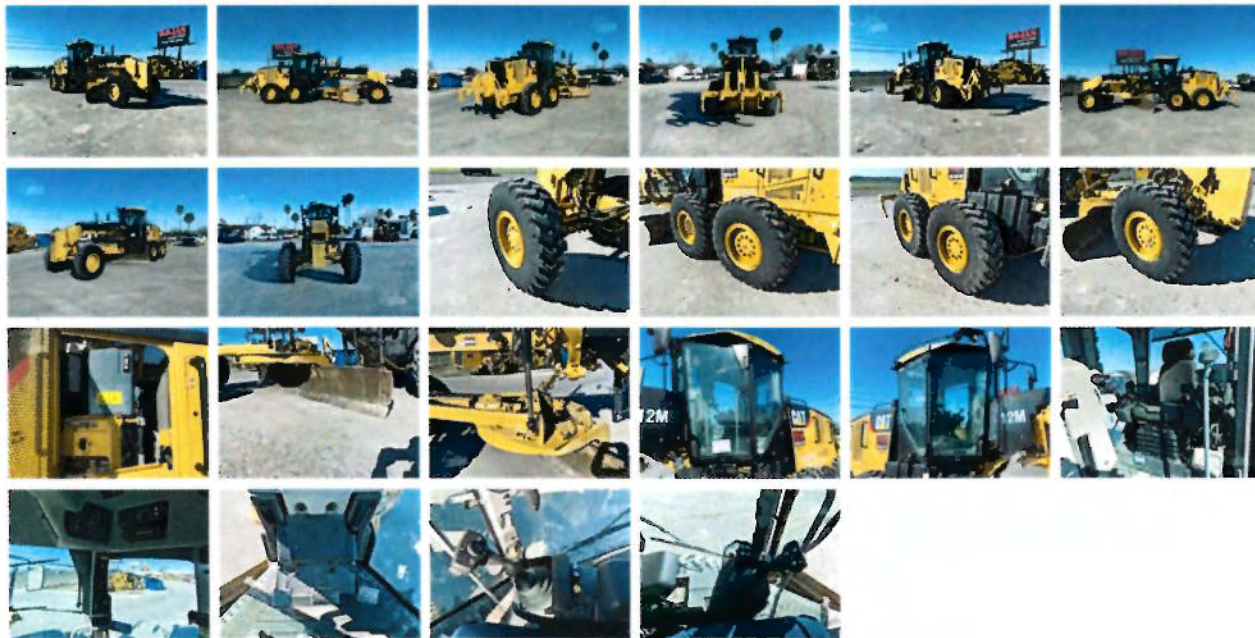
Rojas Heavy Equipment

📍 [Alamo, Texas 78516](#)

📞 [Phone: \(956\) 567-7446](#)

[Video Chat With This Dealer](#)

👤 [Contact: Efrain Rojas Jr](#)



Description

enclosed cab, a/c, ripper/scarifier, 14' blade, pushblock, job ready! Made in USA

Specifications

Year	2012	Manufacturer	CATERPILLAR
Model	12M	Condition	Used
Hours	4000	A/C	Yes
ROPS	Enclosed	Ripper	Yes
Scarifier	Yes		

2013 CAT 12M For Sale In Hidalgo, Texas



For Sale Price: \$109,999

Contact Information

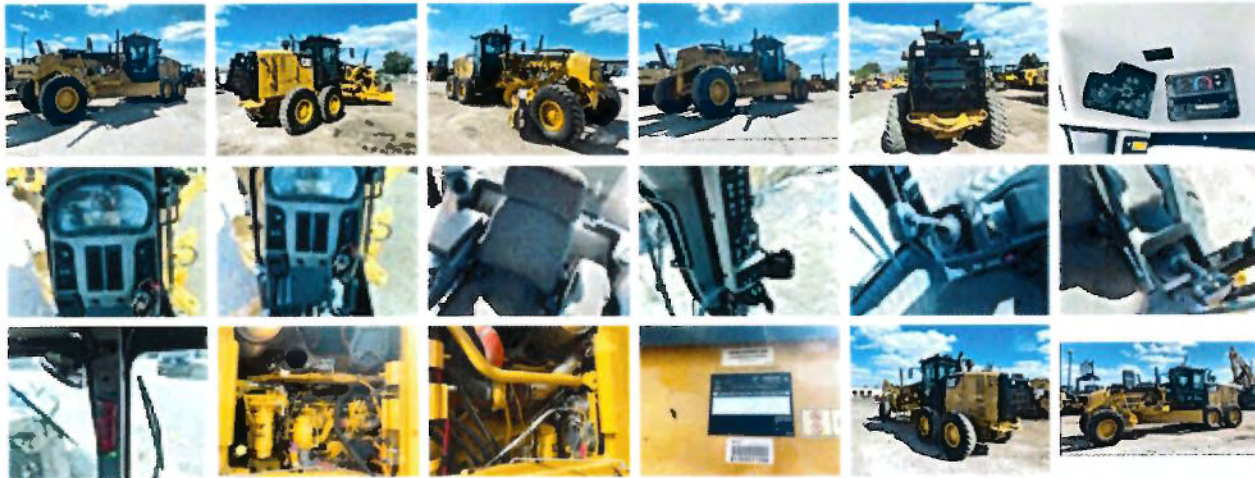
Quinlon Investments

📍 [Hidalgo, Texas 78557](#)

📞 [Phone: \(956\) 614-7041](#)

[Video Chat With This Dealer](#)

👤 [Contact: John Quintero](#)



Description

MOTORGRADER CATERPILLAR 12M 2. YEAR 2013 SERIAL NUMBER F9M00359 EX FLEET CAT RENTALS EXCELLENT MAINTENANCE ONE OWNER SINCE NEW GREAT WORKING CONDITIONS ALL FUNCTIONS WORK CAB DELUXE A/C, AIR SEAT BLUETOOTH, SCARIFIER GOOD TIRES STRONG UNIT READY TO WORK NO LEAKS, \$109,999 . PLEASE FEEL FREE TO CALL US ANYTIME FOR MORE INFORMATION

Specifications

Year	2013	Manufacturer	CATERPILLAR
Model	12M	Serial Number	CAT0012MJF9M00359
Condition	Used	Hours	7322
A/C	Yes	Heater	Yes
ROPS	Enclosed	Scarifier	Yes
Stock Number	112920-3		

DISPOSITION OR LOSS OF AN ASSET

City of Hermantown

Disposition of a capitalized asset requires City Council approval prior to disposing the asset. This form should be completed and forwarded to Finance within 2 weeks of the disposition of any capital asset. If this trade in item is included in purchasing a new asset, please note it and complete an acquisition form for that item.

Employees and related parties are prohibited from purchasing or receiving City surplus property.

Asset No: 2780

VIN/Serial #: [CAT0012MJF9B00159](#)

City ID/Vehicle #: Motor Grader

Description: 2012 Caterpillar 12M2

Department: PUBLIC WORKS

Date of Change: 2/17/2021

Type of Change: Disposal via: Trade in

Sold (To Whom?): McCoy Equipment & Forestry

Amount: \$140,000.00

Transferred: _____ To Dept: _____

Trade In: 2012 Caterpillar 12M2 Motor Grader

For new asset: 2021 John Deere 624 L High Lift Loader w/ Falls Snow equipment

Destroyed: _____ How Disposed?

.....
Entered on the Fixed Asset System: Yes or No

Department Head: Paul Senst

Finance Dept.: _____

Insurance notified?: Yes No N/A Date of notification:

Notes: _____

TO: Mayor & City Council

FROM: David Bolf, City Engineer



DATE: February 10, 2021

Meeting Date: 2/16/21

SUBJECT: Road Improvement District
No. 537 – Lavaque Jct Rd

Agenda Item: 12-D

Resolution 2021-25

REQUESTED ACTION

Award Construction Bid provided by _____ for Road Improvement District No. 537 (Lavaque Jct Rd)

BACKGROUND

The bid opening for the above-mentioned project will be conducted on Thursday, February 11, 2021 at 10:00 a.m. at City Hall. Sealed bids were received from _____ contractors, with the low bidder being _____ in the amount of \$_____. The engineering estimate for the project is \$1,808,942.

It is recommended that the City award the construction contract for Road Improvement District No. 537 to _____ in the amount of \$_____.

SOURCE OF FUNDS (if applicable)

Road Improvement Fund - 475-431150-550 (Bonding, Special Assessments)

ATTACHMENTS

Abstract of Bids (will be emailed separately)

Letter of Recommendation & Bid (will be emailed separately)

Resolution No. 2021-25

**RESOLUTION RECEIVING BIDS AND AWARDING CONTRACT FOR
ROAD IMPROVEMENT DISTRICT NO. 537 (LAVAQUE JUNCTION ROAD)
IN THE AMOUNT OF \$_____**

WHEREAS, the City of Hermantown duly advertised for bids for Road Improvement District No. 537 (Lavaque Junction Road) (“Project”) within the City of Hermantown; and

WHEREAS, the City will finance the Project from road improvement funds; and

WHEREAS, bids on such Project were publicly opened and tabulated by the Consulting Engineer and City Clerk on February 11, 2021; and

WHEREAS, a transcript of such bids is attached hereto as Exhibit A; and

WHEREAS, the Consulting Engineer reviewed the bid of the lowest bidder to confirm its accuracy; and

WHEREAS, the Consulting Engineer reviewed the bid of the lowest bidder and found it to be technically responsive to the specifications and also investigated the experience, past record of performance and capacity of the low bidder to perform the work contracted to be performed within the stated time period; and

WHEREAS, on the basis of such review, the Consulting Engineer has recommended that the lowest bidder, _____ (“Contractor”) be awarded the contract for Road Improvement District No. 537 (Lavaque Junction Road) (“Project”); and

WHEREAS, after fully considering this matter, the City Council believes that it is in the best interests of the City of Hermantown to award the contract for such improvement to Contractor.

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

1. Contractor is hereby found, determined and declared to be the lowest responsible bidder for Road Improvement District No. 537 (Lavaque Junction Road).
2. The bid of Contractor is in the amount of \$_____ for Road Improvement District No. 537 (Lavaque Junction Road) for such bid option in accordance with the plans and specifications and advertisements for bids shall be and hereby is accepted.
3. The Consulting Engineer is hereby directed to prepare a contract between the City of Hermantown and Contractor as soon as possible and submit it to Contractor for execution by it.
4. Upon execution of such contract by Contractor and its submission of a performance bond, payment bond and certificate of insurance acceptable to the City Attorney, Mayor and City Clerk are hereby authorized and directed to execute such contract for and on behalf of the City of Hermantown.
5. The City Clerk is hereby authorized and directed to return forthwith to all bidders, the deposits (bid bonds) made with their bids, except that deposit (bid bond) of the successful bidder and the

next lowest bidder shall not be returned until a contract has been executed.

6. 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.

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:

Councilor

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted February 16, 2021.

TO: Mayor & City Council

FROM: John Mulder, City Administrator



DATE: February 10, 2021

Meeting Date: 2/16/21

SUBJECT: 2021 Road Improvement District Agenda Item: 12-E Resolution 2021-26
No. 536

REQUESTED ACTION

Approve Construction Bid provided by _____ for 2021 Road Improvement District No. 536

BACKGROUND

The City Council entered into a Cooperative Agreement for engineering services with St Louis County for the 2021 Road Improvement District No. 536 (Sundby& Swan Lake Roads) via Resolution 2020-59. Per the agreement, St. Louis County is performing the design and construction engineering for the project including soliciting bids for the construction work.

The bid opening for the above-mentioned project will be conducted on Thursday, February 11, 2021 at 10:00 a.m. at St. Louis County. Sealed bids were received from _____ contractors, with the low bidder being _____ in the amount of \$_____. The estimate for the project was \$389,000 in construction costs.

Per the agreement, the City must provide concurrence with the awarding of the bid by St. Louis County. This resolution would provide that concurrence.

SOURCE OF FUNDS (if applicable)

402-431150-550 - MSA

ATTACHMENTS

Abstract of Bids (will be emailed separately)

Letter of Recommendation (will be emailed separately)

Resolution No. 2021-26

**RESOLUTION RECEIVING BIDS AND AWARDING CONTRACT FOR
2021 ROAD IMPROVEMENT DISTRICT NO. 536
IN THE AMOUNT OF \$_____**

WHEREAS, St. Louis County, the Project Engineer hired by the City through a Cooperative Agreement approved by Resolution 2020-59 duly advertised for bids for 2021 Road Improvement District No. 536 (“Project”); and

WHEREAS, bids on such Project were publicly opened and tabulated by St. Louis County on February 11, 2021; and

WHEREAS, a transcript of such bids is attached hereto as Exhibit A; and

WHEREAS, St. Louis County reviewed the bid of the lowest bidder to confirm its accuracy; and

WHEREAS, St. Louis County reviewed the bid of the lowest bidder and found it to be technically responsive to the specifications and also investigated the experience, past record of performance and capacity of the low bidder to perform the work contracted to be performed within the stated time period; and

WHEREAS, on the basis of such review, St. Louis County has recommended that the lowest bidder, _____ (“Contractor”) be awarded the contract for 2021 Road Improvement District No. 536 (“Project”); and

WHEREAS, the Cooperative Agreement states that “the County must obtain the concurrence of the City prior to awarding the contract” and after fully considering this matter, the City Council believes that it is in the best interests of the City of Hermantown to award the contract for such improvement to Contractor.

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

1. Contractor is hereby found, determined and declared to be the lowest responsible bidder for 2021 Road Improvement District No. 536.
2. The bid of Contractor is in the amount of \$_____ for 2021 Road Improvement District No. 536 for such bid option in accordance with the plans and specifications and advertisements for bids shall be and hereby is accepted.
3. St. Louis County is hereby directed to prepare a contract between the City of Hermantown and Contractor as soon as possible and submit it to Contractor for execution by it.

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:

Councilor

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted February 16, 2021.