



Hermantown City Council Meeting – September 20, 2021

Because of attendance considerations at the regular meeting location due to the health pandemic, Hermantown's September 20, 2021, City Council Meeting will be conducted both remotely and with in-person access to Council Chambers.

The City Council meeting 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 the City Council Meeting in person at City Hall. Current Minnesota Department of Health guidelines regarding the health pandemic will be observed during this meeting.

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

<https://us02web.zoom.us/j/87417834695?pwd=MEhLbIZIMkVpUU83UklCYlYyGjJkUT09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number of 874-1783-4695 and the passcode of 415010.

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 "September 20, 2021, Meeting." It is important to note that all comments regarding the September 20, 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 in-person only at City Hall. Public comment is not a factor in the pre-agenda meeting, but the meeting is open and members of the public are invited and welcome to attend to this meeting. Attendees of the Pre-Agenda Meeting should expect to follow the current social distancing and mask guidelines.



AGENDA

Pre-Agenda Meeting Monday, September 20, 2021 at 4:30 p.m. Council Chambers 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 September 20, 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 Monday, September 20, 2021 at 4:30 p.m.
Council Chambers
Hermantown Governmental Services Building**

**City Council Continuation Meeting September 20, 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**
7. **PRESENTATIONS** *(Department Heads may give reports if necessary.)*
 - A. Kevin Orme, Director of Finance & Administration
RE: [2022 Preliminary Debt Service Budgets](#)
 - B. John Mulder, City Administrator
RE: Stormwater Ordinance Report
 - C. John Mulder, City Administrator
RE: Sewer Trunkline Availability Charges
8. **PUBLIC DISCUSSION** *(This is the time for individuals to address the Council about any item not on the agenda. The time limit is three minutes per person.)*
9. **CONSENT AGENDA** *(All items on the Consent Agenda are items which are considered routine by the City Council and will be approved by one motion via voice vote. There will be no discussion of these items unless a Council Member or citizen so requests, in which event the item will be removed from the Consent Agenda and considered at the end of the Consent Agenda.)*
 - A. **Minutes** - Approval or correction of [September 7, 2021 City Council Minutes](#) & [September 13, 2021 Work Session Minutes](#)
 - B. **Accounts Payable** – Approve general city warrants from September 1, 2021 through September 15, 2021 in the amount of \$262,412.68

(motion, roll call)

This agenda has been prepared to provide information regarding an upcoming meeting of the Hermantown City Council. This document does not claim to be complete and is subject to change at any time.

10. MOTIONS

- A. [Motion to support position on re-districting.](#)

(motion, roll call)

11. ORDINANCES

- A. **2021-08** An Ordinance Amending Hermantown Zoning Code By Amending Chapter 11, Planned Unit Development

Second Reading

(motion, roll call)

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

- A. **2021-114** Resolution Authorizing A Summary Of An Ordinance Amending Hermantown Zoning Code By Amending Chapter 11, Planned Unit Development

(motion, roll call)

- B. **2021-115** Resolution To Establish A No Parking Zone Along Certain Minnesota State Aid Streets In The City Of Hermantown

(motion, roll call)

- C. **2021-116** Resolution Approving An Amendment To The City Handbook Regarding Hydrants

(motion, roll call)

- D. **2021-117** Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Overom Law, PPLC D/B/A Overom Law (City Attorney Services)

(motion, roll call)

- E. **2021-118** Resolution To Adopt The Proposed Property Tax And Proposed Budget For Taxes Payable 2022 And Scheduling The Truth In Taxation Hearing

(motion, roll call)

- F. **2021-119** Resolution Directing Preparation Of Assessment Roll For Delinquent Water And Sewer Use, Hookup, Permit And Availability Charges, Water And Sewer Contract Payments And Stormwater Charges And Directing Notice Of Such Assessment Be Given

(motion, roll call)

- G.** **2021-120** Resolution Accepting The Coronavirus Local Fiscal Recovery Fund Established Under The American Rescue Plan Act

(motion, roll call)

- H.** **2021-121** Resolution Approving A Grant Application To St. Louis County

(motion, roll call)

- I.** **2021-122** Resolution Approving Change Order Number 2 For Road Improvement District No. 537 (Lavaque Junction Road)

(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

8/31/2021	21-157	Mark Becker, Fabyanske, Westra, Hart & Thomson	Steve Overom, Overom Law	Settlement, State of MN et al. v. Nelson Auto Center	8/26/2021
9/1/2021	21-158	AT&T Services, Inc.	City of Hermantown	New Singular Wireless Extension of Lease	8/27/2021
9/1/2021	21-159	Steve Overom, Overom Law	Mark Becker, Fabyanske, Westra, Hart & Thomson	Settlement, State of MN et al. v. Nelson Auto Center	9/1/2021
9/13/2021	21-160	Nichole Dorn, 5131 Cedar Ridge Dr.	Eric Johnson, Comm. Dev. Dir.	Grouse Ridge Dr/Arrowhead Rd.	9/7/2021
9/13/2021	21-161	Eric Johnson, Comm. Dev. Dir.	Jodie & Jess Bellefeuille, 4703 Hermantown Rd.	MS4 Violation	9/10/2021

City of Hermantown 2022 Preliminary Debt Service Budgets



City of
Hermantown
Minnesota



2022 Debt Service Budgets

- **City has approx. \$36 million in bond debt**
- **Individual bonds expire between 2027 and 2039**
- **Annually the City pays approx. \$3.75 million to service our current debt**
- **Sales Tax covers approx. 74% of the debt payments**
- **Tax Levy covers approx. 11% of debt payments**
 - **Tax levy usage in 2022 (2021 was 332,537)**
 - **Total = \$415,234**
 - **Fund 318 = \$79,015**
 - **Fund 323 (Firehalls) = \$142,511**
 - **Fund 324 (Rose Road) = \$48,628**
 - **Fund 326 (2020 Road Plan) = \$61,628**
 - **Fund 328 (2021 Road Plan) = 83,452**
- **City in planning stages of approximately \$1 million of additional bonds for the 2022 Road Improvement Plan**

City of Hermantown Debt Service Budgets September 2021

Included in this booklet are the budget sheets for each of the debt services funds. (Funds numbered in the 300's).

Sales Tax (Fund 240) technically, is not a debt service fund, but a Special Revenue Fund. It is included in this budget booklet because the revenue is used primarily for debt service through transfers out of this fund to the various debt service funds as allowed per the statutes regarding the use of the sales tax revenue. Per the statutes, "The proceeds of the tax imposed under this section must be used to meet the costs of: (1) extending a sewer interceptor line; (2) construction of a booster pump station, reservoirs, and related improvements to the water system; (3) construction of a building containing a police and fire station and an administrative services facility; and (4) meet the costs of debt service payments for construction of the Hermantown Wellness Center." The fourth authorized use was approved by the Legislative in 2017.

The City currently has ten bonds outstanding. (Funds 315,318,320, 322-328). Each fund represents a bond issued by the City for various projects.

Fund	Name	Original Principal	Interest Rate	Expires	Optional Call Date
315	2016B GO	5,055,000	1.35	2027	None
318	2016A GO	3,285,000	1.56	2030	2/1/2018
320	2012A GO	2,500,000	1.93	2026	2/1/2020
322	2014A GO	2,170,000	2.20	2028	2/1/2024
323	2018A GO	2,035,000	3.20	2039	2/1/2027
324	2018B GO	7,715,000	3.14	2039	2/1/2027
325	2019A GO	8,845,000	3.14	2039	2/1/2027
326	2020A GO	3,588,000	1.74	2036	2/1/2029
327	2020B GO	3,915,000	1.83	2037	2/1/2029
328	2021A GO	3,860,000	1.21	2037	2/1/2030
		42,968,000			

Each fund has a tab, and included for each fund are the following:

- **Brief Description**
- **Revenues and Expenditures**

Fund 315 and 325 are funded 100% by sales tax.

Fund 350 is referred to as the Special Deficiency Fund. This fund accounts for accumulated resources to make debt payments when special assessments have been deferred.

No action is required at this time as these budgets are part of the overall budget that will be presented to the City Council for adoption in December, 2021.

Fund 240 - City Sales Tax Fund

Accounts for the City sales tax collected that is authorized by the Minnesota State Legislature to fund the construction of a city administrative services/public safety facility, Hermantown sewer trunk line and water infrastructure improvements. The Hermantown City Sales Tax rate was increased from .5% to 1%. Voters approved the increase in the 2012 General Election. Collections at the 1% rate were effective April 1, 2013. In 2017 the State Legislature approved extending the sales tax through December 2036 and added the ability to use the sales tax for a Wellness Center. Per the statutes, the proceeds of the tax imposed under this section must be used to meet the costs of: (1) extending a sewer interceptor line; (2) construction of a booster pump station, reservoirs, and related improvements to the water system; (3) construction of a building containing a police and fire station and an administrative services facility; and (4) meet the costs of debt service payments for construction of the Hermantown Wellness Center. (This fourth authorized use was approved by the Legislature in 2017)

Fund	2022 Transfer for Debt Service
315 2006A GO	698,807
318 2009A GO	153,907
320 2012A GO	197,539
322 2014A GO	215,000
324 2018B GO	522,231
325 2019A GO	651,400
326 2020A GO	180,188
327 2020B GO	294,263
328 2021A GO	40,119
Total	2,953,454

CITY OF HERMANTOWN, MN
Revenue Budget Report -- MultiYear Actuals
For the Year: 2022

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
240 City Sales Tax Fund										
313100 City Sales Tax										
313100 City Sales Tax	3,007,853	3,093,501	3,351,435	2,028,353	2,990,000	68%	3,000,000		3,000,000	100%
Group:	3,007,853	3,093,501	3,351,435	2,028,353	2,990,000	68%	3,000,000	0	3,000,000	100%
318900 Total Other Tax Revenue										
318900 Other Tax Revenues		32,254	222,142	104,364	0	***%			0	0%
Group:		32,254	222,142	104,364	0	***%	0	0	0	0%
362100 Investment Interest										
362100 Investment Interest	130,743	138,897	94,313	-6,903	10,000	-69%	10,000		10,000	100%
362160 Gain (Loss) on Sale of	-45,131	86,991	5,942		0	0%			0	0%
Group:	85,612	225,888	100,255	-6,903	10,000	-69%	10,000	0	10,000	100%
362400 911 Signs										
362430 Refund & Reimbursement			7,150		0	0%			0	0%
Group:			7,150		0	0%	0	0	0	0%
393100 Bond Issuance										
393100 Bond Issuance			4,092,438		0	0%			0	0%
Group:			4,092,438		0	0%	0	0	0	0%
394000 Contributed Capital										
394000 Contributed Capital			66,190		0	0%			0	0%
Group:			66,190		0	0%	0	0	0	0%
Fund:	3,093,465	3,351,643	7,839,610	2,125,814	3,000,000	71%	3,010,000	0	3,010,000	100%
Grand Total:	3,093,465	3,351,643	7,839,610	2,125,814	3,000,000		3,010,000	0	3,010,000	

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CITY OF HERMANTOWN, MN
Expenditure Budget Report -- MultiYear Actuals
For the Year: 2022

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Report ID: B240B

Account	Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
494400	Water Administration and General										
432	Bad Debts				52,952	0 ***%			0	0%	
	Account:				52,952	0 ***%		0	0	0%	
494500	Sewer Maintenance										
221	General Supplies		1			0 0%			0	0%	
305	Engineer Fees	218,328	54,681			0 0%			0	0%	
308	Legal Fees	9,665	1,116			0 0%			0	0%	
319	Contracted Services	70,788	1,372			0 0%			0	0%	
351	Legal Notices Publishing	235	512			0 0%			0	0%	
595	Transmission/Distribution		630,023		200,000	0%			0	0%	
	Account:	299,017	687,704		200,000	0%		0	0	0%	
	Fund:	1,827,248	4,093,934	6,147,865	3,642,436	4,505,249	81%	3,975,879	0	3,975,879	88%
	Grand Total:	1,827,248	4,093,934	6,147,865	3,642,436	4,505,249		3,975,879	0	3,975,879	

Fund 315 - 2016B G.O. Bonds

The Public Project Revenue Bonds, Series 2006A were issued in December of 2006 in the original amount of \$9,630,000, carry a net interest rate of 4.04% and mature in 2027. The bonds were used to refinance the Public Project Revenue Bonds, Series 1998 (Police/Fire Building) and to construct an administrative services addition to the public safety facility. The debt is being paid by city sales tax collections. No levy. In 2016, the bonds in fund 315 were refunded. The first payment on the new 2016B G.O. bonds was February 1, 2017. The new true interest rate is 1.353%. This saves the City future value savings in the amount of \$999,957. The debt is being paid by City sales tax collections.

Amortization Schedule

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2020	510,000	110,100	620,100
2021	530,000	94,500	624,500
2022	545,000	78,375	623,375
2023	560,000	61,800	621,800
2024	575,000	44,775	619,775
2025	595,000	27,225	622,225
2026	610,000	9,150	619,150
Total	3,925,000	425,925	4,350,925

Budget Detail

CITY OF HERMANTOWN, MN
Revenue Budget Report -- MultiYear Actuals
For the Year: 2022

315 2016B 2006 Governmental Services Facility Bond (2016B)

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
392000										
392010 Transfers In	698,807	698,807	698,807	698,807	698,807	100%	698,807		698,807	100%
Group:	698,807	698,807	698,807	698,807	698,807	100%	698,807	0	698,807	100%
Fund:	698,807	698,807	698,807	698,807	698,807	100%	698,807	0	698,807	100%

CITY OF HERMANTOWN, MN
Expenditure Budget Report -- MultiYear Actuals
For the Year: 2022

315 2016B 2006 Governmental Services Facility Bond (2016B)

Account	Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
471000	Debt Service										
601	Bond Principal	485,000	500,000	510,000	530,000	530,000	100%	545,000	545,000	103%	
611	Bond Interest	140,025	125,250	110,100	94,500	94,500	100%	78,375	78,375	83%	
620	Fiscal Agent Fees	1,083	914	855	855	1,385	62%	1,400	1,400	101%	
	Account:	626,108	626,164	620,955	625,355	625,885	100%	624,775	0	624,775	100%
	Fund:	626,108	626,164	620,955	625,355	625,885	100%	624,775	0	624,775	100%

Fund 318 - 2016A G.O. Bonds

The General Obligation Improvement Bonds, Series 2009A were issued in December of 2009 in the original amount of \$5,515,000, carry a net interest rate of 3.48% and mature in 2030. The bonds were used for acquisition of the existing public works facility, construction of a new salt storage building, sewer improvements, and to refund the General Obligation Improvement Bonds, Series 2003A-(Fund 312), financing Public Improvements, #305 water project, #413,406,408,415,421 and 429 sewer projects. The debt is being repaid by special assessments, property tax levy, city sales taxes, water fund, and sewer fund. These bonds were refunded and are now Series 2016A.

Amortization Schedule

Year	Principal	Interest	Total
2020	365,000	55,050	420,050
2021	375,000	47,650	422,650
2022	380,000	40,100	420,100
2023	385,000	32,450	417,450
2024	400,000	24,600	424,600
2025	355,000	17,050	372,050
2026	140,000	12,100	152,100
2027	140,000	9,300	149,300
2028	140,000	6,500	146,500
2029	145,000	3,650	148,650
2030	110,000	1,100	111,100
Total	2,935,000	249,550	3,184,550

Budget Detail

CITY OF HERMANTOWN, MN
Revenue Budget Report -- MultiYear Actuals
For the Year: 2022

318 2016A (2009A Bond - PW Salt Storage & Refinance 2003 Bonds)

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
310100 Current Year Taxes										
310100 Current Year Taxes	76,786	78,242	78,165	44,589	74,871	60%	74,871		74,871	100%
Group:	76,786	78,242	78,165	44,589	74,871	60%	74,871	0	74,871	100%
310200 Delinquent Taxes										
310200 Delinquent Taxes	1,196	373	850	432	0	***%			0	0%
Group:	1,196	373	850	432	0	***%	0	0	0	0%
361100 Principal - Current										
361100 Principal - Current	83,032	86,266	90,888	34,870	80,000	44%	65,000	24,000	89,000	111%
361110 Principal - Delinquent	514	1,714	1,064		0	0%			0	0%
361120 Principal - Prepaid	7,276	27,327	30,065		0	0%			0	0%
Group:	90,822	115,307	122,017	34,870	80,000	44%	65,000	24,000	89,000	111%
361200 Interest - Current										
361200 Interest - Current	45,216	39,927	34,531		35,000	0%	24,000	-24,000	0	0%
361210 Interest - Delinquent	550	1,317	381		0	0%			0	0%
361220 Interest - Prepaid			3,693		0	0%			0	0%
Group:	45,766	41,244	38,605		35,000	0%	24,000	-24,000	0	0%
361300 Penalties & Interest										
361300 Penalties & Interest	482	1,284	731	75	0	***%			0	0%
Group:	482	1,284	731	75	0	***%	0	0	0	0%
362100 Investment Interest										
362100 Investment Interest	10,456				0	0%			0	0%
Group:	10,456				0	0%	0	0	0	0%
392000										
392010 Transfers In	216,857	215,507	216,657	217,723	217,723	100%	215,923		215,923	99%
Group:	216,857	215,507	216,657	217,723	217,723	100%	215,923	0	215,923	99%
Fund:	442,365	451,957	457,025	297,689	407,594	73%	379,794	0	379,794	93%

CITY OF HERMANTOWN, MN
Expenditure Budget Report -- MultiYear Actuals
For the Year: 2022

318 2016A (2009A Bond - PM Salt Storage & Refinance 2003 Bonds)

Account	Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
471000	Debt Service										
601	Bond Principal	315,000	350,000	365,000	375,000	375,000	100%	380,000	380,000	101%	
611	Bond Interest	99,928	62,200	55,050	47,650	47,650	100%	40,100	40,100	84%	
620	Fiscal Agent Fees	1,083	914	5,855	2,855	1,385	206%	1,400	1,400	101%	
	Account:	416,011	413,114	425,905	425,505	424,035	100%	421,500	0	421,500	99%
471200	Other Debt Principal										
601	Bond Principal	3,277,850					0%		0	0%	
	Account:	3,277,850					0 ***%	0	0	0%	
	Fund:	3,693,861	413,114	425,905	425,505	424,035	100%	421,500	0	421,500	99%

Fund 320 - 2012A G.O. Bonds

The General Obligation Improvement Bonds, Series 2012A were issued in July of 2012 in the amount of \$2,500,000, carry a net interest rate of 1.93% and mature in 2026. The bonds were used to refund the General Obligation Bonds, Series 2003B (Fund 313) on August 1, 2012 and the General Obligation Bonds, Series 2005A (Fund 314) on February 1, 2013. The debt is being repaid by special assessments and city sales taxes.

Amortization Schedule

Year	Principal	Interest	Total
2020	155,000	23,931	178,931
2021	165,000	21,204	186,204
2022	170,000	17,935	187,935
2023	175,000	14,311	189,311
2024	175,000	10,505	185,505
2025	180,000	6,510	186,510
2026	185,000	2,220	187,220
Total	1,205,000	96,616	1,301,616

Budget Detail

CITY OF HERMANTOWN, MN
Revenue Budget Report -- MultiYear Actuals
For the Year: 2022

320 2012A General Obligation Bonds

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
361100 Principal - Current										
361100 Principal - Current	30,568	28,737	32,637	20,612	29,000	71%	25,000	10,000	35,000	121%
361110 Principal - Delinquent	700	8,752	2,592		0	0%			0	0%
361120 Principal - Prepaid	33,795		9,791	4,008	0	***%			0	0%
Group:	65,063	37,489	45,020	24,620	29,000	85%	25,000	10,000	35,000	120%
361200 Interest - Current										
361200 Interest - Current	17,639	13,843	13,108	-269	10,000	-3%	10,000	-10,000	0	0%
361210 Interest - Delinquent	448		1,427		0	0%			0	0%
361220 Interest - Prepaid	521				0	0%			0	0%
Group:	18,608	13,843	14,535	-269	10,000	-3%	10,000	-10,000	0	0%
361300 Penalties & Interest										
361300 Penalties & Interest	235	64	1,003	-62	0	***%			0	0%
Group:	235	64	1,003	-62	0	***%	0	0	0	0%
392000										
392010 Transfers In	197,539	197,539	197,539	197,539	197,539	100%	197,539		197,539	100%
Group:	197,539	197,539	197,539	197,539	197,539	100%	197,539	0	197,539	100%
Fund:	281,445	248,935	258,097	221,828	236,539	94%	232,539	0	232,539	98%

CITY OF HERMANTOWN, MN
Expenditure Budget Report -- MultiYear Actuals
For the Year: 2022

320 2012A General Obligation Bonds

Account	Object	Actuals				Current Budget 2021	* Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
471000	Debt Service										
601	Bond Principal	155,000	155,000	155,000	165,000	165,000	100%	170,000	170,000	103%	
611	Bond Interest	28,155	26,179	23,931	21,204	21,204	100%	17,935	17,935	85%	
620	Fiscal Agent Fees	1,083	914	855	855	1,385	62%	1,400	1,400	101%	
	Account:	184,238	182,093	179,786	187,059	187,589	100%	189,335	0	189,335	101%
	Fund:	184,238	182,093	179,786	187,059	187,589	100%	189,335	0	189,335	101%

Fund 322 - 2014A G.O. Improvement Bonds

The General Obligation Improvement Bonds, Series 2014A were issued in December of 2014 in the amount of \$2,170,000, true interest cost of 2.207% and mature in 2028. The Bonds were used to refund the City's outstanding Series 2007A bonds and to crossover refund the City's outstanding Series 2007B Bonds for an interest cost savings. This debt is being repaid by special assessments, water, sewer, and sales tax.

Amortization Schedule

Year	Principal	Interest	Total
2020	240,000	32,600	272,600
2021	235,000	27,850	262,850
2022	120,000	23,700	143,700
2023	125,000	20,025	145,025
2024	110,000	16,500	126,500
2025	115,000	13,125	128,125
2026	125,000	9,525	134,525
2027	125,000	5,775	130,775
2028	130,000	1,950	131,950
Total	1,325,000	151,050	1,476,050

Budget Detail

CITY OF HERMANTOWN, MN
Revenue Budget Report -- MultiYear Actuals
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322 2014A General Obligation Improvement Bonds

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
361100 Principal - Current										
361100 Principal - Current	40,948	42,917	42,430	33,080	34,000	97%	29,000	17,000	46,000	135%
361110 Principal - Delinquent	1,871	1,950	3,346		0	0%			0	0%
361120 Principal - Prepaid	39,081	37,493	35,734		0	0%			0	0%
Group:	81,900	82,360	81,510	33,080	34,000	97%	29,000	17,000	46,000	135%
361200 Interest - Current										
361200 Interest - Current	29,167	26,238	23,128	-768	18,000	-4%	17,000	-17,000	0	0%
361210 Interest - Delinquent	1,196	922	2,678		0	0%			0	0%
Group:	30,363	27,160	25,806	-768	18,000	-4%	17,000	-17,000	0	0%
361300 Penalties & Interest										
361300 Penalties & Interest	1,005	1,359	1,757	-18	0	***%			0	0%
Group:	1,005	1,359	1,757	-18	0	***%	0	0	0	0%
392000										
392010 Transfers In	226,900	226,700	231,500	231,200	231,200	100%	230,900		230,900	100%
Group:	226,900	226,700	231,500	231,200	231,200	100%	230,900	0	230,900	99%
Fund:	340,168	337,579	340,573	263,494	283,200	93%	276,900	0	276,900	97%

CITY OF HERMANTOWN, MN
Expenditure Budget Report -- MultiYear Actuals
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322 2014A General Obligation Improvement Bonds

Account	Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
471000	Debt Service										
601	Bond Principal	225,000	220,000	240,000	235,000	235,000	100%	120,000	120,000	51%	
611	Bond Interest	41,650	37,200	32,600	27,850	27,850	100%	23,700	23,700	85%	
620	Fiscal Agent Fees	1,108	914	5,855	855	1,385	62%	1,400	1,400	101%	
	Account:	267,758	258,114	278,455	263,705	264,235	100%	145,100	0	145,100	55%
	Fund:	267,758	258,114	278,455	263,705	264,235	100%	145,100	0	145,100	55%

Fund 323 2018A G.O. Bond - Fire halls #2 & #3

The General Obligation Improvement Bonds, Series 2018A were Issued in April of 2018 in the amount of \$2,035,000, true interest cost of 3.20% and mature in 2039. The bonds were used to construct new Fire halls #2 and #3. The bonds will be repaid with property taxes.

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2020	75,000	61,500	136,500
2021	75,000	59,250	134,250
2022	80,000	56,925	136,925
2023	80,000	54,525	134,525
2024	85,000	52,050	137,050
2025	85,000	49,500	134,500
2026	90,000	46,875	136,875
2027	90,000	44,175	134,175
2028	95,000	41,400	136,400
2029	100,000	38,475	138,475
2030	100,000	35,475	135,475
2031	105,000	32,400	137,400
2032	105,000	29,250	134,250
2033	110,000	25,956	135,956
2034	115,000	22,440	137,441
2035	115,000	18,776	133,776
2036	120,000	14,957	134,957
2037	125,000	10,975	135,975
2038	130,000	6,750	136,750
2039	135,000	2,278	137,278
Total	2,015,000	703,932	2,718,932

Budget Detail

CITY OF HERMANTOWN, MN
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323 2018A GO Bond (Firehalls #2 & #3)

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
310100 Current Year Taxes										
310100 Current Year Taxes	70,880	143,582	142,520	80,827	138,125	59%	135,725		135,725	98%
Group:	70,880	143,582	142,520	80,827	138,125	59%	135,725	0	135,725	98%
310200 Delinquent Taxes										
310200 Delinquent Taxes		219	949	678	0	***%			0	0%
Group:		219	949	678	0	***%	0	0	0	0%
392000										
392010 Transfers In	1,630	71,415			0	0%			0	0%
Group:	1,630	71,415			0	0%	0	0	0	0%
Fund:	72,510	215,216	143,469	81,505	138,125	59%	135,725	0	135,725	98%

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323 2018A GO Bond (Firehalls #2 & #3)

Account	Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
471000	Debt Service										
601	Bond Principal		20,000	75,000	75,000	100%	80,000		80,000	107%	
611	Bond Interest		79,609	61,500	59,250	100%	56,925		56,925	96%	
620	Fiscal Agent Fees		914	3,855	855	62%	1,400		1,400	101%	
	Account:		100,523	140,355	135,105	100%	138,325	0	138,325	102%	
	Fund:		100,523	140,355	135,105	100%	138,325	0	138,325	102%	

Fund 324 2018B G.O. Bond - Essentia Wellness Center & Rose Rd Softball Fields

The General Obligation Improvement Bonds, Series 2018B were issued in August of 2018 in the amount of \$7,715,000, true interest cost of 3.14% and mature in 2039. The bonds were used to construct the Essentia Wellness Center and redo the Rose Road Softball complex. The Rose Road Softball complex component of bonds will be repaid with the property tax. The Essentia Wellness Center portion of the bonds will ultimately be paid with sales tax.

Year	Principal	Interest	Total
2020	150,000	264,475	414,475
2021	280,000	255,875	535,875
2022	290,000	244,475	534,475
2023	305,000	232,575	537,575
2024	320,000	220,075	540,075
2025	330,000	207,075	537,075
2026	340,000	193,675	533,675
2027	355,000	179,775	534,775
2028	375,000	165,175	540,175
2029	385,000	151,900	536,900
2030	395,000	140,200	535,200
2031	410,000	128,125	538,125
2032	425,000	115,600	540,600
2033	435,000	102,428	537,428
2034	450,000	88,600	538,600
2035	460,000	74,094	534,094
2036	480,000	58,819	538,819
2037	495,000	42,975	537,975
2038	510,000	26,325	536,325
2039	525,000	8,859	533,859
Total	7,715,000	2,901,100	10,616,100

Budget Detail

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324 2018B GO Bond (Wellness Center & Rose Rd Softball)

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
310100 Current Year Taxes										
310100 Current Year Taxes		52,711	50,862	27,665	47,313	58%	46,312		46,312	98%
Group:		52,711	50,862	27,665	47,313	58%	46,312	0	46,312	97%
310200 Delinquent Taxes										
310200 Delinquent Taxes			297	241	0	***			0	0%
Group:			297	241	0	***	0	0	0	0%
392000										
392010 Transfers In		494,931	517,821	517,611	517,611	100%	522,231		522,231	101%
Group:		494,931	517,821	517,611	517,611	100%	522,231	0	522,231	100%
Fund:		547,642	568,980	545,517	564,924	97%	568,543	0	568,543	100%

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324 2018B GO Bond (Wellness Center & Rose Rd Softball)

Account	Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
471000	Debt Service										
601	Bond Principal			150,000	280,000	280,000	100%	290,000	290,000	104%	
611	Bond Interest		261,531	264,475	255,875	255,875	100%	244,475	244,475	96%	
620	Fiscal Agent Fees		914	855	855	1,385	62%	1,400	1,400	101%	
	Account:		262,445	415,330	536,730	537,260	100%	535,875	535,875	100%	
	Fund:		262,445	415,330	536,730	537,260	100%	535,875	535,875	100%	

Fund 325 2019A G.O. Bond – Essentia Wellness Center

The General Obligation Improvement Bonds, Series 2019A were issued in January of 2019 in the amount of \$8,845,000, true interest cost of 3.14% and mature in 2039. The bonds will be used to construct the Essentia Wellness Center. The bonds will ultimately be paid with sales tax.

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2020	280,000	318,632	598,632
2021	305,000	304,007	609,007
2022	320,000	288,382	608,382
2023	340,000	273,581	613,581
2024	350,000	258,030	608,030
2025	370,000	240,031	610,031
2026	390,000	221,031	611,031
2027	405,000	201,155	606,155
2028	430,000	184,581	614,581
2029	440,000	171,532	611,532
2030	455,000	158,106	613,106
2031	465,000	144,305	609,305
2032	480,000	130,131	610,131
2033	495,000	115,507	610,507
2034	510,000	100,113	610,113
2035	525,000	83,940	608,940
2036	545,000	66,881	611,881
2037	560,000	48,926	608,926
2038	580,000	30,037	610,037
2039	600,000	10,125	610,125
Total	8,845,000	3,349,033	12,194,033

Budget Detail

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325 2019A GO Bond (Wellness Center)

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
392000										
392010 Transfers In		168,428	647,462	647,200	647,200	100%	651,400		651,400	101%
Group:		168,428	647,462	647,200	647,200	100%	651,400	0	651,400	100%
Fund:		168,428	647,462	647,200	647,200	100%	651,400	0	651,400	100%

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325 2019A GO Bond (Wellness Center)

Account	Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
471000	Debt Service										
601	Bond Principal			280,000	305,000	305,000	100%	320,000		320,000 105%	
611	Bond Interest		177,288	318,631	304,006	304,006	100%	288,381		288,381 95%	
620	Fiscal Agent Fees		914	855	855	1,385	62%	1,400		1,400 101%	
	Account:		178,202	599,486	609,861	610,391	100%	609,781	0	609,781 100%	
	Fund:		178,202	599,486	609,861	610,391	100%	609,781	0	609,781 100%	

Fund 326 2020A G.O. Bond - Road Improvement and 2010A Refunding Bonds

The General Obligation Bonds, Series 2020A were issued in May 2020 for the construction of the 2020 Road Improvements in the City and to current refund the City's outstanding General Obligation Bonds, Series 2010A for an interest cost savings. The 2020A bonds were issued in the amount of \$3,585,000 and carry a true interest cost of 1.74%. The General Obligation Improvement Bonds, Series 2010A were issued in November of 2010 in the original amount of \$3,955,000. Those bonds were used to refund the General Obligation Utility Revenue Bonds, Series 2002- Fund 311, and to finance public improvements: water tower, #311,310 water projects, phase II sewer trunk line, #405,407,408,411,412,432 and 434 sewer projects. The 2020 Road Improvements portion of the bonds will be repaid with property taxes. The 2010A refunded portion of the debt will be repaid by special assessments, city sales taxes, sewer fund, and special deficiency.

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2021	365,000	112,945	477,944.45
2022	500,000	77,350	577,350.00
2023	495,000	62,425	557,425.00
2024	165,000	52,525	217,525.00
2025	170,000	47,500	217,500.00
2026	175,000	42,325	217,325.00
2027	175,000	37,075	212,075.00
2028	180,000	31,750	211,750.00
2029	185,000	26,275	211,275.00
2030	185,000	21,650	206,650.00
2031	190,000	17,900	207,900.00
2032	150,000	14,500	164,450.00
2033	155,000	11,450	166,450.00
2034	155,000	8,350	163,350.00
2035	170,000	5,100	175,100.00
2036	170,000	1,700	171,700.00
Total	3,585,000	570,820	4,155,820

Budget Detail

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326 2020A GO Bond (Road Plan & 2010A)

Account	Actuals		2020	2021	Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019								
310100 Current Year Taxes										
310100 Current Year Taxes				33,584	56,393	60%	58,693		58,693	104%
Group:				33,584	56,393	60%	58,693	0	58,693	104%
361100 Principal - Current										
361100 Principal - Current			56,303	101,538	60,000	169%	40,000	18,000	58,000	97%
361110 Principal - Delinquent			276		0	0%			0	0%
361120 Principal - Prepaid			250,145	31,083	0	***%			0	0%
Group:			306,724	132,621	60,000	221%	40,000	18,000	58,000	96%
361200 Interest - Current										
361200 Interest - Current			23,745	-48	25,000	0%	18,000	-18,000	0	0%
361210 Interest - Delinquent			282		0	0%			0	0%
Group:			24,027	-48	25,000	0%	18,000	-18,000	0	0%
361300 Penalties & Interest										
361300 Penalties & Interest			324	101	0	***%			0	0%
Group:			324	101	0	***%	0	0	0	0%
362100 Investment Interest										
362100 Investment Interest				1	0	***%			0	0%
362160 Gain (Loss) on Sale of				2	0	***%			0	0%
Group:				3	0	***%	0	0	0	0%
392000										
392010 Transfers In			272,484	309,705	309,705	100%	297,945		297,945	96%
Group:			272,484	309,705	309,705	100%	297,945	0	297,945	96%
Fund:			603,559	475,966	451,098	106%	414,638	0	414,638	91%

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326 2020A GO Bond (Road Plan & 2010A)

Account	Object	Actuals				Current Budget	% Exp.	Prelim. Budget	Budget Changes	Final Budget	% Old Budget	
		2018	2019	2020	2021							
471000	Debt Service											
303	Banking Fees				10	0	***%			0	0%	
601	Bond Principal				365,000	365,000	100%	500,000		500,000	137%	
611	Bond Interest				112,944	112,944	100%	77,350		77,350	68%	
620	Fiscal Agent Fees				380	855	62%	1,400		1,400	101%	
	Account:				380	478,809	479,329	100%	578,750	0	578,750	121%
	Fund:				380	478,809	479,329	100%	578,750	0	578,750	121%

Fund 327 2020B G.O. Bond - Section 24 Sewer Trunk line

The General Obligation Improvement Bonds, Series 2020B were issued in May of 2020 in the amount of \$3,915,000, carry a true interest cost of 1.82% and mature in 2037. The bonds will be used to finance the Section 24 Sewer Trunk line extension project. The bonds will be repaid with sales tax.

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2020	-	22,926	22,926
2021	205,000	94,025	299,025
2022	190,000	88,100	278,100
2023	195,000	82,325	277,325
2024	200,000	76,400	276,400
2025	205,000	70,325	275,325
2026	210,000	64,100	276,400
2027	220,000	57,650	275,325
2028	225,000	50,975	274,100
2029	230,000	44,150	277,650
2030	240,000	38,300	275,975
2031	240,000	33,500	274,150
2032	245,000	28,650	278,300
2033	250,000	23,700	273,500
2034	255,000	18,650	273,650
2035	260,000	13,500	273,500
2036	270,000	8,200	278,200
2037	275,000	2,750	277,750
Total	3,915,000	818,226.39	4,733,226

Budget Detail

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327 2020B GO Bond (Section 24 Sewer)

Account	Actuals		2020	2021	Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019								
392000										
392010 Transfers In			90,300	294,997	294,997	100%	294,263		294,263	100%
Group:			90,300	294,997	294,997	100%	294,263	0	294,263	99%
Fund:			90,300	294,997	294,997	100%	294,263	0	294,263	99%

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327 28208 GO Bond (Section 24 Sewer)

Account Object	Actuals		2020	2021	Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
	2018	2019								
471000 Debt Service										
601 Bond Principal				205,000	205,000	100%	190,000		190,000	93%
611 Bond Interest			22,926	94,025	94,025	100%	88,100		88,100	94%
620 Fiscal Agent Fees			855	855	1,385	62%	1,400		1,400	101%
Account:			23,781	299,880	300,410	100%	279,500	0	279,500	93%
Fund:			23,781	299,880	300,410	100%	279,500	0	279,500	93%

Fund 328 - 2021A G.O. Bond (Road Improvement and 2012B Refunding Bonds)

The General Obligation Bonds, Series 2021A were issued in April of 2021 in the amount of \$3,860,000, carry a true interest cost of 1.21% and mature in 2037. The bonds will be used to finance the 2021 Road Improvement Plan and to current refund the City's outstanding General Obligation Bonds, Series 2012B for an interest cost savings.. The 2021 Road Improvements portion of the bonds will be repaid with property taxes, water fund and the stormwater fund. The 2012B refunded portion of the debt will be repaid by special assessments, sales taxes, and the special deficiency fund. (The General Obligation Improvement Bonds, Series 2012B were issued in September of 2012 in the amount of \$3,155,000, true Interest cost of 2.2436% and would have matured in 2033. The bonds were used to finance Projects; #442 Sewer, #314 Miller Trunk Water and #432 Lavaque Sewer.)

Amortization Schedule

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2022	150,000	82,003	199,726
2023	245,000	62,102	309,552
2024	250,000	57,152	309,652
2025	265,000	52,002	319,653
2026	270,000	46,652	319,352
2027	270,000	41,252	313,953
2028	280,000	35,752	318,553
2029	285,000	30,102	317,953
2030	295,000	24,302	322,252
2031	295,000	19,656	316,353
2032	300,000	16,085	317,960
2033	300,000	12,260	314,210
2034	275,000	8,385	285,310
2035	125,000	5,398	131,460
2036	125,000	3,273	129,335
2037	130,000	1,105	132,210
Total	3,860,000	497,484	4,357,484

Budget Detail

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328 2021A GO Bond (Lavaque Junction & refund 2012B)

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
310100 Current Year Taxes										
310100 Current Year Taxes					0	0%	79,478		79,478	*****
Group:					0	0%	79,478	0	79,478	*****
361100 Principal - Current										
361100 Principal - Current					0	0%	50,000	35,000	85,000	*****
361120 Principal - Prepaid				34,754	0	***			0	0%
Group:				34,754	0	***	50,000	35,000	85,000	*****
361200 Interest - Current										
361200 Interest - Current					0	0%	35,000	-35,000	0	0%
Group:					0	0%	35,000	-35,000	0	0%
392000										
392010 Transfers In										
Group:					0	0%	43,230		43,230	*****
Fund:				34,754	0	***	207,708	0	207,708	*****

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CITY OF HERMANTOWN, Ms
Expenditure Budget Report -- MultiYear Actuals
For the Year: 2022

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Report ID: B240

328 2021A GO Bond (Levaque Junction & refund 2012B)

Account Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
471000 Debt Service										
601 Bond Principal					0	0%	150,000		150,000	*****
611 Bond Interest					0	0%	82,003		82,003	*****
620 Fiscal Agent Fees					0	0%	1,400		1,400	*****
Account:					0	***%	233,403	0	233,403	*****
Fund:					0	0%	233,403	0	233,403	*****

Fund 350 - Special Assessment Deficiency Fund

Accounts for the accumulated resources to ensure debt service payments of bonds in cases where special assessments have been deferred or collections are not sufficient.

Transfers out:

Fund	Name	Transfers From Special Deficiency
326	2020A CO	27,806

Budget Detail

CITY OF HERMANTOWN, MN
Revenue Budget Report -- MultiYear Actuals
For the Year: 2022

350 Special Assessment Deficiency Fund

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
361100 Principal - Current										
361100 Principal - Current	19,874	20,784	5,263	9,857	19,000	52%	15,000		15,000	79%
Group:	19,874	20,784	5,263	9,857	19,000	52%	15,000	0	15,000	78%
361200 Interest - Current										
361200 Interest - Current	4,411	3,500	3,096	-202	2,000	-10%			0	0%
Group:	4,411	3,500	3,096	-202	2,000	-10%	0	0	0	0%
361300 Penalties & Interest										
361300 Penalties & Interest	111		74	-37	0	***%			0	0%
Group:	111		74	-37	0	***%	0	0	0	0%
362100 Investment Interest										
362100 Investment Interest	5,103	5,828	2,992	-267	0	***%			0	0%
362160 Gain (Loss) on Sale of	-1,781	3,641	901		0	0%			0	0%
Group:	3,322	9,469	3,893	-267	0	***%	0	0	0	0%
Fund:	27,718	33,753	12,326	9,351	21,000	45%	15,000	0	15,000	71%
Grand Total:	2,546,929	3,310,645	5,793,175	5,862,036	3,853,484		3,875,317	0	3,875,317	

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CITY OF HERMANTOWN, MN
Expenditure Budget Report -- MultiYear Actuals
For the Year: 2022

Page: 14 of 14
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350 Special Assessment Deficiency Fund

Account Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
415300 Administration & Finance										
319 Contracted Services	2,400	919	2,750	3,506	2,000	175%	2,200		2,200	110%
Account:	2,400	919	2,750	3,506	2,000	175%	2,200	0	2,200	110%
471000 Debt Service										
720 Transfer Out	27,806	27,806	27,806	27,806	27,806	100%	27,806		27,806	100%
Account:	27,806	27,806	27,806	27,806	27,806	100%	27,806	0	27,806	100%
Fund:	30,206	28,725	30,556	31,312	29,806	105%	30,006	0	30,006	101%
Grand Total:	5,425,121	2,641,040	4,987,619	3,814,506	3,791,704		3,786,350	0	3,786,350	

CITY OF HERMANTOWN
CITY COUNCIL MEETING
September 7, 2021
6:30 p.m.

MEETING CONDUCTED IN PERSON & VIA ZOOM

Pledge of Allegiance

ROLL CALL: Councilors Geissler, Hauschild, Nelson, 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 Director; Steve Overom, City Attorney; David Bolf, City Engineer

ABSENT: Councilor Peterson

VISITORS: 3

ANNOUNCEMENTS

PUBLIC HEARING

COMMUNICATIONS

Communications 21-143 through and including 21-156 were read and placed on file.

Communication 21-143 from Jim Crace, Chief of Police to City Council & City Administrator regarding Alcohol Compliance Checks – Final Report

Communication 21-144 from Jim Crace, Chief of Police to City Council & City Administrator regarding Alcohol Compliance Checks – Finding of Fact/Disposition Report – Stokke’s Liquor Store. 3706 Midway Rd.

Communication 21-145 from Jim Crace, Chief of Police to City Council & City Administrator regarding Alcohol Compliance Checks – Finding of Fact/Disposition Report – Sam’s Club, 4743 Maple Grove Rd.

Communication 21-146 from Jim Crace, Chief of Police to City Council & City Administrator regarding Alcohol Compliance Checks – Finding of Fact/Disposition Report – Maya Family Mexican Restaurant, 4702 Miller Trunk Hwy

Communication 21-147 from Jim Crace, Chief of Police to City Council & City Administrator regarding Tobacco Compliance Checks – Final Report

Communication 21-148 from Jim Crace, Chief of Police to City Council & City Administrator regarding Tobacco Compliance Checks – Finding of Fact/Disposition Report – Korner Store, 4704 Hermantown Road

Communication 21-149 from Jim Crace, Chief of Police to City Council & City Administrator regarding Alcohol Compliance Checks – Finding of Fact/Disposition Report – Speedway, 5601 Miller Trunk Hwy

Communication 21-156 from MN Employment & Economic Development to Wayne Boucher, Mayor regarding Monitoring of Grantee Performance - EWC

PRESENTATIONS

PUBLIC DISCUSSION

CONSENT AGENDA

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

- A. Approve August 16, 2021 City Council Continuation Minutes
- B. Approve general city warrants from August 16, 2021 through August 31, 2021 in the amount of \$442,211.65

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

MOTIONS

ORDINANCES

2021-07 An Ordinance Amending Section 820 Of The Hermantown City Code By Amending The City Of Hermantown Snowmobile And ATV Map

Second Reading

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Ordinance 2021-07, An Ordinance Amending Section 820 Of The Hermantown City Code By Amending The City Of Hermantown Snowmobile And ATV Map. Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-08 An Ordinance Amending Hermantown Zoning Code By Amending Chapter 11, Planned Unit Development

First Reading

RESOLUTIONS

2021-101 Resolution Awarding Contract For A Power Broom Attachment To Minnesota Equipment, Inc. In The Amount Of \$12,550.00 Plus Applicable Taxes And Fees

Motion made by Councilor Nelson, seconded by Councilor Hauschild to adopt Resolution 2021-101, Resolution Awarding Contract For A Power Broom Attachment To Minnesota Equipment, Inc. In The Amount Of \$12,550.00 Plus Applicable Taxes And Fees. Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-102 Resolution Authorizing And Directing The Mayor And City Clerk To Execute A Termination Of Special Use Permit Between The City And David Kolquist

Motion made by Councilor Hauschild, seconded by Councilor Geissler to adopt Resolution 2021-102, Resolution Authorizing And Directing The Mayor And City Clerk To Execute A Termination Of Special

Use Permit Between The City And David Kolquist. Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-103 Resolution Approving A Special Use Permit For The Construction Of A Two Family Home In A R-3 Residential Zoning District

Motion made by Councilor Geissler, seconded by Councilor Hauschild to adopt Resolution 2021-103, Resolution Approving A Special Use Permit For The Construction Of A Two Family Home In A R-3 Residential Zoning District. Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-104 Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Assessment Roll For The Construction Of 2021 Road Improvement District No. 536 (Sundby Road & Swan Lake Road)

Motion made by Councilor Hauschild, seconded by Councilor Nelson to adopt Resolution 2021-104, Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Assessment Roll For The Construction Of 2021 Road Improvement District No. 536 (Sundby Road & Swan Lake Road). Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-105 Resolution Receiving Proposed Assessment Roll For The Construction Of 2021 Road Improvement District No. 536 (Sundby Road & Swan Lake Road) And Ordering Hearing Thereon

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2021-105, Resolution Receiving Proposed Assessment Roll For The Construction Of 2021 Road Improvement District No. 536 (Sundby Road & Swan Lake Road) And Ordering Hearing Thereon. Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-106 Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Assessment Roll For The Construction Of Road Improvement District No. 537 (Lavaque Junction Road)

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2021-106, Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Assessment Roll For The Construction Of Road Improvement District No. 537 (Lavaque Junction Road). Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-107 Resolution Receiving Proposed Assessment Roll For The Construction Of Road Improvement District No. 537 (Lavaque Junction Road) And Ordering Hearing Thereon

Motion made by Councilor Hauschild, seconded by Councilor Nelson to adopt Resolution 2021-107, Resolution Receiving Proposed Assessment Roll For The Construction Of Road Improvement District No. 537 (Lavaque Junction Road) And Ordering Hearing Thereon. Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-108 Resolution Approving The Environmental Covenant And Easement

Motion made by Councilor Geissler, seconded by Councilor Hauschild to adopt Resolution 2021-108, Resolution Approving The Environmental Covenant And Easement. Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-109 Resolution Authorizing And Directing Mayor To Sign Capacity Allocation Permit Reissuance Between The City Of Hermantown And Western Lake Superior Sanitary District (“WLSSD”)

Motion made by Councilor Nelson, seconded by Councilor Geissler to adopt Resolution 2021-109, Resolution Authorizing And Directing Mayor To Sign Capacity Allocation Permit Reissuance Between The City Of Hermantown And Western Lake Superior Sanitary District (“WLSSD”). Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-110 Resolution Approving Pay Request Number 13 For Sewer Improvement District No. 448 To Utility Systems Of America, Inc. In The Amount Of \$36,235.38

Motion made by Councilor Hauschild, seconded by Councilor Geissler to adopt Resolution 2021-110, Resolution Approving Pay Request Number 13 For Sewer Improvement District No. 448 To Utility Systems Of America, Inc. In The Amount Of \$36,235.38. Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-111 Resolution Authorizing And Directing Mayor And City Clerk To Execute Addendum #2 To Engineering Contract For Road Improvement District No. 534 (Ugstad Road)

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2021-111, Resolution Authorizing And Directing Mayor And City Clerk To Execute Addendum #2 To Engineering Contract For Road Improvement District No. 534 (Ugstad Road). Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-112 Resolution Approving Pay Request Number 5 For Road Improvement District No. 537 (Lavaque Junction Road) To Ulland Brothers, Inc. In The Amount Of \$353,661.35

Motion made by Councilor Hauschild, seconded by Councilor Nelson to adopt Resolution 2021-112, Resolution Approving Pay Request Number 5 For Road Improvement District No. 537 (Lavaque Junction Road) To Ulland Brothers, Inc. In The Amount Of \$353,661.35. Roll Call: Councilors Geissler, Hauschild, Nelson, Mayor Boucher, aye. Councilor Peterson, absent. Motion carried.

2021-113 Resolution Accepting Quote From Northwoods Sodding, Inc. For Repairs On Rose Road Field 3 In The Amount Of \$30,650.00 Plus Water

Motion made by Councilor Nelson, seconded by Councilor Hauschild to adopt Resolution 2021-113, Resolution Accepting Quote From Northwoods Sodding, Inc. For Repairs On Rose Road Field 3 In The Amount Of \$30,650.00 Plus Water.

Laura Kleffman, 5186 Ugstad Rd. – She stated that she is glad this project is moving forward. She said that Girls Softball is growing and that it’s nice to have all the fields in one location.

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

Motion made by Councilor Geissler, seconded by Councilor Nelson to close the regular meeting of the Hermantown City Council at 7:03 p.m. and go into a closed session pursuant to the following statute and stated reason: MN Statutes Section 13D.05 subd 3(b) per the attorney-client privilege for discussions with the City Attorney. Motion carried.

City Council Continuation Meeting

September 7, 2021

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Motion made by Councilor Hauschild, seconded by Councilor Nelson to re-convene into open session at 8:17 p.m. Motion carried.

Motion made by Councilor Nelson, seconded by Councilor Geissler to recess the meeting at 8:19 p.m. Motion carried.

Mayor

ATTEST:

Clerk

**CITY COUNCIL
WORK SESSION**

Monday, September 13, 2021 at 5:00 P.M.

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

ABSENT:

CITY STAFF: John Mulder, City Administrator; Joe Wicklund, Communications Director;
Steve Overom, City Attorney

OTHERS: Gunnar Johnson, Jim Crace, Jeff Schiltz, Natalie Hoff, Chip Jacobs

DISCUSSION ITEMS

Legal Services

The City Council discussed the outcome of the interview process, and the consensus was to move forward with naming Gunnar Johnson as the City Attorney effective January 1, 2022. Steve Overom would stay on as the legal counsel for HEDA, the Broadband Task Force and other economic development projects. Over the next several months, we will start a transition process. A new contract will be presented to the City Council for formal action on September 20th.

Community Recreation Initiative:

Naming Rights Discussion: John Mulder explained that Grant Hauschild was taking the lead on discussions on the naming rights. Grant reported that he and Joe Wicklund had met with a possible donor earlier in the day. They discussed a possible gift to name the facility. That donor was going to consider the request and would follow up with Grant. The Council discussed the process of naming the new rink in the facility. That process will wait until after the facility is named. Further fundraising for the arena would be turned over to either the Hockey Association or a private group after the larger naming items have been determined. The City would provide some guidance and parameters for that group at that time.

Referendum Discussion: Gunnar Johnson reviewed the various steps in the referendum process including key target dates that must be met (for example: The City Council should approve the ballot questions by July 15, 2022). He has started on the wording of the questions. Three questions are required under the current law. The Council discussed at length the role of the City in providing educational information related to the referendum, but could not advocate for one side or the other as an official position of the City.

Construction Delivery Methods: Jeff Schiltz of ICS started by giving an overview of the work that had been done under their 10-month contract and some of the work that needed to still be completed. ICS provides project management by engaging the professional services such as architects and engineers and also serves as the construction manager. They do not perform construction work, but can serve as a construction manager agent or as a construction manager at risk. Jeff cited their work with the City of Grand Rapids as a current project they have. They can also provide informational services as part of the referendum process.

Consultant Scope of Services: Project management or construction management may not be necessary for the trail work if approved. The City could follow the process it has used on other segments with a separate project manager. The Fichtner Park matter needs some additional planning along with public engagement to determine what the final product would include. The addition to the new arena could benefit from a project manager. No final decision was made at this time.

The next steps include:

- Meeting with the school board to discuss ownership of the land for the arena and naming rights. Mayor Boucher will serve as Council representative at those meetings.
- Follow up on naming rights. Councilor Hauschild will take the lead on this process.
- Identifying someone from the community to champion the projects. Some specific names were discussed. This also included scheduling a stakeholder's meeting in the near future.

Recess: The meeting recessed at approximately 7:30 p.m.

Mayor

ATTEST:

Clerk

CITY OF HERMANTOWN

CHECKS #67834-67889
09/01/2021-09/15/2021

PAYROLL CHECKS

Electronic Checks - #70312-70351 71,664.96

LIABILITY CHECKS

Electronic Checks - #70307-70311 \$55,023.55

Check - #67834 \$928.88

PAYROLL EXPENSE TOTAL \$127,617.39

ACCOUNTS PAYABLE

Check - #67835-67889 \$133,272.77

Electronic Payments #-99850-99848 \$1,522.52

ACCOUNTS PAYABLE TOTAL \$134,795.29

TOTAL \$262,412.68

Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement - Electron	1,155.00	-99850
602	494900	Sewer Administration and General	FURTHER ELECTRONIC PAYMENTS	3rd Qtr Veba Mindy Wilson	16.67	-99849
601	494400	Water Administration and General	FURTHER ELECTRONIC PAYMENTS	3rd Qtr Veba Mindy Wilson	29.17	-99849
603	441100	Storm Water	FURTHER ELECTRONIC PAYMENTS	3rd Qtr Veba Mindy Wilson	16.67	-99849
101	415300	Administration & Finance	FURTHER ELECTRONIC PAYMENTS	3rd Qtr Veba Mindy Wilson	145.83	-99849
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement - Electron	159.18	-99848
101	419100	Community Development	ARROWHEAD ABSTRACT & TITLE CO.	O-308822 O&E (Bradley SUP)	75.00	67835
603	441100	Storm Water	ASDCO CONSTRUCTION SUPPLY	Erosion Sock	654.00	67836
101	421100	Police Administration	AT&T MOBILITY	Cell Phones PD	1,769.01	67837
101	431100	Street Department	AT&T MOBILITY	Cell Phones/Tablets PW	157.81	67837
601	494400	Water Administration and General	AT&T MOBILITY	Cell Phones/Tablets PW	168.32	67837
101	419901	City Hall & Police Building Maintenance	AT&T MOBILITY	Cell Phones/Tablets PW	45.09	67837
101	421100	Police Administration	AT&T MOBILITY	Cell Phones PD	1,409.04	67837
101	415300	Administration & Finance	AT&T MOBILITY	Cell Phones/Tablets PW	99.77	67837
602	494900	Sewer Administration and General	AT&T MOBILITY	Cell Phones/Tablets PW	163.19	67837
602	494500	Sewer Maintenance	BLUE RIBBON CORPORATION	Transducer	961.13	67838
601	494300	Water Distribution	BORDER STATES ELECTRIC SUPPLY	Waterproof LUG	31.63	67839
475	431150	Street Improvements	BRAUN INTERTEC CORPORATION	MnDOT Soil Test/Proj Mngmt Lav	1,252.50	67840
412	419100	Community Development	BRAUN INTERTEC CORPORATION	MnDOT Soil Test/Proj Mngmt Kee	663.75	67840
101	452100	Parks	BRENT'S SEPTIC SERVICE LLC	Portable Toilets	975.00	67841
412	419100	Community Development	BROCK WHITE COMPANY, LLC	Sonotubes for trails	143.58	67842
101	431100	Street Department	BROCK WHITE COMPANY, LLC	Plexi Melt @ Valves & MHs	2,595.00	67842
101	431901	City Garage	BW DISTRIBUTING	Car Wash & Solvants	469.82	67843
101	431100	Street Department	CAPITAL ONE TRADE CREDIT	NPTF Coupler	13.99	67844
601	494300	Water Distribution	CENTRAL PENSION FUND	Training Per Contract	42.97	67845
602	494500	Sewer Maintenance	CENTRAL PENSION FUND	Training Per Contract	42.97	67845
101	431100	Street Department	CENTRAL PENSION FUND	Training Per Contract	42.96	67845
101	422903	Firehall #3 Midway Road	CENTURYLINK	Internet FH #3	79.98	67846
101	431100	Street Department	CINTAS CORPORATION	Uniforms	10.80	67847
101	431100	Street Department	CINTAS CORPORATION	Uniforms	65.11	67847
101	431901	City Garage	CINTAS CORPORATION	Mats at PW	7.00	67847
101	431901	City Garage	CINTAS CORPORATION	Mats at PW	25.48	67847
101	431100	Street Department	CINTAS CORPORATION	Uniforms	10.80	67847
101	431901	City Garage	CINTAS CORPORATION	1st Aid Cabinet	177.71	67847
101	431901	City Garage	CINTAS CORPORATION	Supplies	15.00	67847
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at FD/PD	30.72	67847
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at CH	8.88	67847
101	431901	City Garage	CINTAS CORPORATION	Supplies	30.00	67847

Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	431100	Street Department	CINTAS CORPORATION	Uniforms	27.48	67847
601	494400	Water Administration and General	CITIES DIGITAL INC	LF Cloud upgrade/Municipality	2,046.73	67848
101	415300	Administration & Finance	CITIES DIGITAL INC	LF Cloud upgrade/Municipality	4,093.47	67848
602	494900	Sewer Administration and General	CITIES DIGITAL INC	LF Cloud upgrade/Municipality	2,046.73	67848
101	411100	Council	COALITION OF GREATER MN CITIES	2022 CGMC General Dues Assessm	1,976.00	67849
601	494300	Water Distribution	CORE & MAIN LP	ALPHA Valves	3,749.19	67850
230	465100	HEDA	CREATIVE ARCADE	Website Monthly Maintenance	250.00	67851
602	494900	Sewer Administration and General	CUSTOMER ELATION INC	August Answering	21.59	67852
601	494400	Water Administration and General	CUSTOMER ELATION INC	August Answering	32.38	67852
101	421100	Police Administration	DVS RENEWAL	ELK080 Vehicle Registration	14.25	67853
101	421100	Police Administration	DVS RENEWAL	470PUK Vehicle Registration	14.25	67853
101	452100	Parks	ESTES EXPRESS LINES	Skids infill rubber material	848.27	67854
601	220100	Refund Payable	GANSER, JEROME	Overpayment on acct #0097-01	1.48	67855
101	421100	Police Administration	GARY L FISCHLER & ASSOCIATES PA	Psych Eval/A. Leibel	650.00	67856
602	494900	Sewer Administration and General	GOPHER STATE ONE-CALL INC	August Locates	90.18	67857
601	494400	Water Administration and General	GOPHER STATE ONE-CALL INC	August Locates	135.27	67857
101	421100	Police Administration	GREAT LAKES MOBIL LUBE EXPRESS	Oil Change Squad 17	85.38	67858
602	494500	Sewer Maintenance	GREAT LAKES PIPE SERVICE INC	Sewer Cleaning	5,371.83	67859
602	494500	Sewer Maintenance	GREAT LAKES PIPE SERVICE INC	Ugstad 2 Pump Replacement	1,625.00	67859
101	419901	City Hall & Police Building Maintenance	HARTEL'S/DBJ DISPOSAL CO LLC	Garbage Recycling August	425.78	67860
101	431901	City Garage	HARTEL'S/DBJ DISPOSAL CO LLC	Yard Trash Disposal August	165.76	67860
101	431100	Street Department	HERMANTOWN HYDRAULICS	Hose for Big Mower	99.08	67861
101	431100	Street Department	HERMANTOWN HYDRAULICS	Hose for 928G	29.68	67861
101	421100	Police Administration	HERMANTOWN SERVICE CENTER INC	Battery Removal SQD 16	220.49	67862
101	431100	Street Department	HERMANTOWN SERVICE CENTER INC	Canister SOL 07 Chvy	242.27	67862
101	431100	Street Department	HERMANTOWN SERVICE CENTER INC	Oil Pressure SW/Sensor Filter	287.41	67862
101	421100	Police Administration	HOLIDAY COMPANIES	August Car Washes	40.00	67863
230	465100	HEDA	ICS	Hermantown Recreation Initiati	2,400.00	67864
101	419901	City Hall & Police Building Maintenance	MENARD INC	Batteries	13.98	67865
101	419901	City Hall & Police Building Maintenance	MENARD INC	5-Shelf Brackets	26.43	67865
101	452100	Parks	MENARD INC	Spec Mix for Signs	119.39	67865
101	419901	City Hall & Police Building Maintenance	MENARD INC	Tow Chain	51.54	67865
101	419901	City Hall & Police Building Maintenance	MENARD INC	Landscape Fabric/Hand Tool	35.94	67865
101	419901	City Hall & Police Building Maintenance	MENARD INC	Stain/Supplies Exterior Wood B	19.24	67865
101	421100	Police Administration	METRO SALES INC	Copier Lease	315.04	67866
101	431901	City Garage	MN ENERGY RESOURCES CORP	Natural Gas Lightning Dr	19.83	67867
101	431901	City Garage	MN ENERGY RESOURCES CORP	Natural Gas old CH	45.80	67867
602	494900	Sewer Administration and General	MN ENERGY RESOURCES CORP	Natural Gas Lightning Dr	14.17	67867

CITY OF HERMANTOWN, MN 09/01/2021-09/15/2021
Check # is between 67835 and 67889 or Check # is between -99850 and -99848

9/14/2021

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	452200	Community Building	MN ENERGY RESOURCES CORP	Natural Gas old CH	5.09	67867
601	494400	Water Administration and General	MN ENERGY RESOURCES CORP	Natural Gas Lightning Dr	22.66	67867
101	431901	City Garage	MN ENERGY RESOURCES CORP	Natural Gas Comm Building	27.45	67867
275	452200	Community Building	MN POLLUTION CONTROL AGENCY	EWC-Petroleum Brownfields Reim	250.00	67868
601	220100	Refund Payable	MORETTO, JUDITH	Overpayment on account 1922-01	0.75	67869
402	431150	Street Improvements	MSA PROFESSIONAL SERVICES, INC.	Ugstad Rd Reconditioning MSA	22,245.70	67870
101	431100	Street Department	NAPA AUTO PARTS	Filter for H-22	57.83	67871
101	431100	Street Department	NAPA AUTO PARTS	Socket for H-23	38.68	67871
101	431100	Street Department	NORTHERN STATES SUPPLY INC	Pins	18.96	67872
601	494300	Water Distribution	NORTHLAND CONSTRUCTORS OF DULUTH, LLC	Haines Road Bit Patching	5,158.00	67873
475	431150	Street Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	Lavaque Junction Rd Reconstruc	7,827.00	67874
475	431150	Street Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	Alex, Johnson, Carlson, Portla	260.00	67874
101	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	Peyton Property Development	325.00	67874
602	494900	Sewer Administration and General	NORTHLAND CONSULTING ENGINEERS L.L.P.	Morris Thomas Rd - Utility Rel	237.50	67874
402	431150	Street Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	Ugstad Rd - SP 202-101-014	670.00	67874
101	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2324 Zierden/Weets Dev	65.00	67874
240	432510	Trunk Sewer Construction	NORTHLAND CONSULTING ENGINEERS L.L.P.	Hermantown Trnk Swr Spur Sc 24	5,525.00	67874
235	452100	Parks	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2332 Rose Road Warranty Wor	130.00	67874
601	494400	Water Administration and General	NORTHLAND CONSULTING ENGINEERS L.L.P.	Morris Thomas Rd - Utility Rel	237.50	67874
101	431130	City Engineer	NORTHLAND CONSULTING ENGINEERS L.L.P.	Pre-Agenda, Four Square, City	1,300.00	67874
101	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2334 Pillars	65.00	67874
602	494900	Sewer Administration and General	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2336 Sanitary Availability	390.00	67874
101	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	P&R Properties	325.00	67874
412	419100	Community Development	PROCTOR BUILDERS	Auger Rental - Sign posts - tr	245.00	67875
601	220100	Refund Payable	PURRENHAGE, JOSH & KATHY	Overpayment on account 3112-02	102.21	67876
101	431100	Street Department	SATHERS, LLC	Dump Fee	600.00	67877
101	419901	City Hall & Police Building Maintenance	SHERWIN WILLIAMS	Wall paper repair/paint traini	10.68	67878
101	421100	Police Administration	SHRED-N-GO INC	Shredding Contract	99.75	67879
101	421100	Police Administration	ST LUKES CLINICS	Blood Draws	29.10	67880
101	419901	City Hall & Police Building Maintenance	STACK BROS MECHANICAL	Boiler Pump Motor Repair - PD	411.00	67881
101	431100	Street Department	SUNBELT RENTALS, INC.	12" Chipper Rental	3,543.58	67882
101	431100	Street Department	TELCOLOGIX	September Maintenance	16.75	67883
101	452200	Community Building	TELCOLOGIX	September Maintenance	10.05	67883
101	422901	Firehall #1 Maple Grove Road	TELCOLOGIX	September Maintenance	70.35	67883
101	419901	City Hall & Police Building Maintenance	TELCOLOGIX	September Maintenance	237.85	67883
101	415300	Administration & Finance	TOSHIBA FINANCIAL SERVICES	Copier Lease Toshiba	145.57	67884
260	456101	Cable	WALDNER, LARS	Cable TV Coordinator September	625.00	67885
101	431100	Street Department	WARNING LITES OF MINNESOTA	Sign Rental Hanes Rd	982.70	67886

CITY OF HERMANTOWN, MN 09/01/2021-09/15/2021
Check # is between 67835 and 67889 or Check # is between -99850 and -99848

9/14/2021

Fun d	Account	Department	Vendor Name	Description	Amount	Check #
601	220100	Refund Payable	WEISS, JIM	Overpayment on account 3091-05	40.43	67887
602	494500	Sewer Maintenance	WLSSD	Wastewater Charges	41,026.00	67888
101	134000	Retiree Insurance/Telephone Reimb.	MN LIFE	Life Ins Inactives - Vatne	5.31	67889
Totals:					134,795.29	

117 records printed

Minnesota House of Representatives
Committee on Redistricting
100 Rev Dr. Martin Luther King Jr. Blvd
St. Paul, MN 55155

Dear Chair Murphy and Committee Members,

As Mayor and Councilors of the city of Hermantown, MN we write to you regarding the upcoming redistricting process. It is our hope the redistricting process will adhere to the principles of 'Preserving Political Subdivisions'¹ and 'Preserving Communities of Interest'² when redrawing State Senate Districts 3 (SD-3) and State Senate District 7 (SD-7) to preserve the entirety of the Hermantown suburban community as a separate legislative district from the larger urban city of Duluth, MN.

The principle of 'Preserving Political Subdivisions' is meant to discourage the division of county, city, or township boundaries into separate legislative districts. Given the fact that SD-7 must increase by approximately 5,514 people, and because District 7 is nearly surrounded by the current SD-3, it is likely that the former will need to assume some precincts from the latter. Given that the current makeup of SD-3 includes two precincts (Duluth P-11 & P-23) within the boundaries of the city of Duluth, it is imperative that these precincts be considered for inclusion in the new SD7, rather than splitting up the three precincts that make up the city of Hermantown. This would not only preserve the city of Hermantown as a political subdivision, but it would also bring together the entirety of Duluth precincts into a single Senate District.

The principle of 'Preserving Communities of Interest' is meant to maintain the character of communities as urban, suburban, and rural. Hermantown has a history of distinguishing itself from the city of Duluth. For instance, when, in 1974, the city of Duluth announced its intention to annex portions of the town of Herman, the community instead established itself as the separate city of Hermantown on February 11, 1975³. In addition, it is our belief that the city of Hermantown has more commonalities in character with other suburban and rural communities like Cloquet, Proctor, Rice Lake, and Two Harbors; than with an urban city like Duluth. The concerns our citizens face relate to rural broadband access, sewer truck utility access, and other rural community issues. Combining Hermantown into the same legislative district as Duluth could hinder our voice as a suburban rural community of interest.

We appreciate your consideration and appreciate your hard work on this important issue.

Sincerely,

Mayor Wayne Boucher
City of Hermantown

Councilor John Geissler
City of Hermantown

Councilor Gloria Nelson
City of Hermantown

Councilor Natalie Peterson
City of Hermantown

Councilor Grant Hauschild
City of Hermantown

¹ Minn. Stat. § 2.91, subd. 2; Reynolds, 377 U.S. at 580-81, 84 S. Ct. at 1391-92.

² LULAC, 548 U.S. at 433, 126 S. Ct. at 2618; Miller, 515 U.S. at 916, 115 S. Ct. at 2488.

³ <https://hermantownchamber.com/hermantown/hermantown-community-information/>

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



DATE: September 15, 2021 **Meeting Date:** 9/20/21
SUBJECT: Chapter 11 PUD Ordinance **Agenda Item: 11-A** **Ordinance 2021-08**

REQUESTED ACTION

Second reading on the amended Chapter 11 Planned Unit Development Ordinance

BACKGROUND

Staff is recommending amendments to the City Code that will improve the PUD process from a submittal, review and approval standpoint. These new procedures will work to define the purpose of PUD's; better define the application process and what is required for a preliminary PUD submission and final PUD submission; redefine the review procedure; define density bonus; and identify potential design amenities associated with the proposed PUD's.

At the July 20, 2021 meeting, the P&Z recommended the ordinance to the City Council and directed staff to work with the City Attorney as necessary on any revisions. The revisions were presented to P&Z on August 17, 2021 as well in order to solicit any final comments before the ordinance was presented to the City Council. Proposed revisions and clarifications include:

1. The Preliminary PUD and Final PUD can be combined in one review process for some PUD applications.
2. The review and consideration of plats and PUD's are combined.
3. Plats are not required for every PUD.
4. The determination of density bonus at the pre-application conference is only binding on the developer, not the P&Z or City Council.
5. Public hearings are required for the Preliminary PUD, combined Preliminary and Final PUD and Final PUD.
6. The review procedures are set out for the Preliminary PUD and combined Preliminary PUD and Final PUD and a separate review procedure set out for the Final PUD.

Changes to the Zoning text amendments include:

- Overall renumbering of sections;
- Section 1100 – Purpose; New definition of PUD
- Section 1105 – Public Benefit; Eliminated
- Section 1115 – Application Procedure; Add language regarding neighborhood meeting, Amend Preliminary and Final PUD Plans and Process, Amend Review Procedure; Adds density bonus language
- New Section 1120 – Design
- New Section 1125 – Project Amenities
- New Section 1130 – Adequate Public Facilities

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

- Chapter 11 Planned Unit Development - Final

Ordinance No. 2021-08

The City Council of the City of Hermantown does ordain:

AN ORDINANCE AMENDING HERMANTOWN ZONING CODE BY AMENDING CHAPTER 11, PLANNED UNIT DEVELOPMENT

Section 1. Purpose and Intent. The purpose and intent of this Ordinance to update the requirements in Chapter 11 to provide parameters under which planned unit developments can be proposed and developed within the City of Hermantown.

Section 2. Amendment to Chapter 11. Chapter 11. Planned Unit Development is hereby amended and restated in its entirety to read as shown on Exhibit A attached hereto.

Section 3. Amended and Inserted in the Code. After the amendment made by this ordinance becomes effective, it shall be inserted in the appropriate place in the Hermantown Zoning Code.

Section 4. Effective Date. The provisions of this Ordinance shall be effective after adoption and immediately upon publication once in the official newspaper of the City of Hermantown.

Dated the _____ day of _____, 2021.

Mayor

ATTEST:

City Clerk

Adopted: _____

Published: _____

Effective Date: _____

CHAPTER 11. PLANNED UNIT DEVELOPMENT

Contents

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📖 Section 1100 - Purpose

1100. Purpose. The Planned Unit Development (PUD) process provides a mechanism for City officials to consider development proposals that do not meet the minimum requirements provided by the Zoning Code. Benefits resulting from this process include an opportunity for site based design, conservation of natural features and resources, efficient design and use of transportation systems and utilities, improved housing and neighborhood options, and housing affordability and provide for the modification of certain regulations when it can be demonstrated that such modification would result in development which would not have been provided if no regulations were modified; which remains compatible with surrounding development; and, which conforms to the goals and policies of the Comprehensive Plan.

📖 Section 1105 – Public Benefit

1105. Public Benefit. A PUD must provide public benefits to the City above and beyond what can be reasonably achieved by application of the zoning provisions applicable to the underlying zoning district. The nature and scale of public benefit shall be determined by the City and include, but not be limited to:

- 1105.01** Preservation and enhancement of natural systems and resources, topography, vegetation, and other natural features.
- 1105.02** Provision of a variety of housing and community types.
- 1105.03** Provision of recreational amenities including trails and parks.
- 1105.04** Provision of pedestrian and non-motorized travel facilities.
- 1105.05** Use of design, landscape, or architectural features to create pleasing environment or other special development features.
- 1105.06** Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.
- 1105.07** Improved business and commercial development to enhance the local economy and strengthen the tax base.
- 1105.08** Enhanced efficiency in the provision of utility services, public infrastructure, or public services.
- 1105.09** Provision of green infrastructure or enhancement of energy efficiency and environmental design, operation, and maintenance of buildings and properties.
- 1105.10** Preservation and enhancement of historical or cultural resources that contribute significantly to the character of the City.
- 1105.11** Provision of mixed-use development.

Section 1110– General Requirements

- 1110.01** Consistency with Comprehensive Plan. The PUD shall be consistent with the Hermantown Comprehensive Plan.
- 1110.02** Applicable Zoning Districts. A PUD may be allowed in any zoning district in the City of Hermantown.
- 1110.03 Uses Allowed.** All permitted and conditional uses listed in the underlying zoning district are allowed in a PUD.
 - 1110.03.1 Residential Units.** Where residential units are provided as part of the PUD, regardless of the underlying zoning district, they may be single-family, two-family, multi-family dwellings, or any other type and arrangement of dwelling permitted in the Zoning Code. The development of multiple types of residential units is strongly encouraged.

1110.03.2 Mixed Use Development. A PUD may integrate commercial, institutional, and services uses designed and intended to serve the residents of the PUD and surrounding neighborhood regardless of the underlying zoning district.

1110.04 Ownership. The tract of land to be developed as a PUD must be under single ownership or control. The property included in the PUD shall be planned and developed as a single tract.

1105.05 Minimum Area. There is no minimum land size requirement for a PUD, except in the S-1 and R-1 zoning districts where the minimum shall be 5 acres of contiguous land. Applicants must demonstrate that the PUD is of sufficient size and scope for the size of the property to achieve the public benefits described in section 1105.

1110.06 Multiple Uses. The inclusion of mixed uses and multiple uses within a PUD is strongly encouraged.

1110.07 Site Layout. A PUD must achieve greater site design creativity and flexibility. A PUD may not be simply used as a method to avoid zoning regulations or subdivision regulations such as required setbacks, minimum lot size or public frontage requirements.

1110.08 Authority to Modify Regulations. The City Council shall have the authority in approving any PUD to alter, improve, or create anew any provisions of the Hermantown Zoning Regulations or Subdivision Regulations as they apply to the proposed PUD.

1110.9 Site and Building Design.

1110.9.1 The PUD shall be designed to create a unified environment within the PUD boundaries by ensuring compatibility of all structures, efficient vehicular and pedestrian circulations, aesthetically pleasing landscape and site features, and efficient use of utilities.

1110.9.2 More than one building may be placed on one lot or parcel in a PUD.

1110.9.3 Common open space must be used for amenity or recreational purposes. Parking areas and traffic corridors shall not be considered an approved use of common open space. The uses authorized for common open space must be appropriately scaled to the size and use of the PUD.

📖 Section 1115– Application Procedure

1115.01 Pre-Application Conference. Prior to submitting an application for a PUD, the applicant shall participate in a pre-application conference with City staff. The purpose of the pre-application conference is to allow City staff to review and provide comments on the suitability of the development concept as a PUD, as well as to provide guidance to applicant on the procedures and standards for PUD approval. Density bonus targets and

amenities will be discussed pursuant to Section 1115.02 during the pre-application conference. A determination of whether a plat will be required as part of the PUD will be made at the pre-application conference. If a plat is required, the application for the plat and the PUD shall be considered at the same time.

1115.02 Density Bonus. All density bonuses listed below are maximums allowed. The City may award a lower density bonus or no density bonus. An applicant desiring higher densities than allowed in the underlying zoning district shall demonstrate that the higher number will not have an undue or adverse impact upon existing public facilities and is appropriate for that site. In determining the reasonableness of the authorized units per acre, the site-based design, conservation of natural features and resources, efficient design and use of transportation systems and utilities, improved housing and neighborhood options, and housing affordability and amenities beyond Zoning Code requirements may be considered. Maximum density provided for in this Section and required amenity targets identified in Section 1125 will be discussed at the pre-application conference. Once identified, the site-specific bonus density shall not increase, but may be decreased or otherwise modified by the Planning Commission or City Council.

1115.02.01 S-1 and R-2 zoning district – Double density bonus (2 units per 5 acres) and (4 units per five acres)

1115.02.02 R3 – PUDs in an R3 (or residential) zone shall not exceed a moderate suburban density

1115.02.03 Hermantown Marketplace – 50 units per acre for multi-family housing (35 units is maximum density in the Zoning Code)

1115.02.04 Commercial and Industrial Zones – Not applicable

1115.03 Neighborhood Meeting. At an appropriate point during development of a preliminary PUD plan, combined PUD, or major PUD amendment application process, the applicant is encouraged to hold a neighborhood meeting. All property owners within 1000 feet of the PUD shall be given notice of the meeting. The purpose of the meeting is to inform the neighborhood of the proposal, discuss the concepts and basis for the plan being developed, and to obtain information and suggestions from the neighborhood.

1115.04 Preliminary PUD or Combined Preliminary and Final PUD. An application for a Preliminary PUD or Combined Preliminary and Final PUD shall be filed with the City on forms provided by the City. All applications for a Preliminary PUD or Combined Preliminary and Final PUD shall include at least the following information:

1115.04.01 Site plan showing applicant’s land and uses in adjoining property and physical features.

1115.04.02 A description of the proposed density, types of uses, and general location of uses.

1115.04.03 Concept utility plan.

1115.04.04 Concept grading and stormwater plan.

1115.04.05 Concept building elevations.

1115.04.06 Concept landscape/screening plan (if over 4 units/acre).

1115.04.07 Narrative stating how the proposed development complies with the goals and policies of the Comprehensive Plan and this Chapter 11.

1115.04.08 General description of provided amenities.

1115.04.09 Other criteria as requested by Community Development Director.

1115.04.10 Wetland impacts.

1115.04.11 Shoreland impacts.

1115.04.12 Identification of proposed density bonus discussed at the preapplication meeting and factors justifying the requested bonus density.

1115.05 Final PUD. An application for a Final PUD shall be filed with the City on forms provided by the City. All applications for a Final PUD shall include at least the following information:

1115.05.1 The Final PUD must include all of the information provided in the Preliminary Plan except it must include any changes required by the City in its approval of the Preliminary PUD.

1115.05.2 A detailed Site plan prepared by a qualified and licensed civil engineer illustrating the proposed use(s) of land; proposed densities; buildings, including square footage, height and other dimensions, distances between buildings and the front, side and rear lot lines, and other buildings located on the property and on property adjacent to the property; wetland areas; shoreland areas; street and walkway locations; curb cuts and driveways; parking areas and loading areas; open spaces; the locations of easements and utilities (existing and proposed); landscaping (showing size, types and locations); lighting; grading; drainage; project phasing; anticipated variances from setbacks or other regulations of the underlying zone; tabulation of density, land use intensity, lot coverage and acreage; percentages of land devoted to buildings, parking, and open space; and any other information which may be helpful to understanding and evaluating the proposal.

1115.05.3 Drainage plan indicating catch basins and underground improvements and all other stormwater improvements.

1115.05.4 Detailed description and calculation of areas devoted to amenities and open space.

1115.05.5 Designation of ownership of stormwater improvements upon completion of construction.

1115.06 Review Procedure. At the discretion of the Community Development Director, residential PUDs of 4 units/acre or less and/or less than five acres in size may combine the Preliminary and Final PUD requirements and process into one. PUDs over 4 units/acre and/or 5 acres in size are required to make separate Preliminary and Final PUD submissions.

1115.06.1 Preliminary PUD plan or combined Preliminary and Final PUD.

1115.06.1.1 Upon receipt of a complete application for a preliminary PUD, or a combined Preliminary and Final PUD the application shall be reviewed by City staff and a report concerning the application shall be submitted to the planning commission for its consideration.

1115.06.1.2 The Planning Commission shall hold a public hearing and make a recommendation to the City Council after a complete application is received by the City. If the Planning Commission fails to deliver a timely recommendation to the City Council, the City Council may then consider the Preliminary PUD or Combined Preliminary and Final PUD without the Planning Commission's recommendation.

1115.06.1.2.1 Notice of the time, date, and notice of the time, place and purpose of the public hearing shall be published in the official newspaper at least ten days prior to the day of the hearing. Notice shall also be mailed at least ten days before the day of the hearing to each owner of affected property and the owners of property situated wholly or partly within 1000 feet of the property affected by the Preliminary PUD plan or combined Preliminary and Final PUD. For purposes of giving mailed notice, owners shall be those as show to be such on the records of the St. Louis County Auditor. The failure to give mailed notice to individual property owners or defects in notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this notice provision has been made. Notice of a hearing for any Preliminary PUD plan or combined Preliminary and Final PUD affecting any property in a Shoreland or Floodplain

District shall be mailed to the Commission of Natural Resources of the State of Minnesota at least 15 days prior to any such hearing.

1115.06.1.2.2 Sign Notice. Sign notice means a sign with minimum dimensions of 24 in. by 30 in. posted as close as reasonable possible to each street frontage on the applicant's property with the text between 3 ft. and 5 ft. above grade level, with a title line reading 'Planning and Zoning Commission Notice' in letters at least 3 in. tall and with the remainder of the text in letters at least ½ in. tall. Each sign must be posted at least two weeks before the date of the public hearing and must remain in place and legible through the date of the public hearing as shown on the sign. If the sign will not be legible at the stated height due to snow accumulations it may be placed higher, but at the lowest elevation that will be legible to the public. If snow obscures the sign during the posting period, the snow shall be removed and/or the sign shall be relocated so as to be legible within 24 hours after snowfall ends. Evidence produced at or before the public hearing that one or more of the required signs were not in place or legible throughout that period shall be grounds for postponement of the public hearing and a requirement to repost the property. Required signs may not be posted in any portion of the public right-of-way.

1115.06.1.2.3 Plat. If a Plat is required with respect to the proposed PUD, any public hearing required for any Plat may be combined with the public hearing on the Preliminary PUD or combined Preliminary and Final PUD. A combined action on the Plat and PUD may be taken following the public hearing.

1115.06.1.2.4 Required Applications. Sign notice postings shall be required for all applications for Preliminary PUD Plan or combined Preliminary and Final PUD plan. The creation and posting of the signs shall be the responsibility of the applicant.

1115.06.1.2.5 Content of Notice. Each required notice shall include the following information:

1115.06.1.2.5.1 The name of the applicant;

1115.06.1.2.5.2 The address of the property;

1115.06.1.2.5.3 A narrative description of the Preliminary PUD plan or combined Preliminary and Final PUD Plan including the

proposed land uses, size (in square feet) and height (in feet and stories) of any proposed buildings or building expansions;

1115.06.1.2.5.4 The type of permit or approval being sought;

1115.06.1.2.5.5 Contact information where additional information can be obtained from the applicant (which may be an address, telephone number, web site, or e-mail address of other electronic site or method);

1115.06.1.2.5.6 Police, Fire Department and school information;

1115.06.1.2.5.7 Contact information for the assigned City staff member;

1115.06.1.2.5.8 The date, time and place of the public hearing;

1115.06.1.2.5.9 Information on the size, type, location, expected population, and other relevant factors as determined by the Community Development Director shall be provided to the Hermantown Police, Fire Departments and Hermantown school during the Preliminary PUD or combined Preliminary and Final PUD Plan planning process and be given a chance to submit written or oral comments or to meet with the City and Applicant.

1115.06.2 Final PUD

1115.06.2.1 Upon receipt of a complete application for a Final PUD, the application shall be reviewed by city staff and a report concerning the application shall be submitted to the planning commission for its consideration.

1115.06.2.2 The Planning Commission shall hold a public hearing and make a recommendation to the City Council after a complete application for a Final PUD is received by the City. If the Planning Commission fails to deliver a timely recommendation to the City Council, the City Council may then consider the Final PUD without the Planning Commission's recommendation.

1115.06.2.2.1 Notice of the time, date, and Notice of the time, place and purpose of the public hearing shall be published in the official newspaper at least ten days prior to the day of the

hearing. Notice shall also be mailed at least ten days before the day of the hearing to each owner of affected property and the owners of property situated wholly or partly within 1000 feet of the property affected by the PUD. For purposes of giving mailed notice, owners shall be those as show to be such on the records of the St. Louis County Auditor. The failure to give mailed notice to individual property owners or defects in notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this notice provision has been made. Notice of a hearing for any special use permit affecting any property in a Shoreland or Floodplain District shall be mailed to the Commission of Natural Resources of the State of Minnesota at least 15 days prior to any such hearing.

1115.06.2.2.2 Sign Notice. Sign notice means a sign with minimum dimensions of 24 in. by 30 in. posted as close as reasonable possible to each street frontage on the property affected by the Final PUD Plan with the text between 3 ft. and 5 ft. above grade level, with a title line reading ‘Planning and Zoning Commission Notice’ in letters at least 3 in. tall and with the remainder of the text in letters at least ½ in. tall. Each sign must be posted at least two weeks before the date of the public hearing and must remain in place and legible through the date of the public hearing as shown on the sign. If the sign will not be legible at the stated height due to snow accumulations it may be placed higher, but at the lowest elevation that will be legible to the public. If snow obscures the sign during the posting period, the snow shall be removed and/or the sign shall be relocated so as to be legible within 24 hours after snowfall ends. Evidence produced at or before the public hearing that one or more of the required signs were not in place or legible throughout that period shall be grounds for postponement of the public hearing and a requirement to repost the property. Required signs may not be posted in any portion of the public right-of-way.

1115.06.2.2.3 Plat. If a Plat is required with respect to the proposed PUD, any public hearing required for any Plat may be combined with a the public hearing on the Final PUD. A

combined action on the Plat and Final PUD may be taken following public hearing.

1115.06.2.2.4 Required Applications. Sign notice postings shall be required for all Final PUD applications. The creation and posting of the signs shall be the responsibility of the applicant.

1115.06.2.2.5 Content of Notice. Each required notice shall include the following information:

1115.06.2.2.5.1 The name of the applicant;

1115.06.2.2.5.2 The address of the property;

1115.06.2.2.5.3 A narrative description of the project including the proposed land uses, size (in square feet) and height (in feet and stories) of any proposed buildings or building expansions;

1115.06.2.2.5.4 The type of permit or approval being sought;

1115.06.2.2.5.5 Contact information where additional information can be obtained from the applicant (which may be an address, telephone number, web site, or e-mail address of other electronic site or method);

1115.06.2.2.5.6 Police, Fire Department and school information;

1115.06.2.2.5.7 Contact information for the assigned city staff member;

1115.06.2.2.5.8 The date, time and place of the public hearing;

1115.06.2.2.5.9 Information on the size, type, location, expected population, and other relevant factors as determined by the Community Development Director shall be provided to the Hermantown Police, Fire Departments and Hermantown School District during the Final PUD planning process and

be given a chance to submit written or oral comments or to meet with the City and Applicant.

1115.06.3 The City Council, by resolution, may approve the Preliminary PUD plan or combined Preliminary and Final PUD plan or Final PUD in whole or in part, may approve the Preliminary PUD plan or combined Preliminary and Final PUD plan or Final PUD in whole or in part, may approve subject to conditions, may deny, or may defer consideration of the Preliminary PUD plan or combined Preliminary and Final PUD plan or Final PUD plan for further study to a later date.

1115.06.4 When a Preliminary PUD plan or combined Preliminary and Final PUD plan or Final PUD plan has been denied by the City Council, the owner or applicant may not reapply for the same or similar development on the same property for the six-month period following the date of denial.

1115.06.5 The Final PUD may be submitted for approval within 365 days after the City Council approval of the Preliminary PUD plan unless a written request for a time extension is submitted by the applicant and approved by the City Council.

1115.07 Development Agreement.

1115.07.1 The City may, at its sole discretion, require the owner and developer of a proposed PUD to execute a development agreement which may include, but not be limited to, all requirements of the final PUD plan, agreements on utilities, roads, stormwater impacts and other infrastructure as a condition to approval of a final PUD .

1115.07.2 The development agreement will specify who will own and maintain any project amenities, including stormwater infrastructure.

1115.07.3 The development agreement may require the developers to provide an irrevocable letter of credit or performance bond in favor of the City to insure completion of the required infrastructure improvements and stormwater facility.

Section 1120 – Design

1120. The City Council shall have the authority in approving any PUD to alter, improve, or create anew any provisions of the Zoning Code.

1120.1 The City may allow adjustments in setbacks. Requiring greater or allowing lesser setbacks may be based on uses on and off the site, natural site features, amenities and preservation,

topography, density, building heights and other plan features. The rationale and justification for these setbacks shall be described in a narrative.

1120.2 Maximum building height of underlying zoning district shall be applied to all PUD’s. An additional 25% of height may be allowed if providing additional setbacks and study of relationship to adjacent structures. No principal building shall be closer than its height to the rear or side lot line when such line abuts on a Residential Zoning District.

Section 1125 – Project Amenities

1125.1 All applications for new PUDs over 4 units/acre shall provide additional amenities that correlate with the size, density, land use type, and help integrate the PUD into the community. Amenities options include but are not limited to:

PUD Amenity Options	
Amenity	Standards
Public open space	Contiguous ground level outdoor open space that is provided beyond the amount of open space required in the underlying zoning district requirements. The space shall preserve the natural landscape while providing the opportunity for members of the public to interact with the natural habitat using walkways, benches, or other mechanisms.
Community garden	Permanent and viable growing space and/or facilities such as a greenhouse or a garden, which provides fencing, watering systems, soil, secured storage spaces for tools, solar access, and pedestrian access as applicable. The facility shall be designed to be architecturally compatible with the development to minimize the visibility of mechanical equipment.
Public recreation area	An active, safe, and secure outdoor recreation area open and visible to the public that includes equipment or natural features suitable for recreational use.
Public plaza	Plazas shall be open to the public during daylight hours and provide opportunities for the public to interact with the space using outdoor furniture, art, or other mechanisms.
Enhanced bicycle and pedestrian facilities	Amenities and facilities that increase the convenience and encourage the use of public walkways and bikeways beyond what is otherwise required in the underlying zoning district.

Innovative stormwater management	The design must provide capacity for infiltrating stormwater beyond what is required by the City and the design must serve as a visual amenity to the property and be reflective of innovative techniques.
Enhanced landscaping	A landscaping plan prepared by a licensed landscape architect that provides exceptional design with a variety of pollinators and native trees, shrubs, and plant types that provide seasonal interest.
Preservation of natural systems	Preservation or restoration and protection of natural systems like wetlands, shorelands, waterways, wooded areas, and agricultural lands that beyond what is required by the City and other relevant agencies.

1125.1 The Final PUD plan shall identify the party who will own and maintain the PUD amenities.

Section 1130 – Adequate Public Facilities

1130. An Applicant shall demonstrate that the PUD will not have an undue or adverse impact upon existing public facilities including streets and roads, City water and sanitary sewer utilities, stormwater utility, police and fire services, parks and recreation facilities, and the Hermantown School District.

1130.1 Using a standard and format acceptable to the City Engineer and Community Development Director the Applicant shall provide a report on the estimated impact on City water, sanitary sewer, and stormwater utilities.

1130.2 PUD’s greater than 4 units per acre and/or five acres or more in size shall provide a traffic study. The scope of the analysis shall be determined by the Community Development Director and City Engineer.

1130.3 The City Engineer, in consultation with County or State Engineers if applicable, shall review the submitted materials and make a positive, negative, or conditional determination on the adequacy of public facilities. The City Engineer shall consider:

1130.3.1 The estimated impact to the water, sewer, stormwater, streets or roads.

1130.3.2 The design capacity of existing water, sewer, stormwater, streets or roads.

1130.3.4 Planned (or Programmed) improvements to public facilities.

1130.3.5 The cumulative impact of other approved development in the City.

1130.4 In making an adequacy determination the City Engineer and Community Development Director may direct the Applicant to alter the PUD allow for a positive determination through reduction of the density or intensity of the development, phasing of the development and/or through Applicant's provision of facilities or design changes to address the reason for a negative determination as allowed by Minnesota State law.

1130.5 The Applicant shall provide information on the impact to the City's parks and recreation system using a standard acceptable to the Community Development Director. The Community Development Director shall review the submitted materials and make a positive, negative, or conditional determination on the adequacy of the City's parks and recreation system to accommodate the PUD. The amount and quantities of recreational amenities provided by the PUD and Park Dedication fees shall be considered in the determination.

1130.6 In making an adequacy determination the Community Development Director may direct the Applicant to alter the PUD allow for a positive determination through reduction of the density or intensity of the development, phasing of the development and/or through Applicant's provision of facilities or design changes to address the reason for a negative determination as allowed by Minnesota State law.

📖 Section 1135 – Changes and Amendments

1135.01 Minor changes that do not substantively alter the approved Final PUD in terms of density, land usage, height, parking and loading, provision of open space, or the physical relationship of the elements of the development may be authorized by the Planning Commission. Minor changes include minor changes in the following:

1135.01.1 Location of buildings

1135.01.2 Open space

1135.01.3 Parking

1135.01.4 Reconfiguration of the footprint or massing of buildings

1135.01.5 Realignment of minor streets

1135.02 Major changes that do substantively change individual elements of the Final PUD, such as the exact use, square footage or height of individual buildings, the location and size of parking and loading facilities, the location, size and configuration of open spaces, and design or roadways, of the phasing elements of the project. Major changes shall require a public hearing before the Planning Commission and approval by the City Council.

1135.03 Substantial deviations from the Final PUD are such changes that considerably alter the character of the PUD as a whole, including but not limited to significant changes to the

land included within the PUD, the total amount of development within the PUD, the balance of residential and non-residential uses, the amount of open space provided, or the conceptual layout of buildings, public spaces, and circulation systems, and phasing. Substantial deviations shall require a new PUD application.

📖 Section 1140 – Time Limit on Approved Planned Unit Development

1140. Time Limit on Approval Planned Unit Development. No PUD approval shall be valid for a period longer than 365 days unless a building permit is issued for construction within the PUD. However, upon written request of the applicant, the 365 day period may be extended by the City Council for such time as it shall be determined and for good cause shown, without further hearing.

📖 Section 1145 – Effect of Approval of a Planned Unit Development

1150. Effect of Approval of a Planned Unit Development. The approval of a final PUD by the City Council shall not authorize the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for such permits or approvals as may be required by the regulation of the City, including, but not limited to a building permit and a Certificate of Occupancy.

Resolution No. 2021-114

**RESOLUTION AUTHORIZING A SUMMARY
OF AN ORDINANCE AMENDING HERMANTOWN ZONING CODE BY AMENDING
CHAPTER 11, PLANNED UNIT DEVELOPMENT**

WHEREAS, the City Council has adopted Ordinance No. 2021-08, an Ordinance Amending Hermantown Zoning Code By Amending Chapter 11, Planned Unit Development; and

WHEREAS, Minnesota Statutes Section 412.191, Subd. 4 (2017) authorizes the City Council to publish a summary of lengthy ordinances upon a four-fifths vote of its members; and

WHEREAS, the Ordinance is quite lengthy and detailed; and

WHEREAS, the City Council desires to publish a summary of the Ordinance; and

WHEREAS, a summary of the Ordinance has been prepared and attached hereto as Exhibit A; and

WHEREAS, a copy of the full text of the Ordinance is available for review at the Hermantown City Offices, 5105 Maple Grove Road, Hermantown, MN 55811 during regular business hours.

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

1. That a summary attached hereto as Exhibit A of the Ordinance be published in lieu of the publication of the entire Ordinance; and

2. The City Council hereby authorizes and directs the City Administrator to publish the summary attached hereto as Exhibit A once in the Hermantown Star.

Councilor ____ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted September 20, 2021.

EXHIBIT A

SUMMARY OF ORDINANCE NO. 2021-08, AN ORDINANCE AMENDING HERMANTOWN ZONING CODE BY AMENDING CHAPTER 11, PLANNED UNIT DEVELOPMENT

The following is the official summary of Ordinance No. 2021-08, An Ordinance Amending Hermantown Zoning Code Chapter 11, Planned Unit Development, approved by the City Council of the City of Hermantown on September 20, 2021.

Zoning text amendments include:

- Overall renumbering of sections;
- Section 1100 – Purpose; New definition of PUD
- Section 1105 – Public Benefit; Add language pertaining to Public Benefit by way of project amenities
- Section 1110 – General Requirements; Add language pertaining to residential units and relationship to the zoning code
- Section 1115 – Application Procedure to Site Density; Add language regarding determination of project density based upon site specific factors
- Section 1120 – Amended from Changes and Amendments to Design; Add language regarding adjustments to setbacks and maximum building height of a project as it relates to adjacent properties
- Section 1125 – Amended from Time Limit on Approved Planned Unit Development to Project Amenities; Add language requiring new Planned Unit Developments over 4 units/acre to include project amenities to help integrate the PUD into the surrounding community
- Section 1130 – Amended from Effect of Approval of a Planned Unit Development to Adequate Public Facilities: Add language regarding the determination of how a proposed PUD will impact the existing public facilities including streets and roads, city water and sanitary sewer utilities, stormwater utility, police and fire services, parks and recreation facilities, and the Hermantown School District
- New Section 1135 – Amended from Zoning Map Designation to Changes and Amendments. Zoning Map Designation section removed
- New Section 1140 – Time Limit on Approved Planned Unit Development
- New Section 1145 – Effect of Approval of a Planned Unit Development

The purpose of this Ordinance is to provide updated parameters under which planned unit developments can be proposed and developed within the City of Hermantown.

The foregoing is a summary of a lengthy and detailed Ordinance. The full text of the Ordinance is on file in the office of the City Clerk of the City of Hermantown, 5105 Maple Grove Road, Hermantown, MN 55811, during regular business hours.

If there are any inconsistencies between this summary and the full text of the Ordinance, the terms of the full Ordinance shall govern.

The Ordinance is effective upon publication of this summary.

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



DATE: September 15, 2021 **Meeting Date:** 9/20/21

SUBJECT: No Parking on MSA Streets **Agenda Item: 12-B** **Resolution 2021-115**

REQUESTED ACTION

Approve a no parking resolution for Ugstad Road & Arrowhead Road

BACKGROUND

Section 831.02.01 of the Hermantown City code allow the City Council to prohibit parking on certain streets with the adoption of a resolution. Ugstad Road and Arrowhead Road are Municipal State Aid Streets (MSAS). MN Department of Transportation rules require no parking on certain MSA streets if there is not adequate spacing to allow for parking. The way the City has striped Ugstad Road and Arrowhead Road allowing for two lanes and/or turn lanes, does not allow room for adequate parking so the City Council should pass a resolution prohibiting parking on those streets.

SOURCE OF FUNDS (if applicable)

ATTACHMENTS

Resolution No. 2021-115

**RESOLUTION TO ESTABLISH A NO PARKING ZONE ALONG
CERTAIN MINNESOTA STATE AID STREETS IN THE CITY OF HERMANTOWN**

Whereas, Ugstad Road (MSAS 101) between Maple Grove Road (CSAH 6) and State Trunk Hwy 53; and Arrowhead Road (MSAS 104) between Lindahl Road and Lavaque Road (CSAH 48) are Municipal State Aid Streets; and

Whereas, these roadways have been refinished and restriped using Municipal State Aid Highway funds and the work on such roadway must conform to established Municipal State Aid Highway standards; and

Whereas, the current width and striped use of Ugstad Road (MSAS 101) between Maple Grove Road (CSAH 6) and State Trunk Hwy 53; and Arrowhead Road (MSAS 104) between Lindahl Road and Lavaque Road (CSAH 48) are not sufficient for on street parking on the either side of the roadway according to State Aid standards; and

Whereas, the Minnesota Department of Transportation requires a resolution from the governing body designating a parking restriction in the event the roadway does not meet standards for on street parking;

Whereas, Section 830.02.1 of the Hermantown City Code permits the City Council by resolution to designate and establish upon any street, avenue or road within the city no parking zones; and

WHEREAS, the City Council of the City of Hermantown has determined that the establishment of a no parking zone on Ugstad Road (MSAS 101) between Maple Grove Road (CSAH 6) and State Trunk Hwy 53; and Arrowhead Road (MSAS 104) between Lindahl Road and Lavaque Road (CSAH 48) is in the best interests of the City of Hermantown.

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

1. Pursuant to section 830.02.1 of the Hermantown City Code. The City Council hereby designates a no parking zone along Ugstad Road (MSAS 101) between Maple Grove Road (CSAH 6) and State Trunk Hwy 53; and Arrowhead Road (MSAS 104) between Lindahl Road and Lavaque Road (CSAH 48).

Councilor ____ introduced the foregoing resolution and moved its adoption

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted September 20, 2021.

TO: Mayor & City Council

FROM: Paul Senst, Public Works
Director

DATE: September 15, 2021

Meeting Date: 9/20/21

SUBJECT: Update the Hydrant Policy

Agenda Item: 12-C

Resolution 2021-116



REQUESTED ACTION

Approve an update to the hydrant policy in the city handbook

BACKGROUND

There has never really been any formal documentation on fire hydrant usage/responsibility. We are proposing some simple language to address the procedure if a hydrant is used, especially during the winter months, and who is responsible, so we can maintain functioning hydrants and minimize or eliminate repairs. Along with this policy update, Public Works will work with the HVFD to have some hydrant training for the HVFD members.

SOURCE OF FUNDS (if applicable)

ATTACHMENTS

Handbook Section

Resolution No. 2021-116

**RESOLUTION APPROVING AN AMENDMENT TO THE CITY HANDBOOK
REGARDING HYDRANTS**

WHEREAS, the City of Hermantown owns and maintains hydrants throughout the City; and

WHEREAS, this is an important part of the overall strategy to maintain functioning hydrants and minimize or eliminate repairs; and

WHEREAS, City Staff has prepared a written policy to reflect the city's current practices, and

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

1. The City Council approves the hydrant policy as shown on Exhibit A.

Councilor _____ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted September 20, 2021.

Handbook for the City of Hermantown		
Policy		X Procedure
Date Adopted 6/15/17	Title: Fire Hydrant Use & Reporting	Section: Public Works
Revision Dates:		Page: 1 of 1

Purpose: The purpose of this procedure is to regulate the use and reporting of the use of fire hydrants. The proper use and reporting of use is critical for the proper maintenance of fire hydrants within the City.

Definitions:

Use: For the purposes of this policy, use is defined as anytime a fire hydrant is opened for any purpose.

Fire Department Use: is defined anytime the Fire Department opens a hydrant for any reason, including allowing other Fire Departments to use the hydrants for Fire Department related use.

Use: Only the Fire Department and Public Works Department are authorized to use City fire hydrants. The Public Works Department may authorize the use by others under certain circumstance and for specific time and purpose (see **Metered Use**).

The use of the fire hydrants is for city business only. Individuals in the Fire Department or Public Works Departments may not use the fire hydrants for their personal use.

The use of hydrants by the Fire Departments to haul water for private use (including the filling of swimming pools or irrigation) is limited to only Hermantown Fire Department volunteers acting on behalf of the Hermantown Fire Department. The Department is responsible to provide a bill and collect the appropriate amount from the customer and the monies for the water purchase given to the Utility Billing Clerk along with a volume of water purchased to keep our records for water usage correct. All other private usage including non-firefighting uses by outside agencies should be done through the truck fill station at the Hermantown Community Building (old City Hall) @ 5255 Maple Grove Road.

Metered Use: Outside parties may be given permission to use fire hydrants only when a meter has been installed by the Public Works Department and the user has agreed to pay for all usage of the water from that hydrant. Metered use is only allowed from April 15 to October 15, with water meter request paper work filled out and a deposit check on file @ Hermantown City Hall.

Reporting: Whenever a fire hydrant is used it must be reported to the Public Works Department as soon as possible. Reporting should be via phone call or text to 218-391-0065.

Cold Weather Usage: Whenever a fire hydrant is used when temperatures are below 32 degrees Fahrenheit, the hydrant must be pumped dry as soon as the usage is completed. This must be done by the Hermantown Fire Department or Fire department that is using the hydrant and then reported to Hermantown Public Works.

TO: Mayor & City Council
FROM: John Mulder, City Administrator
DATE: September 14, 2021
SUBJECT: Legal Services



Meeting Date: 9/20/21
Agenda Item: 12-D **Resolution 2021-117**

REQUESTED ACTION

Approve resolution authorizing the Mayor and Clerk to sign and agreement for City Attorney Services with Gunnar Johnson serving as the City Attorney effective January 1, 2022

BACKGROUND

The City's current attorney, Steve Overom, has served the City since 1979 and desires to reduce his practice. We have anticipated and considered this transition for a number of years. In June of this year, the City prepared a Request for Proposals and received two proposals in response. In August, the City interviewed the two firms that submitted proposals.

It is recommended that the City continue to contract with Overom Law, PLLC d/b/a Overom Law but name Gunnar B. Johnson as the City Attorney effective January 1, 2022. Steve Overom will continue to serve as the attorney for HEDA, the Broadband Task Force and special economic development projects. Over the next several months, we will work on a transition between Mr. Overom and Mr. Johnson. During that transition time, the City will only be billed for one attorney when both are present at a meeting.

SOURCE OF FUNDS (if applicable)

General Fund 101

ATTACHMENTS

Agreement for Professional Services

Resolution No. 2021-117

RESOLUTION AUTHORIZING AND DIRECTING MAYOR AND CITY CLERK TO EXECUTE AND DELIVER AGREEMENT FOR PROFESSIONAL SERVICES WITH OVEROM LAW, PLLC D/B/A OVEROM LAW (CITY ATTORNEY SERVICES)

WHEREAS, the City is in need of city attorney services during 2022; and

WHEREAS, an Agreement for Professional Services between the City of Hermantown and Overom Law, PLLC d/b/a Overom Law (“Overom Law”) with respect to such services is attached hereto; and

WHEREAS, the City Council has duly considered the attached Agreement for Professional Services and believes that it is in the best interests of the City of Hermantown for it to enter into such Agreement with Overom Law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hermantown that the Mayor and City Clerk are hereby authorized and directed to execute and deliver on behalf of the City of Hermantown the Agreement for Professional Services attached hereto between the City of Hermantown and Overom Law.

Councilor ____ introduced the foregoing resolution and moved its adoption.

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

Councilors

And the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted September 20, 2021.

**AGREEMENT FOR PROFESSIONAL SERVICES
CITY OF HERMANTOWN
(CITY ATTORNEY SERVICES- INDEPENDENT CONTRACTOR)**

THIS AGREEMENT FOR PROFESSIONAL SERVICES is by and between the **City of Hermantown**, Minnesota, a statutory city under the laws of the State of Minnesota, hereinafter referred to as “City”, and **Overom Law, PLLC d/b/a Overom Law**, hereinafter referred to as “Attorney” in response to the following situation:

- A. Attorney services will from time to time be needed by the City.
- B. The City desires that Attorney provide such legal services.

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

1. Services to be Performed.

1.1. General attorney services shall be the responsibility of Gunnar B. Johnson and he will be designated as the City Attorney.

1.2. City Attorney shall provide attorney services to the City described on Exhibit A for the monthly retainer fee specified on Exhibit B.

1.3. Steven C. Overom (“Overom”) shall act as the attorney for the Hermantown Economic Development Authority (“HEDA”) and the Broadband Task Force and will act as the primary attorney for the City and HEDA on economic development matters.

1.4. The City Administrator shall be responsible for the day-to-day administration of this agreement.

2. Personnel. City Attorney and Overom will secure, at his own expense, all personnel required to perform the legal services under this contract, and such personnel shall not be the employees of, nor have a contractual relationship with, the City.

3. Assignability. Neither City Attorney nor Overom shall assign any interest in this contract and shall not transfer any interest in the same without the prior written approval of the City.

4. Contract Period. This Agreement shall be effective as of January 1, 2022 and shall continue until terminated as provided in paragraph 5 hereof.

5. Termination of Contract. Either the City Attorney or the 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 contract in whole or in part. In the event of termination, all property and finished or unfinished documents and other writings prepared by the City Attorney

under this contract shall be delivered to the City and City Attorney shall be entitled to compensation for time expended to the date of termination and expenses incurred.

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

7. **Standard of Performance and Insurance.** All services to be performed by City Attorney and Overom hereunder shall be performed in a skilled, professional and non-negligent manner. City Attorney and Overom shall obtain and maintain at its cost and expense professional liability insurance that covers the engineering services performed by it for the City with a combined single limit of liability of at least Two Million Hundred Thousand Dollars (\$2,000,000.00). Upon the execution hereof and thereafter, on the anniversary date of this Agreement, City Attorney and Overom shall provide the City with a certificate evidencing the existence of such insurance and shall provide City with evidence of such insurance at such other times as the City may request. City Attorney and Overom shall indemnify and hold harmless the City from and against all errors, omissions and/or negligent acts causing claims, damages, liabilities and damages arising out of the performance of his services hereunder.

8. **Special Projects.** City Attorney, Overom and the City may, by separate agreement, identify Special Projects for which the services of the City Attorney or Overom are desired and that are outside the scope of this Agreement. Such separate agreement shall specify the work to be performed on such separate projects and the fees to be paid to the City Attorney or Overom in connection with such special projects.

9. **Compensation.** City Attorney and Overom shall be compensated for the services to be performed hereunder as set forth in Exhibit B. Overom Law shall submit to the 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.

10. **Record keeping.** Overom Law hereby agrees:

10.1. 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 him under this Agreement.

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

10.3. That no employee, officer or agent of the 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 Overom Law.

11. **Miscellaneous.** City Attorney and Overom agrees that, at all times, both during the term of this Agreement and after the termination of this Agreement, it will be faithful to the City by not divulging, disclosing or communicating to any person, firm or corporation, in any manner whatsoever, except in furtherance of the business of the City or as required by any applicable law, rule, regulation or ordinance of the 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 the City, or parties contracting with the City.

12. **Work For Others.** City Attorney and Overom agree not to accept any work from other clients where such work will be subject to review and/or approval by them in their capacity as City Attorney or attorney for the City in other matters. This limitation is in addition to any limitations imposed on City Attorney or Overom by rules and statutes applicable to his work for the City.

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 Overom Law, or to the City Clerk, 5105 Maple Grove Road, Hermantown, MN 55811.

14. **Entire Agreement.** This contract constitutes the sole and complete 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. **Contractual Authority.** Neither City Attorney nor Overom shall have authority to enter into any contracts binding upon the City or to create any obligations on the part of the City.

[SIGNATURES APPEAR ON NEXT PAGE]

IN WITNESS WHEREOF, the City and the City Attorney have executed this contract as of the date first above written.

CITY:

City of Hermantown

By _____
Its Mayor

And by _____
Its City Clerk

Dated: _____

ATTORNEY:

**Overom Law, PLLC
d/b/a Overom Law**

By _____
Its _____

Gunnar B. Johnson

Dated: _____

Dated: _____

Steven C. Overom

Dated: _____

EXHIBIT A
SERVICES COVERED BY RETAINER

- A. Attend and be prepared to give legal and parliamentary advice at regular meetings, special meetings of the City Council, Agenda meetings and four square meetings.
- B. Attend City Committee and Commission meetings when necessary to the extent of current practices.
- C. Confer with the Mayor, City Clerk and City Administrator for routine City matters.
- D. Expend up to 25 hours per year in preparing standard forms and developing practices and procedures for routine matters.

EXHIBIT B
FEE PROPOSAL

HOURLY BILLING – Please quote the dollar amount of fixed and/or hourly fees and costs your firm will charge for providing legal services to the City of Hermantown covered by your proposal. For the hourly fees portion of your proposal, please identify the hourly rate of each attorney and support personnel. Identify the minimum increment of time billed for each service, e.g. phone calls, correspondence, personal conference. Also state separately the rate for any other cost items proposed to be itemized and billed (i.e. photocopying, Westlaw, or Lexis fees, overhead factor, etc.).

	2021	2022	2023
Hourly Rate for Primary Attorney	\$110.00	\$120.00	\$130.00
Hourly Rate for Other Attorneys (Please name):			
Steven C. Overom	\$110.00	\$120.00	\$130.00
Hourly rates include:			
A. Attend and be prepared to give legal and parliamentary advice at two meetings of the City Council agenda sessions each month;			
B. Attend City Committee and Commission meetings to the extent of current practice;			
C. Confer with the Mayor, City Clerk and City staff by telephone and otherwise on routine City matters;			
D. Draft routine ordinances and resolutions relating to the business of the City;			
E. Review contracts to be made by the City when such contracts are prepared by the other party to the contract;			
F. Prepare for meetings of the City as above by reviewing the agenda of the meeting and otherwise preparing to speak to legal issues that may arise at the meeting; and			
G. Advise the City from time to time as to the construction of statutes and principals of law that may apply to the City.			
Hourly Rate for Support Personnel (Name or title):			
Paralegal Services	\$50.00	\$55.00	\$60.00
Itemized fees (please describe):			
Retainer (up to 25 hours) (monthly)	\$1,900.00	\$2,000.00	\$2,100.00
Includes up to 25 hours per year to assist the City in preparing standard forms, practices and procedures for recurring City matters.			
All other reimbursable fees not included in the hourly rates above (ex. Development projects, HEDA loans)	\$140.00	\$150.00	\$160.00
Minimum increments of time billed for each service (list):	0.1		

TO: Mayor & City Council

FROM: Kevin Orme, Director of
Finance & Administration

DATE: September 15, 2021

Meeting Date: 9/20/21

SUBJECT: 2022 Proposed General Fund Budget and Total Levy **Agenda Item: 12-E** **Resolution 2021-118**



REQUESTED ACTION

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

BACKGROUND

The Preliminary 2021 General Fund Budget Booklet was presented to you August 16, 2021. In that booklet it proposed a total levy of \$7,114,641. It also showed general fund expenditures increasing approximately 7%, the general fund levy increasing 7.6%, and the effective tax rate increasing 6.67%. As a comparison, our Financial Management Plan showed an effective tax rate increase of 7.39% in 2022.

The City Council must set the preliminary levy on Monday September 20, 2021 and will then take final action following the public hearing to be tentatively held on December 6, 2021.

SOURCE OF FUNDS (if applicable)

ATTACHMENTS

Resolution No. 2021-118

**RESOLUTION TO ADOPT THE PROPOSED PROPERTY TAX
AND PROPOSED BUDGET FOR TAXES PAYABLE 2022 AND SCHEDULING THE TRUTH IN
TAXATION HEARING**

WHEREAS, the City Council will hold a Truth In Taxation Hearing on Monday, December 6, 2021 at 6:30 p.m.

BE IT RESOLVED, by the City Council of the City of Hermantown, County of St. Louis, Minnesota, that the following sums of money be levied for the current year, collectible in 2022, upon taxable property in the City of Hermantown, for the following purposes:

General Fund Levy	\$6,408,585
General Obligation Bonded Debt	\$ 415,234
Other Debt	\$ -0-
Fleet Farm Abatement	\$ 140,822
HEDA Levy	\$ 150,000
Total Levy	\$7,114,641

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

Councilor ____ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted September 20, 2021.

Resolution No. 2021-119

RESOLUTION DIRECTING PREPARATION OF ASSESSMENT ROLL FOR DELINQUENT WATER AND SEWER USE, HOOKUP, PERMIT AND AVAILABILITY CHARGES, WATER AND SEWER CONTRACT PAYMENTS AND STORMWATER CHARGES AND DIRECTING NOTICE OF SUCH ASSESSMENT BE GIVEN

WHEREAS, the City of Hermantown City Code Section 930.08 requires delinquent water charges to be certified to the County Auditor each year; and

WHEREAS, City of Hermantown City Code Section 910.03.3 and 920.09.4 allows delinquent sewer charges to be certified to the County Auditor each year; and

WHEREAS, the City of Hermantown imposes water use, water availability charges, sewer use, sewer availability charges, sewer hookup charges and water hookup charges, sewer permit charges, stormwater charges, miscellaneous charges as a condition(s) to individuals making connections to the Hermantown waterlines or Hermantown sewer lines; and

WHEREAS, certain individuals and businesses have made connections to the city waterline and/or sewerline without paying the required water use, water availability charge, sewer use, sewer availability charge, water hookup charge or sewer hookup charge, sewer permit charge, stormwater charge, miscellaneous charge; and

WHEREAS, such charges constitute delinquent water, sewer, stormwater and miscellaneous charges; and

WHEREAS, the City of Hermantown has utilized a water and sewer assessment contract whereby individuals are allowed to pay water and sewer availability charges in installments over a period of ten (10) years; and

WHEREAS, such contracts allow delinquent installments under such contracts to be certified to the County Auditor; and

WHEREAS, there are individuals and businesses in the City of Hermantown with delinquent water use charges, delinquent sewer use charges, unpaid and due water availability charges, unpaid and due water hookup charges, unpaid and due sewer availability charges, unpaid and due sewer hookup charges, unpaid and due sewer permit charges, unpaid and due stormwater charges, unpaid and due delinquent installments under water contracts and sewer contracts and/or unpaid miscellaneous charges as of the date of this resolution.

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

1. The City Clerk, with the assistance of the Utility Billing Clerk, shall prepare an assessment roll covering all delinquent water use, hookup or availability charges, sewer use, hookup, permit or availability charges; charges for stormwater and/or water/sewer contract installments; and/or miscellaneous charges by September 30, 2021.

2. Upon completion of such assessment roll the City Clerk shall notify the individuals and businesses affected by such assessment roll that the City Council of the City of Hermantown will meet on

November 15, 2021 at 6:30 p.m. in the Hermantown Governmental Services Building, 5105 Maple Grove Road, to consider the proposed assessment roll.

3. Such notice shall be in substantially the following form:

Owner Name
Owner address
City, State Zip

Service Address:	Resident Name:
Web ID:	Account #:
Parcel ID:	Amount Past Due:

RE: **PENDING ASSESSMENT NOTICE**

Dear Customer:

The above-referenced "service address" has a past-due balance as of September 30, 2021. The delinquency balance may include charges for water use, hookup or availability charges; sewer use, hookup, permit or availability charges; and/or water/sewer contract installments and/or miscellaneous charges due to the Utility Department.

You are further advised that unless the total amount of such delinquency is paid by November 12, 2021, the City Council of the City of Hermantown will certify such amount including the administrative fee (\$50 or \$75) to the St. Louis County Auditor on an assessment roll. Such amount will then be collected with your real estate taxes that are payable in 2022.

You are further advised that you may request a hearing be held before such charges are certified to the County Auditor. Any request for a hearing must be made in writing and received by the City Clerk prior to October 21, 2021.

If a hearing is requested, it will be held on October 21, 2021 by the Hermantown Utility Commission at Hermantown City Hall, 5105 Maple Grove Road, Hermantown, MN 55811, at 5:30 p.m.

If you have any questions regarding this matter, please call the City of Hermantown Utility Department at (218) 729-3600.

Sincerely,

Bonnie Engseth, City Clerk
City of Hermantown

4. Such notice shall be sent first class mail to the owner of the premises which were served by such utility service. Such notice shall be sent to the address of such owner as determined from the records of the St. Louis County Auditor. After mailing an Affidavit of Mailing shall be prepared by the person mailing such notices.

5. The Hermantown Utility Commission will conduct hearings on any requests for hearings on October 21, 2021. Following such hearing(s) the Utility Commission shall make its recommendation to the City Council prior to the November 15, 2021 City Council meeting.

Councilor ___ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted September 20, 2021.

ACCOUNT	CUSTOMER	PAST DUE AMOUNT	SERVICE ADDRESS	SECTION
2419-00	SUSAN WAGNER-THOMAS	\$277.20	3652 BIRCH RD	SEMI-ANNUAL
3309-00	KARL & HEATHER KUNZ JR	\$184.80	5841 W ARROWHEAD RD	SEMI-ANNUAL
2385-00	GERALD ANDERSON	\$92.40	4333 AIRBASE RD	SEMI-ANNUAL
2545-00	GREGORY ANDERSON	\$92.40	5260 HERMANTOWN RD	SEMI-ANNUAL
2379-00	ROGER ANDERSON	\$92.40	3657 WARGIN RD	SEMI-ANNUAL
2885-00	CINDY BAKER	\$92.40	5437 MORRIS THOMAS RD	SEMI-ANNUAL
2824-00	AILI BALAICH	\$92.40	4475 MIDWAY RD	SEMI-ANNUAL
3206-00	GREGORY & KIMBERLY BILLMAN	\$92.40	4568 SOLWAY RD	SEMI-ANNUAL
2953-00	DUSTIN & MANDY BIRKLAND	\$92.40	3530 PARK DR	SEMI-ANNUAL
3307-00	ROSS BJORLIN	\$92.40	5801 W ARROWHEAD RD	SEMI-ANNUAL
2817-00	DALE & CORINNE COLLISON	\$92.40	4452 MIDWAY RD	SEMI-ANNUAL
2989-00	DANIEL & RACHELL COOK	\$92.40	5735 ROSE RD	SEMI-ANNUAL
2878-00	MARSHALL DIEHL	\$92.40	5334 MORRIS THOMAS RD	SEMI-ANNUAL
3320-00	GERARD & NORMA DOWNES	\$92.40	3632 3636 WARGIN RD	SEMI-ANNUAL
2858-00	DAVID & SUSAN DRUMSTA	\$92.40	5779 HWY 2	SEMI-ANNUAL
2954-00	DAVID FREAR	\$92.40	3535 PARK DR	SEMI-ANNUAL
3257-00	JEREMY L. FRYDENLUND	\$92.40	3615 UGSTAD RD	SEMI-ANNUAL
2774-00	MIKE GIDDINGS	\$92.40	3690 MIDWAY RD	SEMI-ANNUAL
2912-00	KEITH & ANGELA GUSTAFSON	\$92.40	5829 MORRIS THOMAS RD	SEMI-ANNUAL
2711-00	RICHARD HANSON	\$92.40	4644 LINDAHL RD	SEMI-ANNUAL
2467-00	KAREN HAUGDAHL	\$92.40	4030 GETCHELL RD #D	SEMI-ANNUAL
2593-00	GEORGE HELGET	\$92.40	5714 HWY 194	SEMI-ANNUAL
3249-00	KEVIN HOLDEN	\$92.40	3507 UGSTAD RD	SEMI-ANNUAL
2599-00	ROBERT HOOVER	\$92.40	5752 HWY 194	SEMI-ANNUAL
3331-00	STEPHANIE HOWE	\$92.40	5070 WILLOUGHBY LN	SEMI-ANNUAL
2782-00	STEVEN & DEBBIE INMAN	\$92.40	3958 MIDWAY RD	SEMI-ANNUAL
2569-00	STEVEN & DEBRA INMAN	\$92.40	5679 HERMANTOWN RD	SEMI-ANNUAL
2889-00	BRANDON JENNY	\$92.40	5493 MORRIS THOMAS RD	SEMI-ANNUAL
2826-00	RYAN & ANNA JOHNSON	\$92.40	4511 MIDWAY RD	SEMI-ANNUAL
2646-00	BRADLEY & MARY JONES	\$92.40	4678 LAVAQUE BYPASS RD	SEMI-ANNUAL
3250-00	JILL JUDNICK	\$92.40	3548 UGSTAD RD	SEMI-ANNUAL
2892-00	JOSEPH KALENOWSKI	\$92.40	5520 MORRIS THOMAS RD	SEMI-ANNUAL
3178-00	CHRISTOPHER KEMPER	\$92.40	5896 SEVILLE RD	SEMI-ANNUAL

2671-00	JAMIE KEYE	\$92.40	4666 LAVAQUE RD	SEMI-ANNUAL
2935-00	BRIAN KINNEY	\$92.40	3954 OLD MIDWAY RD	SEMI-ANNUAL
3264-00	LINDA KLINT	\$92.40	3670 UGSTAD RD	SEMI-ANNUAL
2865-00	EDWARD KOPIC	\$92.40	5880 HWY 2	SEMI-ANNUAL
2528-00	STEVEN & TERRI KRAGSETH	\$92.40	4528 SOLWAY RD	SEMI-ANNUAL
3215-00	SUZANNE LABOONE	\$92.40	5513 ST LOUIS RIVER RD	SEMI-ANNUAL
2442-00	AARON & KAICEE LARSON	\$92.40	4420 COLD CREEK LN	SEMI-ANNUAL
2579-00	TODD LEPAGE	\$92.40	5768 HERMANTOWN RD	SEMI-ANNUAL
2628-00	MIKE MARCZAK	\$92.40	5716 JAMEBARD RD	SEMI-ANNUAL
2468-00	CHARLES MARKUS	\$92.40	4035 GETCHELL RD	SEMI-ANNUAL
2944-00	JOSHUA & ANNE MARTALOCK	\$92.40	3985 OLD MIDWAY RD	SEMI-ANNUAL
2708-00	SHANNON MARTINDALE	\$92.40	4377 LINDAHL RD	SEMI-ANNUAL
2900-00	TAMI MCKEAN	\$92.40	5566 MORRIS THOMAS RD	SEMI-ANNUAL
3373-00	JAY & DESIREE MILBRIDGE	\$92.40	4676 SOLWAY RD	SEMI-ANNUAL
2808-00	BRADLEY NELSON	\$92.40	4344 MIDWAY RD	SEMI-ANNUAL
3254-00	TRICIA NEUBARTH	\$92.40	3572 UGSTAD RD	SEMI-ANNUAL
2571-00	THOMAS & STEPHANIE NICHOLL	\$92.40	5689 HERMANTOWN RD	SEMI-ANNUAL
3186-00	RUTH NORLUND	\$92.40	3506 SOLWAY RD	SEMI-ANNUAL
2764-00	PATRICK PAITRICK	\$92.40	3585 MIDWAY RD	SEMI-ANNUAL
2534-00	PAUL & JAIME PEARSON	\$92.40	5382 HERMANTOWN RD	SEMI-ANNUAL
2901-00	JEFFREY ROSATI	\$92.40	5571 MORRIS THOMAS RD	SEMI-ANNUAL
3165-00	MICHAEL & CHRISTINE SAWYER	\$92.40	5756 SEVILLE RD	SEMI-ANNUAL
2629-00	ALAN & DIANE SELINE	\$92.40	5726 JAMEBARD RD	SEMI-ANNUAL
3159-00	HOWARD SHAW	\$92.40	5714 SEVILLE RD	SEMI-ANNUAL
2838-00	ZACHARY SHAW	\$92.40	4583 MIDWAY RD	SEMI-ANNUAL
2477-00	TERRENCE & SUZANNE SMITH	\$92.40	5647 HAGBERG RD	SEMI-ANNUAL
3247-00	DAVID SOLBERG	\$92.40	4806 SWAN LAKE RD	SEMI-ANNUAL
2625-00	TIM & LAURA STROIK	\$92.40	5872 HWY 194	SEMI-ANNUAL
2886-00	TRACEY STRONGITHAM	\$92.40	5445 MORRIS THOMAS RD	SEMI-ANNUAL
2650-00	DANIEL & SARAH TURCOTTE	\$92.40	3517 LAVAQUE RD	SEMI-ANNUAL
3177-00	ADAM WALLGREN	\$92.40	5846 SEVILLE RD	SEMI-ANNUAL
3174-00	SCOTT WATERS	\$92.40	5816 SEVILLE RD	SEMI-ANNUAL
2914-00	BRANDON WIETMAN	\$92.40	5850 MORRIS THOMAS RD	SEMI-ANNUAL
2988-00	JASON ZYWICKI	\$92.40	5705 ROSE RD	SEMI-ANNUAL

2395-00	PENNY HELDT	\$92.30	3891 ALMQUIST RD	SEMI-ANNUAL
2930-00	MORGHANN BOYER	\$50.40	3927 OLD MIDWAY RD	SEMI-ANNUAL
3146-00	WAYNE K. JOHNSON	\$50.40	3617 SECORA RD	SEMI-ANNUAL
2659-00	TITAN PREMIER INVESTMENTS LLC	\$50.40	3755 LAVAQUE RD	SEMI-ANNUAL
3201-00	ADAM & SARA BENTS	\$46.20	4452 SOLWAY RD	SEMI-ANNUAL
3175-01	MARK BOHM	\$46.20	5824 SEVILLE RD	SEMI-ANNUAL
2604-00	DONALD BUCHANAN	\$46.20	5772 HWY 194	SEMI-ANNUAL
2802-00	BRITT BUERSKIN	\$46.20	4215 MIDWAY RD	SEMI-ANNUAL
2872-00	JOHN CASTELLINI	\$46.20	5212 MORRIS THOMAS RD	SEMI-ANNUAL
2471-00	RACHEL COBB	\$46.20	4155 GETCHELL RD	SEMI-ANNUAL
2926-00	JON & BONNIE DENZLER	\$46.20	3916 OLD MIDWAY RD	SEMI-ANNUAL
2390-00	NICHOLAS & KEELY DOWNS	\$46.20	3819 ALMQUIST RD	SEMI-ANNUAL
2883-00	ERIC & TAMMY JO ENBERG	\$46.20	5425 MORRIS THOMAS RD	SEMI-ANNUAL
2752-00	CORY FAIRCHILD	\$46.20	5836 MAPLE GROVE RD	SEMI-ANNUAL
2733-00	JAMIE ELIZABETH GLITSOS	\$46.20	5534 MAPLE GROVE RD	SEMI-ANNUAL
2388-00	DONALD & MARJORIE JOHNSON	\$46.20	4388 AIRBASE RD	SEMI-ANNUAL
2717-00	JONATHAN KEPPERS	\$46.20	4671 LINDAHL RD	SEMI-ANNUAL
2647-00	JEFFREY KOZLOWSKI	\$46.20	3503 LAVAQUE RD	SEMI-ANNUAL
2616-00	LUCAS & KELSI LILLIBERG	\$46.20	5821 HWY 194	SEMI-ANNUAL
2963-00	KEITH & MANDY MCDONALD	\$46.20	3904 REINKE RD	SEMI-ANNUAL
2526-00	FREDERICK MIDGE	\$46.20	5245 HERMANTOWN RD	SEMI-ANNUAL
3225-00	EDWIN MONTGOMERY	\$46.20	5713 ST LOUIS RIVER RD	SEMI-ANNUAL
3179-00	ROBERT NEITZEL	\$46.20	5101 SHERIDAN RD	SEMI-ANNUAL
2874-00	CHARLES & VIRGINIA NOFFSINGER	\$46.20	5256 MORRIS THOMAS RD	SEMI-ANNUAL
2698-00	LUCAS & KELSEY OLIN	\$46.20	4236 LINDAHL RD	SEMI-ANNUAL
2897-00	GRETCHEN PROESCH	\$46.20	5537 MORRIS THOMAS RD	SEMI-ANNUAL
2486-00	CODY & MELISSA RENNE	\$46.20	5780 HAGBERG RD	SEMI-ANNUAL
2770-00	TIMOTHY & KATHY RESBERG	\$46.20	3646 MIDWAY RD	SEMI-ANNUAL
2670-00	EDUARDO SANDOVAL-LUNA	\$46.20	4667 LAVAQUE RD	SEMI-ANNUAL
3266-00	LINDA SELLARDS	\$46.20	3738 UGSTAD RD	SEMI-ANNUAL
3330-00	SAMUEL STONE	\$46.20	5060 WILLOUGHBY LN	SEMI-ANNUAL
2827-00	MICHAEL & TRICIA TOMMARO JR	\$46.20	4516 MIDWAY RD	SEMI-ANNUAL
2548-00	ALAN & SHERI VAN LOON	\$46.20	5426 HERMANTOWN RD	SEMI-ANNUAL
3306-00	JODI WENDT	\$46.20	5800 W ARROWHEAD RD	SEMI-ANNUAL

2473-00	TYLER WILLIAMS	\$46.20	4175 GETCHELL RD	SEMI-ANNUAL
3387-00	DIETRICH & SARAH WINTER	\$46.20	3658 BIRCH RD	SEMI-ANNUAL
2470-00	DONALD & STACI WITTE	\$46.20	4040 GETCHELL RD	SEMI-ANNUAL
2394-00	CALEB BLOMDAHL	\$46.10	3855 ALMQUIST RD	SEMI-ANNUAL
2632-00	JONATHAN & MIRANDA CHAMBERS	\$29.25	5744 JAMEBARD RD	SEMI-ANNUAL
3161-00	GLENN & SUSAN JOHNSON	\$29.25	5728 SEVILLE RD	SEMI-ANNUAL
0648-00	THOMAS & MARIE WEST	\$931.58	4744 MORRIS THOMAS RD	MONTHLY
0784-00	DALE & YVETTE SUOMALA	\$620.75	4929 SHELBY RD	MONTHLY
0470-00	TRISTA TURNBULL	\$422.34	3748 LAVAQUE RD	MONTHLY
2156-00	ROBERT & JILL SOMERS	\$284.04	4934 GREYSTONE ST	MONTHLY
0451-00	MOLLY POOLE	\$281.84	5105 W ARROWHEAD RD	MONTHLY
0990-00	JAMES & MEGAN FORSYTH	\$280.98	3615 COPLEY RD	MONTHLY
0005-00	TIM & CHRIS WOOLEVER	\$279.25	3616 GETCHELL RD	MONTHLY
3029-00	JESUS & ELISABETH APONTE	\$261.15	5055 SILVER LEAF ST	MONTHLY
0794-00	DARRIN GOAD	\$236.58	3642 STEBNER RD	MONTHLY
0794-00	DARRIN GOAD	\$236.58	3642 STEBNER RD	MONTHLY
1252-00	DAN LILLO	\$226.08	3742 JOHNSON RD	MONTHLY
3383-00	KING OF CREAMS	\$223.54	4140 RICHARD AVE	MONTHLY
2519-00	KRISTA MOE	\$214.64	4369 ELMWOOD LN	MONTHLY
0680-00	BILLMAN HOME CENTER	\$203.46	5010 MILLER TRUNK HWY	MONTHLY
0463-00	RYAN SHOPA-OLSEN	\$195.23	5323 MAPLE GROVE RD	MONTHLY
1045-00	GARY & SAMANTHA SUMMERS	\$173.71	4332 UGSTAD RD	MONTHLY
1410-00	ANTHONY & ANNETTE MERRITT	\$162.45	4242 UGSTAD RD	MONTHLY
0911-00	PAUL & JOAN KRAUSE	\$155.19	4072 MISTY MORNING DRIVE	MONTHLY
1402-00	STEVEN ROSS	\$148.25	3780 JOHNSON RD	MONTHLY
2314-00	CHARLES FLAIG	\$144.90	5771 HWY 2	MONTHLY
1561-00	TRACY LUNDEEN	\$139.84	5113 MORRIS THOMAS RD	MONTHLY
2512-00	MARY KISER	\$132.23	4374 ELMWOOD LN	MONTHLY
0962-00	TAMMY WARD	\$121.96	4875 ADRIAN LANE	MONTHLY
2350-00	FEDEX FREIGHT	\$109.20	3751 MIDWAY RD	MONTHLY
0106-00	DAVID RASMUSSEN	\$109.13	3745 LINDA RD	MONTHLY
0194-00	JAMES & NATASHA HAAGENSEN	\$109.03	4826 ANDERSON RD	MONTHLY
0107-00	TIM KALM	\$99.29	4921 SHELBY RD	MONTHLY
1789-00	CHAD LARSON	\$96.24	4831 HERMANTOWN RD	MONTHLY

1184-00	DAVID JOHNSON	\$93.17	5176 MORRIS THOMAS RD	MONTHLY
1085-00	SCOTT SANDELIN	\$91.95	4880 ADRIAN LANE	MONTHLY
0324-00	LORI JOHNSTON	\$83.72	5154 LAVAQUE JCT RD	MONTHLY
0187-00	TANNER PERDUE	\$83.35	5046 W ARROWHEAD RD	MONTHLY
0851-00	ERIC & KATRINA BORNDAL	\$82.92	5207 KINGSWOOD LANE	MONTHLY
0963-00	LISA HAGLIN	\$79.29	4988 MORRIS THOMAS RD	MONTHLY
1182-00	DEERFIELD LUXURY APARTMENTS	\$78.00	4122 MEADOW PKWY	MONTHLY
0167-00	TBI RESIDENTIAL & COMMUNITY SERVICES	\$71.13	4916 SHELBY ROAD	MONTHLY
0167-00	TBI RESIDENTIAL & COMMUNITY SERVICES	\$71.13	4916 SHELBY ROAD	MONTHLY
0318-00	STEVE SOLEM	\$65.92	3959 HAINES RD	MONTHLY
1800-00	MAYA AUTHENTIC MEXICAN RESTAURANT	\$59.92	4702 MILLER TRUNK HWY	MONTHLY
0552-00	CARRIE & TOM LARSON	\$53.72	5241 MILLER TRUNK HWY	MONTHLY
0719-00	ROBERT GOULD	\$49.00	3911 HAINES RD	MONTHLY
1170-00	DEERFIELD LUXURY APARTMENTS	\$44.64	4106 MEADOW PKWY 14	MONTHLY
1268-00	PATRICIA WIITA	\$44.35	5027 HERMANTOWN RD	MONTHLY
0804-00	CHRISTOPHER FREEMAN	\$40.76	5271 W ARROWHEAD RD	MONTHLY
2121-00	JAMES & CAROLYN PETRUGA	\$36.88	4054 UGSTAD RD	MONTHLY
1421-00	DERRICK LEE-LO	\$30.52	4286 LAVAQUE RD	MONTHLY
0583-00	BMAX INC	\$28.96	5189 W ARROWHEAD RD	MONTHLY
3106-00	COMPEER FINANCIAL - AGSTAR CO 53	\$25.46	4490 SUGAR MAPLE DR	MONTHLY
2323-00	ADOLPH AUTOMOTIVE LLC	\$23.10	5647 MORRIS THOMAS RD	MONTHLY

TOTAL

\$16,178.05

MONTHLY BILLED CUSTOMERS \$7,837.35

SEMI-ANNUAL CUSTOMERS (STORMWATER ONLY) \$8,340.70

TO: Mayor & City Council

FROM: Kevin Orme, Director of
Finance & Administration



DATE: September 15, 2021

Meeting Date: 9/20/21

SUBJECT: ARPA Funds – COVID-19
Pandemic

Agenda Item: 12-G

Resolution 2021-120

REQUESTED ACTION

Approve resolution accepting ARPA Funds due to the COVID-19 Pandemic

BACKGROUND

The rules, governance and reporting for the ARPA funds are still being developed and are not finalized. Following is our current understanding of the timeline. The ARPA funds are given in two allotments to Cities. The first one has been received and was in the amount of \$509,879.32. The second allotment should be a similar amount and should be distributed in July/August 2022. The costs for these funds must be incurred by 12/31/2024. If the costs are obligated by 12/31/24 but not yet spent the City has two more years to actually pay out the remaining funds.

The below is a preliminary look at how the City might look at using these funds. The spending of these funds is subject to reporting and auditing requirements at the state and federal level.

Project	Amount	Description
Stormwater	\$100,000	Towards Capital Projects
Broadband	\$500,000	Need to be in Unserved and Underserved areas
Fire Dept	\$100,000	Almost 5% per year for 4 years
Administration & Facilities	\$200,000	Admin time, Infiltration system, Remote work, etc
Future COVID costs	\$100,000	Potential future COVID spike needs

SOURCE OF FUNDS (if applicable)

Federal Grant

ATTACHMENTS

Resolution No. 2021-120

**RESOLUTION ACCEPTING THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND
ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT**

WHEREAS, since the first case of coronavirus disease 2019 (COVID-19) was discovered in the United States in January 2020, the disease has infected over 32 million and killed over 575,000 Americans (“Pandemic”). The disease has impacted every part of life: as social distancing became a necessity, businesses closed, schools transitioned to remote education, travel was sharply reduced, and millions of Americans lost their jobs; and

WHEREAS, as a result of the Pandemic, cities have been called on to respond to the needs of their communities through the prevention, treatment, and vaccination of COVID-19; and

WHEREAS, city revenues, businesses and nonprofits in the city have faced economic impacts due to the Pandemic; and

WHEREAS, Congress adopted the American Rescue Plan in March 2021 (“ARPA”) which included \$65 billion in recovery funds for cities across the country; and

WHEREAS, ARPA funds are intended to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 in their communities, residents, and businesses; and

WHEREAS, the first allocation of \$509,879.32 has been received to the City of Hermantown (“City”) pursuant to the ARPA (“Allocation”); and

WHEREAS, a similar amount should be received in approximately a year by the City of Hermantown (“City”) pursuant to the ARPA (“Allocation”); and

WHEREAS, the United States Department of the Treasury has adopted guidance regarding the use of ARPA funds; and

WHEREAS, the City, in response to the Pandemic, has had expenditures and anticipates future expenditures consistent with the Department of the Treasury’s ARPA guidance; and

WHEREAS, the State of Minnesota will distribute ARPA funds to the City because its population is less than 50,000.

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

1. The City intends to collect its share of APRA funds from the State of Minnesota to use in a manner consistent with the Department of Treasury’s guidance.
2. City staff, together with the Mayor and City Attorney are hereby authorized to take any actions necessary to receive the City’s share of ARPA funds from the State of Minnesota for expenses incurred because of the Pandemic.

3. City staff, together with the Mayor and City Attorney are hereby authorized to make recommendations to the City Council for future expenditures that may be reimbursed with ARPA funds.

Councilor _____ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution has been duly passed and adopted September 20, 2021.

TO: Mayor & City Council
FROM: John Mulder, City Administrator
DATE: September 14, 2021
SUBJECT: Broadband Grant



Meeting Date: 9/20/21
Agenda Item: 12-H **Resolution 2021-121**

REQUESTED ACTION

Approve resolution approving broadband grant application to St. Louis County

BACKGROUND

St Louis County is offering planning grants for broadband expansion. Since the City recently created a Broadband Task Force, this grant opportunity would help offset some of the expenses to assist the Broadband Task Force.

In addition to assisting the Task Force with its duties, the City may be able to hire a consultant to facilitate and provide some of staff work related to the Task Force.

SOURCE OF FUNDS (if applicable)

American Rescue Fund money

ATTACHMENTS

Grant application

Resolution No. 2021-121

RESOLUTION APPROVING A GRANT APPLICATION TO ST. LOUIS COUNTY

WHEREAS, The St. Louis County Broadband Grant is intended to assist communities with planning for and securing funds for broadband infrastructure in unserved and underserved areas of St. Louis County; and

WHEREAS, The City of Hermantown desires to obtain assistance for the City's newly formed Broadband Task Force; and

WHEREAS, the City Administrator has prepared a grant application attached as Exhibit A.

NOW, THEREFORE BE IT RESOLVED, the City Council approves the submittal of the grant application to St. Louis County for \$25,000 for broadband planning assistance. .

BE IT FURTHER RESOLVED, the City Administrator is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the City of Hermantown.

Councilor ____ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted September 20, 2021.

EXHIBIT A



St. Louis County Broadband Planning Grant Application

Form
9001
Rev. 7/16/2021

Overview: The purpose of this grant is to provide broadband assistance to qualifying cities, townships, tribal units of government, or non-profits located within unserved or underserved areas of St. Louis County. The grant will provide up to \$25,000 per applicant/project and will require a 1:1 financial match. The match must be committed and can come from any private and/or public source. St. Louis County may conduct an audit of any grants awarded.

BEFORE YOU GET STARTED...

As part of this application, you will need to submit a signed and dated W-9 Form (www.irs.gov) and a map of your project area.

PROGRAM ADMINISTRATOR and CONTACT

Submit Applications To	
Brad Gustafson Senior Planner (218) 742-9563 gustafsonb@stlouiscountymn.gov	By Mail: Planning and Community Development St. Louis County Government Services Center 201 South 3rd Avenue West Virginia, MN 55792
By Email: communitydevelopmentinfo@stlouiscountymn.gov (Preferred)	
Initial Application Deadline: <u>September 17, 2021</u>, then ongoing thereafter as funds are available.	

APPLICANT INFORMATION

Name of Applicant CITY OF HERMANTOWN - JOHN MULDER, CITY ADMINISTRATOR			
Please Briefly Describe the Applicant (public agency, unit of government, non-profit, etc.) CITY OF HERMANTOWN			
Project Name Broadband Task Force		Estimated Start Date	Estimated End Date
Applicant Physical Address (no P.O. boxes) 5105 MAPLE GROVE ROAD		City HERMANTOWN	State MN Zip 55811
Applicant Mailing Address (if different)		City	State Zip
Applicant Email Address JMULDER@HERMANTONWMN.CO		Applicant Phone 218 729-3600	
Contact Person Name JOHN MULDER		Applicant Website URL HERMANTOWNMN.COM	
Contact Person Email Address jmulder@hermantownmn.com		Contact Person Phone	
		Federal ID Number (EIN number) – <i>if applicable</i>	

Project Budget (IF UNKNOWN, LEAVE BLANK)

St. Louis County Broadband Planning Grant Request	\$25000
Applicant Committed Funds	\$25000
Other Sources Funds	\$
Total Project Cost	\$50000

PROJECT NARRATIVE (PROVIDE A DESCRIPTION OF YOUR PROJECT)

THE CITY OF HERMANTOWN STARTED A BROADBAND TASK FORCE AND HELD THEIR FIRST MEETING ON AUGUST 25, 2021. WE HAVE SET THE SCHEDULE FOR THEM TO COMPLETE THEIR WORK BY THE END OF 2024. THE TASK FORCE WAS CREATED BY THE CITY COUNCIL (APPROVED POLICY ADOPTED BY THE COUNCIL IS ATTACHED) AND CHARGED WITH THE FOLLOWING DUTIES:

INVENTORY EXISTING BROADBAND INFRASTRUCTURE.

INVENTORY EXISTING BROADBAND PROVIDERS.

IDENTIFY AREAS WITHIN THE CITY OF HERMANTOWN THAT ARE UNDERSERVED OR UNSERVED BY BROADBAND.

CREATE A STRATEGY FOR PROVIDING BROADBAND SERVICE TO UNDERSERVED OR UNSERVED AREAS OF THE CITY OF HERMANTOWN.

SUBJECT TO THE APPROVAL BY THE CITY COUNCIL, APPLY FOR AND ACCEPT GRANTS TO PROVIDE FUNDS TO ENABLE IT TO PERFORM ITS DUTIES. ANY GRANT AGREEMENT MUST BE APPROVED BY THE CITY COUNCIL.

MAKE RECOMMENDATIONS FOR MODIFICATIONS TO THE GRANT PROGRAM DESCRIBED IN SECTION 4 HEREOF THAT ARE NEEDED FROM TIME-TO-TIME.

THIS GRANT WOULD BE USED TO HIRE CONSULTANT(S), INCLUDING BUT NOT LIMITED TO, IT PROFESSIONALS, CIVIL ENGINEERS, LEGAL COUNSEL, AND/OR INDIVIDUALS TO FACILITATE DISCUSSION AND PLANNING.

THE CITY IS COMMITTEING \$500,000 OF THE AMERICAN RESCUE FUNDS TO FACILITATE BROADBAND EXPANSION USING EITHER EXISTING PROVIDERS OR REMOVING BARRIERS FOR NEW PROVIDERS. IN MAY OF THIS YEAR, THE CITY COUNCIL APPROVED A GRANT OF \$39,499 TO MEDIACOM AS A PARTIAL MATCH TO THEIR CONTRIBUTION OF \$585,253 AND A STATE GRANT OF \$624,752 TO PROVIDE HIGH SPEED SERVICE TO 240+ UNDERSERVED RESIDENCES & BUSINESSES .

THE TASK FORCE HOPES TO DEVELOP STRATEGIES TO WORK WITH PROVIDERS IN LEVERAGING OTHER GRANT DOLLARS TO EXPAND BROADBAND IN THE UNSERVED AND UNDERSERVED AREAS WITHIN THE CITY OF HERAMTOWN

DESCRIPTION OF PROJECT BUDGET (IF UNKNOWN, LEAVE BLANK)

1. What is the total expected cost of the project?	\$	
2. What is the total amount committed by the applicant towards the project?	\$	
3. What is the total amount requested of St. Louis County?	\$	
4. What other sources of funding will be used for the project?	Name of grant: <input type="checkbox"/> Awarded <input type="checkbox"/> Applied <input type="checkbox"/> Will Apply	\$
	Name of grant: <input type="checkbox"/> Awarded <input type="checkbox"/> Applied <input type="checkbox"/> Will Apply	\$
	Name of grant: <input type="checkbox"/> Awarded <input type="checkbox"/> Applied <input type="checkbox"/> Will Apply	\$

APPLICATION REQUIREMENTS

Please verify the following grant requirements:

Check the appropriate box

1. Is the applicant physically in St. Louis County?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2. Does the applicant have a broadband committee to work on this project?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3. Are there multiple organizations working together on this project?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, who:		
4. Has a feasibility study been completed on this project in the past?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5. Is the applicant working with a service provider?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, who: MEDIACOM		
6. Is the project located in an unserved or underserved area?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
7. Has a community survey been completed to determine interest in the project?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8. Has the applicant committed money towards this project?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
9. Approximately how many households and/or businesses will be served from this project?		
10. Estimated month/year of planning/feasibility study?		

ORGANIZATIONAL STRUCTURE

Please list members of the project committee and describe their roles.

Member Name	Role
SEE ATTACHED LIST	

AGREEMENT

<input checked="" type="checkbox"/> Check Box to Agree	<p>By submitting this application, I certify and agree that I am the authorized agent of the organization and that all information submitted is true and correct to the best of my knowledge. I further agree that false or misleading statements will result in nullifying the grant application and require the immediate return of any allocated grant funds to St. Louis County. Failure to provide proper documentation of the information provided in this application to St. Louis County upon request shall render the grant application incomplete and will result in the grant being nullified and require that all grant funds received be returned immediately to St. Louis County. I understand the information submitted may be public data, pursuant to the Minnesota Government Data Practices Act. I further understand that St. Louis County may audit the use of the grant funds. A list of successful grant recipients will also be made public.</p> <p>By providing an email address, you are authorizing St. Louis County to exchange information with you about your application using unencrypted email. This information may include private or nonpublic data. Unencrypted email is not secure. You accept the risk that data may be intercepted by someone other than the intended recipient and understand that St. Louis County is not liable for any damages caused by such interception. Selecting email does not authorize St. Louis County to release private or nonpublic data to anyone other than the recipient unless otherwise allowed by law.</p>
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Authorized Applicant Name: (By filling in, this is your signature) JOHN MULDER	Title: CITY ADMINISTRATOR	Date (month/day/year): 9/15/21
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Handbook for the City of Hermantown		
X Policy Resolution 2021-50		Procedure
Date Adopted 4-19-21	Title: City of Hermantown Broadband Policy	Section: General Government
Revision Dates:		Page: 1 of 4

1. **Introduction.** The City of Hermantown recognizes that the State of Minnesota has by Minnesota Statutes § 237.012, a copy of which is attached hereto, established broadband goals for the State of Minnesota (“Broadband Goals”). The City Council of the City of Hermantown desires to assist the State in reaching the Broadband Goals by:

1.1. Providing grants to assist with broadband infrastructure acquisition and installation costs.

1.2. By creating a Hermantown Broadband Task Force to inventory existing broadband infrastructure and existing broadband providers in Hermantown, identify areas within the City of Hermantown that are underserved or unserved by broadband and create a strategy for providing broadband service to underserved and unserved areas.

2. **Broadband Task Force**

2.1. **Creation.**

2.1.1. **Task Force Creation and Duration.** A Hermantown Broadband Task Force is hereby created. The term of the Broadband Task Force shall end on December 31, 2024, unless the term is extended by resolution of the Hermantown City Council.

2.1.2. **Membership.** The Broadband Task Force shall consist of seven (7) members. The members must live within the City of Hermantown. Members shall be appointed by the Council following nomination by the Mayor, provided that at least one (1) City Councilor or Mayor shall be a member of the Broadband Task Force. The City Councilor or Mayor member of the Broadband Task Force shall have the right to vote. The City Councilor or Mayor member shall be appointed by the Mayor. A Chairperson and the Secretary of the Broadband Task Force shall be chosen from and by the Broadband Task Force annually to serve for one year. Members, other than the City Councilor or Mayor member, may be removed by a majority vote of the City Council. The City Council may remove any member, other than the City Councilor or Mayor member, for good cause. For purposes of this section, “good cause” shall include failure to regularly attend meetings of the Broadband Task Force or the failure to live in the City of Hermantown.

2.1.3. **Terms.** Members of the Broadband Task Force, except a City Councilor or Mayor, shall be appointed for a term expiring on December 31, 2024. Any vacancy occurring in the membership of the Broadband Task Force, other than a City Councilor or Mayor member, shall be filled, for the unexpired term only, by the City Council upon the nomination of the Mayor. The terms of the City Councilor or Mayor member shall be until his/her successor is appointed or his/her term as City Councilor or Mayor expires, whichever is shorter.

2.1.4. **Compensation.** Members of the Broadband Task Force shall serve without pay. Mileage and expenses shall be reimbursed according to existing City of Hermantown policy.

Handbook for the City of Hermantown		
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2.1.5. **Legal Counsel.** The City Attorney shall act as the legal adviser to the Broadband Task Force.

2.1.6. **Meetings.** All meetings of the Broadband Task Force shall be open to the public, unless any meeting or portion thereof may be closed pursuant to the Minnesota Open Meeting Law, as it may be amended from time to time. The Broadband Task Force shall make available to the public attending the meeting any materials required by law. The Broadband Task Force shall make and keep minutes of its meetings identifying the time, location, and members present. The Broadband Task Force shall make and keep records of any votes or decisions or any other official actions.

2.1.7. **Quorum.** No action of the Broadband Task Force may be taken without a quorum. For purposes of this section, “quorum” shall mean a majority of the members of the Broadband Task Force.

2.1.8. **Rules and Procedures.** The Broadband Task Force shall adopt rules and procedures for the conduct of business, and amend such rules and procedures, as it becomes necessary.

2.1.9. **Reports/Applicable Law.** The Broadband Task Force shall submit an annual report to the City Council in December, detailing the Broadband Task Force’s activities. In exercising its authority, the Broadband Task Force shall proceed in accordance with applicable Hermantown Ordinances, State or Federal Law.

2.2. **Jurisdiction and Duties.** The Broadband Task Force shall be charged with the following duties:

2.2.1. Inventory existing broadband infrastructure.

2.2.2. Inventory existing broadband providers.

2.2.3. Identify areas within the City of Hermantown that are underserved or unserved by broadband.

2.2.4. Create a strategy for providing broadband service to underserved or unserved areas of the City of Hermantown.

2.2.5. Subject to the approval by the City Council, apply for and accept grants to provide funds to enable it to perform its duties. Any grant agreement must be approved by the City Council.

2.2.6. Make recommendations for modifications to the Grant Program described in Section 4 hereof that are needed from time-to-time.

Handbook for the City of Hermantown		
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3. **Funding.** The City Council hereby creates the Broadband Task Force Account within the City of Hermantown and hereby transfers Fifty Thousand and No/100 Dollars (\$50,000.00) to such account for use by the Broadband Task Force in performing its duties. All expenditures from the Broadband Task Force Account are subject to all rules governing expenditures by the City of Hermantown and are subject to approval by the City Council.

4. **Grant Program.**
 - 4.1. **Authority.** The City of Hermantown is authorized by Minnesota Statutes § 412.221, Subd. 32, to provide benefits for residents, trade and commerce and pursuant to Minnesota Statutes § 412.221, enter into such contracts as may be deemed necessary if desirable to provide such benefits.

 - 4.2. **Grant Program.** The City of Hermantown shall provide broadband infrastructure grants in the amount up to Forty Thousand and No/100 Dollars (\$40,000.00) (“Hermantown Broadband Grants”) per applicant. Notwithstanding the foregoing, the maximum number of grants provided by the City of Hermantown under this Section 4 shall not exceed five (5) and the aggregate amount of grants provided by the City of Hermantown under this Section 4 shall not exceed Two Hundred Thousand and No/100 Dollars (\$200,000.00).

 - 4.3. **Purpose and Intent.** The purpose and intent of the Hermantown Broadband Grants is to provide funds to be used as a match required to obtain a Border to the Border Broadband Development Grant (“State Grant”) from the Department of Employment and Economic Development’s office of Broadband Development for the construction of broadband infrastructure within the City of Hermantown.

 - 4.4. **Maximum Grant.** The maximum Grant to a provider receiving a Grant is limited to Two Hundred and No/100 Dollars (\$200.00) per person who is able to be served by the infrastructure constructed with the proceeds of the Grant up to a maximum Forty thousand and no/100 Dollars (\$40,000.00)

 - 4.5. **Distribution.** The Hermantown Broadband Grants will be distributed after the project funded by the State Grant is fully completed.

 - 4.6. **Grant Recipient Requirements.** The Grant recipient must demonstrate that it has the financial and technical capability to construct the Project to be funded with the State Grant and provide the internet service to the individuals or businesses who will be able to be served by the broadband infrastructure.

 - 4.7. **Grant Agreement.** The Hermantown Broadband Grant recipient will enter into a Grant Agreement with respect to the Hermantown Broadband Grant that includes provisions required by law and that incorporates the required terms of this policy.

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4.8. **Amendment.** This Grant Program may be amended from time-to-time to reflect the needs and resources available in and to the City of Hermantown from time-to-time.

237.012 BROADBAND GOALS.

Subdivision 1. Universal access and high-speed goal.

It is a state goal that:

(1) no later than 2022, all Minnesota businesses and homes have access to high-speed broadband that provides minimum download speeds of at least 25 megabits per second and minimum upload speeds of at least three megabits per second; and

(2) no later than 2026, all Minnesota businesses and homes have access to at least one provider of broadband with download speeds of at least 100 megabits per second and upload speeds of at least 20 megabits per second.

Subd. 2. State broadband leadership position.

It is a goal of the state that by 2022 and thereafter, the state be in:

(1) the top five states of the United States for broadband speed universally accessible to residents and businesses;

(2) the top five states for broadband access; and

(3) the top 15 when compared to countries globally for broadband penetration.

Subd. 3.

[Repealed, [2013 c 85 art 3 s 28](#)]

History:

[2010 c 277 s 1](#); [2016 c 189 art 5 s 9](#)

BROADBAND TASK FORCE MEMBERS

(Appointed 6-21-21)

Bill Berg	bbergster@gmail.com
Abhi Devireddy	abhi@devireddy.com
Mary Ferguson	jaymaryferguson@gmail.com
Steve Poggio	sm.poggio@gmail.com
Thea Stauffenecker	theastauffenecker@yahoo.com
Gerald Wallace	ger.wallace79@gmail.com
Gloria Nelson	councilornelson@hermantownmn.com
Interested Citizens	
Patrick Malley –	pat@malleyco.com

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. City of Hermantown		
	2 Business name/disregarded entity name, if different from above City of Hermantown		
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input checked="" type="checkbox"/> Other (see instructions) ▶ Local Government		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) 5105 Maple Grove Road		Requester's name and address (optional)
	6 City, state, and ZIP code Hermantown, MN 55811-3605		
	7 List account number(s) here (optional)		

Part I Taxpayer identification number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number	
[] [] [] - [] [] [] - [] [] [] []	
or	
Employer identification number	
4 1 - 1 2 2 6 0 2 4	

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶ <i>Kevin Orme</i>	Date ▶ 11-24-15
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/ir9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

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



DATE: September 15, 2021 **Meeting Date:** 9/20/21
SUBJECT: Road Improvement District **Agenda Item: 12-I** **Resolution 2021-122**
No. 537 – Lavaque Jct Rd

REQUESTED ACTION

Approve Change Order #2 for Road Imp. 537 – Lavaque Junction Road

BACKGROUND

Change Order #2 includes 5 items of additional work. The details of each item of work are described in the attached Change Order. Braun Intertec made recommendations on the soil correction areas and NCE directed the contractor to perform additional work. **The total lump sum cost is \$129,995.70**

SOURCE OF FUNDS (if applicable)

475-431150-530 Proj. 537

ATTACHMENTS

Change Order #2

Resolution No. 2021-122

RESOLUTION APPROVING CHANGE ORDER NUMBER 2 FOR ROAD IMPROVEMENT DISTRICT NO. 537 (LAVAQUE JUNCTION ROAD)

WHEREAS, the City of Hermantown has contracted with Ulland Brothers, Inc. for construction of Road Improvement District No. 537 (Lavaque Junction Road) (“Project:”); and

WHEREAS, Ulland Brothers, Inc. has submitted Change Order No. 2 for:

1. There were (5) driveways/yards that we needed to go beyond the original work scope and in some cases got additional easements to do the work. This consisted of hammering ledge rock, clearing and grubbing trees, adding a new culvert and adding rip rap.
The total cost of the time, equipment and materials for this effort is = \$22,021.50
2. After a portion of the ditch was cut, it was determined that there were (6) water services that we greatly reduced the cover on. It was determined to do (2) corrective actions to prevent freezing; 1) insulate each water service 2) raise the ditch grade and adjust (6) culverts.
The total cost of the time, equipment and materials for this effort is = \$9,384.50
3. Install 11 new castings and adjust MH with new concrete cone.
The total cost of the time, equipment and materials for this effort is = \$5,620.00
4. Additional Subcut sta: 15+00+24+00. This area was originally constructed per the plan. The subgrade failed during construction. Braun recommended another 1’ subcut. NCE directed contractor to proceed. This resulted in the following work items:
 - a. Select Granular Borrow – 1,658 CY @ \$25.80/CY = *\$42,776.40*
 - b. Geotextile Fabric – 2,083 SY @ \$2.50/SY = *\$ 5,207.50*
 - c. Grader hours – 40 hours @ \$149/hr = *\$ 5,960.00*
5. Additional Subcut sta: 24+00+39+25. This area was recommended and directed to go down an additional 1’ during the subcut operation. This resulted in the following work items:
 - a. Select Granular Borrow (imported) – 657 @ \$25.80/CY = *\$16,950.60*
 - b. Select Granular Borrow (salvaged) – 657 @ \$12.00/CY = *\$ 7,884.00*
 - c. Common Excavation – 1,314 CY @ \$10.80/CY = *\$14,191.20*

TOTAL = \$129,995.70

WHEREAS, Ulland Brothers, Inc. has recommended such Change Order No. 2, and;

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

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

1. Change Order No. 2 is hereby approved.

Councilor ____ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution has been duly passed and adopted September 20, 2021.

Date of Issuance: 9/14/21	Effective Date:
Owner: City of Hermantown	Owner's Contract No.: 20-8014
Contractor: Ulland Brothers, Inc.	Contractor's Project No.:
Engineer: Northland Consulting Engineers	Engineer's Project No.: 20-8014
Project: Lavaque Junction	SSID:

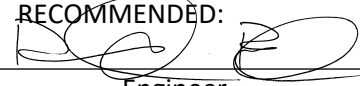
The Contract is modified as follows upon execution of this Compensating Change Order:

Description: This change order has (5) separate work items.

1. There were (5) driveways/yards that we needed to go beyond the original work scope and in some cases got additional easements to do the work. This consisted of hammering ledge rock, clearing and grubbing trees, adding a new culvert and adding rip rap
The total cost of the time, equipment and materials for this effort is = \$22,021.50
2. After a portion of the ditch was cut, it was determined that there were (6) water services that we greatly reduced the cover on. It was determined to do (2) corrective actions to prevent freezing; 1) insulate each water service 2) raise the ditch grade and adjust (6) culverts.
The total cost of the time, equipment and materials for this effort is = \$9,384.50
3. Install 11 new castings and adjust MH with new concrete cone.
The total cost of the time, equipment and materials for this effort is = \$5,620.00
4. Additional Subcut sta:15+00-24+00. This area was originally constructed per the plan. The subgrade failed during construction. Braun recommended another 1' subcut. NCE directed contractor to proceed. This resulted in the following work items:
 - a. Select Granular Borrow – 1,658CY @ \$25.80/CY = *\$42,776.40*
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 - a. Select Granular Borrow (imported) – 657 @ \$25.80/CY = *\$16,950.60*
 - b. Select Granular Borrow (salvaged) – 657 @ \$12.00/CY = *\$ 7,884.00*
 - c. Common Excavation – 1,314 CY @ \$10.80/CY = *\$ 14,191.20*

Total = \$129,995.70

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ <u>1,353,290.00</u>	
Increase from previously approved Change Orders: \$ <u>138,257.56</u>	Previously Extended Contract Time to 9/25/21
Contract Price prior to this Change Order: \$ <u>1,491,547.56</u>	
Increase of this Change Order: \$ <u>129,995.70</u>	
Contract Price incorporating this Change Order: \$ <u>1,621,543.26</u>	

<p>RECOMMENDED: By: <u></u> Engineer</p>	<p>ACCEPTED: By: _____ Owner</p>	<p>ACCEPTED: By: _____ Contractor</p>
<p>Title: <u>City Engineer</u></p>	<p>Title: _____</p>	<p>Title: _____</p>
<p>Date: <u>9/14/21</u></p>	<p>Date: _____</p>	<p>Date: _____</p>