



Hermantown City Council Meeting – October 4, 2021

Because of attendance considerations at the regular meeting location due to the health pandemic, Hermantown's October 4, 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/8381611121?pwd=d0NyVmhXMHRFVmRIYVI5S25zeThOUT09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number of 838-1611-1121 and the passcode of 223673.

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 "October 4, 2021, Meeting." It is important to note that all comments regarding the October 4, 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, October 4, 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 Meeting October 4, 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, October 4, 2021 at 4:30 p.m.
Council Chambers
Hermantown Governmental Services Building**

**City Council Meeting October 4, 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.)*
 - A. **2022 Fee Schedule – Increase of Planning & Zoning Fees**
6. **COMMUNICATIONS**
7. **PRESENTATIONS** *(Department Heads may give reports if necessary.)*
 - A. Kevin Orme, Director of Finance & Administration
RE: **2022 Preliminary Special Revenue & Enterprise Fund Budgets** *(Pre-Agenda Only)*
 - B. John Mulder, City Administrator
RE: Stormwater Ordinance Report *(Pre-Agenda Only)*
 - C. John Mulder, City Administrator
RE: Sewer Trunkline Availability Charges *(Pre-Agenda Only)*
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 20, 2021 City Council Continuation Minutes**

- B. Accounts Payable** – Approve general city warrants from September 16, 2021 through September 30, 2021 in the amount of \$1,071,845.55

(motion, roll call)

10. MOTIONS

11. ORDINANCES

- A. 2021-09** An Ordinance Amending Hermantown Code Of Ordinances Section 270 – Fee Schedule

First Reading

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

(motion, roll call)

- B. 2021-123** Resolution Approving Pay Request Number 6 For Road Improvement District No. 537 (Lavaque Junction Road) To Ulland Brothers, Inc. In The Amount Of \$224,407.10

(motion, roll call)

- C. 2021-124** Resolution Approving A Special Use Permit For The Construction Of A Two-Family Home In A R-3 Residential Zoning District

(motion, roll call)

- D. 2021-125** Resolution Approving Change Order Number 7 For Sewer Improvement District No. 448

(motion, roll call)

- E. 2021-126** Resolution Approving Pay Request Number 14 For Sewer Improvement District No. 448 To Utility Systems Of America, Inc. In The Amount Of \$175,610.15

(motion, roll call)

- F. 2021-127** Resolution Approving Amendments To Planned Unit Development For The Plat Of Pine View

(motion, roll call)

- G. 2021-128** Resolution Approving Preliminary And Final Plat Of Red Tail Hawk And Imposing Conditions On The Final Plat

(motion, roll call)

H. **2021-129** Resolution Approving Preliminary And Final Planned Unit Development For
BMAX, Inc.

(motion, roll call)

13. **RECESS**

NOTICE OF PUBLIC HEARING ON
2022 FEE SCHEDULE – INCREASE OF PLANNING & ZONING FEES

NOTICE IS HEREBY GIVEN, that the City Council of the City of Hermantown will meet in the Council Chambers of Governmental Services Building, 5105 Maple Grove Road, Hermantown, Minnesota, at 6:30 p.m. on Monday, October 4, 2021 to consider the 2022 Fee Schedule – Increase of Planning & Zoning Fees effective January 1, 2022.

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

Authorized by the City Council.

Bonnie Engseth, City Clerk
City of Hermantown

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

9/20/2021	21-162	MN Pollution Control Agency	Wayne Boucher, Mayor	Completion of Corrective Actions	9/14/2021
9/21/2021	21-163	WLSSD	John Mulder, City Administrator	Wastewater Treatment Capacity Allocation Permit	8/15/2021
9/21/2021	21-164	Wayne Boucher, Mayor & City Council	MN House of Representatives Committee on Redistricting	Redistricting	9/22/2021
9/22/2021	21-165	Eric Johnson, Comm. Dev. Dir.	Planning & Zoning Commission	SUP Luke & Trista Miner, 4012 Ugstad Rd.	9/21/2021
9/22/2021	21-166	Eric Johnson, Comm. Dev. Dir.	Planning & Zoning Commission	SUB Barb Struck, 3965 Haines Rd.	9/21/2021
9/22/2021	21-167	Eric Johnson, Comm. Dev. Dir.	Planning & Zoning Commission	Amend Dev. Plan - Pine View Dev.	9/21/2021
9/22/2021	21-168	Eric Johnson, Comm. Dev. Dir.	Planning & Zoning Commission	Prelim and Final Plat - BMAX, Inc., 5189 W Arrowhead Rd.	9/21/2021
9/22/2021	21-169	Eric Johnson, Comm. Dev. Dir.	Park Board	Dog Parks 101	9/21/2021
9/24/2021	21-170	MN Dept. of Health	Bonnie Engseth, City Clerk & City Council	Sanitary Survey Report	9/3/2021
9/24/2021	21-171	Eric Johnson, Comm. Dev. Dir.	Triple J Holdings of Duluth LLC	Accurate Auto Repair, 4703 Hermantown Rd. - Permit Violations	9/22/2021
9/24/2021	21-172	Eric Johnson, Comm. Dev. Dir.	Pastor Brian Wiita, Faith Baptist Church	Weeding at Maple Grove & Midway Rds.	9/24/2021
9/28/2021	21-173	ISO	John Mulder, City Administrator	Public Protection Classification Survey	9/27/2021

City of Hermantown Special Revenue Budgets

Presented: **Oct 4, 2021**

Contents include:

- Informational page from Budget booklet (draft form)
- Revenue Sheet
- Expenditure Sheet

Enterprise Funds

1.	Fund 230 HEDA
2.	Fund 235 Park Dedication
3.	Fund 236 Wetlands
4.	Fund 245 COVID-ARPA
5.	Fund 251 Police Program
6.	Fund 260 Cable TV
7.	Fund 275 EWC - Lease
8.	Fund 601 Water Fund
9.	Fund 602 Sewer Fund
10.	Fund 603 Stormwater
11.	Fund 605 Street Lighting

Special Revenue Funds

Fund 230 – Hermantown Economic Development Authority

HEDA's mission is to intentionally lead economic growth, creating a vibrant and prosperous community.

The Hermantown Economic Development Authority (HEDA) was established on April 6, 1992 by Resolution 92-29. HEDA is governed by a board of commissioners with seven members. All of the members of the City Council are board members and two public members. The City is financially accountable for HEDA because the City Council approves the budget for HEDA, levies taxes (if necessary), and must approve any debt issuances. HEDA sponsors projects involving tax exempt financing ("conduit financing") for the benefit of outside entities. For this reason, HEDA is reported as a discretely presented component unit. HEDA has no employees but funds a portion of the City Administrator's time. Board members receive pay for each meeting they attend.

Beginning in the fall of 2016 the HEDA Board began a strategic planning process culminating in the adoption of a new mission statement stated above and values that were approved in February, 2017. As part of that planning process, the HEDA Board approved four key strategic objectives:

Objective A: HEDA Organization Development – Build Our Foundation For Action

Objective B: Implement Four Major Strategic Initiative Priorities

Objective C: Development Tools and Growth Policy Development (Foundational)

Objective D: Define, Brand And Promote Hermantown

Each of those objectives had specific key strategies to further the stated objective.

Included in the 2022 Budget is \$75,000 to go towards a Comprehensive Plan

Budget Detail

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

230 Hermantown Economic Development Fund

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	75,474	75,612	158,748	43,092	72,200	60%	142,500		142,500	197%
Group:	75,474	75,612	158,748	43,092	72,200	60%	142,500	0	142,500	197%
310200 Delinquent Taxes										
310200 Delinquent Taxes	869	208	645	752	0	***%			0	0%
Group:	869	208	645	752	0	***%	0	0	0	0%
341000 Other Income										
341010 Building Rentals	1	1	1	-1	0	***%			0	0%
Group:	1	1	1	-1	0	***%	0	0	0	0%
362400 911 Signs										
362440 Conduit Financing Fees	2,770	2,770	2,770	2,770	2,770	100%	2,770		2,770	100%
Group:	2,770	2,770	2,770	2,770	2,770	100%	2,770	0	2,770	100%
391000										
391010 Sale of General Fixed				515,000	0	***%			0	0%
392010 Transfers In		106,696			0	0%			0	0%
Group:		106,696		515,000	0	***%	0	0	0	0%
Fund:	79,114	185,287	162,164	561,613	74,970	749%	145,270	0	145,270	193%

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

Account	Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
230 Hermantown Economic Development Fund											
465100 HEDA											
101	Full-Time Employees - Reg	16,385	17,628	19,494	12,271	21,372	57%	22,051		22,051	103%
103	Part-Time Employees - Reg	1,500	1,800	1,950	1,300	4,200	31%			4,200	100%
121	PERA Contributions - Coor	1,282	1,377	1,538	966	1,603	60%	1,654		1,654	103%
123	PERA Contributions - DCP	38	45	53	36	210	17%	210		210	100%
128	Social Security	1,082	1,152	1,281	802	1,344	60%	1,442		1,442	107%
129	Medicare	265	283	316	198	371	53%	381		381	103%
131	Health Insurance	3,216	3,947	4,248	2,839	4,562	62%	4,748		4,748	104%
132	Health Care Savings Plan/		188	394		0	0%			0	0%
133	Life Insurance	43	50	52	32	48	67%	44		44	92%
134	Disability Insurance	66	68	71	44	75	59%	73		73	97%
136	MSRS		50	89	53	88	60%	111		111	126%
151	Workers Compensation	13	24	29	15	30	50%	31		31	103%
201	Office Supplies		113			100	0%	100		100	100%
202	Printing Supplies	368	267			500	0%	200		200	40%
221	General Supplies	217	69			100	0%	50		50	50%
305	Engineer Fees	455				3,000	0%	2,000		2,000	67%
308	Legal Fees	6,002	1,953	10,534	9,712	6,000	162%	6,000		6,000	100%
310	Recording/Filing Fees	46				0	0%			0	0%
311	Contracted Escrow Expense				33,442	0	***%			0	0%
315	School & Conference	290	295	295		1,500	0%	1,475		1,475	98%
319	Contracted Services	5,830	22,625	16,375	16,590	17,169	97%	90,000		90,000	524%
325	Postage	1	1			500	0%			0	0%
331	Travel Expense	2,385	1,655	1,663	606	2,000	30%	2,000		2,000	100%
343	Community Relations		8,208	3,273		6,000	0%	4,000		4,000	67%
351	Legal Notices Publishing	307	161	209	427	200	214%	500		500	250%
451	Dues & Subscriptions	3,835	2,845	3,340	3,140	4,000	79%	4,000		4,000	100%
530	Improvements Other Than B	36,930				45,000	0%			0	0%
	Account:	80,556	64,804	65,204	82,473	119,972	69%	145,270	0	145,270	121%
	Fund:	80,556	64,804	65,204	82,473	119,972	69%	145,270	0	145,270	121%
	Grand Total:	80,556	64,804	65,204	82,473	119,972		145,270	0	145,270	

Fund 235 - Park Dedication Fund

Accounts for the collection of revenues dedicated to the acquisition and capital improvement of City parks. Revenue is collected by charging a park dedication fee on new buildings and developments.

Budget Detail

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

235 Park Dedication Fund

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
322400 Licenses & Fees										
322460 Park Dedication Fee	16,650	16,500	26,490	48,950	18,000	272%	18,500		18,500	103%
322470 Park Dedication Fee in	21,800	17,600	15,950	87,300	5,500	***%	16,000		16,000	291%
Group:	38,450	34,100	42,440	136,250	23,500	580%	34,500	0	34,500	146%
336300 Other Grants & Aids										
336300 Other Grants & Aids	8,000					0%			0	0%
Group:	8,000					0%	0	0	0	0%
362100 Investment Interest										
362100 Investment Interest	5,500	2,109	1,827	-157	20	***%	200		200	1000%
362160 Gain (Loss) on Sale of	-1,879	1,466	531		0	0%			0	0%
Group:	3,621	3,575	2,358	-157	20	***%	200	0	200	1000%
362300 Donations										
362310 Nongovernmental Grants		42,000			820,000	0%			0	0%
Group:		42,000			820,000	0%	0	0	0	0%
362400 911 Signs										
362430 Refund & Reimbursement			2,850		0	0%			0	0%
Group:			2,850		0	0%	0	0	0	0%
Fund:	50,071	79,675	47,648	136,093	843,520	16%	34,700	0	34,700	4%

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

235 Park Dedication 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						
451000	Culture and Recreation										
530	Improvements Other Than B		27,152			0	0%			0	
	Account:		27,152			0	***%	0	0	0	
452100	Parks										
221	General Supplies		377			0	0%			0	
224	Land Maintenance & Repair			4,064		0	***%			0	
305	Engineer Fees	10,718	4,905	390		5,000	8%	5,000		5,000	
308	Legal Fees	768	1,395	21		0	***%			0	
319	Contracted Services			2,500		0	***%			0	
351	Legal Notices Publishing	70				0	0%			0	
493	Community Contributions	66,500				0	0%			0	
530	Improvements Other Than B	15,273	121,392			920,000	0%			0	
720	Transfer Out	23,956	95,065			0	0%			0	
	Account:	117,285	223,134	6,975		925,000	1%	5,000	0	5,000	
	Fund:	117,285	250,286	6,975		925,000	1%	5,000	0	5,000	

Fund 236 - Wetland Mitigation Fund

The Wetland Mitigation Fund accounts for the collection of revenues from landowners who disturb wetlands in connection with the development of a parcel of land to utilize for the acquisition, enhancement, restoration, or creation of Wetlands within the City.

Budget Detail

08/23/21
14:18:50

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

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236 Wetland Mitigation Fund

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
322100 Building Permits										
322125 Wetland Impact Fee	425				500	0%	100		100	20%
Group:	425				500	0%	100	0	100	20%
Fund:	425				500	0%	100	0	100	20%

08/23/21
14:19:29

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

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236 Wetland Mitigation 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						
465300	Hermantown Wetland										
	319 Contracted Services		7,000	9,500	18,826	3,500	538%	10,000		10,000	286%
	465 Restorations (Wetland)	7,488					0%			0	0%
	Account:	7,488	7,000	9,500	18,826	3,500	538%	10,000	0	10,000	286%
	Fund:	7,488	7,000	9,500	18,826	3,500	538%	10,000	0	10,000	286%

Fund 245 – COVID American Rescue Plan Act

COVID – American Rescue Plan Act Fund accounts for revenue and expenditures for the federal dollars received from the American Rescue Plan Act.

Budget Detail

08/23/21
14:18:50

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

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245 COVID-ARPA

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
331900										
331999 Other Federal Grants &				509,879	0	***			0	0%
Group:				509,879	0	***	0	0	0	0%
Fund:				509,879	0	***	0	0	0	0%

08/24/21
08:15:31

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

Account Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
245 COVID-ARPA										
456101 Cable										
319 Contracted Services										
Account:					0	0%	170,000	0	170,000	*****
					0	****	170,000	0	170,000	*****
Fund:					0	0%	170,000	0	170,000	*****
										%
Grand Total:					0		170,000	0	170,000	

Fund 251 - Police Program Fund

Police Program Fund accounts for revenue and expenditures for special police programs such as alcohol/drug forfeitures, and the police K9 program.

Budget Detail



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

251 Police Program Fund

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
331900										
331999 Other Federal Grants &	1,173					0 0%			0	0%
Group:	1,173					0 0%	0	0	0	0%
351000 Impound & Towing Charges										
351010 Court Fines	1,680	5,409	3,790	1,875	2,300	82%	2,250		2,250	98%
Group:	1,680	5,409	3,790	1,875	2,300	82%	2,250	0	2,250	97%
352000										
352010 Unclaimed Property	375		4,045	110		0 ***%			0	0%
352020 Forfeitures (Veh/Etc)	28,157	6,813	7,223	1,622	500	324%	1,000		1,000	200%
Group:	28,532	6,813	11,268	1,732	500	346%	1,000	0	1,000	200%
362300 Donations										
362300 Donations	47,287	11,865	4,469	5,340		0 ***%	2,000		2,000	****%
Group:	47,287	11,865	4,469	5,340		0 ***%	2,000	0	2,000	****%
Fund:	78,672	24,087	19,527	8,947	2,800	320%	5,250	0	5,250	187%

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

251 Police Program 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						
421100 Police Administration										
212 Motor Fuels			48		0	0%			0	0%
221 General Supplies			619		0	0%			0	0%
308 Legal Fees	84				0	0%			0	0%
331 Travel Expense		279			0	0%			0	0%
343 Community Relations		2,135			0	0%			0	0%
436 Towing Charges	715	845	130		0	0%			0	0%
460 Permits & Licenses	25				0	0%			0	0%
490 K-9 Expenses	152	2,576	2,613	3,619	0	***%			0	0%
499 Miscellaneous	393				0	0%			0	0%
Account:	1,369	6,502	2,743	3,619	0	***%	0	0	0	0%
421500 Drug/Alcohol Fund										
308 Legal Fees	8,561	1,794	78	1,363	0	***%			0	0%
460 Permits & Licenses		27	28		0	0%			0	0%
490 K-9 Expenses		14			0	0%			0	0%
Account:	8,561	1,835	106	1,363	0	***%	0	0	0	0%
421801 DARE & Police Liaison Fund										
219 Other Operating Equipment	1,970				0	0%			0	0%
343 Community Relations		3,395			0	0%			0	0%
499 Miscellaneous			468	311	0	***%			0	0%
Account:	1,970	3,395	468	311	0	***%	0	0	0	0%
Fund:	11,900	11,732	3,317	5,293	0	***%	0	0	0	0%

Fund 260 - Cable Television Fund

Accounts for the revenues and expenditures associated with administering a franchise agreement with Mediacom to provide cable television to Hermantown residents. The current franchise fee charge is 5% of a resident's Mediacom cable television bill. Hermantown High School is the site of the control room for the local cable channel.

Budget Commentary:

The Cable TV Coordinator is a contracted position. Administration staff salary and benefits are allocated to the Cable Fund for administration of the Fund.

Budget Detail

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

260 Cable TV Fund

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
318100 Franchise Fees										
318100 Franchise Fees	38,256	38,688	37,970	20,519	38,500	53%	38,500		38,500	100%
Group:	38,256	38,688	37,970	20,519	38,500	53%	38,500	0	38,500	100%
362100 Investment Interest										
362100 Investment Interest	2,567	2,661	2,097	-181	500	-36%	500		500	100%
362120 Interest - Interfund	6,000	6,000	6,000		6,000	0%	6,000		6,000	100%
362160 Gain (Loss) on Sale of	-894	1,672	609		0	0%			0	0%
Group:	7,673	10,333	8,706	-181	6,500	-3%	6,500	0	6,500	100%
Fund:	45,929	49,021	46,676	20,338	45,000	45%	45,000	0	45,000	100%

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

260 Cable TV 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						
456101	Cable										
101	Full-Time Employees - Reg	5,485	4,462	3,792	2,375	4,165	57%	4,282	4,282	103%	
111	Severance Pay - Vacation/		752			0	0%		0	0%	
121	PERA Contributions - Coor	423	351	301	188	312	60%	321	321	103%	
128	Social Security	340	293	239	149	258	58%	266	266	103%	
129	Medicare	80	69	56	35	60	58%	62	62	103%	
131	Health Insurance	1,544	1,126	842	563	906	62%	944	944	104%	
132	Health Care Savings Plan/		40	84		0	0%		0	0%	
133	Life Insurance	15	11	8	5	9	56%	8	8	89%	
134	Disability Insurance	25	18	13	8	14	57%	13	13	93%	
136	MSRS		11	16	9	16	55%	20	20	125%	
151	Workers Compensation	6	6	6	3	6	50%	6	6	100%	
308	Legal Fees	125	115	28		300	0%	500	500	167%	
314	Computer/Software Fees				11,915	0	***%		0	0%	
319	Contracted Services	11,250	7,500	7,500	5,000	7,500	67%	7,500	7,500	100%	
331	Travel Expense	219	217	217	130	0	***%		0	0%	
361	General Liability Insuran	58	58	51	22	44	50%	52	52	118%	
404	Equipment Maintenance	2,858			4,581	1,000	458%	1,000	1,000	100%	
	Account:	22,428	15,029	13,153	24,983	14,590	171%	14,974	0	14,974	103%
	Fund:	22,428	15,029	13,153	24,983	14,590	171%	14,974	0	14,974	103%

Fund 275 – EWC Lease

Accounts for the revenues and expenditures associated with the Essentia lease and building costs at the Essentia Wellness Center.

Budget Detail

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

275 Essentia 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						
341000 Other Income				18,288	0	***%			0	0%
341000 Other Income				178,469	216,128	83%	216,128		216,128	100%
341015 Community Building		57,413	229,652	178,469	216,128	83%	216,128		216,128	100%
Group:		57,413	229,652	196,757	216,128	91%	216,128	0	216,128	100%
362900 Flex Plan Revenue Over/Short										
362999 Waming Rights Income		100,000	100,000		0	0%			0	0%
Group:		100,000	100,000		0	0%	0	0	0	0%
Fund:		157,413	329,652	196,757	216,128	91%	216,128	0	216,128	100%
Grand Total:	3,369,598	3,869,048	8,445,277	3,559,441	4,182,910		3,456,448	0	3,456,448	

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

Account	Object	Actuals			Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020						
275 Essentia Wellness Center										
452200 Community Building										
308	Legal Fees			190	2,675	0 ***%	2,000		2,000	****%
319	Contracted Services	6,626		980	323	1,000 32%	1,000		1,000	100%
321	Telephone	3,077		7,849	4,483	6,800 66%	7,500		7,500	110%
322	Internet	4,011		11,944	8,139	11,000 74%	11,500		11,500	105%
361	General Liability Insuran	6,007		17,447	11,349	22,698 50%	22,698		22,698	100%
381	Electricity	23,651	102,164	69,871	120,000	58%	105,000		105,000	88%
382	Water Purchases	2,542	18,410	44,480	24,000	185%	34,000		34,000	142%
383	Heating Gas	8,098	47,666	39,797	0	***%	35,000		35,000	****%
385	Sewer Charges	2,547	18,096	46,349	24,000	193%	36,000		36,000	150%
401	Building Maintenance				6,630	0%			0	0%
405	Computer Maintenance	855	10,917	7,870	0	***%	5,300		5,300	****%
460	Permits & Licenses		220		0	0%			0	0%
499	Miscellaneous			287	0	***%			0	0%
	Account:		57,414	235,883	235,623	216,128 109%	259,998	0	259,998	120%
	Fund:		57,414	235,883	235,623	216,128 109%	259,998	0	259,998	120%
	Grand Total:		57,414	235,883	235,623	216,128	259,998	0	259,998	

Enterprise Funds

Fund 601 - Water Enterprise Fund

This fund accounts for the activity of providing water services to the public. The Hermantown Utility Department is responsible for the distribution of treated water. The City purchases all drinkable water from the City of Duluth. In 2018, the City switched to a Tier System for billing water rates, broken down by Residential, Multi-Family, Commercial and Irrigation.

Utility Commission/Water Department Objectives

- To consider and make recommendations to the City Council with respect to improvements to be constructed and financed pursuant to Chapter 429 of the Minnesota Statutes.
- To administer the public utilities provided by the City of Hermantown
- To perform such other functions as made by resolution of the City Council delegated to it.
- Provide an adequate supply of water. Current city water storage includes a 150,000 gallon elevated storage tank at Ugstad Road/Arrowhead Road and a 600,000 gallon elevated storage tank at Ugstad Road/Hwy 53. These two tanks have sufficient capacity to provide for two days of average daily demand if the city should lose its water supply.
- The city's current water system also includes 64.647 miles of water mains and 543 hydrants for fire control.
- The Public Works Director is responsible for leading the maintenance of city water mains.

The City's water system includes: One 150,000 Gallon Water Tower, One 600,000 Gallon Water Tower, and a Booster Pumping Station

Age of System	55 Years
Total Miles of Water Main Added From 1960 to 1990	46 Miles
Total Miles Added From 1990 to 2001	6.5 Miles
Total Miles Added From 2001 to 2003	1.68 Miles
Total Miles Added From 2003 to 2011	8.547 Miles
Total Miles Added From 2012 to 2015	.92 Miles
Total Miles Added From 2016 to 2020	.7 Miles
Total Miles of Water Main	64.647 Miles

Total Number of Fire Hydrants Added 1960 to 1990	351
Total Number of New Fire Hydrants 1990 to 2001	55
Total Number of New Fire Hydrants 2001 to 2003	19
Total Number of New Fire Hydrants 2003 to 2012	102
Total Number of New Fire Hydrants 2013 to 2015	8
Total Number of New Fire Hydrants 2016 to 2020	9
Total Fire Hydrants	543

Rate Increase Proposal

Water Rates – Per 1,000 Gallons				
Residential	Tier 1	2021 8.15	2022 8.48	Usage In Gallons - Tier Breaks Up to 2500 Gallons Between 2500 – 4500 Gallons Over 4500 Gallons
	Tier 2	9.38	9.76	
	Tier 3	10.32	10.73	
Multi-Family	Tier 1	9.38	9.76	All Usage
	Tier 2	9.38	9.76	All Usage
	Tier 3	9.38	9.76	All Usage
Commercial	Tier 1	8.43	8.77	Up to 20,000 Gallons
	Tier 2	8.87	9.23	Between 20,000 – 50,000 Gallons
	Tier 3	9.74	10.13	Over 50,000 Gallons
Irrigation	Tier 1	10.32	10.73	All Usage
	Tier 2	10.32	10.73	All Usage
	Tier 3	10.32	10.73	All Usage

Meter Size	Monthly Service Charge	
	2021	2022
5/8"-1"	9.00	9.36
1 1/4"	13.50	14.04
1 1/2"	13.50	14.04
2"	33.75	35.10
3"	39.37	40.94
4"	50.62	52.64
6"	73.11	76.03

Authorized Personnel

The Water Enterprise, Sewer Enterprise, and Storm Water funds includes authorized personnel as follows; Utility Clerk and Utility Workers.

The wages for these employees are split between the Water, Sewer, and Storm Water Funds.

Budget Commentary

Transfers out are applied to debt payments in the debt service fund. The 2022 Transfers Out for debt total \$91,749.

The following assets are in the water budget as a Transfer Out to the General Capital Equipment Fund:

2022 One Ton Truck - \$17,500 (Part paid by Sewer and General Fund)

Budget Detail

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

601 Water Enterprise Fund

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
321900 Misc Licenses										
321990 Other Licenses & Permits		1,000			0	0%			0	0%
Group:		1,000			0	0%	0	0	0	0%
341000 Other Income										
341070 Assessment Search	4,793	4,455	9,823	5,218	4,700	111%	6,000		6,000	128%
Group:	4,793	4,455	9,823	5,218	4,700	111%	6,000	0	6,000	127%
361300 Penalties & Interest										
361300 Penalties & Interest	11	16	52	-30	0	***%			0	0%
Group:	11	16	52	-30	0	***%	0	0	0	0%
362100 Investment Interest										
362100 Investment Interest	59,217	70,539	42,152	-3,588	15,000	-24%	10,000		10,000	67%
362150 Interest Income/City	399	338	190	12	0	***%			0	0%
362160 Gain (Loss) on Sale of	-20,539	43,904	10,756		0	0%			0	0%
Group:	39,077	114,781	53,098	-3,576	15,000	-24%	10,000	0	10,000	66%
362200 Park Field Rental Fees										
362250 City Property Lease	44,083	50,868	48,520		50,868	0%	53,018		53,018	104%
Group:	44,083	50,868	48,520		50,868	0%	53,018	0	53,018	104%
362900 Flex Plan Revenue Over/Short										
362990 Miscellaneous Revenue	10,825	11,657	13,190	4,782	10,000	48%	15,000		15,000	150%
Group:	10,825	11,657	13,190	4,782	10,000	48%	15,000	0	15,000	150%
371400 Metered Water Sales										
371400 Metered Water Sales	1,228,637	1,262,773	1,421,117	858,795	1,372,800	63%	1,435,200		1,435,200	105%
371450 Metered-Truck Fill	2,732	3,611	4,496	2,962	3,500	85%	1,000		1,000	29%
Group:	1,231,369	1,266,384	1,425,613	861,757	1,376,300	63%	1,436,200	0	1,436,200	104%
371500 Water Hookups										
371500 Water Hookups	21,300	25,000	28,700	15,400	25,000	62%	25,000		25,000	100%
371550 Water Service Line	773		134		0	0%			0	0%
Group:	22,073	25,000	28,834	15,400	25,000	62%	25,000	0	25,000	100%
371700										
371710 Service Charge	228,116	242,990	244,380	142,934	256,103	56%	274,560		274,560	107%
371720 Front Foot Water Cash	8,940	3,720	5,525	1,590	6,200	26%	4,000		4,000	65%
379999 Late Fee	12,756	12,393	6,485	5,577	7,000	80%	7,000		7,000	100%
391010 Sale of General Fixed				1,997	0	***%			0	0%

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

601 Water Enterprise Fund

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
392010 Transfers In	2,000	44,500	148,158	207,375	207,375	100%	2,000		2,000	1%
Group:	251,812	303,603	404,548	359,473	476,678	75%	287,560	0	287,560	60%
394000 Contributed Capital										
394000 Contributed Capital	639	559,139	285,858		0	0%			0	0%
Group:	639	559,139	285,858		0	0%	0	0	0	0%
Fund:	1,604,682	2,336,903	2,269,536	1,243,024	1,958,546	63%	1,832,778	0	1,832,778	93%

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

601 Water Enterprise Fund

Account	Object	Actuals				Current Budget	% Exp.	Prelim. Budget	Budget Changes	Final Budget	% Old Budget
		2018	2019	2020	2021						
471000	Debt Service										
303	Banking Fees			104	2	0	***%			0	0%
	Account:			104	2	0	***%	0	0	0	0%
494300	Water Distribution										
101	Full-Time Employees - Reg	124,872	120,924	122,121	56,073	161,050	35%	169,097		169,097	105%
102	Full-Time Employees - Ove	13,932	19,704	9,148	4,885	12,537	39%	12,687		12,687	101%
103	Part-Time Employees - Reg	1,137	1,016	858	279	0	***%			0	0%
111	Severance Pay - Vacation/					0	0%	19,387		19,387	*****%
121	PERA Contributions - Coor	16,236	13,443	-71,580	6,585	13,019	51%	13,634		13,634	105%
128	Social Security	8,232	8,655	8,023	5,234	10,762	49%	12,473		12,473	116%
129	Medicare	1,925	2,024	1,676	1,224	2,517	49%	2,917		2,917	116%
131	Health Insurance	58,874	115,158	87,568	38,459	72,063	53%	76,877		76,877	107%
132	Health Care Savings Plan/	444	125	440		0	0%			0	0%
133	Life Insurance	175	203	187	115	223	52%	205		205	92%
134	Disability Insurance	662	694	618	425	819	52%	904		904	110%
136	MSRS			38	94	130	72%	1,307		1,307	1005%
151	Workers Compensation	3,252	4,886	6,301	3,505	7,009	50%	7,360		7,360	105%
212	Motor Fuels	4,210	3,566	2,733	2,849	3,000	95%	3,000		3,000	100%
216	Uniforms	297	462	454	433	500	87%	500		500	100%
221	General Supplies	4,185	4,501	948	3,024	5,000	60%	5,500		5,500	110%
228	Utility System Maint Supp				32,936	4,000	823%	39,000		39,000	975%
314	Computer/Software Fees				2,400	3,750	64%	3,750		3,750	100%
315	School & Conference	1,451	432	416	708	3,500	20%	2,500		2,500	71%
317	Personnel Testing, Physic	109	109	109		0	0%			0	0%
319	Contracted Services					30,000	0%	30,000		30,000	100%
325	Postage			14		0	0%			0	0%
331	Travel Expense	564				750	0%	750		750	100%
351	Legal Notices Publishing					0	0%	250		250	*****%
361	General Liability Insuran	7,120	8,086	6,567	2,474	4,949	50%	5,843		5,843	118%
382	Water Purchases	619,063	615,631	728,548	519,130	711,000	73%	740,000		740,000	104%
404	Equipment Maintenance	1,188	2,807	5,908	3,632	5,000	73%	4,000		4,000	80%
406	Vehicle Maintenance	18	958	1,740	23	2,500	1%	2,000		2,000	80%
413	Equipment Rental	11,704	852			12,500	0%	7,500		7,500	60%
417	Uniform Rental	53				500	0%	500		500	100%
451	Dues & Subscriptions	648	717	496	760	700	109%	700		700	100%
460	Permits & Licenses	48		3,250	298	0	***%			0	0%
470	Booster Pump Repairs	407	105	375	11	250	4%	250		250	100%
471	Water Line Repairs	52,860	44,187	21,980	37,250	25,000	149%	40,000		40,000	160%
472	Hydrant Repairs	2,439	5,186	20,091	13,167	29,500	45%	14,500		14,500	49%
499	Miscellaneous	90	1			0	0%			0	0%
540	Office Equip/Furnishings	1,796	25,913	421		1,000	0%			0	0%
542	Light Equipment					6,000	0%			0	0%
544	Motor Vehicles			-31	54,775	165,000	33%	17,500	-17,500	0	0%
580	Other Equipment	14,272	8,739	31,258	109,329	314,500	35%	5,000		5,000	2%
	Account:	952,263	1,009,084	990,875	900,077	1,609,028	56%	1,239,891	-17,500	1,222,391	76%

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

601 Water Enterprise Fund

Account	Object	Actuals				Current Budget	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
494400	Water Administration and General										
101	Full-Time Employees - Reg	91,420	75,376	80,108	23,180	81,921	28%	90,116		90,116	110%
102	Full-Time Employees - Ove	477	366	352	86	505	17%	574		574	114%
111	Severance Pay - Vacation/		352	4,293	245	0	***%			0	0%
121	PERA Contributions - Coor	6,722	7,225	-39,718	3,426	6,182	55%	6,759		6,759	109%
128	Social Security	5,441	4,650	4,990	2,701	5,110	53%	5,587		5,587	109%
129	Medicare	1,272	1,087	1,167	632	1,195	53%	1,307		1,307	109%
131	Health Insurance	17,661	17,324	19,140	16,672	20,002	83%	32,643		32,643	163%
132	Health Care Savings Plan/	71	269	563		0	0%			0	0%
133	Life Insurance	181	156	142	82	156	53%	170		170	109%
134	Disability Insurance	444	326	284	168	355	47%	395		395	111%
136	MSAs		146	220	125	208	60%	728		728	350%
151	Workers Compensation	85	109	110	57	115	50%	125		125	109%
201	Office Supplies			48	16	0	***%	50		50	***%
202	Printing Supplies	1,695	338	672	201	600	34%	500		500	83%
209	Computer Equipment			271		0	0%			0	0%
301	Audit/Account Services	4,016	5,297	2,798	4,040	4,500	90%	6,750		6,750	150%
302	Assessors Fees	4	7			0	0%			0	0%
303	Banking Fees				2,926	0	***%	7,200		7,200	***%
305	Engineer Fees		243	2,100	6,415	0	***%	3,000		3,000	***%
308	Legal Fees	10,662	-483	250	3,370	3,000	112%	4,000		4,000	133%
314	Computer/Software Fees	1,125	2,781	3,322	3,295	1,800	183%	3,700		3,700	206%
315	School & Conference					0	0%	1,000		1,000	***%
319	Contracted Services	3,181	2,641	3,839	4,179	3,200	131%	16,120		16,120	504%
321	Telephone	2,482	2,730	2,529	1,469	2,210	66%	2,510		2,510	114%
322	Internet	112	281	485	373	280	133%	400		400	143%
323	Gopher One Call Locates	1,442	1,869	1,882	762	1,550	49%	1,200		1,200	77%
325	Postage	3,162	4,347	4,621	241	3,675	7%	622		622	17%
331	Travel Expense	1,220	1,598	1,566	866	1,400	62%	1,480		1,480	106%
351	Legal Notices Publishing	326	611	573	388	600	65%	600		600	100%
361	General Liability Insuran	1,366	1,285	2,646	2,734	4,093	67%	9,537		9,537	233%
381	Electricity	7,183	6,179	7,584	5,798	6,850	85%	7,000		7,000	102%
383	Heating Gas	2,689	3,201	2,050	1,387	3,200	43%	3,000		3,000	94%
405	Computer Maintenance	9,117	9,525	8,770	16,527	14,964	110%	19,278		19,278	129%
420	Depreciation Expenses	224,044	192,416	217,314		200,000	0%	220,000		220,000	110%
432	Bad Debts	285				0	0%			0	0%
434	Employee Recognition Prog				74	0	***%			0	0%
451	Dues & Subscriptions			50		0	0%			0	0%
598	Loss on Sale of Equipment		38			0	0%			0	0%
720	Transfer Out	66,594	65,697	69,403	91,838	91,838	100%	91,749		91,749	100%
	Account:	464,487	407,987	404,344	194,273	459,509	42%	538,100	0	538,100	117%
494500	Sewer Maintenance										
471	Water Line Repairs				5	0	***%			0	0%
	Account:				5	0	***%	0	0	0	0%

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CITY OF HERMANTOWN, MN
Expenditure Budget Report -- MultiYear Actuals
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601 Water Enterprise 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						
495000	Transfer Out										
	720 Transfer Out	40,000	100,333	54,299		0 0%	17,500		17,500	*****	
	Account:	40,000	100,333	54,299		0 ****	17,500	0	17,500	*****	
	Fund:	1,456,750	1,517,404	1,449,622	1,094,357	2,068,537	53%	1,795,491	-17,500	1,777,991	86%

Fund 602 - Sewer Enterprise Fund

Sewer fund accounts for the activity of providing sewer disposal services to the public. The Hermantown Utility Department is responsible for the collection of sanitary sewer waste. The Western Lake Superior Sanitary District purifies sanitary sewer waste. The rates are set by the Utility Commission and voted by resolution or motion by the City Council. In 2018, the City moved to a Tier System for billing sewer rates, broken down by Residential, Commercial and Commercial.

Objectives

- Provide adequate sanitary sewer operations, the city's sewer system consists of 70.158 miles of sewer mains but continues to expand based upon neighborhood petitions requesting an extension of services.
- The Public Works Director is responsible for leading the maintenance of city sewer mains.

Age of System	36 Years
Total Miles of Low Pressure Force main to 2014	7.31 Miles
Total Miles of Sewer Main Added From 1970 to 1990	24 Miles
Total Miles Added From 1990 to 2001	13 Miles
Total Miles Added From 2001 to 2003	6.688 Miles
Total Miles Added From 2003 to 2010	15.62 Miles
Total Miles Added From 2010 to 2012	1.30 Miles
Total Miles Added From 2012 to 2015	.46 Miles
Total Miles Added From 2016 to 2020	.7 Miles
Total Miles of Sewer Main	70.158 Miles

Total Number of Manholes Added 1970 to 2001	270
Total Number of Manholes Added 2001 to 2002	123
Total Number of Manholes Added 2002 to 2010	354
Total Number of Manholes Added 2010 to 2012	27
Total Number of Manholes Added 2012 to 2015	16
Total Number of Manholes Added 2016 to 2020	12
Total Manholes	802

The City's sanitary sewer system includes: 15 Pumping Stations, Phase I Trunk Sewer - 2.4 Miles, Phase II Trunk Sewer - 2 Miles, and Phase III Trunk Sewer - 2.47 Miles

Rate Increase Proposal

Sewer Rates - Per 1,000 Gallons

		2021	2022	Notes
Residential	Tier 1	10.15	10.40	
Multi-Family	Tier 1	10.15	10.40	
Commercial	Tier 1	10.15	10.40	
Flat Rate*	Tier 1	25.37	31.21	Residential Average – 3,000 Gallons
Flat Rate	Tier 1	45.68	46.80	Commercial Average – 4,500 Gallons
Service Charge		3.24	3.32	Monthly

*2021 rate based on 2500 gallons

Authorized Personnel

The Water Enterprise and Sewer Enterprise fund includes authorized personnel as follows; Utility Clerk(s) and Utility Workers. The wages for these employees are split between the Water, Sewer, and Storm Water Funds.

Budget Commentary

Transfers out are applied to debt payments in the debt service fund. The 2022 Transfers Out for debt total \$56,260.

Also included in the sewer budget are transfers to the General Capital Equipment Fund for a % of the following equipment. 2022 One Ton Truck - \$17,500 (Part paid by Water and General Fund)

Finally, in the sewer budget are the following assets:

Retro Fit Lift Station - \$40,000

Sewer improvements to Richard and Lindgren roads - \$50,950

Budget Detail

CITY OF HERMANTOWN, MN
Revenue Budget Report -- MultiYear Actuals
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602 Sewer Enterprise Fund

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
341000 Other Income										
341070 Assessment Search	4,793	4,455	9,823	5,218	5,500	95%	5,500		5,500	100%
Group:	4,793	4,455	9,823	5,218	5,500	95%	5,500	0	5,500	100%
361300 Penalties & Interest										
361300 Penalties & Interest		34		22	0	***%			0	0%
Group:		34		22	0	***%	0	0	0	0%
362100 Investment Interest										
362100 Investment Interest	63,501	75,285	41,818	-3,780	10,000	-37%	5,000		5,000	50%
362150 Interest Income/City	1,752	2,104	2,934	1,168	1,900	61%	1,600		1,600	84%
362160 Gain (Loss) on Sale of	-21,948	46,842	12,418		0	0%			0	0%
Group:	43,305	124,231	57,170	-2,532	11,900	-21%	6,600	0	6,600	55%
362900 Flex Plan Revenue Over/Short										
362990 Miscellaneous Revenue			8,394		0	0%			0	0%
Group:			8,394		0	0%	0	0	0	0%
371700										
371710 Service Charge	74,471	77,408	78,502	44,971	83,259	54%	85,485		85,485	103%
Group:	74,471	77,408	78,502	44,971	83,259	54%	85,485	0	85,485	102%
372400 Sewer Usage										
372400 Sewer Usage	1,332,732	1,370,864	1,483,601	859,307	1,466,500	59%	1,528,000		1,528,000	104%
Group:	1,332,732	1,370,864	1,483,601	859,307	1,466,500	59%	1,528,000	0	1,528,000	104%
372500 Sewer Hookups										
372500 Sewer Hookups	26,800	31,600	43,185	23,500	30,000	78%	31,000		31,000	103%
Group:	26,800	31,600	43,185	23,500	30,000	78%	31,000	0	31,000	103%
372700										
372710 Sewer Permits	2,885	3,420	3,925	4,375	3,150	139%	3,200		3,200	102%
372715 Sewer Capacity	3,459	1,542	2,068	6,279	1,650	381%	800		800	48%
372720 Front Foot Cash	25,169	6,300	38,862		13,000	0%			0	0%
379999 Late Fee	12,008	11,075	5,763	4,926	5,200	95%	5,200		5,200	100%
391010 Sale of General Fixed				1,075	0	***%			0	0%
Group:	43,521	22,337	50,618	16,655	23,000	72%	9,200	0	9,200	40%

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10:52:39

CITY OF HERMANTOWN, MN
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602 Sewer Enterprise Fund

Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
394000 Contributed Capital										
394000 Contributed Capital	299,017	1,124,668	3,390,796		0	0%			0	0%
Group:	299,017	1,124,668	3,390,796		0	0%	0	0	0	0%
Fund:	1,824,639	2,755,597	5,122,089	947,141	1,620,159	58%	1,665,785	0	1,665,785	102%

CITY OF HERMANTOWN, MN
Expenditure Budget Report -- MultiYear Actuals
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602 Sewer Enterprise Fund

Account	Object	Actuals				Current Budget	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
		2018	2019	2020	2021						
432500	Sewer Improvements										
550	Street Improvements										
	Account:					0	0%	50,950		50,950	*****
						0	***%	50,950	0	50,950	*****
471000	Debt Service										
303	Banking Fees										
	Account:			4		0	0%			0	0%
				4		0	***%	0	0	0	0%
494500	Sewer Maintenance										
101	Full-Time Employees - Reg	96,561	82,540	91,831	43,270	118,951	36%	124,923		124,923	105%
102	Full-Time Employees - Ove	8,801	11,039	5,782	3,606	9,118	40%	9,227		9,227	101%
103	Part-Time Employees - Reg	392	201	138	21	0	***%			0	0%
111	Severance Pay - Vacation/					0	0%	14,100		14,100	*****
121	FERRA Contributions - Coor	12,326	9,079	-51,304	4,697	9,605	49%	10,061		10,061	105%
128	Social Security	6,228	5,767	5,655	3,713	7,940	47%	9,192		9,192	116%
129	Medicare	1,457	1,349	1,323	868	1,857	47%	2,150		2,150	116%
131	Health Insurance	44,092	79,671	56,243	26,941	52,944	51%	56,482		56,482	107%
132	Health Care Savings Plan/	296	75	264		0	0%			0	0%
133	Life Insurance	135	127	117	76	168	45%	154		154	92%
134	Disability Insurance	492	455	460	302	603	50%	665		665	110%
136	MSRS			19	47	104	45%	962		962	925%
151	Workers Compensation	3,699	3,353	4,716	2,619	5,237	50%	5,494		5,494	105%
212	Motor Fuels	2,807	2,378	1,822	1,899	1,500	127%	1,500		1,500	100%
216	Uniforms	297	462	454	433	350	124%	500		500	143%
221	General Supplies	3,113	2,932	1,628	2,348	2,500	94%	2,500		2,500	100%
228	Utility System Maint Supp			4,562		2,500	0%	2,500		2,500	100%
229	Lift Station Maintenance	7,420	11,008	11,593	4,879	15,000	33%	10,000		10,000	67%
305	Engineer Fees		8,342			0	0%			0	0%
308	Legal Fees		1,263	2,067		0	0%			0	0%
310	Recording/Filing Fees		205	25		0	0%			0	0%
314	Computer/Software Fees					3,750	0%	5,650		5,650	151%
315	School & Conference	1,048	602	644	309	1,500	21%	1,000		1,000	67%
317	Personnel Testing, Physic	439	109	109		450	0%	450		450	100%
319	Contracted Services	16,544	12,128	27,057	11,381	23,500	48%	20,000		20,000	85%
325	Postage			36		0	0%			0	0%
331	Travel Expense	122	428	161		500	0%	250		250	50%
351	Legal Notices Publishing		561			561	0%			0	0%
361	General Liability Insuran	2,615	3,523	2,635	801	1,601	50%	1,890		1,890	118%
385	Sewer Charges	518,495	539,350	573,130	306,432	564,000	54%	564,000		564,000	100%
403	Road Maintenance					5,000	0%	5,000		5,000	100%
404	Equipment Maintenance	6,311	5,598	6,744	3,491	5,500	63%	5,500		5,500	100%
406	Vehicle Maintenance	223	1,095	5,444	54	2,500	2%	2,500		2,500	100%
413	Equipment Rental	11,390	7,781		183	6,500	3%	3,500		3,500	54%
451	Dues & Subscriptions	100	100		120	150	80%	150		150	100%
460	Permits & Licenses	94	289	2,250	298	250	119%	250		250	100%
475	Sewerline Repairs	13,481	2,544	80	8,997	15,000	60%	45,000		45,000	300%
476	Lift Station Repairs Sewe	23,065	12,759	9,944	482	15,000	3%	5,000		5,000	33%
477	I & I Maintenance	10,450	676			15,000	0%	15,000		15,000	100%

CITY OF HERMANTOWN, MN
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602 Sewer Enterprise 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						
478 Sewer Cleaning	11,915	37,350	36,531	19,647	45,000	44%	40,000		40,000	89%
499 Miscellaneous		379			500	0%	7,500		7,500	1500%
510 Land Acquisition		573			0	0%			0	0%
540 Office Equip/Furnishings	1,796	2,450	421		750	0%			0	0%
580 Other Equipment	304		26,917	24,267	2,500	971%	7,500	40,000	47,500	1900%
590 Pumping Plant & Lift Stat		17,632			40,000	0%	80,000	-40,000	40,000	100%
Account:	806,508	866,173	829,498	472,181	977,889	48%	1,060,550	0	1,060,550	108%
494900 Sewer Administration and General										
101 Full-Time Employees - Reg	61,017	56,420	64,933	18,672	72,140	26%	90,116		90,116	125%
102 Full-Time Employees - Ove	318	272	254	65	505	13%	574		574	114%
111 Severance Pay - Vacation/		352	3,219	140	0	***%			0	0%
121 PERA Contributions - Coor	4,487	5,359	-31,233	2,653	5,448	49%	6,759		6,759	124%
128 Social Security	3,631	3,508	3,869	2,089	4,504	46%	5,587		5,587	124%
129 Medicare	849	821	905	489	1,053	46%	1,307		1,307	124%
131 Health Insurance	11,779	12,773	14,129	12,427	18,061	69%	32,643		32,643	181%
132 Health Care Savings Plan/	47	134	281		0	0%			0	0%
133 Life Insurance	121	126	120	64	140	46%	170		170	121%
134 Disability Insurance	292	252	241	134	323	41%	395		395	122%
136 MERS		122	194	110	182	60%	728		728	400%
151 Workers Compensation	66	88	96	50	101	50%	125		125	124%
201 Office Supplies			48	15	0	***%	25		25	****%
202 Printing Supplies	1,104	257	527	201	400	50%	400		400	100%
209 Computer Equipment			271		0	0%			0	0%
301 Audit/Account Services	4,016	5,297	2,798	4,040	4,500	90%	6,750		6,750	150%
302 Assessors Fees	4				0	0%			0	0%
303 Banking Fees				2,926	0	***%	7,200		7,200	****%
305 Engineer Fees		3,115	240	1,550	1,000	155%	2,000		2,000	200%
308 Legal Fees	60	271	250	3,179	900	353%	2,000		2,000	222%
314 Computer/Software Fees	1,125	2,781	3,322	3,224	2,000	161%	3,700		3,700	185%
315 School & Conference					50	0%	1,000		1,000	200%
319 Contracted Services	1,148	4,100	113	4,193	300	***%	12,620		12,620	4207%
321 Telephone	2,005	2,446	2,372	1,381	2,100	66%	2,510		2,510	120%
322 Internet	168	421	727	503	700	72%	400		400	57%
323 Gopher One Call Locates	961	1,246	1,255	508	950	53%	1,200		1,200	126%
325 Postage	2,073	2,898	3,185	123	2,580	5%	622		622	24%
331 Travel Expense	817	813	802	433	880	49%	960		960	109%
351 Legal Notices Publishing	27	45	219		100	0%			0	0%
361 General Liability Insuran	1,366	1,585	3,267	3,055	4,736	65%	9,537		9,537	201%
381 Electricity	8,176	7,608	8,297	4,489	8,000	56%	8,000		8,000	100%
383 Heating Gas	1,680	2,001	1,281	867	2,400	36%	2,000		2,000	83%
405 Computer Maintenance	9,117	9,525	8,770	16,526	14,963	110%	19,278		19,278	129%
420 Depreciation Expenses	529,103	491,433	503,649		556,747	0%	556,747		556,747	100%
432 Bad Debts	598	407			0	0%			0	0%
434 Employee Recognition Prog				74	0	***%			0	0%
451 Dues & Subscriptions			50		0	0%			0	0%
460 Permits & Licenses			38		0	0%			0	0%
720 Transfer Out	55,262	54,609	56,853	67,944	67,944	100%	56,260		56,260	83%
Account:	701,417	671,085	655,262	152,124	773,707	20%	831,613	0	831,613	107%

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602 Sewer Enterprise 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						
495000 Transfer Out										
720 Transfer Out										
Account:	48,500	63,333	188,158	99,125	99,125	100%	17,500	0	17,500	18%
	48,500	63,333	188,158	99,125	99,125	100%	17,500		17,500	18%
Fund:	1,556,425	1,600,591	1,672,922	723,430	1,850,721	39%	1,960,613	0	1,960,613	106%

Fund 603 – Storm Water Enterprise Fund

This fund accounts for the activity of managing and maintaining our storm water system. The City has a state permit under the MS4 (Municipal separate storm sewer system) which includes roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains. It is the City's responsibility under this permit to monitor and maintain these elements to insure that they are functioning properly and treating and capturing storm water. The Storm Water Utility Fee provides funds for this system. The rates are set by the Utility Commission and voted by resolution or motion by the City Council.

Objectives

- Funds will be used to undertake new infrastructure improvements as well as to maintain the existing storm water system. In 2022 in addition to maintaining the existing storm water system the City plans on using storm water fees for the following.
 - Pay for storm water improvements while implementing the City's Road Improvement plan
- The Public Works Director is responsible for leading the maintenance of City owned storm water systems.
- The Community Development Director is responsible for the inspection of private systems and the coordination with property owners on the upkeep of their systems.

Budget Commentary

Transfers out are applied to debt payments in the debt service funds. The 2022 Transfers Out for debt total \$21,473.

Also included in the Storm Water budget are the following capital items:

Lindahl Road Bridge = \$200,000

Storm Water Improvements to Richard and Lindgren roads = \$60,000

Budget Detail

CITY OF HERMANTOWN, MN
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603 Storm Water Enterprise Fund

Account	Actuals		2020	2021	Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019								
322100 Building Permits										
322120 SWPP and Stormwater Mgmt			2,692	3,546	0	***%			0	0%
Group:			2,692	3,546	0	***%	0	0	0	0%
361300 Penalties & Interest										
361300 Penalties & Interest				22	0	***%			0	0%
Group:				22	0	***%	0	0	0	0%
362100 Investment Interest										
362100 Investment Interest			1,524		0	0%			0	0%
362160 Gain (Loss) on Sale of			-1,342		0	0%			0	0%
Group:			182		0	0%	0	0	0	0%
362900 Flex Plan Revenue Over/Short										
362990 Miscellaneous Revenue			643		0	0%			0	0%
Group:			643		0	0%	0	0	0	0%
372700										
372750 Stormwater Fee		434,342	386,154	232,506	438,804	53%	410,670		410,670	94%
379999 Late Fee		5,462	1,903	4,051	1,000	405%	1,500		1,500	150%
Group:		439,804	388,057	236,557	439,804	54%	412,170	0	412,170	93%
394000 Contributed Capital										
394000 Contributed Capital			243,505		0	0%			0	0%
Group:			243,505		0	0%	0	0	0	0%
Fund:		439,804	635,079	240,125	439,804	55%	412,170	0	412,170	93%

CITY OF HERMANTOWN, MN
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603 Storm Water Enterprise 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						
441100 Storm Water										
101 Full-Time Employees - Reg	11,658	95,958	71,853	19,598	63,588	31%	64,487		64,487	101%
102 Full-Time Employees - Ove	189	5,679	3,756	1,448	2,046	71%	2,108		2,108	103%
103 Part-Time Employees - Reg				250	0	***%			0	0%
111 Severance Pay - Vacation/		352	3,219	140	0	***%	1,762		1,762	***%*
121 PERA Contributions - Coor	889	6,972	38,350	3,461	4,923	70%	4,974		4,974	101%
128 Social Security	705	5,629	4,420	2,756	4,069	68%	4,221		4,221	104%
129 Medicare	165	1,316	1,024	657	952	69%	987		987	104%
131 Health Insurance	3,926	57,787	41,451	19,617	19,197	102%	25,229		25,229	131%
132 Health Care Savings Plan/		184	457		0	0%			0	0%
133 Life Insurance	15	176	171	86	112	77%	104		104	93%
134 Disability Insurance	66	402	449	188	297	63%	309		309	104%
136 MSRS		104	173	141	130	108%	514		514	395%
151 Workers Compensation		309	1,105	796	1,592	50%	1,662		1,662	104%
202 Printing Supplies	720				0	0%			0	0%
221 General Supplies	236				0	0%			0	0%
302 Assessors Fees		50			0	0%			0	0%
305 Engineer Fees	42,387	19,346	10,500	1,365	6,000	23%	10,000		10,000	167%
308 Legal Fees	3,823	1,568	1,032	152	1,000	15%	1,500		1,500	150%
310 Recording/Filing Fees		130	184	158	500	32%	500		500	100%
314 Computer/Software Fees		828	750	2,998	0	***%	1,500		1,500	***%*
319 Contracted Services	6,196	39,353	627	4,500	30,000	15%	30,000		30,000	100%
325 Postage	816	337			500	0%	500		500	100%
331 Travel Expense	4	769	724	433	300	144%	300		300	100%
351 Legal Notices Publishing	563	261			0	0%			0	0%
403 Road Maintenance	28,938		14,303	489	11,000	4%	11,000		11,000	100%
404 Equipment Maintenance				538	0	***%			0	0%
405 Computer Maintenance		3,723	1,716		0	0%			0	0%
413 Equipment Rental	1,001	6,990	18,046	18,046	10,000	180%	20,000		20,000	200%
451 Dues & Subscriptions	1,720	1,739	1,740	1,740	2,000	87%	2,000		2,000	100%
530 Improvements Other Than B		-4,178			150,000	0%	200,000		200,000	133%
550 Street Improvements					149,935	0%	60,000		60,000	40%
580 Other Equipment			2,352		0	0%			0	0%
720 Transfer Out				21,945	21,945	100%	21,473		21,473	98%
Account:	104,017	245,800	218,402	101,502	480,086	21%	465,130	0	465,130	97%
471000 Debt Service										
303 Banking Fees			104	2	0	***%			0	0%
Account:			104	2	0	***%	0	0	0	0%
495000 Transfer Out										
720 Transfer Out			8,369	6,125	6,125	100%	1,496		1,496	24%
Account:			8,369	6,125	6,125	100%	1,496	0	1,496	24%
Fund:	104,017	245,800	226,875	107,629	486,211	22%	466,626	0	466,626	96%

Fund 605 - Street Lighting & Traffic Signalization Fund

Street Lighting fund was created to account for the activity of lighting and signalizing public streets. The City is responsible for the expenditures to maintain the traffic signals to control traffic flow at the following intersections: Cirrus Drive & Hwy 53, Ugstad & 53, Lavaque & 53, Arrowhead & 53, Mall Drive & 53, Haines Rd & Hermantown Road, Maple Grove & Loberg, and Maple Grove & Stebner. A monthly franchise fee is charged to electric power customers through MN Power to residents at a rate of \$2 per month.

Other revenue includes a portion of the gas franchise fees paid by gas customers of MN Energy Resources. Forty percent of the gas franchise fee goes to the General Fund while the remaining sixty percent is budgeted in the Street Lighting & Traffic Signalization Fund.

Also included in the franchise fees is Minnesota Power.

Budget Detail

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12:48:51

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Account	Actuals				Current Budget 2021	% Rec. 2021	Prelim. Budget 22	Budget Change 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
605 Street Lighting & Traffic Signalization										
318100 Franchise Fees										
318100 Franchise Fees	133,388	135,326	137,343	69,167	136,000	51%	137,000		137,000	100%
Group:	133,388	135,326	137,343	69,167	136,000	51%	137,000	0	137,000	100%
362100 Investment Interest										
362100 Investment Interest	5,005	6,635	4,732	-410	1,000	-41%	1,000		1,000	100%
362120 Interest - Interfund	22,000	22,000	22,000		22,000	0%	22,000		22,000	100%
362160 Gain (Loss) on Sale of	-1,753	4,111	1,382		0	0%			0	0%
Group:	25,252	32,746	28,114	-410	23,000	-2%	23,000	0	23,000	100%
362400 911 Signs										
362410 Insurance Recoveries			4,250		0	0%			0	0%
Group:			4,250		0	0%	0	0	0	0%
362900 Flex Plan Revenue Over/Short										
362990 Miscellaneous Revenue			4,358		0	0%			0	0%
Group:			4,358		0	0%	0	0	0	0%
Fund:	158,640	168,072	174,065	68,757	159,000	43%	160,000	0	160,000	100%
Grand Total:	158,640	168,072	174,065	68,757	159,000		160,000	0	160,000	

08/24/21
12:46:10

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

Account Object	Actuals				Current Budget 2021	% Exp. 2021	Prelim. Budget 22	Budget Changes 22	Final Budget 22	% Old Budget 22
	2018	2019	2020	2021						
605 Street Lighting & Traffic Signalization										
431150 Street Improvements										
227 Street Lights & Signs	0,380		29,399		0	0%			0	0%
305 Engineer Fees			355		0	0%			0	0%
420 Depreciation Expenses	1,049				0	0%			0	0%
Account:	9,429		29,754		0	****	0	0	0	0%
431160 Street Lighting										
227 Street Lights & Signs	5,569	73,781	10,252		5,000	0%	5,000		5,000	100%
381 Electricity	29,583	25,500	29,207	18,809	28,000	67%	28,000		28,000	100%
495 Property Damage Reimb. by			5,250		0	0%			0	0%
550 Street Improvements					0	0%	96,000		96,000	*****
Account:	35,152	99,281	44,709	18,809	33,000	57%	129,000	0	129,000	391%
Fund:	44,581	99,281	74,463	18,809	33,000	57%	129,000	0	129,000	391%
Grand Total:	44,581	99,281	74,463	18,809	33,000		129,000	0	129,000	

CITY OF HERMANTOWN
CITY COUNCIL CONTINUATION MEETING
September 20, 2021
6:30 p.m.

MEETING CONDUCTED IN PERSON & VIA ZOOM

Pledge of Allegiance

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

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

ABSENT:

VISITORS: 2

ANNOUNCEMENTS

PUBLIC HEARING

COMMUNICATIONS

Communications 21-157 through and including 21-161 were read and placed on file.

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 September 7, 2021 City Council Minutes
- B. Approve general city warrants from September 1, 2021 through September 15, 2021 in the amount of \$262,412.68

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

MOTIONS

Motion made by Councilor Geissler, seconded by Councilor Peterson to support position on re-districting.

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

ORDINANCES

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

Second Reading

Motion made by Councilor Nelson, seconded by Councilor Hauschild to adopt Ordinance 2021-08, An Ordinance Amending Hermantown Zoning Code By Amending Chapter 11, Planned Unit Development. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

RESOLUTIONS

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

Motion made by Councilor Peterson, seconded by Councilor Geissler to adopt Resolution 2021-114, Resolution Authorizing A Summary Of An Ordinance Amending Hermantown Zoning Code By Amending Chapter 11, Planned Unit Development. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

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

Motion made by Councilor Nelson, seconded by Councilor Hauschild to adopt Resolution 2021-115, Resolution To Establish A No Parking Zone Along Certain Minnesota State Aid Streets In The City Of Hermantown. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

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

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2021-116, Resolution Approving An Amendment To The City Handbook Regarding Hydrants. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

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 made by Councilor Peterson, seconded by Councilor Hauschild to adopt Resolution 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). Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

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

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Resolution 2021-118, Resolution To Adopt The Proposed Property Tax And Proposed Budget For Taxes Payable 2022 And Scheduling The Truth In Taxation Hearing. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

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 made by Councilor Peterson, seconded by Councilor Hauschild to adopt Resolution 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. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

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

Motion made by Councilor Nelson, seconded by Councilor Hauschild to adopt Resolution 2021-120, Resolution Accepting The Coronavirus Local Fiscal Recovery Fund Established Under The American Rescue Plan Act. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

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

Motion made by Councilor Peterson, seconded by Councilor Nelson to adopt Resolution 2021-121, Resolution Approving A Grant Application To St. Louis County. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

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

Motion made by Councilor Hauschild, seconded by Councilor Nelson to table Resolution 2021-122, Resolution Approving Change Order Number 2 For Road Improvement District No. 537 (Lavaque Junction Road). Motion carried.

Motion made by Councilor Peterson, seconded by Councilor Hauschild to close the regular meeting of the Hermantown City Council at 6:51 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.

Motion made by Councilor Hauschild, seconded by Councilor Nelson to re-convene into open session at 8:33 p.m. Motion carried.

Motion made by Councilor Nelson, seconded by Councilor Hauschild to recess the meeting at 8:35 p.m. Motion carried.

Mayor

ATTEST:

Clerk

CITY OF HERMANTOWN

CHECKS #67890-67940
09/16/2021-09/30/2021

PAYROLL CHECKS

Electronic Checks - #70261-70306 77,199.04

LIABILITY CHECKS

Electronic Checks - #7254-70260 \$60,357.51

Check - #67931-67939 \$72,701.66

PAYROLL EXPENSE TOTAL \$210,258.21

ACCOUNTS PAYABLE

Check - #67938 \$2,239.00

Check - #67940 \$451.33

Checks - #67890-67930 \$468,210.63

Checks - #21112 & 21125 \$389,896.73

Electronic Payments #-99845-99847 \$789.65

ACCOUNTS PAYABLE TOTAL \$861,587.34

TOTAL \$1,071,845.55

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	415300	Administration & Finance	FURTHER ELECTRONIC PAYMENTS	Monthly Participant Fee Sept	11.10	-99847
101	419100	Community Development	FURTHER ELECTRONIC PAYMENTS	Monthly Participant Fee Sept	0.80	-99847
101	419901	City Hall & Police Building Maintenance	FURTHER ELECTRONIC PAYMENTS	Monthly Participant Fee Sept	0.80	-99847
101	421100	Police Administration	FURTHER ELECTRONIC PAYMENTS	Monthly Participant Fee Sept	33.90	-99847
101	431100	Street Department	FURTHER ELECTRONIC PAYMENTS	Monthly Participant Fee Sept	4.00	-99847
601	494400	Water Administration and General	FURTHER ELECTRONIC PAYMENTS	Monthly Participant Fee Sept	3.62	-99847
602	494900	Sewer Administration and General	FURTHER ELECTRONIC PAYMENTS	Monthly Participant Fee Sept	5.43	-99847
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement - Electron	320.00	-99846
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement - Electron	410.00	-99845
240	432510	Trunk Sewer Construction	UTILITY SYSTEMS OF AMERICA, INC.	Trunk Sewer Spur- Munger Spur	36,235.38	21112
475	431150	Street Improvements	ULLAND BROTHERS INC	Lavaque Junction Rd Reconstruc	353,661.35	21125
101	427100	Poundmaster	ANIMAL ALLIES HUMANE SOCIETY	August Boarding	100.00	67890
101	421100	Police Administration	BRAY & REED LTD.	Prosecution Services July	4,500.00	67891
101	421100	Police Administration	BRAY & REED LTD.	Prosecution Services August	4,500.00	67891
101	441100	Storm Water	CARLSON CONCRETE PRODUCTS INC	Culverts on lower Ugstad Rd	1,989.20	67892
101	422902	Firehall #2 Morris Thomas Road	CENTURYLINK	Internet FH #2 08/28 thru 09-2	69.98	67893
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at FD/PD	30.72	67894
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at CH	8.88	67894
101	431100	Street Department	CINTAS CORPORATION	Uniforms	27.50	67894
101	431100	Street Department	CINTAS CORPORATION	Uniforms	26.41	67894
101	431100	Street Department	CINTAS CORPORATION	Mats Uniforms Supplies	10.80	67894
101	431100	Street Department	CINTAS CORPORATION	Mats Uniforms Supplies	10.80	67894
101	431901	City Garage	CINTAS CORPORATION	Mats Uniforms Supplies	30.00	67894
101	431901	City Garage	CINTAS CORPORATION	Mats Uniforms Supplies	25.48	67894
101	431901	City Garage	CINTAS CORPORATION	Mats Uniforms Supplies	7.00	67894
101	431901	City Garage	CINTAS CORPORATION	Mats Uniforms Supplies	15.00	67894
601	494300	Water Distribution	CITY OF DULUTH COMFORT SYSTEMS	August Water Charges	85,594.20	67895
101	214500	Escrow Deposits Payable	CLAUS, KYLE	Erosion Control/BMP Deposit Re	500.00	67896
101	431100	Street Department	COMO LUBE & SUPPLIES INC.	Oil for equipment	1,436.20	67897
251	421100	Police Administration	CROW-GOEBEL VETERINARY CLINIC, P A	Tuuko - Vet	593.00	67898
101	452100	Parks	DULUTH LAWN CARE INC	Insecticide/Fertilizing & Weed	8,008.25	67899
460	465100	HEDA	EHLERS & ASSOCIATES INC	TIF Reporting - 2020 Reports	191.25	67900
602	494500	Sewer Maintenance	ELECTRIC PUMP, INC.	Ugstad RD LS #2	33,922.09	67901
601	494300	Water Distribution	FERGUSON WATERWORKS #2516	Valve Box Parts	2,966.60	67902
601	494300	Water Distribution	FERGUSON WATERWORKS #2516	Valve Box Parts	3,844.32	67902
602	494500	Sewer Maintenance	FERGUSON WATERWORKS #2516	Tracer Wire Connectors	150.75	67902
101	431901	City Garage	GREAT LAKES ELECTRICAL EQUIPMENT CO INC	Light Bulb	396.00	67903
602	494500	Sewer Maintenance	GREAT LAKES PIPE SERVICE INC	Sewer Cleaning/Grease Corridor	3,497.50	67904

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	415300	Administration & Finance	GREATAMERICA FINANCIAL SERVICES	Copier Lease/Konica Sept	96.00	67905
601	220100	Refund Payable	HAEDRICH, BRIAN	Overpayment during selling pro	29.76	67906
101	421100	Police Administration	HERMANTOWN SERVICE CENTER INC	Breakpads SQD 21	377.23	67907
101	431100	Street Department	HERMANTOWN SERVICE CENTER INC	Fuel pressure sensor	243.00	67907
601	494400	Water Administration and General	HERMANTOWN STAR LLC	Ordinance 2021-06	41.25	67908
601	494400	Water Administration and General	HERMANTOWN STAR LLC	Ordinance 2021-05	61.75	67908
602	494900	Sewer Administration and General	HERMANTOWN STAR LLC	Ordinance 2021-06	41.25	67908
602	494900	Sewer Administration and General	HERMANTOWN STAR LLC	Ordinance 2021-05	62.00	67908
230	465100	HEDA	HTB PROJECT NAVIGATION, LLC	Proposed Hermantown Business P	656.25	67909
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	2,127.40	67910
101	431100	Street Department	JAKE'S COMPANIES LLC	Road CaCl	4,611.60	67911
101	411100	Council	LEAGUE OF MINNESOTA CITIES	Membership Dues 21-22	10,396.00	67912
101	413100	Mayor	LEAGUE OF MINNESOTA CITIES	MN Mayors Assn Dues Boucher	30.00	67912
101	414100	Elections	MARQUARD, DAVID	Special General Election	162.50	67913
101	419901	City Hall & Police Building Maintenance	MENARD INC	Glass Cleaner - City Hall	7.92	67914
101	452100	Parks	MENARD INC	Plumbing Pumps soccer	16.28	67914
101	452100	Parks	MENARD INC	Marking Paint/Door Seal	4.99	67914
101	452100	Parks	MENARD INC	Z Cycle Oil	19.72	67914
601	494300	Water Distribution	MENARD INC	Marking Paint/Door Seal	38.88	67914
275	452200	Community Building	MN DEPT OF LABOR & INDUSTRY	EWC - Elevator Annual Op Lic	200.00	67915
101	419901	City Hall & Police Building Maintenance	MN POWER	4995600000 City Hall/Police/Fi	2,454.12	67916
101	422901	Firehall #1 Maple Grove Road	MN POWER	4995600000 City Hall/Police/Fi	1,569.03	67916
101	422902	Firehall #2 Morris Thomas Road	MN POWER	4995600000 Morris Thomas & Ste	77.82	67916
101	422903	Firehall #3 Midway Road	MN POWER	4995600000 Midway/Rose	79.55	67916
101	431901	City Garage	MN POWER	4995600000 5255 Maple Grove Rd	14.91	67916
101	431901	City Garage	MN POWER	4995600000 4971 Lightning Dr	250.44	67916
101	452100	Parks	MN POWER	0606881181 Parks	442.96	67916
101	452100	Parks	MN POWER	7463700000 Little Leagues	18.84	67916
601	494400	Water Administration and General	MN POWER	3623400000 Water	1,804.72	67916
601	494400	Water Administration and General	MN POWER	4995600000 4971 Lightning Dr	150.26	67916
602	494900	Sewer Administration and General	MN POWER	4995600000 4971 Lightning Dr	100.18	67916
602	494900	Sewer Administration and General	MN POWER	0973881171 Sewer	429.58	67916
275	452200	Community Building	MN POWER	5498955531 4289 Ugstd/EWC	14,057.62	67916
275	452200	Community Building	MN POWER	3481871314 EWC Garage	24.30	67916
101	452200	Community Building	MN POWER	0606881181 Comm Bldg	123.64	67916
605	431160	Street Lighting	MN POWER	0041881181 Street Lights	412.10	67916
605	431160	Street Lighting	MN POWER	1424100000 Street Lights	233.78	67916
605	431160	Street Lighting	MN POWER	0733871171 Traffic Lights	631.45	67916

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
605	431160	Street Lighting	MN POWER	0247020000 Street Lights	338.79	67916
605	431160	Street Lighting	MN POWER	6175310000 Street Lights	622.52	67916
605	431160	Street Lighting	MN POWER	3060281959 STreet Lights round	16.35	67916
605	431160	Street Lighting	MN POWER	0234310000 Overhead St Lights	415.80	67916
101	419901	City Hall & Police Building Maintenance	MN TELECOMMUNICATIONS	September Internet	360.00	67917
101	422901	Firehall #1 Maple Grove Road	MN TELECOMMUNICATIONS	September Internet	90.00	67917
101	431100	Street Department	NAPA AUTO PARTS	Hydraulic Hose & Fittings Big	87.95	67918
101	415300	Administration & Finance	NORTHEAST SERVICE COOPERATIVE	Dues Jul 2021-Jun 2022	100.00	67919
601	494400	Water Administration and General	NORTHEAST SERVICE COOPERATIVE	Dues Jul 2021-Jun 2022	50.00	67919
602	494900	Sewer Administration and General	NORTHEAST SERVICE COOPERATIVE	Dues Jul 2021-Jun 2022	50.00	67919
101	431100	Street Department	NORTHERN ENGINE & SUPPLY INC	Pressure Washer Hose, Coupler,	385.01	67920
101	416100	City Attorney	OVEROM LAW, PLLC	Data Practices Requests	392.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Right of Way Ordinance	108.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Special Assessment Policy	45.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Parking Violations	104.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Snowmobile Ordinance	117.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	General Matters/Retainer	1,250.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	2021 Recreation Facility	1,152.50	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Anderson Road Nuisance Matters	81.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Marino Data Request	2,097.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Hermantown Helpers	281.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Broadband Expansion	217.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	COVID-19 Issues	87.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Naming Rights Policies	28.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	5143 Arrowhead Road Nuisance C	54.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Kleiber Quit Tam Action	117.50	67921
101	416100	City Attorney	OVEROM LAW, PLLC	JAZB Board of Appeals and Adju	245.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Nuisance Ordinance	63.00	67921
101	416100	City Attorney	OVEROM LAW, PLLC	Blasting Claim	618.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Rose Road Payment Dispute	28.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Peyton Acres Development Matte	3,380.01	67921
101	419100	Community Development	OVEROM LAW, PLLC	Clear Vision Development	36.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Melin's Evergreen 4th Addition	27.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Hoff/Sydow Development (Engwal	161.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Kolquist Assisted Living Proje	1,645.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Stebner Farms Projects	120.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	PUD Ordinance Amendment	1,686.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Oppidan Development	45.00	67921

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	419100	Community Development	OVEROM LAW, PLLC	Keene Creek Plat Matters	105.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Meg Johnson Greenhouse Special	18.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Red Hawk Tail Addition - BMAX	472.50	67921
101	419100	Community Development	OVEROM LAW, PLLC	Pineview Development Addition	900.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Planning & Zoning Commission	166.00	67921
101	419100	Community Development	OVEROM LAW, PLLC	Zierden Okerstrom Road Develop	90.00	67921
101	421100	Police Administration	OVEROM LAW, PLLC	Alcohol Compliance	56.00	67921
101	421100	Police Administration	OVEROM LAW, PLLC	2021 Alcoholic Beverage Code C	455.00	67921
101	421100	Police Administration	OVEROM LAW, PLLC	Excessive Consumption of Polic	821.00	67921
230	465100	HEDA	OVEROM LAW, PLLC	Marketplace Anchor Project	525.00	67921
230	465100	HEDA	OVEROM LAW, PLLC	HEDA Sale to Glen Hansen	65.00	67921
601	494400	Water Administration and General	OVEROM LAW, PLLC	Water and Sewer Applications	163.00	67921
602	494900	Sewer Administration and General	OVEROM LAW, PLLC	Sewer Availability Charge	552.00	67921
602	494900	Sewer Administration and General	OVEROM LAW, PLLC	Water and Sewer Applications	163.00	67921
475	431150	Street Improvements	OVEROM LAW, PLLC	Lavaque Junction Street Improv	63.00	67921
475	431150	Street Improvements	OVEROM LAW, PLLC	Richard Avenue and Lindgren Rd	42.00	67921
402	431150	Street Improvements	OVEROM LAW, PLLC	Ugstad Road Easement Acquisiti	832.23	67921
475	431150	Street Improvements	OVEROM LAW, PLLC	Portland and Johnson Rds easme	69.00	67921
275	452200	Community Building	OVEROM LAW, PLLC	EWC	1,200.00	67921
603	441100	Storm Water	OVEROM LAW, PLLC	Stormwater Ordinance	36.00	67921
603	441100	Storm Water	OVEROM LAW, PLLC	Stormwater Utility Matters	147.00	67921
240	432510	Trunk Sewer Construction	OVEROM LAW, PLLC	2017 Sewer Trunkline - Section	143.00	67921
240	432510	Trunk Sewer Construction	OVEROM LAW, PLLC	Stauber Properties Partnership	70.00	67921
240	432510	Trunk Sewer Construction	OVEROM LAW, PLLC	Trail Project	280.00	67921
240	432510	Trunk Sewer Construction	OVEROM LAW, PLLC	Northwoods Properties Inc (eas	28.00	67921
101	214500	Escrow Deposits Payable	OVEROM LAW, PLLC	Jenny Farms/Jenny Acres Develo	640.00	67921
101	431100	Street Department	PRAXAIR DISTRIBUTION INC	Cylinder Rent/Safe Env fee 7/2	203.73	67922
601	494300	Water Distribution	PRO TIRE	Tire Repair H25	25.00	67923
101	431100	Street Department	SATHERS, LLC	Class 5 - Crushed Material & D	143.50	67924
101	431100	Street Department	SATHERS, LLC	Class 5 - Crushed Material & D	381.50	67924
602	494500	Sewer Maintenance	SHELTON EXCAVATING INC	Replace Grinder 5198 W Arrowhe	6,980.00	67925
101	419100	Community Development	ST LOUIS COUNTY RECORDERS OFFICE	JLG Dev. Agmt Peyton Acres Pha	46.00	67926
101	419100	Community Development	ST LOUIS COUNTY RECORDERS OFFICE	Certificate WKK INC - CIDP	46.00	67926
101	431100	Street Department	STONE RIVER WILDLIFE CONTROL	Beaver Removal Reinke Rd	235.00	67927
601	494300	Water Distribution	TERHAAR, JERRIE	Reimburse Milage	80.64	67928
602	494500	Sewer Maintenance	TERHAAR, JERRIE	Reimburse Milage	80.64	67928
260	150000	Prepaid Items	TRAVELERS	Gen Liab & Work Comp Ins 21-22	29.00	67929
101	150000	Prepaid Items	TRAVELERS	Gen Liab & Work Comp Ins 21-22	88,793.00	67929

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
230	150000	Prepaid Items	TRAVELERS	Gen Liab & Work Comp Ins 21-22	16.00	67929
275	150000	Prepaid Items	TRAVELERS	Gen Liab & Work Comp Ins 21-22	11,349.00	67929
601	150000	Prepaid Items	TRAVELERS	Gen Liab & Work Comp Ins 21-22	10,745.00	67929
603	150000	Prepaid Items	TRAVELERS	Gen Liab & Work Comp Ins 21-22	831.00	67929
602	150000	Prepaid Items	TRAVELERS	Gen Liab & Work Comp Ins 21-22	7,836.00	67929
101	411100	Council	TRAVELERS	Gen Liab & Work Comp Ins 21-22	478.00	67929
101	413100	Mayor	TRAVELERS	Gen Liab & Work Comp Ins 21-22	157.00	67929
101	414100	Elections	TRAVELERS	Gen Liab & Work Comp Ins 21-22	182.00	67929
101	415300	Administration & Finance	TRAVELERS	Gen Liab & Work Comp Ins 21-22	294.00	67929
101	419100	Community Development	TRAVELERS	Gen Liab & Work Comp Ins 21-22	115.00	67929
101	419100	Community Development	TRAVELERS	Gen Liab & Work Comp Ins 21-22	4,106.00	67929
101	419901	City Hall & Police Building Maintenance	TRAVELERS	Gen Liab & Work Comp Ins 21-22	947.00	67929
101	419901	City Hall & Police Building Maintenance	TRAVELERS	Gen Liab & Work Comp Ins 21-22	5,104.00	67929
101	421100	Police Administration	TRAVELERS	Gen Liab & Work Comp Ins 21-22	21,194.00	67929
101	421100	Police Administration	TRAVELERS	Gen Liab & Work Comp Ins 21-22	23,152.00	67929
101	422901	Firehall #1 Maple Grove Road	TRAVELERS	Gen Liab & Work Comp Ins 21-22	222.00	67929
101	422901	Firehall #1 Maple Grove Road	TRAVELERS	Gen Liab & Work Comp Ins 21-22	1,394.00	67929
101	422902	Firehall #2 Morris Thomas Road	TRAVELERS	Gen Liab & Work Comp Ins 21-22	639.00	67929
101	422903	Firehall #3 Midway Road	TRAVELERS	Gen Liab & Work Comp Ins 21-22	653.00	67929
101	424100	Building Inspection	TRAVELERS	Gen Liab & Work Comp Ins 21-22	79.00	67929
101	431100	Street Department	TRAVELERS	Gen Liab & Work Comp Ins 21-22	6,395.00	67929
101	431100	Street Department	TRAVELERS	Gen Liab & Work Comp Ins 21-22	8,005.00	67929
101	431901	City Garage	TRAVELERS	Gen Liab & Work Comp Ins 21-22	421.00	67929
101	431901	City Garage	TRAVELERS	Gen Liab & Work Comp Ins 21-22	782.00	67929
101	452100	Parks	TRAVELERS	Gen Liab & Work Comp Ins 21-22	670.00	67929
101	452100	Parks	TRAVELERS	Gen Liab & Work Comp Ins 21-22	1,066.00	67929
260	456101	Cable	TRAVELERS	Gen Liab & Work Comp Ins 21-22	26.00	67929
260	456101	Cable	TRAVELERS	Gen Liab & Work Comp Ins 21-22	3.00	67929
230	465100	HEDA	TRAVELERS	Gen Liab & Work Comp Ins 21-22	16.00	67929
101	490100	Cemetery	TRAVELERS	Gen Liab & Work Comp Ins 21-22	116.00	67929
101	492200	Insurance	TRAVELERS	Gen Liab & Work Comp Ins 21-22	11,362.00	67929
601	494300	Water Distribution	TRAVELERS	Gen Liab & Work Comp Ins 21-22	2,922.00	67929
601	494300	Water Distribution	TRAVELERS	Gen Liab & Work Comp Ins 21-22	3,680.00	67929
601	494400	Water Administration and General	TRAVELERS	Gen Liab & Work Comp Ins 21-22	4,081.00	67929
601	494400	Water Administration and General	TRAVELERS	Gen Liab & Work Comp Ins 21-22	63.00	67929
602	494500	Sewer Maintenance	TRAVELERS	Gen Liab & Work Comp Ins 21-22	2,747.00	67929
602	494500	Sewer Maintenance	TRAVELERS	Gen Liab & Work Comp Ins 21-22	945.00	67929
602	494900	Sewer Administration and General	TRAVELERS	Gen Liab & Work Comp Ins 21-22	4,081.00	67929

9/29/2021

Page 6

Fun d	Account	Department	Vendor Name	Description	Amount	Check #
602	494900	Sewer Administration and General	TRAVELERS	Gen Liab & Work Comp Ins 21-22	63.00	67929
275	452200	Community Building	TRAVELERS	Gen Liab & Work Comp Ins 21-22	11,349.00	67929
101	452200	Community Building	TRAVELERS	Gen Liab & Work Comp Ins 21-22	1,150.00	67929
101	452200	Community Building	TRAVELERS	Gen Liab & Work Comp Ins 21-22	111.00	67929
603	441100	Storm Water	TRAVELERS	Gen Liab & Work Comp Ins 21-22	831.00	67929
601	494400	Water Administration and General	VALLI INFORMATION SYSTEMS, INC	August Bill Print	478.15	67930
602	494900	Sewer Administration and General	VALLI INFORMATION SYSTEMS, INC	August Bill Print	478.15	67930
603	441100	Storm Water	VALLI INFORMATION SYSTEMS, INC	August Bill Print	478.15	67930
101	421100	Police Administration	NORTHEAST SERVICE COOPERATIVE	Inactives (Health Ins October)	1,388.70	67938
101	134000	Retiree Insurance/Telephone Reimb.	NORTHEAST SERVICE COOPERATIVE	Inactives (Health Ins October)	850.30	67938
601	494400	Water Administration and General	CITIES DIGITAL INC	LaserficheCloudupgradeLindsay	225.66	67940
602	494900	Sewer Administration and General	CITIES DIGITAL INC	LaserficheCloudupgradeLindsay	225.67	67940

Totals: 202 records printed

861,587.34

TO: Mayor & City Council

FROM: Kevin Orme, Director of
Finance & Administration

DATE: September 29, 2021

Meeting Date: 10/4/21

SUBJECT: Ordinance - Section 270 - Fee
Schedule

Agenda Item: 11-A

Ordinance 2021-09



REQUESTED ACTION

First Reading of the Ordinance for the 2022 Fee Schedule

BACKGROUND

Each year, the department heads are asked to review the Fee Schedule. The document following this memo shows in red all the proposed changes to the Fee Schedule beginning January 1, 2022.

SOURCE OF FUNDS (if applicable)

ATTACHMENTS

Fee Schedule w/ Marked Changes

Ordinance No. 2021-09

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE AMENDING HERMANTOWN CODE OF ORDINANCES SECTION 270 -
FEE SCHEDULE**

Section 1. Amendment of Section 270 - Fee Schedule. Section 270 is hereby amended as follows:

See attached Exhibit A.

The terms and provisions of Section 270 remain in full force and effect except as modified as shown on Exhibit A.

Section 2. Nexus. Pursuant to Minnesota Statutes § 462.353, Subd.4 (2008), as it may be amended from time to time, the City has determined that there is a nexus between the fees and the City's costs and purposes based upon the City's actual costs in providing the services described above. The City's actual costs include employee time for investigative services as well as administrative costs and expenses.

Section 3. Added to Code. The terms and provisions of this ordinance shall be added in the appropriate place in Title 2 of the Hermantown City Code after adoption and becoming effective.

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

Dated:

Mayor

Attest:

City Clerk

Adopted:

Published:

Effective Date:

Section 270 - Fee Schedule

As of January 1, 2021

DESCRIPTION	FEE
Antenna Lease (New or Amendment)	\$1,000
Assessment Searches	
- First Parcel	\$35
- Additional	\$20
AUDIO/VISUAL	
-Audio CD of Meetings	\$15
- Photo CD's	\$15
- Video Tapes/DVD's	\$15
BUILDING DEPARTMENT	
911 Signs	
Installed Signpost	\$75
Sign and Bracket Only	\$35
Appeals	
Building Code Appeals	\$250
Fire Code Appeals	\$250
Hazardous & Unsafe Structures - Fire Code	\$250
Commercial	
Permit Fees are Based On Value (See Schedule B)	
- Plan Checking Fee (% of Building Permit Fee)	65%
Demolition *- Single Family Res.	\$0
- Other	\$100
*Charge waived if issued with building permit	
Floodproofing Permit Fee	\$25
Inspect Fire sprinkler systems	\$50
Inspections after normal business hours	\$65/hr
Investigation Fee	
First Infraction - Double Permit (Min. \$200)	
Each Add'l in 12 Month -Triple Permit (min \$300)	
Residential	
- Re-roofing Permit	\$30
- Re-siding Permit	\$30
- Window Replacement	\$30
- Door Replacement	\$30
- Plumbing Permit - initial	\$30
- Plus per fixture	\$5
- Mechanical Permit - initial	\$25
- Plus per fixture	\$15
- Replacement	\$25
- Detached Garage/Accessory Building (less than 1200 sq. ft.)	\$115
- Mobile/Manufactured -Home Setting Fee	\$600

- Park Dedication Fee - per bedroom	\$150
- Plan Checking Fee (% of Building Permit Fee)	65%
All Other Permit Fees are Based On Value (Schedule A)	
Special Permit Fees	\$25
State Surcharge	See Schedule B
single fixed fee permit for fees under \$10,010	\$1

CEMETERY/BURIAL

- Burial		
- Non-winter weekday	\$550	\$600
- Non-winter weekend	\$750	\$800
- Winter weekday (Nov 1 - Mar 31)	\$750	\$800
- Winter weekend (Nov 1 - Mar 31)	\$1,000	\$1,250
- Burial of Urn		
- New Plot	\$325	\$350
- Shared Plot	\$205	\$225
- Winter - New Plot (Nov 1 - Mar 31)	\$500	\$550
- Winter - Shared Plot (Nov 1 - Mar 31)	\$410	\$450
- Weekend	\$750	\$1,000

CITY CLERK

BUSINESS LICENSE FEES

Adult Businesses

- Application Fee	
- New Principal License	\$3,500
- Renewal of Principal License	\$725
- New Accessory License	\$725
- Renewal of Accessory License	\$160
- License Fee	
- Principal License	\$1,425
- Accessory License	\$305

LIQUOR LICENSE FEES:

- 3.2% Malt Liquor	
- On Sale	\$550
- Off Sale	\$80
- Temporary - per day	\$60
- Transfer - On Sale	\$110
- Off Sale	\$60

Charities Temporary Service Area \$105

- Club License	
- Under 200 members	\$300
- 201-500 members	\$500
- 501-1000 members	\$650
- 1001-2000 members	\$800
- 2001-4000 members	\$1,000
- 4001-6000 members	\$2,000

- Over 6000 members	\$3,000	
- Dance Permit	\$500	
- Intoxicating Liquor		
- On Sale	\$3,450	
- Off Sale	\$155	
- Temporary - per day	\$255	
- Transfer/On Sale	\$155	
/Off Sale	\$130	
- Investigation Fee (Police)	\$210	
Summerfest Temporary Service Area	\$250	
Temporary Service Area Expansion	\$250	
Deposit for Temporary Service Area Expansion	\$250	
- Sunday License	\$205	\$200
- Wine		
- Only Wine	\$815	
- With Hard Beer	\$1,150	
- Temporary - per day	\$110	
- Transfer	\$110	
Other License Fees:		
Pawn Shop	\$3,750	
- Transaction Fee	\$6	
\$25,000 Bond Required		
Investigation fee with new application	\$660	
Massage Establishment	\$125	
Massage Therapist	\$55	
-Investigation fee with new application	\$30	
Tobacco License	\$335	

COPIES, DOCUMENTS, FAXES, MAPS

	No chg
	under \$5
Data Practice Request	
- Color copies Additional charge per side	\$0
- Copies smaller than 11' x 17' (per copy)	\$0.25
- 2 sided copy	\$0.50
- 11 x 17 - 1st Page	\$2.00
- Add'l	\$1.00
Other Requests	
- 8 1/2 x 11 - 1st Page	\$1
- Add'l	\$0
- 8 1/2 x 14 - 1st Page	\$1.00
- Add'l	\$0
- 11 x 17 - 1st Page	\$2.00
- Add'l	\$1.00
- Larger than 11 x 17	\$10
- Photo - per page	\$4
FAXES	
- Local - 1st Page	\$2.00
- Add'l	\$0

- Long Dist.- 1st Page	\$3.00
- Add'l	\$0

MAPS

- Address	\$1
- 11 x 17	\$10
- 20 x 30	\$10
- 24 x 36	\$45

OTHER FEES

Foot and Bicycle Races	\$25
Gambling Investigation Fee	\$100
Non-Sufficient Funds (NSF) Charge	\$30
Recording Fee	\$60

PARKS DEPARTMENT

Hermantown Community Park (Passive Park)

- Resident	\$25
- Non Resident	\$75

PLANNING & ZONING DEPARTMENT

Administrative Appeal	\$185	\$200
Alternative Energy Systems Permit	\$30	
Christmas Tree Permit (\$25 refund after Season)	\$100	
Com'l Industrial Development Permit		
- With Development Agreement*	\$665	
- Without Development Agreement	\$400	
- Zoning Certificate in lieu of CIDP	\$250	
* Plus Professional Fees		
Dog Exception Permit	\$195	
Driveway Access		
- Permit (Plus \$250 Deposit)	\$100	
Erosion & Sediment Control		
- Multi-Family/Com'l/Industrial	\$250	
- Single Family Residential	\$125	
- Utility - Per lineal foot disturbed	\$0.125	
- Minimum	\$250	
Park Fee		
per parcel created Single Family, Two Family, Three Family Residential Parcel	\$1,100	
per unit (PUD) Multi-family, 2+bedroom units	\$1,100	\$800
per acre (Commercial/Industrial) Multi-family, 1 bedroom and studio	\$1,100	\$400
-Commercial and Industrial	\$1,100 per acre	
-Planned Unit Development	Proportional to Mix of Development	
Fence Permit		
If Building Permit Not Needed	\$30	
Fireworks Permit		

- Established Retail	\$100	
- Temporary Structure	\$350	
Land Alternation Permits (Fill)		
- Flat Fee	\$125	
- Refundable Deposit	\$500	
Mobile Home Park Approval Fee *	\$445	
*Plus Professional Fees		
Non-Conforming Use Permit & Fee Application		
Single Family	\$150	
Commercial	\$400	
Ordinance		
- Amendment	\$300	
- Interpretation	\$185	
Parcel Split Review Fee		
Fee per Split Reviewed	\$250	\$300
Planned Unit Development Approval*		
PUD Fee	\$665	\$700
*Plus Professional Fee		
PUD Amendment	\$350	
Recording Fee	\$75	
Rezoning Application Fee	\$300	
Sign Permits		
- Temporary (Class G)	\$20	
- Com'l (Class C-Other up to 25 ft.)	\$75	
- Com'l (Class C-Other over 25 ft.)	\$110	
- Com'l (Class C-Free Standing)	\$110	
- Billboards (Class D)	\$500	
Special Use Permit *		
- New	\$400	
- Renewal	\$350	
- Amendment	\$350	
* Plus professional fees		
Stormwater *		
- New application	\$450	
- Recording fee	\$75	
* Plus professional fees		
- Concept Plan Review***		
*** Includes professional fees		
Subdivision Plan Approval		
- Preliminary	\$300	\$350
- Final	\$270	\$300
- Combined process	\$500	\$600
Vacation Fee (easement)	\$235	
Variance Application Fee	\$250	
Wetland Permits *		
- Deminimus Exemption	\$200	\$225
- Delineation	\$150	\$175

- No Loss Determination	\$200	\$225
- Replacement Plans		
- Individual/Single Family	\$350	
- Subdivisions/Com'l/Multi Family	\$750	
*Plus Professional Fees		

Wetland Impact Fee

- per sq. ft. x mitigation ratio	\$0.15	
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Zoning Verification Letter	\$25	
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Zoning Certificate Fee	\$30	
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Hermantown Marketplace Zoning Certificate	\$250	
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Zoning Maps (GIS Maps) Plotted

- 11 x 17	\$10	
- 24 x 36	\$45	
- Color map	\$30	

POLICE DEPARTMENT

Animal Licenses (Dog & Cat)	\$10	
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Lifetime Permit	\$50	
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Lifetime Animal Transfer Fee	\$5	
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Duplicate Tag Fee	\$5	
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Animal Licenses at City Impound Facility	\$12	
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Dangerous Animal	\$500	
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Archery (Bow Hunting)

-Resident Permit	\$10	
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-Non-Resident Permit	\$25	
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Fingerprinting	\$25	
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Police Services

Officer for School Events Beyond Contract (per unit per hour)	\$60	
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Officer for Special Events (Per unit per hour)	\$75	
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Administrative Parking Violations under Hermantown Code Section 830

-Handicapped	\$200	
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-All other Parking Violations	\$30	
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Training Center Rental

- Resident - During Working Hours	Free once a month	
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Training Center Rental

- During Working Hours (8:00 am - 4:30 pm)	\$175	
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- After Hours (After 4:30)	\$220	
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Add: Saturday Rental	\$50	
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Vehicle Storage/Impound (per day)	\$25	
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UTILITIES DEPARTMENT (WATER/SEWER)

Administrative fee in delinquent utility property tax certification	\$50	\$100
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Administrative fee in delinquent utility property tax Certification — 2 nd and ongoing years	\$75	remove
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Assessment Construction Project Admin. Fee	3.5%	
City Contracts up to 10 yrs	8.0%	remove
Customers without radio read meters (monthly)	\$25	remove
Excavating Contractor's License	\$175	\$200
- Permit	\$25	\$50
Excavating Permit for Private Person	\$25	\$50
Fats, Oil, Grease (FOG Program)		\$100
Sewer Service Surcharge	\$50	Monthly
Late Payment Fee (penalty on current balance due)	10%	
Return Check Fee	\$30	
Unpolluted Water Surcharge (monthly)	\$100	
Water Filling Station (per 1008 gallons)	\$14	\$15
<u>Water Rates: (per 1,000 gallons)</u>		
Residential Tier 1 (up to 2,500 gallons)	\$8.15	\$8.48
Residential Tier 2 (between 2,501-4,500 gallons)	\$9.38	\$9.76
Residential Tier 3 (over 4,501 gallons)	\$10.32	\$10.73
<u>Multi Family</u>		
Multi-Family Tier 1 (all usage)	\$9.38	\$9.76
Multi-Family Tier 2 (all usage)	\$9.38	\$9.76
Multi-Family Tier 3 (all usage)	\$9.38	\$9.76
<u>Commercial</u>		
Tier 1 (up to 20,000 gallons)	\$8.43	\$8.77
Tier 2 (between 20,001-50,000 gallons)	\$8.87	\$9.22
Tier 3 (over 50,001 gallons)	\$9.74	\$10.13
<u>Irrigation</u>		
Tier 1 (all usage)	\$10.32	\$10.73
Tier 1 (all usage)	\$10.32	\$10.73
Tier 3 (all usage)	\$10.32	\$10.73
Water testing fee - August annual bill	\$9.72	
Temporary meter rental (construction and hydrant)		\$150 per season
Service charges - billed monthly		
5/8" to 1" meter	\$9.00	\$9.36
1 1/4" meter	\$13.50	\$14.04
1 1/2" meter	\$13.50	\$14.04
2" meter	\$33.75	\$35.10
3" meter	\$39.37	\$40.94
4" meter	\$50.62	\$52.64
6" meter	\$73.11	\$76.03
On/Off Fees		
Snowbirds	\$15	\$25
Reconnection for delinquent accounts	\$50	\$75
Water Hookups		
Residential (includes duplex)	\$800	\$850
Irrigation Meter		\$850
Commercial	\$1,300	\$1,400

Sewer Rates: (per 1,000 gallons)

Residential Tier 1 (all usage)	\$10.15	\$10.40
Multi-Family Tier 1 (all usage)	\$10.15	\$10.40
Commercial Tier 1 (all usage)	\$10.15	\$10.40
Flat Rate Tier 2 – Residential Average (2,500 gallons)	\$25.37	\$31.21
Flat Rate Tier 3 – Commercial Average (4,500 gallons)	\$45.66	\$46.80
Service charge - monthly	\$3.24	\$3.32
Minimum sewer charges		
Service charge	\$3.24	\$3.32
Sewer Hookup		
Residential (includes duplex)	\$800	\$850
Permit	\$85	
Commercial	\$2,000	\$2,200
Permit		\$85
Stool Fee per toilet - max 50 toilets	\$50	
Capacity Availability Fee For Single Family (contact WLSSD for fee determination of commercial buildings)	\$940	
Call for Water & Sewer Availability Charges		

Stormwater Rates:

Equivalent Rate Unit (ERU) \$7.00/ERU

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



DATE: September 29, 2021 **Meeting Date:** 10/4/21
SUBJECT: Road Improvement District **Agenda Item:** 12-A **Resolution** 2021-122
 No. 537 – Lavaque Jct Rd

REQUESTED ACTION

Approve Change Order #2 to Ulland Brothers, Inc. for construction related to 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 \$147,281.10**

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. Common Excavation – 761 CY @ \$10.80/CY = \$ 8,218.80
 - b. Select Granular Borrow – 1,658 CY @ \$25.80/CY = \$42,776.40
 - c. Geotextile Fabric – 2,083 SY @ \$2.50/SY = \$ 5,207.50
 - d. 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) – 1,314 @ \$25.80/CY \$33,901.20
 - b. Common Excavation – 1,314 CY @ \$10.80/CY = \$14,191.20

TOTAL = \$147,281.10

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 October 4, 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

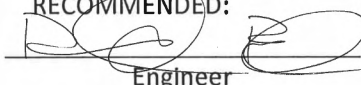
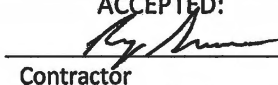
3. Install 11 new castings and adjust MH with new concrete cone.
The total cost of the time, equipment and materials for this effort is = \$5,620.00

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. Common Excavation – 761 CY @ \$10.80/CY = \$ 8,218.80
 - b. Select Granular Borrow – 1,658CY @ \$25.80/CY = \$42,776.40
 - c. Geotextile Fabric – 2,083 SY @ \$2.50/SY = \$ 5,207.50
 - d. 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 addition 1' during the subcut operation. This resulted in the following work items:
 - a. Select Granular Borrow (imported) – 1,314 @ \$25.80/CY = \$33,901.20
 - b. Common Excavation – 1,314 CY @ \$10.80/CY = \$ 14,191.20

Total = \$147,281.10

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ 1,353,290.00	
Increase from previously approved Change Orders: \$ 138,257.56	Previously Extended Contract Time to 9/25/21 Increase Contract time to October 16, 2021.
Contract Price prior to this Change Order: \$ 1,491,547.56	
Increase of this Change Order: \$ 147,281.10	
Contract Price incorporating this Change Order: \$1,638,828.66	

<p>RECOMMENDED: By: <u></u> Engineer Title: <u>City Engineer</u> Date: <u>9/27/21</u></p>	<p>ACCEPTED: By: _____ Owner Title: _____ Date: _____</p>	<p>ACCEPTED: By: <u></u> Contractor Title: <u>V.P.</u> Date: <u>9-28-2021</u></p>
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Resolution No. 2021-123

RESOLUTION APPROVING PAY REQUEST NUMBER 6 FOR ROAD IMPROVEMENT DISTRICT NO. 537 (LAVAQUE JUNCTION ROAD) TO ULLAND BROTHERS, INC. IN THE AMOUNT OF \$224,407.10

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 performed a portion of the agreed upon work in said Project; and

WHEREAS, Ulland Brothers, Inc. has submitted Pay Request No. 6 in the amount of \$224,407.10; and

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

WHEREAS, Northland Consulting Engineers LLP has approved such Pay Request No. 6 provided that \$77,888.19 accumulated as retainage of 5% be withheld pending final acceptance of the Project by the City of Hermantown.

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

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

1. Pay Request No. 6 is hereby approved.
2. The City is hereby authorized and directed to pay to Ulland Brothers, Inc. the sum of \$224,407.10 which is the amount represented on Pay Request No. 6.

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 October 4, 2021.

Contractor's Application for Payment

No. 6

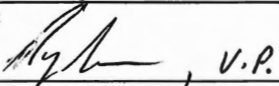
Application Period:	September 1, 2021 through September 27, 2021	Application Date:	9/27/2021
To (Owner):	City of Hermantown	From (Contractor):	Ulland Brothers Inc.
Owner's Contract Number:	Street Improvement District #537	Engineer Project Number:	20-8014
Project:	Lavaque Junction Street Impr. District #537	Via (Engineer):	Northland Consulting Engineers, LLP

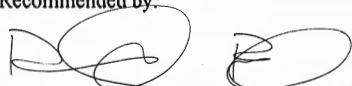
Application For Payment Change Order Summary		
Approved Change Orders		
Number	Additions	Deductions
1	\$ 138,257.56	
2	\$ 147,281.10	
3		
4		
TOTAL	\$285,538.66	
NET CHANGE BY CHANGE ORDER:		\$285,538.66

Application For Payment Previous Pay Application Summary		
Approved Pay Applications		
Number	Date	Amount
1	4/27/2021	\$38,462.73
2	6/1/2021	\$200,380.27
3	7/6/2021	\$275,049.98
4	8/2/2021	\$387,914.09
5	9/7/2021	\$353,661.35
8. TOTALS		\$1,255,468.42

1. ORIGINAL CONTRACT PRICE.....	\$ 1,353,290.00
2. Net change by Change Orders.....	\$ 285,538.66
3. Current Contract Price (Line 1 ± 2).....	\$ 1,638,828.66
4. TOTAL COMPLETED AND STORED TO DATE	
See attached Pay Application Summary.....	\$ 1,557,763.71
5. RETAINAGE:	
a. 5% X \$1,557,763.71 Work Completed.....	\$ 77,888.19
b. 5% X Stored Material.....	\$
c. Total Retainage (Line 5.a + Line 5.b).....	\$ 77,888.19
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$ 1,479,875.52
7. LESS PREVIOUS PAYMENTS (Line 8).....	\$ 1,255,468.42
9. AMOUNT DUE THIS APPLICATION.....	\$ 224,407.10
10. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 - 4 + Line 5.c above).....	\$ 158,953.14

Payment of: \$ 224,407.10
(Line 9 or other - attach explanation of the other amount)

Contractor's Certification	
<p>The undersigned Contractor certifies, to the best of its knowledge, the following: (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment; (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and</p>	
Contractor Signature - Ulland Brothers Inc.	
By:  U.P.	Date: 9-29-2021

Recommended by:

 David Bolf, P.E. - City Engineer (Date) 9/29/2021

Approved by:

 John Mulder, City Administrator (Date)



Pay Application #6 - September 27, 2021
City of Hermantown
Lavaque Junction
Street Improvement District #537

Item No.	Spec. Number	Item Description	Unit of Measure	Contract Total Quantities	Ulland Unit Price	Total Project	
						Completed Quantities	Completed Cost
BASE BID							
1	2021.501	MOBILIZATION	LS	1	\$24,174.15	1	\$24,174.15
2	2101.501	CLEARING AND GRUBBING	LS	1	\$16,000.00	1	\$16,000.00
3	2101.524	CLEARING	TREE	35	\$400.00	42	\$16,800.00
4	2101.524	GRUBBING	TREE	35	\$170.00	42	\$7,140.00
5	2104.502	REMOVE SIGN TYPE C	EACH	38	\$40.00	38	\$1,520.00
6	2104.502	REMOVE MAIL BOX SUPPORT	EACH	35	\$35.00	35	\$1,225.00
7	2104.502	REMOVE HYDRANT	EACH	5	\$800.00	5	\$4,000.00
8	2104.502	SALVAGE HYDRANT	EACH	1	\$1,200.00	1	\$1,200.00
9	2104.502	SALVAGE PIPE APRON	EACH	1	\$200.00	1	\$200.00
10	2104.503	REMOVE PIPE CULVERTS	LF	896	\$11.00	948	\$10,428.00
11	2104.503	REMOVE WATER SERVICE PIPE	LF	46	\$9.00	46	\$414.00
12	2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LF	370	\$2.00	370	\$740.00
13	2104.503	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LF	12	\$3.00	12	\$36.00
14	2104.504	REMOVE BITUMINOUS PAVEMENT	SY	9,852	\$1.80	9852	\$17,733.60
15	2104.504	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SY	800	\$6.00	800	\$4,800.00
16	2104.504	REMOVE CONCRETE DRIVEWAY PAVEMENT	SY	12	\$39.00	12	\$468.00
17	2104.618	SALVAGE BRICK PAVERS	SF	455	\$8.30	455	\$3,776.50
18	2105.601	WETLAND RESTORATION	LS	1	\$2,500.00	1	\$2,500.00
19	2105.507	SELECT GRANULAR BORROW MOD 7% (CV)	CY	8,143	\$12.00	8143	\$97,716.00
20	2106.504	GEOTEXTILE FABRIC TYPE 5	SY	22,429	\$2.50	19105	\$47,762.50
21	2106.507	COMMON EXCAVATION	CY	14,776	\$10.80	14776	\$159,580.80
22	2106.507	MUCK EXCAVATION	CY	5,500	\$10.70	5240	\$56,068.00
23	2106.507	GRANULAR BORROW (CV)	CY	5,500	\$16.00	5240	\$83,840.00
24	2130.523	WATER	MGAL	52	\$35.00	52	\$1,820.00
25	2211.507	AGGREGATE BASE (CV) CLASS 5	CY	3,910	\$30.00	3910	\$117,300.00
26	2211.507	AGGREGATE BASE (CV) CLASS 5 DRIVEWAY	CY	164	\$75.00	142	\$10,650.00
27	2221.507	SHOULDER BASE AGGREGATE (CV) CLASS 5	CY	395	\$45.00	395	\$17,775.00
28	2215.504	FULL DEPTH RECLAMATION	SY	2,462	\$4.20	2462	\$10,340.40
29	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3,B)	TON	1,616	\$60.00	1726	\$103,560.00
30	2360.509	TYPE SP 12.5 NON-WEARING COURSE MIXTURE (3,B)	TON	1,616	\$58.00	1656	\$96,048.00
31	2360.609	TYPE SP 9.5 BITUMINOUS MIXTURE FOR PATCHING	TON	127	\$185.00	190	\$35,150.00
32	2401.507	STRUCTURE EXCAVATION CLASS R	CY	70	\$300.00	49	\$14,700.00
33	2411.507	GRANULAR BACKFILL (CV)	CY	140	\$26.00	140	\$3,640.00
34	2451.507	COARSE FILTER AGGREGATE (CV)	CY	82	\$31.00	82	\$2,542.00
35	2501.502	24" RC PIPE APRON	EACH	4	\$800.00	4	\$3,200.00
36	2501.503	36" RC PIPE APRON	EACH	1	\$200.00	1	\$200.00
37	2501.503	24" RC PIPE CULVERT	LF	88	\$90.00	80	\$7,200.00
38	2501.503	36" RC PIPE CULVERT	LF	8	\$72.00	8	\$576.00
39	2501.503	12" CS PIPE CULVERT	LF	34	\$31.00	34	\$1,054.00
40	2501.503	15" CS PIPE CULVERT	LF	1,258	\$31.00	1356	\$42,036.00
41	2504.602	CONNECT TO EXISTING WATER MAIN	EACH	2	\$2,200.00	2	\$4,400.00
42	2504.602	RELOCATE HYDRANT	EACH	1	\$1,600.00	1	\$1,600.00
43	2504.602	HYDRANT	EACH	9	\$7,300.00	9	\$65,700.00
44	2504.602	8" GATE VALVE AND BOX	EACH	3	\$3,000.00	3	\$9,000.00
45	2504.602	1" CURB STOP AND BOX	EACH	1	\$400.00	1	\$400.00
46	2504.602	1" CORPORATION STOP	EACH	1	\$400.00	1	\$400.00
47	2504.603	1" TYPE K COPPER PIPE	LF	54	\$28.00	52	\$1,456.00
48	2504.603	HYDRANT RISER	LF	10	\$1,000.00	0	\$0.00
49	2504.603	6" WATERMAIN HDPE SDR-11	LF	30	\$71.00	30	\$2,130.00
50	2504.603	6" WATERMAIN DUCTILE IRON CL-53	LF	49	\$90.00	27	\$2,430.00
51	2504.603	8" WATERMAIN HDPE SDR-11	LF	1,289	\$47.00	1289	\$60,583.00
52	2504.604	4" POLYSTYRENE INSULATION	SY	67	\$60.00	80	\$4,800.00
53	2506.502	ADJUST FRAME AND RING CASTING	EACH	11	\$400.00	12	\$4,800.00
54	2506.502	MANHOLE FRAME SEAL (EXTERNAL)	EACH	11	\$450.00	11	\$4,950.00
55	2511.507	RANDOM RIPRAP CLASS II	CY	11	\$68.00	11	\$748.00

56	2531.504	6" CONCRETE DRIVEWAY PAVEMENT	SY	12	\$145.00	0	\$0.00
57	2540.602	MAIL BOX SUPPORT	EACH	39	\$125.00	0	\$0.00
58	2540.618	INSTALL BRICK PAVERS	SF	300	\$18.00	300	\$5,400.00
59	2563.601	TRAFFIC CONTROL	LS	1	\$2,000.00	1	\$2,000.00
60	2564.502	INSTALL SIGN PANEL TYPE C	EACH	45	\$125.00	0	\$0.00
61	2564.518	SIGN PANELS TYPE C	SF	54	\$36.00	0	\$0.00
62	2573.501	EROSION CONTROL SUPERVISOR	LS	1	\$2,000.00	0.75	\$1,500.00
63	2573.501	STABILIZED CONSTRUCTION EXIT	LS	2	\$1,200.00	2	\$2,400.00
64	2573.502	CULVERT END CONTROLS	EACH	45	\$235.00	0	\$0.00
65	2573.503	SILT FENCE, TYPE HI	LF	1,095	\$3.05	1792	\$5,465.60
66	2573.503	SEDIMENT CONTROL LOG TYPE WOOD FIBER	LF	410	\$2.90	78	\$226.20
67	2574.507	COMMON TOPSOIL BORROW	CY	1,400	\$26.00	1200	\$31,200.00
68	2574.508	FERTILIZER TYPE 1	POUND	254	\$1.00	254	\$254.00
69	2575.504	EROSION CONTROL BLANKET CATEGORY 3N	SY	6,121	\$1.60	6121	\$9,793.60
70	2575.504	SODDING TYPE LAWN	SY	12,366	\$4.80	4081	\$19,588.80
71	2575.505	SEEDING	ACRE	1.27	\$90.00	1.27	\$114.30
72	2575.508	SEED MIXTURE 25-131 (UPLAND)	POUND	96	\$3.10	96	\$297.60
73	2575.508	SEED MIXTURE 34-371 (WETLAND)	POUND	57	\$82.00	57	\$4,674.00
74	2582.503	4" SOLID LINE PAINT (WR)	LF	10,496	\$0.25	0	\$0.00
75	2582.503	4" DOUBLE SOLID LINE PAINT (WR)	LF	5,248	\$0.50	0	\$0.00
76	2582.503	24" SOLID LINE PAINT (WR)	LF	30	\$5.00	0	\$0.00
77	C/O #1	ROCK REMOVAL AND FILL BORE HOLES	LUMP SUM	1	\$40,614.01	1	\$40,614.01
78	C/O #1	ROCK BORE	LUMP SUM	1	\$97,643.55	1	\$97,643.55
79	C/O #2	ADDITIONAL SUBCUT	LUMP SUM	1	\$147,281.10	1	\$147,281.10

TOTAL AMOUNT EARNED	\$1,667,763.71

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



DATE: September 24, 2021 **Meeting Date:** 10/4/21
SUBJECT: Special Use Permit – **Agenda Item: 12-C** **Resolution 2021-124**
Construction of a two-family
structure in a R-3 zoning district

REQUESTED ACTION

Approval of a Special Use Permit for construction of a two-family residential structure in a R-3, Residential zoning district.

SITE INFORMATION:

Parcel Size: 2.2 acres total
Legal Access: 4012 Ugstad Road
Wetlands: Yes, approximately 175' east of Ugstad Road
Existing Zoning: R-3, Residential
Airport Overlay: None
Shoreland Overlay: No
Comprehensive Plan: Residential

BACKGROUND

The applicant plans to purchase the property located at 4012 Ugstad Road which is zoned R-3, Residential. This property was previously approved for a flag lot split which was approved in May 2021. This is a portion of the original 5.0 acre site.

The existing house on the property has been demolished with two outbuildings remaining on the property. The applicant is proposing to construct a two-family home in its place.

A public hearing for this application was held on Tuesday, September 21, 2021. Other than the applicant, there were no members of the public present to speak on the application. The Planning and Zoning Commission recommended the application unanimously onto the City Council for their approval.

ZONING ANALYSIS

Two-family dwellings are allowed by Special Use Permit (SUP) in the R-3 – Residential Zoning District. There are specific conditions which apply to two-family dwellings in addition to the standard regulations in the zoning district. The existing property meets the minimum lot dimensions associated with the construction of a two-family dwelling.

Table 1. Twin Home Requirements	Requirement	Provided
Minimum lot area	1.0 acre	2.2 acre
Minimum lot width	150 feet	190 feet
Minimum depth of front yard	50 feet	50 feet minimum

Minimum rear yard	40 feet	40 feet minimum
Minimum side yard	40 feet	40 feet minimum
Minimum distance from nearest condominiums, town homes, two-family dwellings	200 feet	Greater than 200 feet.
Minimum living area per unit	792 sq. ft.	1,830 sq. ft.

Utilities

The existing home on the property has utility connections from Ugstad Road. The applicant is required to provide new services to the proposed two-family structure as well as being responsible for any connection or availability fees.

Wetlands

A wetland delineation was done by way of the National Wetland Inventory (NWI) map. The NWI shows a wetland approximately 175 feet east of Ugstad Road behind the existing structures. These wetlands will be required to be flagged prior to the start of construction and issuance of any building permits.

Special Use Permit

The Special Use Permit is for construction of a two-family residential structure in a R-3, Residential zoning district. Staff finds the following in regard to the criteria for Special Use Permits in the Zoning Ordinance:

No special use permit shall be approved unless positive findings are made with respect to each and every one of the following criteria:

- 1. The proposed development is likely to be compatible with development permitted under the general provisions of this chapter on substantially all land in the vicinity of the proposed development;**

The development of a two family residential home is allowed with a special use permit under the R-3, Residential zoning district. The proposed use is compatible with development within the vicinity which is characterized by low and medium density residential and residential compatible uses.

- 2. The proposed use will not be injurious to the use and enjoyment of the environment, or detrimental to the rightful use and enjoyment of other property in the immediate vicinity of the proposed development;**

The proposed use will not interfere with the use and enjoyment of surrounding properties which consists of low density residential. The property and setbacks are of sufficient size to not interfere with neighboring properties.

- 3. The proposed use is consistent with the overall Hermantown Comprehensive Plan and with the spirit and intent of the provisions of this chapter;**

The property is in an area marked for residential development in the Comprehensive Plan. A two-family home is consistent with the density and purpose of the R-3 – Residential zoning district.

- 4. The proposed use will not result in a random pattern of development with little contiguity to existing programmed development and will not cause negative fiscal and environmental effects upon the community.**

The proposed use is similar to uses of nearby properties in density and style.

- 5. Other criteria required to be considered under the provisions of this code for any special use permit.**

The project will meet requirements for minimum distance from other two-family dwellings and minimum living area per unit. Refer to Table 1 for specifics of the zoning analysis.

Findings of Fact and Recommendations

Staff recommends approval of the special use application to construct a two-family dwelling, subject to the following:

1. The applicant shall connect to public sewer and water services at their own expense and pay any applicable connection or availability fees.
2. Prior to issuance of a building permit, the applicant will submit a site plan showing the lot dimensions and location of the two-family residence relative to the side lot lines.
3. Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.
4. Prior to issuance of a building permit, all necessary permits shall be obtained.
5. The applicant shall sign a consent form assenting to all conditions of this approval.
6. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

- Location Map
- Proposed Site Plan
- Proposed Building Elevation

Resolution No. 2021-124

RESOLUTION APPROVING A SPECIAL USE PERMIT FOR THE CONSTRUCTION OF A TWO-FAMILY HOME IN A R-3 RESIDENTIAL ZONING DISTRICT

WHEREAS, Luke E. and Trista M. Miner, a married couple, (“Applicant”), owner of the property at 4012 Ugstad Road, submitted an application for a Special Use Permit for the construction of a two-family home in a R-3 Residential District (the “Project”), with a legal description as follows:

Property ID: 395-0010-05931

The North 190.00 feet of the South 220.00 feet of the North 1,100.00 feet of the West 500.00 feet of the Southwest Quarter of the Northwest Quarter of Section 22, Township 50 North, Range 15 West, St. Louis County, Minnesota.

*Subject to the rights of the public in Ugstad Road.
Subject to easements, reservations or restrictions of record, if any.
Containing 2.18 acres, more or less.*

WHEREAS, The Hermantown Planning and Zoning Commission held a public hearing on the Special Use Permit application at its meeting on September 21, 2021 and recommended approval of the Special Use Permit at such meeting; and

WHEREAS, after due consideration of the entire City file, the testimony at the public hearing and all other relevant matters the City Council hereby makes the following findings related to the Special Use Permit.

FINDINGS OF FACT

- 1. The proposed development is likely to be compatible with development permitted under the general provisions of this chapter on substantially all land in the vicinity of the proposed development;**

The development of a two family residential home is allowed with a special use permit under the R-3, Residential zoning district. The proposed use is compatible with development within the vicinity which is characterized by low and medium density residential and residential compatible uses.

- 2. The proposed use will not be injurious to the use and enjoyment of the environment, or detrimental to the rightful use and enjoyment of other property in the immediate vicinity of the proposed development;**

The proposed use will not interfere with the use and enjoyment of surrounding properties which include low density residential. The property and setbacks are of sufficient size to not interfere with neighboring properties.

- 3. The proposed use is consistent with the overall Hermantown Comprehensive Plan and with the spirit and intent of the provisions of this chapter;**

The property is in an area marked for residential development in the Comprehensive Plan. A two-family home is consistent with the density and purpose of the R-3 – Residential zoning district.

- 4. The proposed use will not result in a random pattern of development with little contiguity to existing programmed development and will not cause negative fiscal and environmental effects upon the community.**

The proposed use is similar to uses of nearby properties in density and style.

- 5. Other criteria required to be considered under the provisions of this code for any special use permit.**

The project will meet requirements for minimum distance from other two-family dwellings and minimum living area per unit.

CONCLUSION

On the basis of the foregoing Findings of Fact, the City Council of the City of Hermantown is hereby resolved as follows:

1. The applicant shall connect to public sewer and water services at their own expense and pay any applicable connection or availability fees.
2. Prior to issuance of a building permit, the applicant will submit a site plan showing the lot dimensions and location of the two-family residence relative to the side lot lines.
3. Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.
4. Prior to issuance of a building permit, all necessary permits shall be obtained.
5. The applicant shall sign a consent form assenting to all conditions of this approval.
6. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

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 October 4, 2021.

(TOP THREE INCHES RESERVED FOR RECORDING DATA)

SPECIAL USE PERMIT

Permission is hereby granted to Luke E. and Trista M. Miner, a married couple, (“Applicant”), owner of the property located at 4012 Ugstad Road, submitted an application for construction of a two-family home at 4012 Ugstad Road (“Project”), and legally described in Attachment A.

The permission hereby granted is expressly conditioned as follows:

- a. That the Project will be constructed as described in the plans accompanying the application and the conditions contained herein.
- b. The Zoning Officer of the City of Hermantown shall be notified at least five (5) days in advance of the commencement of the work authorized hereunder and shall be notified of its completion within (5) days thereafter.
- c. No change shall be made in the Project without written permission being previously obtained from the City of Hermantown.
- d. Applicant shall grant access to the site at all reasonable times during and after construction to authorized representatives of the City of Hermantown for inspection of the Project to see the terms of this permit are met.
- e. The permit is permissive only. No liability shall be imposed upon or incurred by the City of Hermantown or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of Applicant or any of Applicant’s agents, employees or contractors relating to any matter hereunder. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person against Applicant, its agents, employees of contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the City of

Hermantown against Developer, its agents, employees or contractors for violation of or failure to comply with the permit or applicable provisions of law.

- f. This permit may be terminated by the City of Hermantown at any time it deems necessary for the conservation of water resources, or in the interest of public health and welfare, or for violation of any of the provisions of this permit.
- g. Applicant is initially and continually in compliance with all of the ordinances and regulations of the City of Hermantown Building Code and the Hermantown Fire Code.
- h. All state licenses and other permits required for the Project have been obtained by the Applicant and copies are provided to the City of Hermantown.
- i. That Applicant pay all direct costs incurred by the City of Hermantown in connection with the enforcement and administration of this permit within fifteen (15) days of Applicant being invoiced by the City for such costs.
- j. The approval is for a Special Use Permit for construction of a two family home at the applicants property located at 4012 Ugstad Road.
- k. The applicant shall sign a consent form assenting to all conditions of this approval.
- l. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

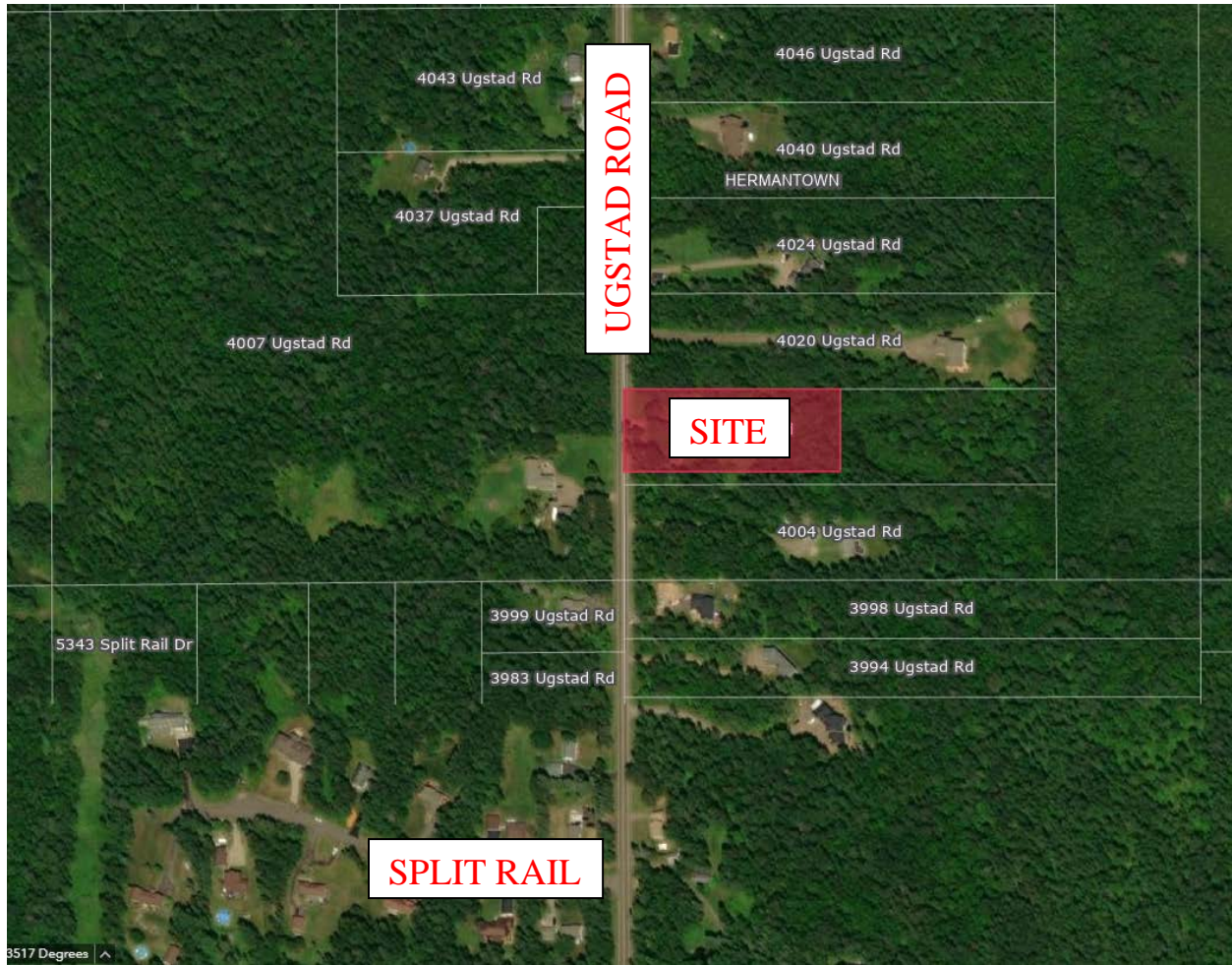
ATTACHMENT A

The North 190.00 feet of the South 220.00 feet of the North 1,100.00 feet of the West 500.00 feet of the Southwest Quarter of the Northwest Quarter of Section 22, Township 50 North, Range 15 West, St. Louis County, Minnesota.

*Subject to the rights of the public in Ugstad Road.
Subject to easements, reservations or restrictions of record, if any.
Containing 2.18 acres, more or less.*

Property ID: 395-0010-05931

Location Map



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



DATE: September 28, 2021 **Meeting Date:** 10/4/21

SUBJECT: Trunk Sewer Spur & Munger Trail Spur – Sanitary Sewer Improvement District No. 448 **Agenda Item: 12-D** **Resolution 2021-125**

REQUESTED ACTION

Approve Change Order #7 for Utility Systems of America for the constructed related to Sanitary Sewer Improvement District No. 448.

BACKGROUND

Attached is Change Order #7 with supporting documentation. This change order accounts for (4) extra work items and contract adjustments for MPCA violation and unacceptable work deductions. The net increase from work associated with this change order is \$20,822.86. We are recommending this change order be authorized at the October 4, 2021 City Council Meeting.

SOURCE OF FUNDS (if applicable)

Sales Tax

ATTACHMENTS

Change Order #7

Resolution No. 2021-125

RESOLUTION APPROVING CHANGE ORDER NUMBER 7 FOR SEWER IMPROVEMENT DISTRICT NO. 448

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

WHEREAS, Utility Systems of America, Inc. has submitted Change Order No. 7 for:

1. Place 5 additional galvanized gates at select locations at a cost of \$3,500 each.
(The lump sum cost for this work = \$17,500.00)
2. Place Sod in Stebner Park, adjacent to the playground. Place Addition rock in park, remove shouldering and seed and blanket.
(The lump sum cost for this work = \$18,830.22)
3. Adjust various castings along the sewer alignment.
(The lump sum cost for this work = \$6,711.28)
4. Covid 19 Delay Claim – See attached letter dated June 26, 2020.
(The lump sum cost for this work = \$38,311.36)
5. Pay MPCA Fine per Spec section SP-19. See attached letter from MPCA.
(The lump sum deduct for fine = (\$10,530.00).
6. Portions of the Trail were deemed unacceptable. The engineer is going to allow the work to remain in place for an adjusted price.
(The lump sum deduct for unacceptable work = (\$50,000.00).

WHEREAS, Utility Systems of America, Inc. has recommended such Change Order No. 7, and;

WHEREAS, Northland Consulting Engineers LLP has approved such Change Order No. 7.

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

1. Change Order No. 7 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 October 4, 2021.

Date of Issuance:	9/27/21	Effective Date:	
Owner:	City of Hermantown	Owner's Contract No.:	16-808
Contractor:	Utility Systems of America	Contractor's Project No.:	
Engineer:	Northland Consulting Engineers	Engineer's Project No.:	16-808
Project:	Hermantown Trunk Sewer Spur & Munger Trail Spur	SSID:	448

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

Description: This change order addresses the following items:

1. Place 5 additional galvanized gates at select locations at a cost of \$3,500 each.

The lump sum cost for this work = \$17,500.00
2. Place Sod in Stebner Park, adjacent to the playground, Place Additional rocks in park, remove shouldering and seed and blanket along trail adjacent to parking lot.

The lump sum cost for this work = \$18,830.22
3. Adjust various castings along the sewer alignment.

The lump sum cost for this work = \$6,711.28
4. Covid 19 Delay Claim – See attached letter dated June 26, 2020.

The lump sum cost for this work = \$38,311.36
5. Pay MPCA Fine per Spec section SP-19. See attached letter from MPCA

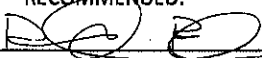
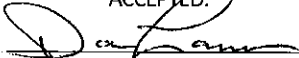
The lump sum deduct for fine = (\$10,530.00)
6. Portions of the Trail were deemed unacceptable. The engineer is going to allow the work to remain in place for an adjusted price.

The lump sum deduct for unacceptable work = (\$50,000.00)

The lump sum cost of this change order = \$20,822.86

Attachments: 1) June 26, 2020 Letter from USA.
 2) July 29, 2021 Letter from MPCA

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$4,209,784.30	
Increase from previously approved Change Orders: \$ <u>181,383.57</u>	Extend contract completion date to: October 16, 2021
Contract Price prior to this Change Order: \$ <u>4,391,167.87</u>	
Increase of this Change Order: \$ <u>20,822.86</u>	
Contract Price incorporating this Change Order: \$ <u>4,411,990.73</u>	

<p>RECOMMENDED:</p> <p>By: <u></u> Engineer (if required)</p> <p>Title: <u>City Engineer</u></p> <p>Date: <u>9/27/21</u></p>	<p>ACCEPTED:</p> <p>By: _____ Owner (Authorized Signature)</p> <p>Title: _____</p> <p>Date: _____</p>	<p>ACCEPTED:</p> <p>By: <u></u> Contractor (Authorized Signature)</p> <p>Title: <u>PM</u></p> <p>Date: <u>9/27/2021</u></p>
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P.O. Box 706 • Eveleth, Minnesota 55734-0706 • (218) 744-4342 FAX (218) 744-5491

June 26, 2020

David Bolf, P.E.
Hermantown City Engineer
102 South 21st Avenue West, Suite 1
Duluth, MN 55806

Re: Trunk Sewer Spur & Munger Trail Spur
Hermantown, MN
NCE Project No. 16-806

Dear Mr. Bolf:

As you are aware, due to the Covid-19 Pandemic, we have experienced some costly delays and we have been forced to adjust our schedule as well as our approach to the project. The following is summary of how the Covid-19 Pandemic has effected our progress on the project:

The notice to proceed on the project was granted on March 4, 2020. As per our schedule we planned to start the trunk sewer piping from Okerstrom Road to Anderson Road. The majority of the piping in this section requires drilling and blasting. After the notice to proceed was granted the City was working to get the blast surveys completed for the project so we could start the work on this section of the project. On March 16, 2020, you sent us an email stating that due to Covid-19 the precondition surveys could not be completed and you directed us to refrain from any blasting on the project until further notice. After the blasting was suspended, we tried to revise our schedule to start on the pipe from Anderson Road to the North, although the area North of Anderson Road was flooded from the Spring thaw and it needed time to dry in order for us to start installing pipe in that area, therefore our pipe crew moved to another project.

On May 4, 2020, our pipe crew returned to the site and started installing pipe at Okerstrom Road between manhole 200 and manhole 201. On May 5th we encountered rock and were stopped. The area north of Anderson Road was still not dry enough for us to start installing pipe, therefore we relocated our pipe crew to another project once again.

On June 1st, our pipe crew returned to the project site. We still had not received authorization to proceed with the drilling and blasting. The area north of Anderson Road had dried enough for our pipe crew to start installing pipe, therefore we mobilized our equipment from Okerstrom Road and set up to install pipe from Anderson Road to the north. We have been progressing with the trunk sewer installation north of Anderson Road since June 1, 2020. We received authorization to start the drilling and blasting between Anderson Road and Okerstrom Road on June 15, 2020. Upon Notice, we immediately coordinated the drilling and blasting portion of work on this section.

There are many unknown variables to consider with this situation and it is extremely difficult to quantify our losses. So, at a minimum, to recoup some of our losses due to the Covid-19 Pandemic, we are requesting the following:

- 1) Compensation for Major Equipment that was idled from May 4, 200 to June 1, 2020.

	<u>Monthly Rent</u>	<u>Standby Rate 50%</u>
Volvo 340 Excavator	\$15,000.00	\$ 7,500.00
Volvo 220 Excavator	\$12,000.00	\$ 6,000.00
Volvo 110 Loader	\$10,000.00	\$ 5,000.00
Cat D4 Dozer	\$ 9,000.00	\$ 4,500.00
Track Truck (Specialty Rented Truck for project)		<u>\$12,000.00</u>
		\$35,000.00

- 2) One day for our crew to mobilize from Okerstrom to Anderson Road when we encountered rock and had to stop near Manhole 201. (Our Cost)

Adam Castle	8 Hrs @ \$74.17 =	\$ 593.36
Cainin Brown	8 Hrs @ \$64.96 =	\$ 519.68
Daniel Bodell	8 Hrs @ \$66.85 =	\$ 534.80
Benjamin Johnson	8 Hrs @ \$70.97 =	\$ 567.76
Neil Larson	8 Hrs @ \$70.12 =	\$ 560.96
Timothy McCullough	8 Hrs @ \$66.85 =	<u>\$ 534.80</u>
		\$ 3,311.36

Total requested 1 & 2 \$ 38,311.36

We appreciate your consideration regarding this matter and we hope to put this behind us and to continue to move forward in a positive direction with the project. Upon your review, please contact our office to further discuss these issues.

Sincerely,



Jim Pucel, PE



Duluth Office | 525 Lake Avenue South | Suite 400 | Duluth, MN 55802 | 218-723-4660
800-657-3864 | Use your preferred relay service | info.pca@state.mn.us | Equal Opportunity Employer

July 29, 2021

CERTIFIED MAIL NO. 7018 1830 0000 5715 1784
RETURN RECEIPT REQUESTED

The Honorable Wayne Boucher, Mayor
City of Hermantown
5105 Maple Grove Rd
Hermantown, MN 55811-3605

RE: Administrative Penalty Order - \$10,530
City of Hermantown- Trunk Sewer Spur and Munger Trail Spur, Hermantown, St. Louis County

Dear Mayor Boucher:

The Minnesota Pollution Control Agency (MPCA) is issuing the enclosed Administrative Penalty Order (APO) to the City of Hermantown for violations of Minnesota's environmental requirements. Please read the APO carefully. You must take action within 30 days after you receive this letter.

You must:

- Pay the enclosed invoice: \$10,530

During the investigation of the violations, you submitted information to the MPCA. The MPCA considered all the information you provided. Upon closer review of the case, the MPCA removed Violations 1 and 6 listed in the Alleged Violations Letter.

You have a right to formally dispute this action within 30 days after receiving the APO. Instructions are in the RIGHT TO REVIEW section of the APO.

The MPCA is committed to being open and transparent about compliance and enforcement matters that have been concluded. Generally, the contents of closed enforcement actions are public information. Twice a year the MPCA issues an enforcement report that is posted on the Agency's website.

The Honorable Wayne Boucher

Page 2

July 29, 2021

If you have questions or need assistance, contact me at 218-302-6632 or james.dexter@state.mn.us.

Sincerely,

James Dexter

This document has been electronically signed.

James Dexter, P.G.

Environmental Specialist

Municipal Division

JD:pv

Enclosure

cc: John Mulder, City of Hermantown (w/enclosure)
Michelle Janson, MPCA Attorney (w/enclosure)
Suzanne Baumann, MPCA (w/enclosure)
Brian Green, MPCA (w/enclosure)
Deb Klooz, MPCA (w/enclosure)
Activity ID PEN20200001 @ 233629

TO: Mayor & City Council
FROM: John Mulder, City Administrator
DATE: September 28, 2021
SUBJECT: Trunk Sewer Spur & Munger Trail Spur – Sanitary Sewer Improvement District No. 448



Meeting Date: 10/4/21

Agenda Item: 12-E **Resolution:** 2021-126

REQUESTED ACTION

Approve Pay Application #14 to Utility Systems of America for the construction related to the Trunk Sewer Spur and Munger Trail Spur Project – Sanitary Sewer Improvement District No. 448.

BACKGROUND

Attached is Pay Application #14 for the work associated with the Hermantown Trunk Sewer Spur & Munger Trail Spur – Sanitary Sewer Improvement District No. 448 from Pay Application #13 through September 25, 2021. NCE and Utility Systems of America, Inc. (USA) have reviewed the project progress thus far and agreed upon quantities of work completed. The amount of Pay Application #14 is **\$175,610.15**. The City will hold 250% of the value of the remaining work for retainage. This retainage amount is \$73,750.00.

NCE has reviewed the quantities through construction inspection and discussions with Utility Systems of America, Inc. representatives. I recommend payment in the amount of **\$175,610.15** be authorized at the October 4, 2021 City Council Meeting.

SOURCE OF FUNDS (if applicable)

Sales Tax

ATTACHMENTS

Pay Application #14

Resolution No. 2021-126

RESOLUTION APPROVING PAY REQUEST NUMBER 14 FOR SEWER IMPROVEMENT DISTRICT NO. 448 TO UTILITY SYSTEMS OF AMERICA, INC. IN THE AMOUNT OF \$175,610.15

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

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

WHEREAS, Utility Systems of America, Inc. has submitted Pay Request No. 14 in the amount of \$175,610.15; and

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

WHEREAS, Northland Consulting Engineers LLP has approved such Pay Request No. 14 provided that \$73,750.00 accumulated as retainage of 250% of the value of the remaining work be withheld pending final acceptance of the Project by the City of Hermantown.

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

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

1. Pay Request No. 14 is hereby approved.
2. The City is hereby authorized and directed to pay to Utility Systems of America, Inc. the sum of \$175,610.15 which is the amount represented on Pay Request No. 14.

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 October 4, 2021.

Contractor's Application for Payment No. 14

Application Period: August 29, 2021 - September 25, 2021		Application Date: 10/4/2021
To (Owner): City of Hermantown	From (Contractor): Utility Systems of America, Inc.	Via (Engineer): Northland Consulting Engineers, LLP
Project: Trunk Sewer Spur & Munger Trail Spur - Sanitary Sewer Improvement District No. 448	Contract: Trunk Sewer Spur & Munger Trail Spur - Sanitary Sewer Improvement District No. 448	
Owner's Contract No.: Sanitary Sewer Improvement District No. 448	Contractor's Project No.:	Engineer's Project No.: 16-808

**Application For Payment
Change Order Summary**

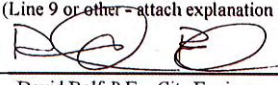
Number	Additions	Deductions
1	\$15,100.00	
2	\$28,900.00	
3	\$93,908.57	
4	Time Extension	
5	\$38,975.00	
6	\$4,500.00	
7	\$20,822.86	
TOTALS	\$202,206.43	
NET CHANGE BY CHANGE ORDERS	\$202,206.43	

1. ORIGINAL CONTRACT PRICE.....	\$ 4,209,784.30
2. Net change by Change Orders.....	\$ 202,206.43
3. Current Contract Price (Line 1 ± 2).....	\$ 4,411,990.73
4. TOTAL COMPLETED AND STORED TO DATE	
See attached Pay Application Summary (Line E).....	\$ 4,171,581.90
5. RETAINAGE:	
a. X \$4,171,581.90 Work Completed.....	\$
b. 5% X Stored Material.....	\$
c. Total Retainage (Line 5.a + Line 5.b).....	\$ 73,750.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$ 4,097,831.90
7. LESS PREVIOUS PAYMENTS (Line 8).....	\$ 3,922,221.75
9. AMOUNT DUE THIS APPLICATION.....	\$ 175,610.15
10. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 - 4 + Line 5.c above).....	\$

**Application For Payment
Previous Pay Application Summary**

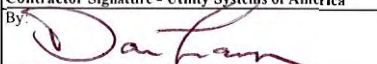
Number	Date	Amount
1	4/6/2020	\$ 455,588.49
2	5/4/2020	\$ 30,045.81
3	6/3/2020	\$ 101,408.63
4	7/6/2020	\$ 654,831.60
5	8/3/2020	\$ 188,378.58
6	9/2/2020	\$ 573,269.10
7	10/5/2020	\$ 600,156.51
8	11/2/2020	\$ 322,822.04
9	12/6/2020	\$ 118,902.95
10	1/13/2021	\$ 432,032.60
11	6/7/2021	\$ 129,601.89
12	8/3/2021	\$ 278,948.17
13	9/7/2021	\$ 36,235.38
14		
8. TOTALS		\$3,922,221.75

Payment of: \$ **175,610.15**
(Line 9 or other - attach explanation of the other amount)

is recommended by:  10/4/2021
David Bolf, P.E. - City Engineer (Date)

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:
 (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
 (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and
 (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature - Utility Systems of America
 By:  Date: 9/27/2021



Pay Application #14-10/4/21
Trunk Sewer Spur & Munger Trail Spur
Sanitary Sewer District Improvement District No. 448

Item No.	Spec. Number	Item Description	Unit of Measure	Contract Total Quantities	USA Unit Price	Trunk Sewer Spur			Munger Trail Spur			Total Project	
						Contract Quantities	Completed Quantities	Completed Cost	Contract Quantities	Completed Quantities	Completed Cost	Contracted	Completed
1	2021.601	MOBILIZATION	LS	1.00	\$ 434,000.00	0.00	0.00	\$ 347,000.00	0.20	0.20	\$ 86,000.00	1.00	\$ 434,000.00
2	2021.601	BLAST MONITORING/SURVEY	LS	1.00	\$ 45,000.00	1.00	1.00	\$ 45,000.00	-	-	\$ -	1.00	\$ 45,000.00
3	2031.601	FIELD OFFICE	LS	1.00	\$ 7,500.00	0.90	0.90	\$ 6,000.00	0.20	0.20	\$ 1,500.00	1.00	\$ 7,500.00
4	2041.601	MAINTENANCE AND RESTORATION OF HAUL ROADS	LS	1.00	\$ 1,000.00	0.90	0.90	\$ 800.00	0.20	0.20	\$ 200.00	1.00	\$ 1,000.00
5	2101.601	CLEARING	ACRE	18.00	\$ 12,000.00	14.50	14.50	\$ 174,000.00	1.50	1.50	\$ 18,000.00	18.00	\$ 216,000.00
6	2101.606	GRIBBING	ACRE	18.00	\$ 1,500.00	14.50	14.50	\$ 21,750.00	1.50	1.50	\$ 2,250.00	18.00	\$ 27,000.00
7	2104.507	REMOVE CASTING	EACH	1	\$ 250.00	1	1	\$ 250.00	-	-	\$ -	1	\$ 250.00
8	2104.502	SALVAGE ELECTRICAL PEDESTAL AND SIGN	EACH	6	\$ 350.00	6	6	\$ 2,100.00	-	-	\$ -	6	\$ 2,100.00
9	2104.503	REMOVE CONCRETE CURB AND GUTTER	LF	20	\$ 5.00	20	20	\$ 100.00	-	-	\$ -	20	\$ 100.00
10	2104.503	REMOVE SEWER PIPE (SANITARY)	LF	10	\$ 5.00	10	10	\$ 50.00	-	-	\$ -	10	\$ 50.00
11	2104.503	SAVING BITUMINOUS PAVEMENT (FULL DEPTH)	LF	156	\$ 4.00	156	153	\$ 612.00	-	-	\$ -	153	\$ 612.00
12	2104.503	SAVING CONCRETE PAVEMENT (FULL DEPTH)	LF	170	\$ 7.00	170	170	\$ -	-	-	\$ -	170	\$ -
13	2104.509	REMOVE CONCRETE PAVEMENT	SY	852	\$ 9.00	852	852	\$ -	-	-	\$ -	852	\$ -
14	2104.509	REMOVE BITUMINOUS PAVEMENT	SY	343	\$ 4.00	227	352	\$ 1,408.00	116	116	\$ 464.00	458	\$ 1,872.00
15	2104.518	REMOVE CONCRETE WALK	SP	430	\$ 1.00	430	430	\$ 755.00	-	-	\$ -	430	\$ 755.00
16	2104.601	REMOVE LIFT STATION	LS	1.00	\$ 20,000.00	1.00	1.00	\$ 20,000.00	-	-	\$ -	1.00	\$ 20,000.00
17	2104.602	REMOVE GREENHOUSES	EACH	8	\$ 1,000.00	8	8	\$ 8,000.00	-	-	\$ -	8	\$ 8,000.00
18	2106.504	GEOTEXTILE FABRIC TYPE 5 (NON-WOVEN)	SY	28,750	\$ 1.65	17,000	10,816	\$ 17,848.40	11,750	7,376	\$ 12,168.75	18,191	\$ 30,015.15
19	2106.504	GEOTEXTILE FABRIC TYPE 5 (NON-WOVEN) (PATCHING)	SY	250	\$ 4.00	250	352	\$ 1,408.00	-	-	\$ -	352	\$ 1,408.00
20	2106.507	EXCAVATION - COMMON	CY	20,883	\$ 11.00	16,750	17,631	\$ 183,941.00	3,923	4,143	\$ 45,573.00	21,774	\$ 239,514.00
21	2106.507	COMMON EMBANKMENT (CY)	CY	3,924	\$ 7.00	3,179	1,406	\$ 9,935.00	745	685	\$ 8,216.00	2,283	\$ 16,651.00
22	2106.507	SELECT GRANULAR EMBANKMENT MOD 7% (CY)	CY	5,900	\$ 21.00	3,200	3,200	\$ 67,200.00	3,300	2,300	\$ 48,300.00	5,500	\$ 115,500.00
23	2106.507	SELECT GRANULAR EMBANKMENT MOD 7% (CY) (PATCHING)	CY	100	\$ 23.00	100	133	\$ 3,026.00	-	-	\$ -	133	\$ 3,026.00
24	2106.601	DEWATERING	LS	1	\$ 50,000.00	0.80	0.80	\$ 40,000.00	0.20	0.20	\$ 10,000.00	1.00	\$ 50,000.00
25	2106.601	TURF & WEIR AND RESTORATION	LS	1	\$ 30,000.00	0.80	0.80	\$ 24,000.00	0.20	0.20	\$ 6,000.00	1.00	\$ 30,000.00
26	2106.602	KEENE CREEK CROSSING	EACH	4	\$ 4,000.00	3	3	\$ 12,000.00	1	1	\$ 4,000.00	4	\$ 16,000.00
27	2211.507	AGGREGATE BASE (CY) CLASS 5	CY	7,511	\$ 30.00	4,434	4,434	\$ 133,020.00	3,177	3,177	\$ 95,310.00	7,611	\$ 228,330.00
28	2211.507	AGGREGATE BASE (CY) CLASS 6 (PATCHING)	CY	60	\$ 49.00	60	78	\$ 3,937.00	-	-	\$ -	78	\$ 3,937.00
29	2301.509	CONCRETE PAVEMENT 1" (MAPLE GROVE ESTATES)	SY	852	\$ 88.00	852	84	\$ 7,392.00	-	-	\$ -	84	\$ 7,392.00
30	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3.B)	TON	1,770	\$ 80.00	-	-	\$ -	1,770	1,770	\$ 141,600.00	1,770	\$ 141,600.00
31	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3.C) (PATCHING)	TON	38	\$ 154.00	35	37	\$ 5,698.00	-	-	\$ -	37	\$ 5,698.00
32	2360.509	TYPE SP 12.5 NON-WEARING COURSE MIXTURE (3.C) (PATCHING)	TON	32	\$ 154.00	32	45	\$ 6,830.00	-	-	\$ -	45	\$ 6,830.00
33	2412.503	3X8 PRECAST CONCRETE BOX CULVERT	LF	64	\$ 850.00	34	34	\$ 28,900.00	30	30	\$ 25,500.00	64	\$ 64,400.00
34	2451.507	COARSE FILTER AGGREGATE (CY)	CY	1,048	\$ 24.00	1,048	637	\$ 15,288.00	-	-	\$ -	637	\$ 15,288.00
35	2451.507	GRANULAR BACKFILL (LV)	CY	6,216	\$ 14.00	6,216	284	\$ 4,032.00	-	-	\$ -	284	\$ 4,032.00
36	2451.507	STRUCTURE EXCAVATION CLASS R	CY	4,855	\$ 52.00	4,826	4,170	\$ 216,840.00	-	-	\$ -	4,188	\$ 217,776.00
37	2501.502	12" GAS PIPE APRON	EACH	28	\$ 500.00	18	18	\$ 9,000.00	8	8	\$ 4,000.00	28	\$ 13,000.00
38	2501.502	18" GAS PIPE APRON	EACH	49	\$ 325.00	20	20	\$ 6,500.00	49	44	\$ 14,300.00	44	\$ 14,300.00
39	2501.503	12" GAS PIPE CULVERT	LF	328	\$ 60.00	240	230	\$ 11,500.00	88	104	\$ 5,200.00	334	\$ 16,700.00
40	2501.503	18" GAS PIPE CULVERT	LF	590	\$ 63.00	-	-	\$ -	690	610	\$ 33,330.00	610	\$ 33,330.00
41	2503.503	8" PVC PIPE SEWER (SDR35)	LF	547	\$ 117.00	547	547	\$ 63,999.00	-	-	\$ -	547	\$ 63,999.00
42	2503.503	10" PVC PIPE SEWER (SDR35)	LF	5,651	\$ 119.00	5,651	5,651	\$ 672,469.00	-	-	\$ -	5,651	\$ 672,469.00
43	2503.503	10" PVC PIPE SEWER (SDR26)	LF	3,203	\$ 121.00	3,203	3,203	\$ 387,863.00	-	-	\$ -	3,203	\$ 387,863.00
44	2503.502	BENTONITE TRENCH DAM	EACH	74	\$ 1,900.00	74	74	\$ 140,600.00	-	-	\$ -	74	\$ 140,600.00
45	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	3	\$ 1,500.00	3	3	\$ 4,500.00	-	-	\$ -	3	\$ 4,500.00
46	2503.602	PLUG AND ABANDON PIPE SEWER	EACH	6	\$ 600.00	6	6	\$ 3,600.00	-	-	\$ -	6	\$ 3,600.00
47	2503.603	TELEVIEW SANITARY SEWER	LF	9,401	\$ 2.50	9,401	9,316	\$ 23,292.75	-	-	\$ -	9,316	\$ 23,292.75
48	2504.604	3" POLYSTYRENE INSULATION	SY	135	\$ 50.00	135	135	\$ 6,750.00	-	-	\$ -	135	\$ 6,750.00
49	2506.502	CASTING ASSEMBLY	EACH	5	\$ 800.00	5	5	\$ 4,000.00	-	-	\$ -	5	\$ 4,000.00
50	2506.503	CONSTRUCT DRAINAGE STRUCTURE DESIGN 4007	LF	508	\$ 675.00	508	508.00	\$ 342,900.00	-	-	\$ -	508.00	\$ 342,900.00
51	2506.602	CASTING ASSEMBLY SPECIAL	EACH	33	\$ 800.00	33	33	\$ 26,400.00	-	-	\$ -	33	\$ 26,400.00
52	2506.602	MANHOLE DESIGN 304 (EXTERNAL)	EACH	38	\$ 250.00	38	38	\$ 9,500.00	-	-	\$ -	38	\$ 9,500.00
53	2506.603	CONSTRUCT 3" INSIDE DROP	LF	8	\$ 200.00	8	8	\$ 1,600.00	-	-	\$ -	8	\$ 1,600.00
54	2521.516	6" CONCRETE WALK	SP	630	\$ 8.25	630	720	\$ 5,940.00	-	-	\$ -	720	\$ 5,940.00
55	2531.503	CONCRETE CURB AND GUTTER, DESIGN BR24	LF	20	\$ 85.00	20	28	\$ 2,380.00	-	-	\$ -	28	\$ 2,380.00
56	2545.602	INSTALL ELECTRICAL PEDESTAL AND SIGN	EACH	6	\$ 750.00	6	6	\$ 4,500.00	-	-	\$ -	6	\$ 4,500.00
57	2548.601	TRAFFIC CONTROL	LS	1.00	\$ 27,500.00	0.80	0.80	\$ 22,000.00	0.20	0.20	\$ 5,500.00	1.00	\$ 27,500.00
58	2573.601	STABILIZED CONSTRUCTION EXIT	LS	1.00	\$ 1,000.00	0.80	0.80	\$ 800.00	0.20	0.20	\$ 200.00	1.00	\$ 1,000.00
59	2573.602	STORM DRAIN INLET PROTECTION	EACH	37	\$ 900.00	27	27	\$ 24,300.00	10	28	\$ 25,200.00	42	\$ 49,500.00
60	2573.602	FILTER BERM TYPE 4	LF	18,895	\$ 2.00	13,848	13,848	\$ 27,696.00	5,047	5,047	\$ 10,094.00	18,895	\$ 37,790.00
61	2573.603	SILT FENCE, TYPE MS	LF	8,878	\$ 2.35	3,541	17,196	\$ 40,310.80	5,337	5,924	\$ 13,826.00	23,127	\$ 54,136.80
62	2573.603	SETBACK CONTROL LOG TYPE WOOD FIBER	LF	18,895	\$ 2.75	13,848	3,220	\$ 8,955.00	5,047	5,047	\$ 13,826.00	24,000	\$ 66,727.00
63	2573.601	PERMANENT PUBLIC WORKS STORMWATER IMPROVEMENTS	LS	1.00	\$ 50,000.00	0.80	0.80	\$ 40,000.00	0.20	0.20	\$ 10,000.00	1.00	\$ 50,000.00
64	2575.504	EROSION CONTROL BLANKETS CATEGORY 3N	SY	3,277	\$ 1.55	1,795	6,243	\$ 9,785.25	1,482	1,482	\$ 2,283.00	9,725	\$ 14,463.25
65	2575.505	SEEDING	ACRE	16.75	\$ 80.00	14.00	14.00	\$ 1,120.00	2.75	2.75	\$ 220.00	16.8	\$ 1,340.00
66	2575.508	SEED MIXTURE 36-311 (UPLAND)	LB	775	\$ 35.00	550	550	\$ 19,250.00	225	225	\$ 7,875.00	775	\$ 27,125.00
67	2575.508	SEED MIXTURE 34-371 (WETLAND)	LB	575	\$ 75.00	450	450	\$ 33,750.00	125	125.00	\$ 9,375.00	575	\$ 43,125.00
68	2575.505	MULCH/MATERIAL TYPE 1	ACRE	18.75	\$ 700.00	14.00	14.00	\$ 9,800.00	2.75	2.75	\$ 1,925.00	16.8	\$ 11,725.00
69	2582.503	4" DOUBLE SOLID LINE PAINT (YELLOW)	LF	71	\$ 12.00	71	71	\$ 852.00	-	-	\$ -	71	\$ 852.00
70	2582.503	4" SOLID LINE PAINT (WHITE)	LF	102	\$ 6.00	102	102	\$ 612.00	-	-	\$ -	102	\$ 612.00
71	2582.503	24" SOLID LINE PAINT (WHITE)	LF	50	\$ 14.00	-	-	\$ -	50	50	\$ 700.00	50	\$ 700.00
BID ALTERNATE #1 - MAINTENANCE ROAD PAVING													
72	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3.B)	TON	425	\$ 80.00	-	-	\$ -	425	425.00	\$ 34,000.00	425	\$ 34,000.00
BID ALTERNATE #2 - MAINTENANCE ROAD ALONG MAPLE GROVE													
73	2104.502	SALVAGE 24" RC PIPE APRON	EACH	1	\$ 400.00	-	-	\$ -	1	1	\$ 400.00	1	\$ 400.00
74	2104.502	SALVAGE LIGHT POLE AND BASE	EACH	1	\$ 600.00	-	-	\$ -	1	1	\$ 600.00	1	\$ 600.00
75	2104.502	SALVAGE SIGN	EACH	1	\$ 60.00	-	-	\$ -	1	1	\$ 60.00	1	\$ 60.00
76	2106.504	GEOTEXTILE FABRIC TYPE 6 (NON-WOVEN)	SY	700	\$ 3.00	-	-	\$ -	700	800.00	\$ 2,400.00	600	\$ 1,800.00
77	2106.507	EXCAVATION - COMMON	CY	2									

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



DATE: September 27, 2021 **Meeting Date:** 10/4/21
SUBJECT: Amendment to the Development Plan associated with the Pine View development **Agenda Item: 12-F** **Resolution 2021-127**

REQUESTED ACTION

Amend the Development Plan associated the the Planned Unit Development approval for the Pine View development subdivision.

RECOMMENDED ACTION:

Staff recommends approval of the amendment to the Development Plan to allow for the construction of a two family residential structure.

DESCRIPTION OF REQUEST:

Requested is an amendment to the Development Plan to allow for the construction of a two family residential structure.

BACKGROUND:

The Pine View development was originally platted in 2005. At that time the development was envisioned as a twinhome development with utilities being installed on each individual lot in order for each half of the twinhome to have its own utility connection.

In 2010, the developer requested an amendment to the development plan to allow for single family homes on specific lots within the development. At the time, twinhome sales were extremely slow so the amendment was envisioned as a way to spur lot sales within the development. To date, 7 single family homes have been constructed within the development. The underlying plat for the development did not change, rather the development plan specified which lots that single family homes could be constructed on.

Lots 19-22, Block 2 of the development fall under the single family home designation per the 2010 amendment. Each lot has its own utility services, but the amendment allows for one single family home on lots 19 and 20 and one single family home on lots 21 and 22. In the summer of 2021, the applicant, Jesse Stokke purchased lots 19 and 20 for the purpose of constructing a twinhome structure. He was unaware of the amended development plan which limited these lots to one single family structure. The applicant is requesting an amendment to the development plan which would allow for the construction of one twinhome on lots 19 and 20, which is consistent with the original 2005 development plan.

A public hearing for this application was held on Tuesday, September 21, 2021. Other than the applicant, there were two members of the public present to speak on the application. Their questions pertained to lot size/setbacks and what was being proposed on the property. The Planning and Zoning Commission recommended the application unanimously onto the City Council for their approval.

SUMMARY:

The proposed amendment to the Development Plan is consistent with the City's development goals for residential housing in the affected area of the City. By amending the 2010 Development Plan to now allow for the construction of a twinhome on lots 19 and 20, the proposed amendment now aligns with the original plan for the Pine View development.

RECOMMENDATION:

Staff recommends approval of the amendment to the PUD Development Plan, subject to the following:

1. Prior to building permit issuance:
 - a. All professional fees incurred by the City in connection with the Amendment must be paid.
 - b. All necessary permits, including but not limited to stormwater, erosion control, and driveways, shall be issued.
2. All conditions of prior approvals shall be met in the construction of the twinhome structure.
3. The applicant shall sign a consent form assenting to all conditions of this approval.
4. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS

Proposed Amended Plan – Exhibit A
2010 Revised Development Plan – Exhibit C
Location Map
2005 Plan
Letter Requesting PUD Amendment

Resolution No. 2021-127

**RESOLUTION APPROVING AMENDMENTS TO PLANNED UNIT DEVELOPMENT FOR
THE PLAT OF PINE VIEW**

WHEREAS, in 2010, Lakeland Construction Finance, LLC (“Developer”) submitted a plan to the City Council for a proposed development consisting of a combination of twin homes and single-family dwellings (“Project”); and

WHEREAS, the planned unit development (“PUD”) for the Project was approved by the Hermantown City Council by Resolution No. 2010-19; and

WHEREAS, a Final Planned Unit Development Order was issued for the Pineview Planned Unit Development (“Final PUD Order”) on October 12, 2010, and recorded with the St. Louis County Recorder of St. Louis County, Minnesota as Document No. 1146194; and

WHEREAS, Section 2.1 of Resolution No. 2010-19 requires that twin homes are to be clustered in the center of the Plat of Pine View (“Plat”) and single-family homes are to be located on the east and west ends; and

WHEREAS, infrastructure on the Plat was designed to accommodate the requirements for development set forth in Resolution No. 2010-19; and

WHEREAS, Lots 19 and 20 of Block 2 (“Property”) are in the center of the Plat and designated by the Revised Pineview Development Plan depicted as Exhibit C to the Final PUD Order to have a single-family home, which is inconsistent with the requirements of Resolution No. 2010-19; and

WHEREAS, Jesse Stokke (“Stokke”) has purchased Property and desires to develop a twin home on the Property and has requested an amendment to the Final PUD Order; and

WHEREAS, the Hermantown Planning and Zoning Commission held a public hearing on September 21, 2021 to consider the Stokke request; and

WHEREAS, the Hermantown Planning and Zoning Commission determined that an amendment to the Revised Pineview Development Plan of the Final PUD Order was consistent with the Project and recommended approval of such amendment; and

WHEREAS, the City Council has reviewed the proposed amendment to the Revised Pineview Development Plan as shown on Exhibit A attached hereto, the actions of Hermantown Planning and Zoning Commission, the recommendations of Hermantown Planning and Zoning Commission and the written information provided to it.

WHEREAS, based on such review and consideration the City Council of the City of Hermantown hereby makes the following:

FINDINGS OF FACT

A. Resolution No. 2010-19 required that twin homes are to be clustered in the center of the Plat of Pine View.

B. The Revised Pineview Development Plan depicted the Final PUD Order did not accurately reflect the original concept of the Resolution No. 2010-19.

C. After further review and consideration, it was concluded that the Final PUD Order be amended to allow a twin home on Lots 19 and 20 of Block 2 by revising Exhibit C to the Final PUD Order.

ON THE BASIS OF THE FOREGOING FINDINGS OF FACT, the City Council of the City of Hermantown hereby resolves as follows:

1. The amendment to the Revised Pineview Development Plan of the Final PUD Order is hereby approved.

2. The approval of the Amended Revised Pineview Development Plan attached hereto is Exhibit A, is subject to all the modifications/conditions being met as set forth in Resolution No. 2010-19.

3. The City Clerk of the City of Hermantown is hereby authorized to record this Resolution against the Property.

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:

None

WHEREUPON, such resolution was declared duly passed and adopted October 4, 2021.

EXHIBIT A
AMENDED REVISED PINEVIEW DEVELOPMENT PLAN

EXHIBIT C
REVISED PINEVIEW DEVELOPMENT PLAN

REVISED PINEVIEW DEVELOPMENT

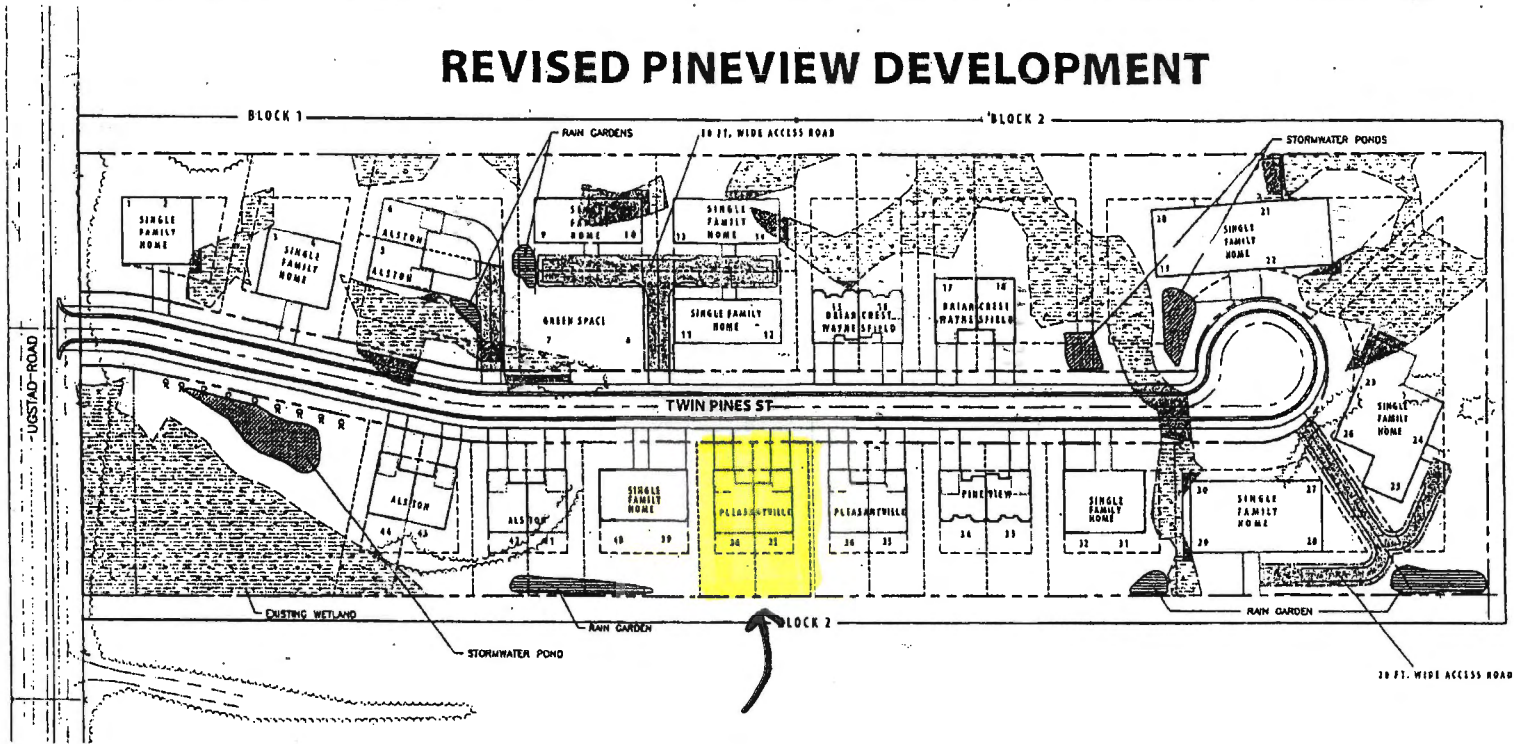
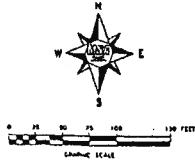


EXHIBIT A



Legend

- Building Setback Lines
- Road Right-of-Way
- Edge of Road
- Center Line
- Lot Line
- Access Easement
- = Wetland Area

SUBJECT PARCELS

Location Map



4914 Trails End Drive
Hermantown, MN 55811
jss11_8@hotmail.com
218-310-4013

Eric Johnson
City of Hermantown
Community Development Director
5105 Maple Grove Road
Hermantown, MN 55811
218-729-3600

Mr. Johnson,

I am writing to you in regards to a piece of property I recently purchased in Hermantown, MN in the Pineview Development on Twin Pines Street. The parcel's in question are 395-0115-00380 and 395-0115-00370 which are combined to form one lot. The development has a mixture of twin homes and single family homes, with my specific lot being designated as a single family lot. The revised development plan has been very confusing and I have reached out and have not received concrete confirmation as to why my lot is designated as only a single family lot. To the best of my knowledge, the original development was designed to be a twin home development until changes were made with a revised plan. I am reaching out to you and the City of Hermantown to seek an addendum to the revised development plan which would allow me to build a twin home. The property I own was originally built for a twin home as I have duplicates of sewer, water, and electricity already stubbed to the lot. I appreciate you considering my request and look forward to working with the City of Hermantown.

Sincerely,

Jesse Stokke

TO: Mayor & City Council

FROM: Eric Johnson, Community
Development Director



DATE: September 28, 2021

Meeting Date: 10/4/21

SUBJECT: Preliminary and Final Plat, Agenda Items: 12-G & H Resolutions 2021-128 & 129
Preliminary and Final PUD

REQUESTED ACTION

Approval of a Preliminary and Final Plat and a Preliminary and Final PUD for the proposed Red Tail Hawk subdivision of a 32.3 acre parcel into 7 residential lots. The property is located at 5189 West Arrowhead Road and is in a R-3 zoning district.

SITE INFORMATION:

Parcel Size: 32.3 acres total
Legal Access: 5189 West Arrowhead Road and 4371 Grouse Ridge Drive
Wetlands: Yes, per the National Wetland Inventory
Existing Zoning: R-3, Residential
Airport Overlay: None
Shoreland Overlay: Yes, Recreational Development Shoreland
Comprehensive Plan: Residential

BACKGROUND

The applicant is proposing to /reconfigure the properties at 5189 West Arrowhead Road and 4371 Grouse Ride Drive into a 7 lot land subdivision. 4 lots will have frontage off of West Arrowhead Road and 3 lots will have access off of Grouse Ridge Drive.

There is an existing home at 5189 West Arrowhead and 4371 Grouse Ridge Drive. The application will reconfigure these two parcels into a 0.57 acre parcel for 5189 W Arrowhead Road (Lot 6) and a 0.67 acre parcel for the 4371 Grouse Ridge Drive (Lot 3) property. The other 5 lots range in size from 0.5 acres to 23.6 acres in size.

Lots 4 and 7 take frontage from West Arrowhead Road and may have future twinhomes proposed for the property; Lots 2 and 5 are new single family lot meeting the R-3 requirements and Lot 1 being a residential lot that may see development in the future.

A public hearing for this application was held on Tuesday, September 21, 2021. In addition to the applicant, there were numerous members of the public present to speak on the application. Comments included what future development plans were for the parcels; access to Grouse Ridge Drive and what type of homes were going to be built. The Planning and Zoning Commission recommended the application unanimously onto the City Council for their approval.

ZONING ANALYSIS

The property is zoned R-3, Residential. At this time, this application is for a land subdivision and no new development is proposed. Any future applications for further land subdivision or development will go through a public hearing process at the Planning and Zoning meeting and City Council review and action. Property owners will be notified by mail of any future development applications.

Plat

The applicant is proposing to divide the property into 7 lots. A preliminary plat has been provided as part of the application. A final plat prepared by a registered land surveyor will be required for the project.

Planned Unit Development (PUD)

A PUD is a permitted use in an R-3 zone district. Section 11 of the zoning ordinance explains that: ‘A PUD is intended to encourage a more efficient and creative use of land and development, more efficient and effective use of streets, utilities and public services; protection of natural resources; and more efficient and effective provision of recreational, public and open space than can be achieved through conventional development procedures.

The applicant has applied for a Planned Unit Development (PUD) for the property as Lots 1, 4 and 7 have less than the 100 feet of road frontage as part of the R-3 zoning requirements. These three lots are essentially flag lots, which are allowed in a R-3 zoning district and can have a minimum road frontage of 30’. For this project, the applicant is seeking three flag lot configurations (lots 1,4 and 7), hence the requirement for a PUD application.

Utilities

City utilities are available in West Arrowhead Road and Grouse Ridge Drive. Any new homes will be required to be hooked into City utilities and pay any applicable connection or availability fees.

Stormwater

These are single family lots and as such are not required to have additional stormwater requirements. Each lot will incur a monthly stormwater utility fee once they are developed. Any future development plans will be required to be submitted to and reviewed by the City Engineer.

Access

Lots 4, 5, 6 and 7 have access to West Arrowhead Road with Lots 1, 2 and 3 having access to Grouse Ridge Drive.

Wetlands

A wetland delineation was done by way of the National Wetland Inventory (NWI) map. The NWI shows The applicant will be required to delineate each property for wetland limits. The wetland delineations and any impacts will be reviewed and acted upon by the Hermantown Technical Evaluation Panel. Wetlands will be required to be delineated prior to any new construction.

Special Use Permit

Approximately 1/3 of the 5189 West Arrowhead parcel is within a Recreational Development Shoreland overlay district. The overlay district affects lots 4,5,6 and 7. Lot 6 has an existing single family home on it and will not require a Special Use Permit as it is an existing structure. Lots 5,6 and 7 will be subject to the conditions of a Special Use Permit for grading, filling and construction within a shoreland overlay area. A Special Use Permit for each of these lots will be required prior to approval of any building permits.

Park Dedication Fees

The applicant will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100 per lot/unit will be paid at the time of final PUD/Plat approval. Bedroom fees at the rate of \$150/bedroom will be paid at the time of building permit.

Findings of Fact and Recommendations

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

1. The proposed preliminary and final plat meets the intent of the R-3, Residential Zoning District and the overall goals and policies of the Zoning Ordinance.
2. The preliminary and final plat is in accordance with and conformity to the Hermantown Comprehensive Plan and Hermantown Zoning Ordinance.
3. The lots will be served by public water and sewer which will be constructed by the applicant. The applicant/builder will be responsible for any connection of availability fees.
4. The preliminary and final PUD meets the intent of the R-3, Residential Zoning District, Chapter 11 – Planned Unit Developments, and the overall goals and policies of the Zoning Ordinance.
5. The preliminary and final PUD meets the Comprehensive Plan for residential development and standards of a Planned Unit Development by providing public benefit through enhanced and coordinated development design and a greater variety of housing variety in the community.
6. The preliminary and final PUD hereby approved is hereby expressly subject to the following conditions:
 - a. Property Owner is initially and continually in compliance with all of the ordinances and regulations of the City of Hermantown.
 - b. Trees and brush cannot be burned on the Land, but may be chipped and shredded.
 - c. Erosion control measures must be in place prior to any construction on the Final PUD.
 - d. The Property Owner shall take measures to control erosion that has the potential to damage adjacent land, and control sedimentation that has the potential to leave the site.
7. The Applicant will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100 per lot/unit will be paid at the time of final PUD/Plat approval. The applicant/builder will be responsible for the \$150/bedroom park dedication at the time of building permit.
8. The applicant/future builder will be required to apply for a Special Use Permit for the purpose of grading, filling or construction within a shoreland overlay area for lots 5,6 and 7. A Special Use Permit for each of these lots will be required prior to approval of any building permits.
9. The applicant will be required to conduct a wetland delineation and identify any proposed wetland impacts associated with any building/development on lots 1,4,5 and 7.
10. The Applicant shall sign a consent form assenting to all conditions of this approval.
11. The Applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

- Location Map
- Preliminary Plat

Resolution No. 2021-128

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT OF RED TAIL HAWK AND IMPOSING CONDITIONS ON THE FINAL PLAT

WHEREAS, BMAX Inc (Applicant) has requested a preliminary and final plat for Red Tail Hawk comprised of 7 lots on the overall property described in Exhibit A, in an R-3 zoning district; and

WHEREAS, the Hermantown Planning and Zoning Commission recommended the approval of the preliminary and final plat following a public hearing on September 21, 2021; and

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

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

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

1. The final plat is in accordance with and conformity to the Hermantown Comprehensive Plan and Hermantown Zoning Ordinance.
2. The preliminary and final plat of Red Tail Hawk is hereby approved.
3. The following conditions are imposed upon the final plat:
 - a. Final plat approval will be void if: (1) a final plat is not recorded with St. Louis County within one calendar year of preliminary plat approval; and (2) the City has not received and approved a written request for a time extension within one calendar year of final plat approval.
 - b. The title of the land underlying the plat shall be approved by the City Attorney.
4. The lots will be served by public water and sewer which will be constructed by the applicant. The applicant will be responsible for any connection or availability fees.
5. Prior to issuance of a building permit:
 - a. All necessary permits shall be obtained.
6. Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.
7. Not conduct any on-site burning or burial of brush or other site debris on the Property.
8. Prior to issuance of a building permit, all necessary permits shall be obtained, including, without limitation, any stormwater permits required by the Minnesota Pollution Control Agency.

9. The applicant/future builder will be required to apply for a Special Use Permit for the purpose of grading, filling or construction within a shoreland overlay area for lots 5,6 and 7. A Special Use Permit for each of these lots will be required prior to approval of any building permits
10. The applicant will be required to conduct a wetland delineation and identify any proposed wetland impacts associated with any building/development on lots 1,4,5 and 7.
11. The Applicant shall comply with the following conditions during construction:
 - a. Development activity shall comply with all City noise ordinances. There shall be no construction activity between the hours of 10 p.m. and 7 a.m.
 - b. Loud equipment shall be kept as far as possible from adjacent residences.
 - c. The site shall be kept free of dust and debris that could blow onto neighboring properties.
 - d. Public streets shall be maintained free of dirt and shall be cleaned as necessary.
 - e. The City shall be contacted a minimum of 72 hours prior to any work in a public street or right-of-way. Work in a public street shall take place only upon the determination by the Public Works Director that appropriate safety measures have been taken to ensure motorist and pedestrian safety.
 - f. The Zoning Administrator may impose additional conditions if it becomes necessary in order to mitigate the impact of construction on surrounding properties.
12. The Applicant shall pay a park dedication fee of \$7,700 (1,100/lot for 7 lots) in lieu of dedicated park land. This fee will be paid at the time of plat approval. The applicant/builder will be responsible for the \$150/bedroom park dedication at the time of building permit.
13. The Applicant shall sign a consent form assenting to all conditions of this approval.
14. The Applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

Councilor ___ introduced the foregoing resolution and moved its adoption.

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

Councilors

And the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted October 4, 2021.

EXHIBIT A

W1/2 OF SE1/4 EX W 16 RODS OF THE S1/2 AND EX W 420 FT OF E 759 FT OF S 1030 FT AND EX E1/2 OF THE N1/2 AND EX E 339 FT OF THE S1/2 SECTION 10 TOWNSHIP 50 RANGE 15

Parcel: 395-0010-02890

Lot 4, Block 2 Evergreen Second Addition Section 10 Township 50 Range 15

Parcel: 395-0059-00080

Resolution No. 2021-129

RESOLUTION APPROVING PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT FOR BMAX, INC.

WHEREAS, BMAX, Inc. (Applicant) has submitted a complete application (Application) for a preliminary and final Planned Unit Development (PUD) in association with the land subdivision of parcel 395-0010-02890 and 395-0059-00080; and

WHEREAS, the Hermantown Planning and Zoning Commission held a public hearing on the preliminary and final PUD on September 21, 2021 following notice as required by the City's Zoning Code; and

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

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

NOW THEREFORE, BE IT RESOLVED after due consideration of the entire City file, the testimony at the public hearing and all other relevant matters the City Council hereby makes the following findings related to the Final Planned Unit Development.

A. FINDINGS OF FACT

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

9. Maps were provided with the Plan and contained the following:
 - 9.1 The existing topographic character of the land.
 - 9.2 A composite of all natural amenities of the site including steep slopes, drainage ways plus wetlands.
 - 9.3 The size of the site and proposed uses of the land to be developed together with an identification of off-site land uses.
 - 9.4 The density of land use to be allocated to the overall development.
10. The Plan includes the following:
 - 10.1 A statement of the ownership of all land involved in the Planned Unit Development.
 - 10.2 An explanation of the general character of the planned development.
 - 10.3 A general indication of the expected time schedule of development.
11. The approval of the Final Development Plan is subject to the following modifications/conditions:
 - 12.1 The Developer will cause all buildings within the development to be constructed in accordance with all applicable building and fire codes.
 - 12.2 In order to insure that the spirit and intent of the Hermantown Zoning Code is met modifications must be made to the Plan and conditions imposed on the development proposed by the Plan.
 - 12.3 Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.
 - 12.4 Prior to issuance of a building permit, all necessary permits shall be obtained, including, without limitation, any stormwater permits required by the Minnesota Pollution Control Agency.
 - 12.5 The applicant/future builder will be required to apply for a Special Use Permit for the purpose of grading, filling or construction within a shoreland overlay area for lots 5,6 and 7. A Special Use Permit for each of these lots will be required prior to approval of any building permits.
 - 12.6 The applicant will be required to conduct a wetland delineation and identify any proposed wetland impacts associated with any building/development on lots 1,4,5 and 7.

- 12.7 The applicant shall describe best management methods that will be used to demarcate and protect wetlands that are located on site, including physically signing boundaries and providing electronic and GIS information to City documenting the wetland boundaries.
- 12.8 The developer shall comply with the following conditions during construction:
- a. Development activity shall comply with all City noise ordinances. There shall be no construction activity between the hours of 10 p.m. and 7 a.m.
 - b. Loud equipment shall be kept as far as possible from adjacent residences.
 - c. The site shall be kept free of dust and debris that could blow onto neighboring properties.
 - d. Public streets shall be maintained free of dirt and shall be cleaned as necessary.
 - e. The City shall be contacted a minimum of 72 hours prior to any work in a public street or right-of-way. Work in a public street shall take place only upon the determination by the Public Works Director that appropriate safety measures have been taken to ensure motorist and pedestrian safety.
 - f. The Zoning Administrator may impose additional conditions if it becomes necessary in order to mitigate the impact of construction on surrounding properties.
- 12.9 The applicant shall sign a consent form assenting to all conditions of this approval.
- 12.10 The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.
13. To accomplish the complex review process for approval of the Plan, the dates and deadlines of Chapter 11, "Planned Unit Developments" were reviewed and requirements met by the Developer.
14. The approval given by this Resolution is not effective until Developer executes and delivers an acceptance of the terms and provisions of this Resolution.
15. The developer will be required to pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100 per unit with an additional \$150 per bedroom fee will be paid at the time of application for each building permit. This will satisfy the requirements of Hermantown City Code Section 565.14.
16. A Final PUD Order consistent with the provisions of this resolution will be prepared by staff and the Mayor and City Clerk are authorized to execute the Final PUD Order.
17. Developer must pay all costs and expenses incurred by the City, including attorney's fees, planner fees and out of pocket costs incurred by the City.

CONCLUSION

On the basis of the foregoing Findings of Fact, the City Council of the City of Hermantown is hereby resolved as follows:

1. The Final PUD meets the intent of the R-3, Residential Zoning District, Chapter 11 – Planned Unit Developments, and the overall goals and policies of the Zoning Ordinance.
2. The proposed development meets the Comprehensive Plan for residential development and standards of a Planned Unit Development by providing public benefit through enhanced and coordinated development design and a greater variety of housing and community types in the community.
3. The developer shall pay park dedication fees consistent with the requirements of the City Zoning Ordinance. A park dedication fee of \$1,100 per unit will be paid at time of Final PUD approval with an additional \$150 per bedroom fee will be paid at the time of application for each building permit.
4. The applicant shall sign a consent form assenting to all conditions of this approval.
5. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.
6. The approval made by this resolution extends only to the Project as defined in this resolution.

Councilor ___ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted October 4, 2021

LEGAL DESCRIPTION

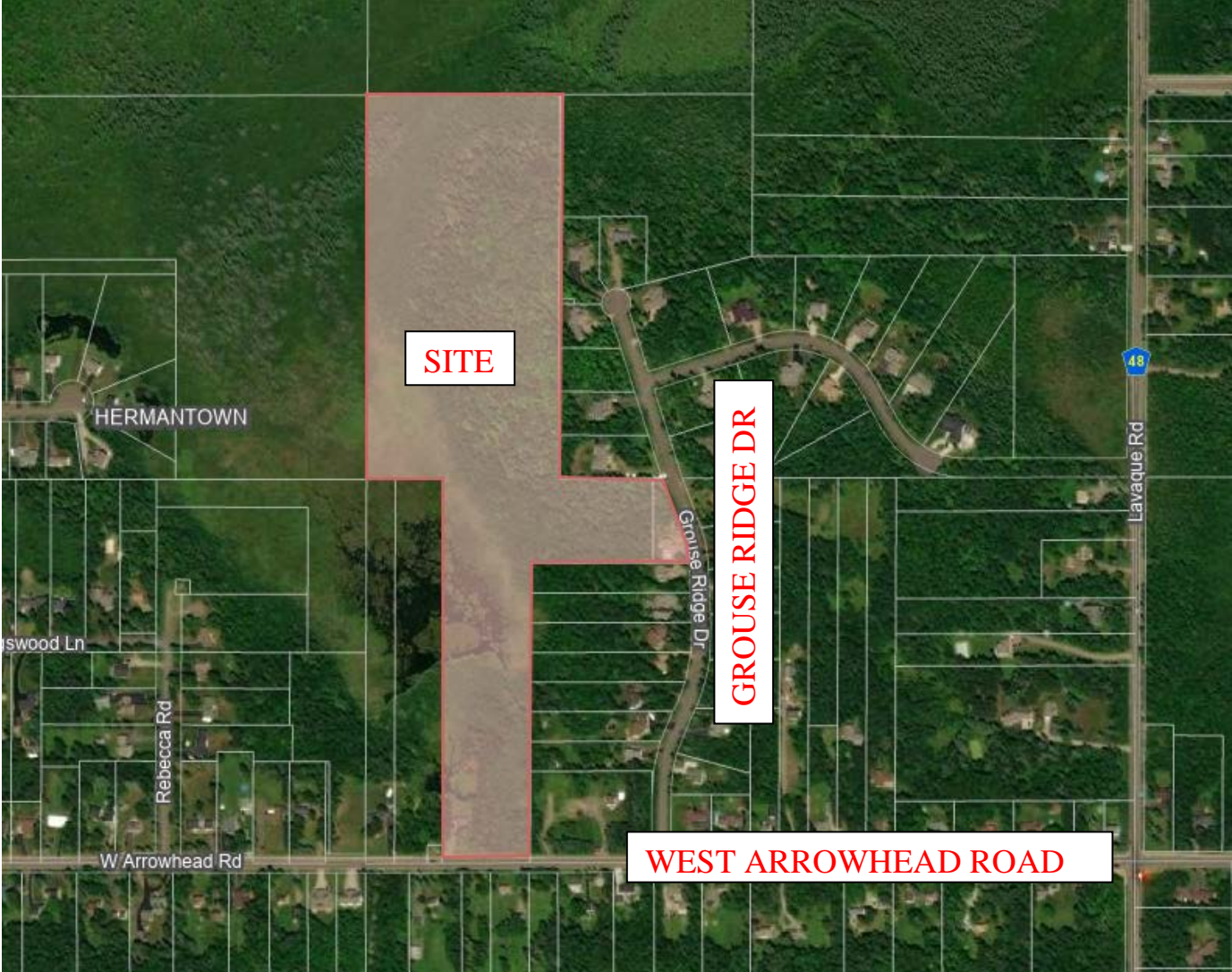
W1/2 OF SE1/4 EX W 16 RODS OF THE S1/2 AND EX W 420 FT OF E 759 FT OF S 1030 FT AND EX E1/2 OF THE N1/2 AND EX E 339 FT OF THE S1/2 SECTION 10 TOWNSHIP 50 RANGE 15

Parcel: 395-0010-02890

Lot 4, Block 2 Evergreen Second Addition Section 10 Township 50 Range 15

Parcel: 395-0059-00080

Location Map



KNOW ALL PERSONS BY THESE PRESENTS: That Darren Weets and Layne Weets, husband and wife; Darrell Weets and Desiree Weets, husband and wife; Derek Weets and Mary Weets, husband and wife, owners and proprietors and Frandsen Bank & Trust, Mortgagee of the following described property situated in the County of St. Louis, State of Minnesota, to wit:

Lot Four (4), Block Two (2), EVERGREEN SECOND ADDITION, St. Louis County, Minnesota. AND

KNOW ALL PERSONS BY THESE PRESENTS: That BMAX Inc., a Minnesota Corporation, owners and proprietors of the following described property situated in the County of St. Louis, State of Minnesota, to wit:

All that part of the Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) of Section Ten (10), Township Fifty (50), Range Fifteen (15), St. Louis County, Minnesota, described as follows, to-wit: Beginning at the Southeast corner of said Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4); thence running Westerly along the Southerly line of said Southwest Quarter of Southeast Quarter (SW1/4 of SE1/4) fifty-five (55) rods, which is the point of beginning; thence running Northerly and parallel to the East line of said Southwest Quarter of Southeast Quarter (SW1/4 of SE1/4) to the North line of said Southwest Quarter of Southeast Quarter (SW1/4 of SE1/4); thence running Westerly along the Northerly line of said Southwest Quarter of Southeast Quarter (SW1/4 of SE1/4) for a distance of nine (9) rods; thence running Southerly and parallel to the East line of said Southwest Quarter of Southeast Quarter (SW1/4 of SE1/4) to the Southerly line of said Southwest Quarter of Southeast Quarter (SW1/4 of SE1/4); running thence Easterly along the Southerly line of said Southwest Quarter of Southeast Quarter (SW1/4 of SE1/4) to the place of beginning.

AND
West half of Northwest Quarter of Southeast Quarter (W1/2 of NW1/4 of SE1/4) Section Ten (10), Township Fifty (50) Range Fifteen (15), St. Louis County, Minnesota.

AND
West 148.5 feet of East 907.5 feet of SW1/4 of SE1/4, Section 10, Township 50 North of Range 15 West of the Fourth Principal Meridian; AND West 420 feet of East 759 feet of SW1/4 of SE1/4, except the South 1,030 feet thereof, Section 10, Township 50 North of Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota.

has caused the same to be surveyed and platted as RED TAIL HAWK ADDITION and does hereby donate and dedicate to the public for the public use forever all roads, drainage and utility easement as shown on the plat.

In witness whereof Darren Weets on behalf of BMAX, Inc., a Minnesota Corporation, has caused these presents to be signed this ___ day of _____, 2021.

Darren Weets as President of BMAX, Inc.

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by Darren Weets on behalf of BMAX, Inc.

Notary Public Signature _____ Notary Printed Name _____
County, Minnesota, My Commission Expires _____

In witness whereof Darren Weets and Layne Weets, husband and wife, have caused these presents to be signed this ___ day of _____, 2021.

Darren Weets Layne Weets

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by Darren Weets and Layne Weets, husband and wife.

Notary Public Signature _____ Notary Printed Name _____
County, Minnesota, My Commission Expires _____

In witness whereof Darrell Weets and Desiree Weets, husband and wife, have caused these presents to be signed this ___ day of _____, 2021.

Darrell Weets Desiree Weets

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by Darrell Weets and Desiree Weets, husband and wife.

Notary Public Signature _____ Notary Printed Name _____
County, Minnesota, My Commission Expires _____

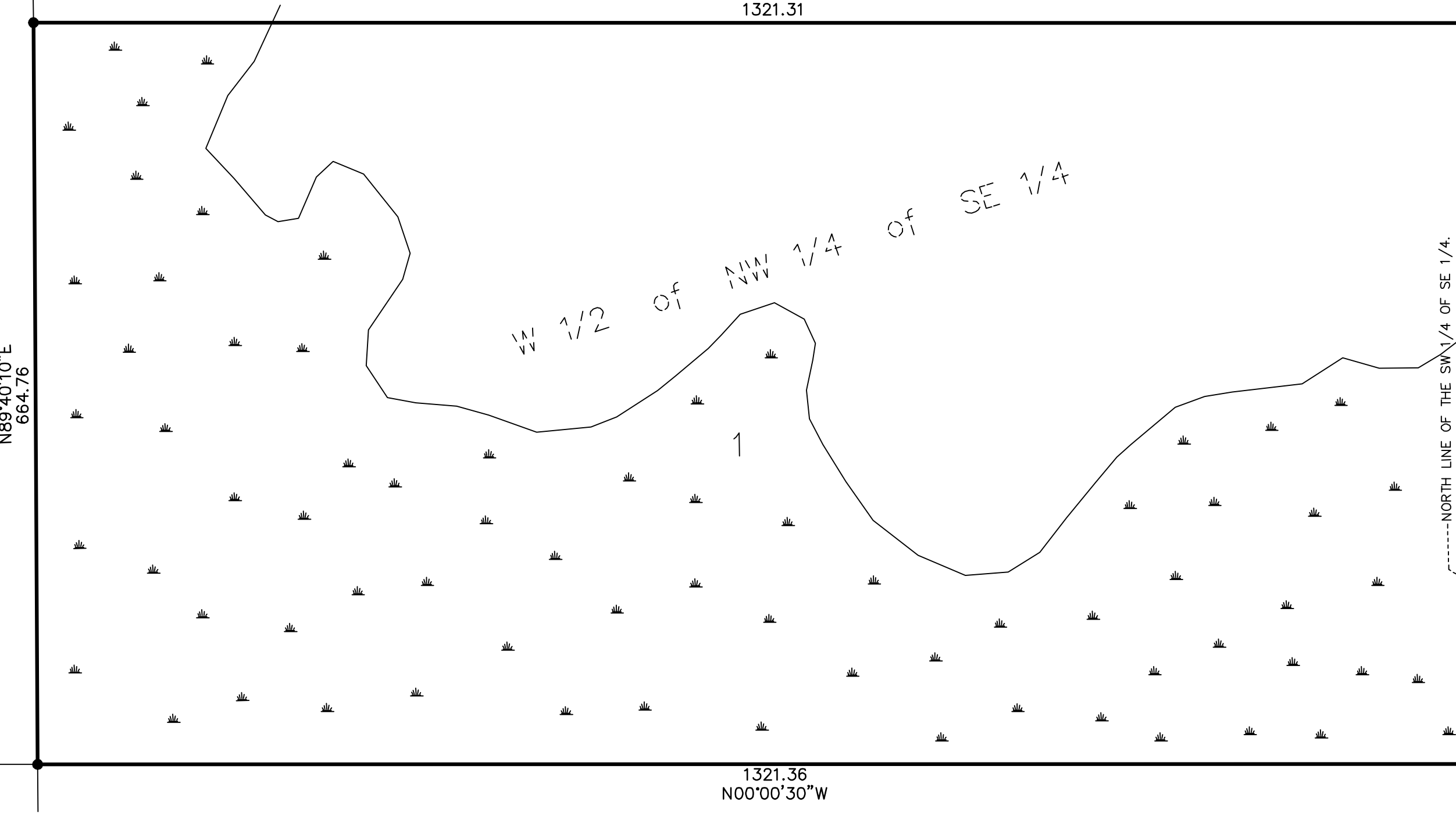
In witness whereof Derek Weets and Mary Weets, husband and wife, have caused these presents to be signed this ___ day of _____, 2021.

Derek Weets Mary Weets

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by Derek Weets and Mary Weets, husband and wife.

Notary Public Signature _____ Notary Printed Name _____
County, Minnesota, My Commission Expires _____



RED TAIL HAWK ADDITION

I hereby certify that this plat of RED TAIL HAWK ADDITION is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been or will be correctly set within one year as indicated on the plat; that all water boundaries and wet lands as of the date of the surveyor's certification are shown and labeled on the plat; that all public ways are shown and labeled on the plat. I further certify that this plat was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Michael Stang
Minnesota License No. 52591

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by Michael Stang, R.L.S. No. 52591.

Notary Public Signature _____ Notary Printed Name _____
County, Minnesota, My Commission Expires _____

CITY COUNCIL OF HERMANTOWN
We do hereby certify that on this ___ day of _____, 20___, the City Council of the City of Hermantown approved this plat.

By _____ its Mayor

By _____ its City Clerk

ST. LOUIS COUNTY SURVEYOR
Pursuant to Chapter 820, Laws of Minnesota, 1971 and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this ___ day of _____, 20___.

Nick C. Stewart County Surveyor By _____
Todd M. Hendershott, Deputy

In witness whereof Tim Smith, Vice President of Frandsen Bank & Trust, have caused these presents to be signed this ___ day of _____, 2021.

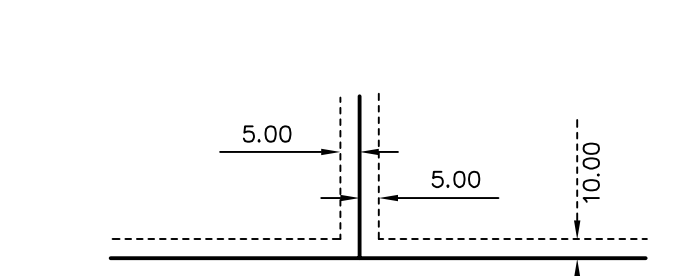
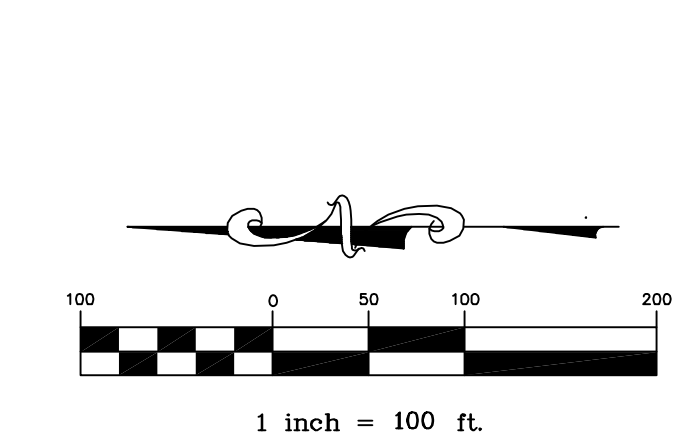
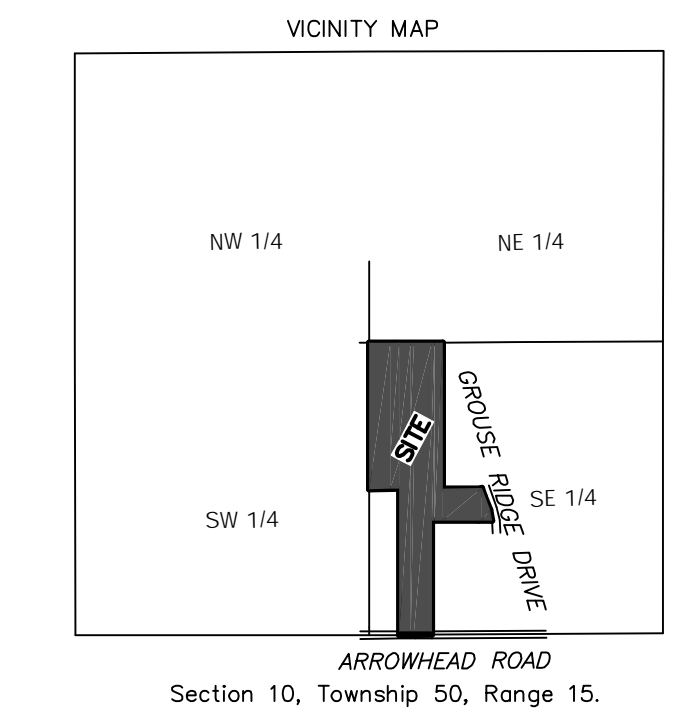
Tim Smith - Vice President

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by Tim Smith, Vice President of Frandsen Bank & Trust.

Notary Public Signature _____ Notary Printed Name _____
County, Minnesota, My Commission Expires _____

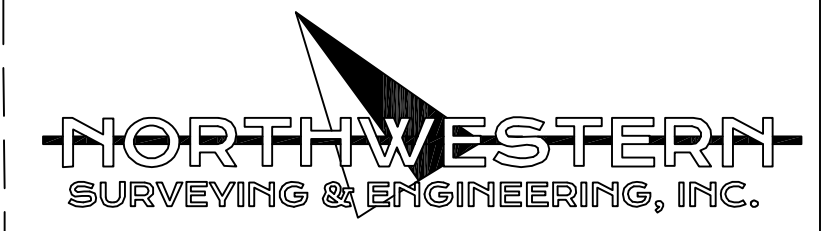
In witness whereof Tim Smith, Vice President of Frandsen Bank & Trust, have caused these presents to be signed this ___ day of _____, 2021.



DRAINAGE AND UTILITY EASEMENTS TO BE 5.00 FEET ON EACH SIDE OF LOT LINES AND 10.00 FEET ADJACENT TO ROAD RIGHT-OF-WAYS.

- INDICATES FOUND IRON MONUMENTS
- INDICATES SET CAPPED IRON MONUMENT BEARING R.L.S. No. 52591 UNLESS OTHERWISE NOTED
- (M) INDICATES MEASURED
- (R) INDICATES RECORD
- ▲ INDICATES WETLAND AS DELINEATED BY OTHERS

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE ST. LOUIS COUNTY MINNESOTA TRANSVERSE MERCATOR COORDINATE SYSTEM NAD 83 (96 ADJ.)



ST. LOUIS COUNTY AUDITOR
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable for year 20___, on the land hereinbefore described, have been paid. Also pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered, on this ___ day of _____, 20___

By _____
Nancy Nilsen, St. Louis County Auditor - Treasurer

ST. LOUIS COUNTY RECORDER
Document Number _____

I hereby certify that this plat of RED TAIL HAWK ADDITION was filed in this office for public record this ___ day of _____, 20___, at ___ o'clock ___ M., filed as Document number _____.

Wandy Levitt County Recorder By _____
Deputy