

CITY OF HERMANTOWN  
CITY COUNCIL CONTINUATION MEETING  
October 18, 2021  
6:30 p.m.

## MEETING CONDUCTED IN PERSON & VIA ZOOM

### Pledge of Allegiance

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

**CITY STAFF:** John Mulder, City Administrator; Bonnie Engseth, City Clerk; Joe Wicklund, Communications Director; David Bolf, City Engineer; Steve Overom, City Attorney

**ABSENT:**

**VISITORS:** 10

### ANNOUNCEMENTS

### PUBLIC HEARING

#### A. Road Improvement District No. 536 (Sundby Road and Swan Lake Road)

#### NOTICE OF HEARING ON ASSESSMENTS FOR THE CONSTRUCTION OF 2021 ROAD IMPROVEMENT DISTRICT NO. 536 (SUNDBY ROAD & SWAN LAKE ROAD)

NOTICE IS HEREBY GIVEN that the City Council will meet at 6:30 p.m. on Monday, October 18, 2021 at the Governmental Services Building, 5105 Maple Grove Road, Hermantown, Minnesota to consider the proposed assessment for the construction of 2021 Road Improvement District No. 536 (Sundby Road & Swan Lake Road) ("Project").

The area proposed to be assessed for such improvements are the parcels of land determined by the City to be benefited by said improvements based on benefits received.

The proposed assessment roll is on file for public inspection at the office of the City Clerk in the Governmental Services Building, 5105 Maple Grove Road, Hermantown, Minnesota. The amount of the proposed assessment for the entire Project is \$107,250.00.

Written or oral objections by any property owner to the proposed assessment will be considered at the hearing. If a property owner at or prior to the hearing files a written objection to the assessment, the City Council shall consider such objection at an adjourned meeting upon such further notice to such objecting property owner as it deems advisable.

An owner may appeal an assessment to the District Court of St. Louis County pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk of the City within thirty (30) days after the adoption of the assessment roll and filing such notice with the District Court within ten (10) days after service upon the Mayor or Clerk. No such appeal may be taken as to the amount of any assessment unless a written objection signed by the affected property owner is filed with the City Clerk prior to the assessment hearing or presented to the presiding officer at the assessment hearing.

Under Sections 435.193 to 435.195 of the Minnesota Statutes, the City Council may, in its discretion,

defer the payment of a special assessment for any homestead property owned by a person sixty-five (65) years of age or older or a person who is retired due to permanent disability or a person in the military ordered into active military service for whom it would be a hardship to make the payments.

When deferment of the special assessment has been granted and is terminated for any reason provided in that law, all amounts accumulated plus applicable interest become due.

Any assessed property owner meeting the requirements of such law and City of Hermantown Resolution No. 2010-99 may, on a form obtained from the City Clerk, apply for such deferral of payment of a special assessment.

The Public Hearing held Monday, October 18, 2021 regarding Road Improvement District No. 536 has been recorded but not transcribed. The following residents spoke regarding this project:

Stephen Wedel, 4725 Swan Lake Rd.

Public Hearing closed at 6:36 p.m.

**B. Road Improvement District No. 537 (Lavaque Junction Road)**

NOTICE OF HEARING ON ASSESSMENTS FOR THE  
CONSTRUCTION OF ROAD IMPROVEMENT DISTRICT NO. 537 (LAVAQUE JUNCTION ROAD)

NOTICE IS HEREBY GIVEN that the City Council will meet at 6:30 p.m. on Monday, October 18, 2021 at the Governmental Services Building, 5105 Maple Grove Road, Hermantown, Minnesota to consider the proposed assessment for the construction of Road Improvement District No. 537 (Lavaque Junction Road) (“Project”).

The area proposed to be assessed for such improvements are the parcels of land determined by the City to be benefited by said improvements based on benefits received.

The proposed assessment roll is on file for public inspection at the office of the City Clerk in the Governmental Services Building, 5105 Maple Grove Road, Hermantown, Minnesota. The amount of the proposed assessment for the entire Project is \$429,000.00.

Written or oral objections by any property owner to the proposed assessment will be considered at the hearing. If a property owner at or prior to the hearing files a written objection to the assessment, the City Council shall consider such objection at an adjourned meeting upon such further notice to such objecting property owner as it deems advisable.

An owner may appeal an assessment to the District Court of St. Louis County pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk of the City within thirty (30) days after the adoption of the assessment roll and filing such notice with the District Court within ten (10) days after service upon the Mayor or Clerk. No such appeal may be taken as to the amount of any assessment unless a written objection signed by the affected property owner is filed with the City Clerk prior to the assessment hearing or presented to the presiding officer at the assessment hearing.

Under Sections 435.193 to 435.195 of the Minnesota Statutes, the City Council may, in its discretion, defer the payment of a special assessment for any homestead property owned by a person sixty-five (65) years of age or older or a person who is retired due to permanent disability or a person in the military ordered into active military service for whom it would be a hardship to make the payments.

When deferment of the special assessment has been granted and is terminated for any reason provided in that law, all amounts accumulated plus applicable interest become due.

Any assessed property owner meeting the requirements of such law and City of Hermantown Resolution No. 2010-99 may, on a form obtained from the City Clerk, apply for such deferral of payment of a special assessment.

The Public Hearing held Monday, October 18, 2021 regarding Road Improvement District No. 537 has been recorded but not transcribed. The following residents spoke regarding this project:

Casey MacDonell, 5236 Lavaque Jct. Rd.

Katy Van Loon, 5180 Lavaque Jct. Rd.

Public Hearing closed at 6:43 p.m.

## **COMMUNICATIONS**

Communications 21-174 through and including 21-180 were read and placed on file.

Communication 21-175 from MN Power to City of Hermantown regarding Duluth Loop Reliability Project

Communication 21-178 from WLSSD to John Mulder, City Administrator regarding 2022 Budget

## **PRESENTATIONS**

## **PUBLIC DISCUSSION**

## **CONSENT AGENDA**

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

- A. Approve October 4, 2021 City Council Minutes
- B. Approve general city warrants from October 1, 2021 through October 15, 2021 in the amount of \$438,982.99

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

## **MOTIONS**

## **ORDINANCES**

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

Second Reading

Motion made by Councilor Geissler, seconded by Councilor Nelson to adopt Ordinance 2021-09, An Ordinance Amending Hermantown Code Of Ordinances Section 270 – Fee Schedule. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

**RESOLUTIONS**

**2021-130**      Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Cooperative Agreement Between St. Louis County And The City Of Hermantown For 2022 Crack Sealing CP 0000-477572

Motion made by Councilor Peterson, seconded by Councilor Hauschild to adopt Resolution 2021-130, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Cooperative Agreement Between St. Louis County And The City Of Hermantown For 2022 Crack Sealing CP 0000-477572. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

**2021-131**      Resolution Approving Utility And Infrastructure Manager Job Description And Position

Motion made by Councilor Peterson, seconded by Councilor Hauschild to adopt Resolution 2021-131, Resolution Approving Utility And Infrastructure Manager Job Description And Position. Roll Call: Councilors Geissler, Hauschild, Nelson, Peterson, Mayor Boucher, aye. Motion carried.

Motion made by Councilor Nelson, seconded by Councilor Geissler to recess the meeting at 6:52 p.m. Motion carried.

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Mayor

ATTEST:

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Clerk