



## **Hermantown City Council Meeting – November 1, 2021**

Because of attendance considerations at the regular meeting location due to the health pandemic, Hermantown's November 1, 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](mailto:jwicklund@hermantownmn.com) up to 3:30 p.m. the day of the meeting with the e-mail title "November 1, 2021, Meeting." It is important to note that all comments regarding the November 1, 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, November 1, 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.

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### **City Council Meeting November 1, 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, November 1, 2021 at 4:30 p.m.  
Council Chambers  
Hermantown Governmental Services Building**

**City Council Meeting November 1, 2021 at 6:30 p.m.  
Council Chambers  
Hermantown Governmental Services Building**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **ANNOUNCEMENTS** *(Council Members may make announcements as needed.)*
5. **PUBLIC HEARING** – *(Only when necessary. The rule adopted three minutes per person if necessary. Any action required after the public hearing will be taken immediately following the closing of the public hearing.)*
6. **COMMUNICATIONS**
  - A. **21-182** Wallace Kucza, 5147 Lavaque Jct. Rd.  
TO: Joe Wicklund, David Bolf  
RE: Objection to Proposed Assessment
  - B. **21-183** James Sundstrom, 5255 Lavaque Rd.  
TO: City Clerk  
RE: Objection to Proposed Assessment
  - C. **21-184** Stephen Wedel, 4725 Swan Lake Rd.  
TO: City Clerk  
RE: Objection to Proposed Assessment
  - D. **21-186** Ronald Rutka, 5194 Lavaque Jct. Rd.  
TO: City Clerk  
RE: Objection to Proposed Assessment
  - E. **21-187** Casey MacDonell, 5236 Lavaque Jct. Rd.  
TO: City Clerk  
RE: Objection to Proposed Assessment
7. **PRESENTATIONS** *(Department Heads may give reports if necessary.)*
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 [October 18, 2021 City Council Continuation Minutes](#)

B. **Accounts Payable** – Approve general city warrants from October 16, 2021 through October 31, 2021 in the amount of \$988,510.29

(motion, roll call)

10. **MOTIONS**

11. **ORDINANCES**

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

A. **2021-132**      Resolution Authorizing The Disposal Of Surplus City Property

(motion, roll call)

B. **2021-133**      Resolution Authorizing The Disposal Of Surplus City Property

(motion, roll call)

C. **2021-134**      Resolution To Establish A No Parking Zone Along Certain Roads In The City Of Hermantown

(motion, roll call)

D. **2021-135**      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 Maintenance Striping CP 0000-369670

(motion, roll call)

E. **2021-136**      Resolution Approving Final Compensating Change Order And Final Pay Request For Keene Creek Park Trail To Veit & Company, Inc. In The Amount Of \$67,229.40

(motion, roll call)

F. **2021-137**      Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver Utility Service Agreement With A-Lign Properties LLC

(motion, roll call)

**G.**     **2021-138**        Resolution Creating A Grant Program For Current Utility Customers In 2022  
          (motion, roll call)

**13.**     **RECESS**

**DATE: 2021**

**TO: City Council Members**

**FROM: John Mulder, City Administrator**

**RE: Correspondence**

In your packet is a correspondence summary log. This briefly summarizes and assigns a log number for written correspondence received at City Hall. You are provided with the summary so that you may request a full copy of any correspondence article of interest to you. Bonnie & I have copied only the correspondence that we believe to be of special interest.

JM

10/13/2021	21-181	MN State Demographic Center	John Mulder, City Administrator	2020 Census Population and Household Counts	9/30/2021
10/15/2021	21-182	Wallace Kucza 5147 Lavaque Jct. Rd.	Joe Wicklund, David Bolf	Objection to Proposed Assessment	10/14/2021
10/15/2021	21-183	James Sundstrom, 5255 Lavaque Rd.	Bonnie Engseth, City Clerk	Objection to Proposed Assessment	10/15/2021
10/15/2021	21-184	Stephen Wedel, 4725 Swan Lake Rd.	Bonnie Engseth, City Clerk	Objection to Proposed Assessment	10/15/2021
10/18/2021	21-185	Stephanie Voeller, MN Dept. of Health	Bonnie Engseth, City Clerk	Lead/Copper Tap Water Monitoring Report	10/14/2021
10/19/2021	21-186	Ronald Rutka, 5194 Lavaque Jct. Rd.	Bonnie Engseth, City Clerk	Objection to Proposed Assessment	10/18/2021
10/19/2021	21-187	Casey MacDonnell, 5236 Lavaque Jct. Rd.	Bonnie Engseth, City Clerk	Objection to Proposed Assessment	10/18/2021
10/20/2021	21-188	Wayne Boucher, Mayor	Victor Lund, Traffic Engineer, St. Louis County	Midway Road at Rose Road-Left Turn Lanes	10/15/2021
10/20/2021	21-189	Gunnar Johnson, Overom Law	CommNet Cellular, d/b/a Verizon Wireless	Notice of Lease Termination	10/19/2021
10/25/2021	21-190	MN Dept. of Labor	City of Hermantown	Elevator ID#: ELV-1054285 - EWC	10/13/2021
10/26/2021	21-191	MN Dept. of Health	Bonnie Engseth, City Clerk & City Council	Plan Review Approval - Highway 53 Tower Reconditioning Project	10/20/2021
10/26/2021	21-192	Brian Hunker, HDR Engineering, Inc.	John Mulder, City Administrator	Duluth Loop Reliability Project	10/21/2021

10-14-71

Joe Wicklund David Bolf

I am writing this letter to inform you, that by raising and moving the hill in front of our property, you have created our main driveway to be a blind driveway. Before you started this project, we could at least see past the top of the hill to the Lavaque Road and judge our exit. Now we can not see a thing until a vehicle is up and over the hill which is a dangerous situation. Most of the traffic is not going 30 miles per hour, in fact very few are. Most are going well over 30 miles per hour. Even if you are coming from the Ugstad Road, to turn into the driveway, you can not see any traffic coming from the east. It has created a dangerous situation. It is an accident ready to happen You can replace a vehicle but not a life. This is our main driveway and the one we use!!

Also by making this driveway slope down onto the road, conditions are made worst in winter months. Any one living in Minnesota knows the dangers with ice and snow. When we exit this driveway under icy conditions, we will sliding right into the road. Also blowing snow in this area will be a challenge. The changes you made to the road and our driveway are any thing but good.

When do you think this prolem can be corrected.

Wallace Dreyer  
5147 Lavaque Junction Road



OCTOBER 15, 2021

TO: CITY CLERK, HERMANTOWN

I AM GIVING THIS WRITTEN NOTICE TO OBJECT TO THE PROPOSED ASSESSMENT AGAINST MY PROPERTY FOR THE LAVAQUE JUNCTION ROAD PROJECT.

ALTHOUGH LAVAQUE JUNCTION RUNS ALONG MY PROPERTY, I DON'T THINK IT BENEFITS ME IN ANY WAY.

THE ADDRESS TO MY PROPERTY IS 5255 LAVAQUE ROAD. MY DRIVEWAY IS ON LAVAQUE ROAD AS WELL AS MY MAILBOX, I DO NOT USE LAVAQUE JUNCTION TO ACCESS MY PROPERTY.

FOR THESE REASONS, I DON'T THINK MY PROPERTY SHOULD BE ASSESSED FOR THIS PROJECT.

SINCERELY

*James Sundstrom*

JAMES D. SUNOSTROM  
3067 COUNTY RD. 61  
BARNUM, MN. 55707

October 15, 2021

City of Hermantown  
Governmental Services Building  
5105 Maple Grove Rd  
Hermantown, MN 55811

To Whom It May Concern;

As a resident of the city of Hermantown, who currently resides at 4725 Swan Lake Rd and is one of the property owners being assessed for recent road improvements to that portion of Swan Lake Rd that is now a city street, I would like to state my reasons for objecting to that assessment here:

1. Only a portion of that short stretch of Swan Lake Rd, (roughly ½), was changed from a county road to a city street. Why only part of a road that is hardly a mile long in its entirety?
2. The last time this section of Swan Lake Rd was resurfaced was in 1999. Plans were already in the works by 2019 to resurface it again. The 22 year lifespan since the last major work on this road was completed saw traffic volumes increase from 501 vehicles/day in 1999 to 1400 vehicles/day in 2019, an almost threefold increase.
3. The vehicle/day count is sure to increase at an even faster rate with the opening of the new Costco store as this "short cut" through Swan Lake Rd will be used by many to avoid the traffic delays at the Arrowhead and Haines road intersection.
4. With the ever increasing volumes of traffic, a significant number of which are medium to heavy duty trucks, it is not inconceivable to imagine that this road will require resurfacing again in less than the 22 years between the last two resurfacing projects. The assessments to the four property owners on this section of Swan Lake Rd for the next resurfacing project would very possibly start soon after this 15 year assessment ended, making the assessment payments nearly perpetual. As a side note: there are five landowners on the city street portion of Swan Lake Rd, however, one is the city of Hermantown which is not part of the assessment process.

As I have stated at previous meetings, I don't understand why the city of Hermantown would agree to changing a county road with three residences in total on it and with that type of traffic volume into a city street. Not only have you subjected the four landowners on this section of road with subsidizing its use by a large volume of vehicles that are just passing through, but you have caused a much larger expense for all Hermantown residents who now had to pay for the balance of the road work and the bridge replacement over Miller Creek. This road should have remained a county road so that those expenses could have been spread out more equitably to all those who use it!

Sincerely,



Stephen Wedel  
4725 Swan Lake Road  
Hermantown, MN 55811

Special Assessment Objection Form

I (we) hereby object to the proposed special assessment for Project LAURENCE Jct RD. based on the following: 537

RETIRE - ON FIXED INCOME  
ALSO ONLY A ACCESS TO OUR PROPERTY WITH A EASEMENT  
WE DO NOT HAVE PROPERTY ON ROAD

5194 Lav Jct RD

Owner:

Signed; Ronald L Rutka

Date; 10/18/21

Print name: RONALD L. RUTKA

Co-owner: <sup>(wife)</sup>  
KATHRYN A RUTKA  
Signed; NOT PRESENT

Date; 10/18/21

Print name: \_\_\_\_\_

To Whom it MAY CONCERN..

I RONALD L. Rutka AND MY WIFE KATHRYN A. Rutka  
WOULD LIKE TO REQUEST A LOWER ASSESSMENT FOR WORK DONE  
ON THE LAURIE Jct RD. REASONS BEING ARE THAT WE ARE  
BOTH RETIRED AND ON FIXED INCOMES, ALSO WE HAVE ONLY A  
ESMENT TO OUR PROPERTY FROM 5192 LAURIE Jct RD  
(WE DO NOT HAVE PROPERTY ON THE ROAD). WE HAVE THE SOUTH  
4 ACRES OF PROPERTY. THANK YOU FOR LOOKING AT THIS  
CONCERN OF OURS.

**CH-Bonnie Engseth**

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**From:** CH-Joseph Wicklund  
**Sent:** Monday, October 18, 2021 7:30 PM  
**To:** CH-Bonnie Engseth; CH-John Mulder  
**Subject:** FW: test e-mail

Casey MacDonnell's objection to the assessment.  
Thanks,  
Joe

**From:** CASEY MACDONELL <cmacduluth@yahoo.com>  
**Sent:** Monday, October 18, 2021 7:20 PM  
**To:** CH-Joseph Wicklund <jwicklund@hermantownmn.com>  
**Subject:** Re: test e-mail

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

I, Casey MacDonell, am object to the Assessment on the Lavaque Jct rd. The road is a city road, not a county rd. We are being penalized for being a city. We all pay property taxes every year and that should cover the assessment. I am a disabled veteran on SSI and on a tight budget. Thank you

5236 Lav Jct Rd

Sent from Yahoo Mail on Android

On Mon, Oct 18, 2021 at 7:05 PM, CH-Joseph Wicklund <jwicklund@hermantownmn.com> wrote:

If it doesn't come through in a bit, copy it and paste it here for the return trip.

Joe

**Joe Wicklund**

Communications & Community Engagement  
jwicklund@hermantownmn.com  
218-729-3814



5105 Maple Grove Road  
Hermantown, MN 55011  
hermantownmn.com

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

**CITY OF HERMANTOWN**

CHECKS #67984-68051  
10/16/2021-10/31/2021

PAYROLL CHECKS

Electronic Checks - #70168-70208 75,314.60

Electronic Checks - #70154-70158 3,118.34

LIABILITY CHECKS

Electronic Checks - #70162-70167 \$60,008.72

Electronic Checks - #70159 \$447.54

Electronic Checks - #70151-70153 \$603.72

Check - #68042-68048 \$75,550.10

Check - #68051 \$66.56

**PAYROLL EXPENSE TOTAL \$215,109.58**

ACCOUNTS PAYABLE

Check - #67984-68041 \$365,056.48

Check - #68050 \$2,239.00

Check - #21126 & 21113 \$400,017.25

Electronic Payments -#-99837-99840 \$6,087.98

**ACCOUNTS PAYABLE TOTAL \$773,400.71**

**TOTAL \$988,510.29**

10/26/2021

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement - Electron	320.00	-99840
101	419901	City Hall & Police Building Maintenance	KWIK TRIP EXTENDED NETWORK	Gas Building	386.13	-99839
101	421100	Police Administration	KWIK TRIP EXTENDED NETWORK	Car Wash PD	173.00	-99839
101	421100	Police Administration	KWIK TRIP EXTENDED NETWORK	Gas PD	3,658.31	-99839
101	431100	Street Department	KWIK TRIP EXTENDED NETWORK	Car Wash PW	20.00	-99839
101	431100	Street Department	KWIK TRIP EXTENDED NETWORK	Gas Street	372.72	-99839
101	431100	Street Department	KWIK TRIP EXTENDED NETWORK	Propane Street	21.66	-99839
601	494300	Water Distribution	KWIK TRIP EXTENDED NETWORK	Gas Utility	455.63	-99839
602	494500	Sewer Maintenance	KWIK TRIP EXTENDED NETWORK	Gas Utility	303.76	-99839
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement - Electron	185.00	-99838
101	217450	Employee Flexplan	FURTHER ELECTRONIC PAYMENTS	Claim Reimbursement - Electron	191.77	-99837
240	432510	Trunk Sewer Construction	UTILITY SYSTEMS OF AMERICA, INC.	Trunk Sewer Spur- Munger Spur	175,610.15	21113
475	431150	Street Improvements	ULLAND BROTHERS INC	Lavaque Junction Rd Reconstruc	224,407.10	21126
101	431100	Street Department	A W KUETTEL & SONS INC	H4 Fab tube support for sander	1,652.00	67984
101	427100	Poundmaster	ANIMAL ALLIES HUMANE SOCIETY	Sept Boarding	1,380.00	67985
101	421100	Police Administration	APPLIED CONCEPTS INC	Rear Antenna Mount	252.00	67986
101	419100	Community Development	ARROWHEAD ABSTRACT & TITLE CO.	O-308863 SUP Luke & Trista Min	75.00	67987
101	419100	Community Development	ARROWHEAD ABSTRACT & TITLE CO.	O-308854 O&E Report Darren, Da	75.00	67987
101	419100	Community Development	ARROWHEAD ABSTRACT & TITLE CO.	O-308853 O&E Report BMAX Inc.	75.00	67987
601	494300	Water Distribution	ASDCO CONSTRUCTION SUPPLY	Chop Saw Blades	426.20	67988
101	415300	Administration & Finance	AT&T MOBILITY	Cell Phones/Tablets PW	99.77	67989
101	419901	City Hall & Police Building Maintenance	AT&T MOBILITY	Cell Phones/Tablets PW	45.09	67989
101	421100	Police Administration	AT&T MOBILITY	Cell Phones PD	1,409.04	67989
101	431100	Street Department	AT&T MOBILITY	Cell Phones/Tablets PW	157.81	67989
601	494400	Water Administration and General	AT&T MOBILITY	Cell Phones/Tablets PW	168.32	67989
602	494900	Sewer Administration and General	AT&T MOBILITY	Cell Phones/Tablets PW	163.19	67989
602	494500	Sewer Maintenance	BATTERIES PLUS BULBS	Batteries for Lift Station	240.35	67990
101	431100	Street Department	BJONSKAAS, ARON	Reimburse Dinner at Truck Semi	38.41	67991
240	433200	Water Tower	BOLTON & MENK, INC.	Hwy 53 Water Tower Recon	3,150.00	67992
275	452200	Community Building	BRAUN INTERTEC CORPORATION	EWC Vapor Mitigation System Ev	1,150.00	67993
101	431100	Street Department	CENTRAL PENSION FUND	Training Per Contract	42.88	67994
601	494300	Water Distribution	CENTRAL PENSION FUND	Training Per Contract	42.88	67994
602	494500	Sewer Maintenance	CENTRAL PENSION FUND	Training Per Contract	42.88	67994
101	422902	Firehall #2 Morris Thomas Road	CENTURYLINK	Internet FH #2 9-28 thru 10-27	69.98	67995
101	422903	Firehall #3 Midway Road	CENTURYLINK	Internet FH #3 9-22 thru 10/21	79.98	67995
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at FD/PD	30.72	67996
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at CH	8.88	67996
101	431100	Street Department	CINTAS CORPORATION	Uniforms	45.78	67996

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	431100	Street Department	CINTAS CORPORATION	Uniforms	47.59	67996
101	431100	Street Department	CINTAS CORPORATION	Uniforms	10.80	67996
101	431100	Street Department	CINTAS CORPORATION	Uniforms	10.80	67996
101	431901	City Garage	CINTAS CORPORATION	Supplies	30.00	67996
101	431901	City Garage	CINTAS CORPORATION	Supplies	15.00	67996
101	431901	City Garage	CINTAS CORPORATION	Mats at PW	25.48	67996
101	431901	City Garage	CINTAS CORPORATION	Mats at PW	7.00	67996
601	494300	Water Distribution	CITY OF DULUTH COMFORT SYSTEMS	September Water Charges	98,814.90	67997
230	465100	HEDA	CREATIVE ARCADE	Website Monthly Maintenance	250.00	67998
101	415300	Administration & Finance	CUNNINGHAM, DANA	Reimburse Renewal of CPA Licen	102.00	67999
601	494400	Water Administration and General	CUSTOMER ELATION INC	September Answering	29.90	68000
602	494900	Sewer Administration and General	CUSTOMER ELATION INC	September Answering	19.93	68000
101	419901	City Hall & Police Building Maintenance	DALCO	Paper Products CH/Admin	134.96	68001
101	431100	Street Department	DULUTH READY MIX INC	Road Sand	300.00	68002
101	431100	Street Department	DULUTH READY MIX INC	Road Sand	5,125.10	68002
101	431100	Street Department	DULUTH READY MIX INC	Road Sand	256.70	68002
101	431100	Street Department	DULUTH READY MIX INC	Road Sand	3,500.30	68002
101	431100	Street Department	DULUTH READY MIX INC	Road Sand	4,008.30	68002
101	452100	Parks	DULUTH READY MIX INC	Concrete for Rose Rd Batting C	1,390.00	68002
602	494500	Sewer Maintenance	ELECTRIC PUMP, INC.	Rebuild Ugstad RD LS #1 Pump	8,985.78	68003
101	452100	Parks	EQUIPMENT RENTAL COMPANY	Auger Truck Rental for Batting	1,200.00	68004
275	452200	Community Building	ESC SYSTEMS SOUND AND LIFE SAFETY	EWC Monitoring	600.00	68005
602	494500	Sewer Maintenance	FERGUSON ENTERPRISES INC	Manhole Picks/Hammers	572.03	68006
601	494300	Water Distribution	FERGUSON WATERWORKS #2516	Water Service Parts Haines&Arr	384.76	68007
601	494300	Water Distribution	FERGUSON WATERWORKS #2516	1" Water repair couplings	175.55	68007
601	494300	Water Distribution	FRONTIER PRECISION, INC.	Training	900.00	68008
601	494300	Water Distribution	FRONTIER PRECISION, INC.	Rover Rod/GPS Bracket	215.40	68008
602	494500	Sewer Maintenance	FRONTIER PRECISION, INC.	Training	900.00	68008
602	494500	Sewer Maintenance	FRONTIER PRECISION, INC.	Rover Rod/GPS Bracket	215.40	68008
601	494400	Water Administration and General	GOPHER STATE ONE-CALL INC	Sept Locates	137.70	68009
602	494900	Sewer Administration and General	GOPHER STATE ONE-CALL INC	Sept Locates	91.80	68009
101	421100	Police Administration	GREAT LAKES MOBIL LUBE EXPRESS	Oil Change Squad 15	56.91	68010
602	494500	Sewer Maintenance	GREAT LAKES PIPE SERVICE INC	Fall Lift Station Cleaning	3,512.50	68011
101	415300	Administration & Finance	GREATAMERICA FINANCIAL SERVICES	Copier Lease/Konica Oct	96.00	68012
101	421100	Police Administration	HERMANTOWN SERVICE CENTER INC	Replace Battery SQD 18	187.00	68013
101	419100	Community Development	HERMANTOWN STAR LLC	Ordinance 2021-08	107.25	68014
475	431150	Street Improvements	HERMANTOWN STAR LLC	Hearing for Assessments RD Imp	247.50	68014
475	431150	Street Improvements	HERMANTOWN STAR LLC	RD Improvement District #536	231.00	68014

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	422100	Fire Administration	HERMANTOWN VOLUNTEER FIRE DEPT	Quarterly Fire Protection Qtr	130,290.00	68015
101	421100	Police Administration	HOLIDAY COMPANIES	Sept Car Washes	40.00	68016
230	465100	HEDA	HTB PROJECT NAVIGATION, LLC	Proposed Hermantown Business P	875.00	68017
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	2,984.54	68018
101	419901	City Hall & Police Building Maintenance	MENARD INC	Cleaning Supplies	31.84	68020
101	431901	City Garage	MENARD INC	Shop Supplies	69.00	68020
101	452100	Parks	MENARD INC	Garbage bags and misc fittings	16.06	68020
101	452100	Parks	MENARD INC	RV Antifreeze	34.44	68020
602	494500	Sewer Maintenance	MENARD INC	Misc Equip H22	57.29	68020
101	431100	Street Department	MIDWEST MACHINERY CO.	Repair JD 6130 Injector Lines	861.16	68021
101	431100	Street Department	MILLER, ROBERT	Reimburse Dinner at Truck Semi	29.39	68022
275	452200	Community Building	MN DEPT OF LABOR & INDUSTRY	Boiler - EWC	20.00	68023
101	419901	City Hall & Police Building Maintenance	MN POWER	4995600000 City Hall/Police/Fi	2,491.36	68024
101	422901	Firehall #1 Maple Grove Road	MN POWER	4995600000 City Hall/Police/Fi	1,592.84	68024
101	422902	Firehall #2 Morris Thomas Road	MN POWER	4995600000 FH #2 MorrisThomas	89.58	68024
101	422903	Firehall #3 Midway Road	MN POWER	4995600000 FH #3 Midway/Rose	75.37	68024
101	431901	City Garage	MN POWER	4995600000 4971 Lightning Dr	206.85	68024
101	431901	City Garage	MN POWER	4995600000 5255 Maple Grove Rd	16.47	68024
101	452100	Parks	MN POWER	7463700000 Little Leagues	18.83	68024
101	452100	Parks	MN POWER	0606881181 Parks	368.18	68024
601	494400	Water Administration and General	MN POWER	4995600000 4971 Lightning Dr	124.11	68024
601	494400	Water Administration and General	MN POWER	3623400000 Water	491.93	68024
602	494900	Sewer Administration and General	MN POWER	4995600000 4971 Lightning Dr	82.74	68024
602	494900	Sewer Administration and General	MN POWER	0973881171 Sewer	458.66	68024
275	452200	Community Building	MN POWER	3481871314 EWC Garage	19.05	68024
101	452200	Community Building	MN POWER	0606881181 Community Bldg	413.07	68024
275	452200	Community Building	MN POWER	5498955531 4289 Ugstad Rd/EWC	12,453.65	68024
605	431160	Street Lighting	MN POWER	1424100000 Street Lights	263.77	68024
605	431160	Street Lighting	MN POWER	6175310000 Street Lights	628.53	68024
605	431160	Street Lighting	MN POWER	0041881181 Street Lights	415.65	68024
605	431160	Street Lighting	MN POWER	0733871171 Traffic Lights	683.00	68024
605	431160	Street Lighting	MN POWER	0247020000 Street Lights	344.29	68024
605	431160	Street Lighting	MN POWER	3060281959 Street Lights (Roun	16.40	68024
605	431160	Street Lighting	MN POWER	0234310000 Overhead St Lights	419.10	68024
601	494300	Water Distribution	MN RURAL WATER ASSN	Associate Membership Dec 2021	180.00	68025
602	494500	Sewer Maintenance	MN RURAL WATER ASSN	Associate Membership Dec 2021	120.00	68025
101	419901	City Hall & Police Building Maintenance	MN TELECOMMUNICATIONS	October Internet	360.00	68026
101	422901	Firehall #1 Maple Grove Road	MN TELECOMMUNICATIONS	October Internet	90.00	68026

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
402	431150	Street Improvements	MSA PROFESSIONAL SERVICES, INC.	Ugstad Rd Reconditioning MSA P	20,550.16	68027
101	431100	Street Department	NAPA AUTO PARTS	Trailer Plug/Adaptor	12.33	68028
101	431901	City Garage	NAPA AUTO PARTS	Adhesive Remover	85.28	68028
601	494300	Water Distribution	NAPA AUTO PARTS	Breaks H25	226.59	68028
601	494300	Water Distribution	NAPA AUTO PARTS	Core Deposit charged on 120897	-33.33	68028
601	494300	Water Distribution	NAPA AUTO PARTS	Breaks H25 purchased on 121397	-156.61	68028
601	494300	Water Distribution	NAPA AUTO PARTS	Brake Caliper H25	111.00	68028
601	494300	Water Distribution	NAPA AUTO PARTS	Parts for H25	308.55	68028
101	415300	Administration & Finance	NORTHERN BUSINESS PRODUCTS	2022 Calendars	168.28	68029
101	415300	Administration & Finance	NORTHERN BUSINESS PRODUCTS	USB/Tape/Pen	69.74	68029
101	415300	Administration & Finance	NORTHERN BUSINESS PRODUCTS	Receipt Book/Envelope	62.64	68029
230	465100	HEDA	NORTHSPAN GROUP INC	Strategic Planning HEDA	1,410.00	68030
101	416100	City Attorney	OVEROM LAW, PLLC	JAZB Board of Appeals and Adju	112.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Construction contract, Instruc	112.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Andy Gamache Claim - 4061 Hain	70.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Tabacco License Violations	45.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Kleiber Quit Tam Action	112.59	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Marino Data Request	3,823.50	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Speed Limit Matters	45.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	2021 Recreation Facility	528.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Blasting Claim	28.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Data Practices Requests	49.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Hardship Deferrals of Special	35.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Fee Schedule	136.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	Parking Violations	198.00	68031
101	416100	City Attorney	OVEROM LAW, PLLC	General Matters/Retainer	1,250.00	68031
101	419100	Community Development	OVEROM LAW, PLLC	Zierden Okerstrom Road Develop	45.00	68031
101	419100	Community Development	OVEROM LAW, PLLC	Clear Vision Development	707.00	68031
101	419100	Community Development	OVEROM LAW, PLLC	Hoff/Sydow Development (Engwal	460.00	68031
101	419100	Community Development	OVEROM LAW, PLLC	Red Hawk Tail Addition - BMAX	505.53	68031
101	419100	Community Development	OVEROM LAW, PLLC	Kolquist Assisted Living Proje	635.00	68031
101	419100	Community Development	OVEROM LAW, PLLC	PUD Ordinance Amendment	73.00	68031
101	419100	Community Development	OVEROM LAW, PLLC	5350 Miller Trunk Hwy - Mini S	463.00	68031
101	419100	Community Development	OVEROM LAW, PLLC	Planning & Zoning Commission	77.00	68031
101	419100	Community Development	OVEROM LAW, PLLC	Shoreland Management Ordinance	223.00	68031
101	419100	Community Development	OVEROM LAW, PLLC	P&R Properties Engwalls Develo	460.00	68031
101	421100	Police Administration	OVEROM LAW, PLLC	Police Dept Personnel Matters	153.00	68031
101	421100	Police Administration	OVEROM LAW, PLLC	2021 Alcoholic Beverage Code C	424.00	68031

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	421100	Police Administration	OVEROM LAW, PLLC	Excessive Consumption of Polic	18.00	68031
245	456101	Cable	OVEROM LAW, PLLC	Broadband Expansion/ARPA	411.50	68031
230	465100	HEDA	OVEROM LAW, PLLC	HEDA Buisness Subsidy Policy	103.00	68031
230	465100	HEDA	OVEROM LAW, PLLC	Marketplace Anchor Project	210.00	68031
230	465100	HEDA	OVEROM LAW, PLLC	HEDA Agenda Matters	98.00	68031
230	465100	HEDA	OVEROM LAW, PLLC	Hwy 53 Business Park Developme	300.00	68031
601	494400	Water Administration and General	OVEROM LAW, PLLC	Water and Sewer Applications	139.50	68031
601	494400	Water Administration and General	OVEROM LAW, PLLC	AT&T Water Tower Lease Amendme	128.00	68031
601	494400	Water Administration and General	OVEROM LAW, PLLC	AT&T Water Tower Lease	270.00	68031
601	494400	Water Administration and General	OVEROM LAW, PLLC	Verizon Water Tower Lease	134.33	68031
602	494900	Sewer Administration and General	OVEROM LAW, PLLC	Water and Sewer Applications	139.50	68031
602	494900	Sewer Administration and General	OVEROM LAW, PLLC	Sewer Availability Charge	434.00	68031
602	494900	Sewer Administration and General	OVEROM LAW, PLLC	Special Assessment Policy-Sewe	61.00	68031
602	494900	Sewer Administration and General	OVEROM LAW, PLLC	Irrigation Meter Grant Program	262.00	68031
475	431150	Street Improvements	OVEROM LAW, PLLC	Lavaque Junction Street Improv	75.00	68031
402	431150	Street Improvements	OVEROM LAW, PLLC	Ugstad Road Easement Acquisiti	194.00	68031
475	431150	Street Improvements	OVEROM LAW, PLLC	Richard Avenue and Lindgren Rd	105.00	68031
275	452200	Community Building	OVEROM LAW, PLLC	EWC	297.10	68031
240	432510	Trunk Sewer Construction	OVEROM LAW, PLLC	Trail Project	2,742.50	68031
240	432510	Trunk Sewer Construction	OVEROM LAW, PLLC	Godmare Properties LLC	5.00	68031
101	214500	Escrow Deposits Payable	OVEROM LAW, PLLC	Peyton Acres Development Matte	1,297.50	68031
101	421100	Police Administration	PER MAR SECURITY SERVICES INC	CCTV 10/21 - 12/21	81.03	68032
101	431100	Street Department	POMP'S TIRE SERVICE INC	H2 Flat Tire Road Service	265.30	68033
101	431100	Street Department	PRAXAIR DISTRIBUTION INC	Cylinder Rent/Safe Env fee 8/2	47.83	68034
101	452100	Parks	PROCTOR BUILDERS	Concrete Vibrator for Rose Rd	130.00	68035
101	431100	Street Department	SATHERS, LLC	Class 5 - Crushed Material & D	2,933.00	68036
601	494300	Water Distribution	SATHERS, LLC	Class 5 - Crushed Material	10,037.00	68036
101	419901	City Hall & Police Building Maintenance	TELCOLOGIX	October Maintenance	237.85	68037
101	422901	Firehall #1 Maple Grove Road	TELCOLOGIX	October Maintenance	70.35	68037
101	431100	Street Department	TELCOLOGIX	October Maintenance	16.75	68037
101	452200	Community Building	TELCOLOGIX	October Maintenance	10.05	68037
101	421100	Police Administration	TROY'S BP AMOCO INC	Tires Squad 14	90.00	68038
101	421100	Police Administration	TROY'S BP AMOCO INC	Tires Squad 15	679.68	68038
601	494400	Water Administration and General	VALLI INFORMATION SYSTEMS, INC	Sept Bill Print	494.11	68039
602	494900	Sewer Administration and General	VALLI INFORMATION SYSTEMS, INC	Sept Bill Print	494.10	68039
603	441100	Storm Water	VALLI INFORMATION SYSTEMS, INC	Sept Bill Print	494.10	68039
101	431100	Street Department	WARNING LITES OF MINNESOTA	Sign Rental Hanes Rd	158.50	68040
601	494300	Water Distribution	WATER CONSERVATION SERVICE, INC	Water Leak Survey	6,259.00	68041

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	421100	Police Administration	NORTHEAST SERVICE COOPERATIVE	Health Ins November-Inactives	1,388.70	68050
101	134000	Retiree Insurance/Telephone Reimb.	NORTHEAST SERVICE COOPERATIVE	Health Ins November-Inactives	850.30	68050

**Totals: 192 records printed****773,400.71**



**TO:** Mayor & City Council

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



**DATE:** October 27, 2021

**Meeting Date:** 11/1/21

**SUBJECT:** Disposal of Asset

**Agenda Item:** 12-A

**Resolution 2021-132**

---

**REQUESTED ACTION**

**Approve disposal of an HPD Police Vehicle**

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**BACKGROUND**

The vehicle is a 2016 Ford Interceptor and has been in service for several years. It has been traded in. It will be removed from inventory.

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**SOURCE OF FUNDS (if applicable)**

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**ATTACHMENTS**

Disposition or Loss of An Asset

**Resolution No. 2021-132**

**RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS  
CITY PROPERTY**

WHEREAS, the Chief of Police of the City of Hermantown is seeking authorization to dispose of city surplus equipment; and

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

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

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

- A. Asset # 2901 - 2016 Ford Interceptor – VIN#1FM5K8AR8GGB88923

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

1. The City Administrator and Chief of Police are hereby Authorized and Directed to Proceed to Dispose of Surplus Equipment in the Possession of the City of Hermantown as listed below.
2. All items will be scrapped or discarded by administrative staff in accordance with all applicable laws, rules and regulations.
3. The vehicle has been traded-in. The asset will be removed from inventory.

Councilor \_\_\_\_ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted November 1, 2021.

## DISPOSITION OR LOSS OF AN ASSET

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

Asset No: 2901  
VIN/Serial #: 1FM5K8AR8GGB88923  
City ID/Vehicle #: Squad #14  
Description: 2016 Ford Police Interceptor  
Department: Police  
Date of Change: 10/18/21  
Type of Change: Disposal  
Sold (To Whom?): Traded to Ranger Chev Amount: \$4,000  
Transferred: \_\_\_\_\_ To Dept: \_\_\_\_\_  
(describe) Trade In: For new asset Yes  
2021 Chev Tahoe Unit # 24  
Destroyed: \_\_\_\_\_ How Disposed? trade-in

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

Department Head: Grace JMC

Finance Dept: \_\_\_\_\_

Insurance notified?:  Yes  No  N/A

Date of notification: 10-19-21

Notes: \_\_\_\_\_  
\_\_\_\_\_

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



**DATE:** October 27, 2021                      **Meeting Date:** 11/1/21  
**SUBJECT:** Disposal of Asset                      **Agenda Item: 12-B**                      **Resolution 2021-133**

---

**REQUESTED ACTION**  
**Approve disposal of a Public Works Vehicle**

---

**BACKGROUND**  
The vehicle is a 2000 Chevrolet ¾ ton with Boss Plow. We are removing it from the fleet since we got new 1 ton in 2020 at the end of the year. It will be sold through Do-Bid Auction. Once sold, it will be removed from inventory.

---

**SOURCE OF FUNDS (if applicable)**

---

**ATTACHMENTS**  
Disposition or Loss of An Asset

**Resolution No. 2021-133**

**RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS  
CITY PROPERTY**

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

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

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

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

- A. Asset # 1377 – 2000 Chev Silverado VIN#1GCGK24U1YZ245589

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

1. The City Administrator and Public Works Director are hereby Authorized and Directed to Proceed to Dispose of Surplus Equipment in the Possession of the City of Hermantown as listed below.
2. All items will be scrapped or discarded by administrative staff in accordance with all applicable laws, rules and regulations.
3. The sale of the vehicle will be sold through Do-Bid Auction. Once sold, the asset will be removed from inventory.

Councilor \_\_\_\_ introduced the foregoing resolution and moved its adoption.

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

Councilors

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted November 1, 2021.

**DISPOSITION OR LOSS OF AN ASSET**

**City of Hermantown**

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

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

Asset No:

VIN/Serial #: 1GCGK24U1YZ245589

City ID/Vehicle #: H7

Description: 2001 Chevrolet ¾ ton with Boss Plow

Department: Public Works

Date of Change: 11/14/21

Type of Change: Taken to Do-Bid for Auction

Sold (To Whom?):

Amount:

Transferred: \_\_\_\_\_ To Dept: \_\_\_\_\_

Trade In:

For new asset (describe)

Destroyed: \_\_\_\_\_ How Disposed?

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

Department Head:

Finance Dept.: \_\_\_\_\_

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

Notes: \_\_\_\_\_  
\_\_\_\_\_

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



**DATE:** October 27, 2021                      **Meeting Date:** 11/1/21  
**SUBJECT:** No Parking on Richard Ave,      **Agenda Item: 12-C**              **Resolution 2021-134**  
Lindgren Rd & Eeve Dr.

---

**REQUESTED ACTION**

**Approve a no parking resolution along Richard Ave, Lindgren Rd & Eeve Dr**

---

**BACKGROUND**

Section 831.02.01 of the Hermantown City code allows the City Council to prohibit parking on certain streets with the adoption of a resolution.

Richard Ave. from Maple Grove Rd. to Lindgren Rd., Lindgren Rd. from Loberg Ave. to Haines Rd & Eeve Dr. from Richard Ave. to Haines Rd. are part of the future Road Improvement Plan and because we are receiving a state grant for this project, rules require no parking on streets if there is not adequate spacing to allow for parking.

---

**SOURCE OF FUNDS (if applicable)**

---

**ATTACHMENTS**

**Resolution No. 2021-134**

**RESOLUTION TO ESTABLISH A NO PARKING ZONE ALONG CERTAIN ROADS IN THE CITY OF HERMANTOWN**

Whereas, the current width and striped use of Richard Avenue from Maple Grove Road to Lindgren Road, Lindgren Road from Loberg Avenue to Haines Road and Eeve Drive from Richard Avenue to Haines Road are not sufficient for on street parking; and

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

WHEREAS, the City Council of the City of Hermantown has determined that the establishment of a no parking zone on Richard Avenue, Lindgren Road and Eeve Drive described above is in the best interests of the City of Hermantown.

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

1. Pursuant to section 830.02.1 of the Hermantown City Code. The City Council hereby designates a no parking zone along Richard Avenue, Lindgren Road and Eeve Drive described above.

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 November 1, 2021.



**Resolution No. 2021-135**

**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 MAINTENANCE STRIPING CP 0000-369670**

WHEREAS, St. Louis County has prepared a maintenance striping project to maintain pavement markings on its county highways, identified further as CP 0000-369670; and

WHEREAS, Hermantown has requested to participate in this maintenance striping project to maintain pavement markings on their city streets; and

WHEREAS, St. Louis County has approved Hermantown to participate in this maintenance striping project, which work hereafter will be referred to as the "Project"; and

WHEREAS, St. Louis County and Hermantown have each determined the locations, quantities and types of pavement markings on their respective highways and streets; and

WHEREAS, St. Louis County and Hermantown have agreed to participate in the Project costs as hereinafter set forth; and

WHEREAS, the City Administrator and City Council have reviewed the Agreement and believe that it is in the best interest of the City of Hermantown to approve the Agreement and authorize and direct the Mayor and City Clerk to execute and deliver it on behalf of the City of Hermantown.

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

1. An Agreement substantially in the form of the one attached hereto as Exhibit A is hereby approved.
2. The Mayor and City Clerk are hereby authorized and directed to execute and deliver the Agreement on behalf of the City.

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 November 1, 2021.

**EXHIBIT A**  
**Cooperative Agreement**

**COOPERATIVE AGREEMENT  
BETWEEN**

**COUNTY OF ST. LOUIS  
AND  
CITY OF HERMANTOWN**

**THIS AGREEMENT**, hereinafter referred to as the "Agreement," is made and entered into between the COUNTY OF ST. LOUIS, a body politic and corporate existing under the laws of the State of Minnesota, hereinafter referred to as "St. Louis County", and the CITY OF HERMANTOWN, a body politic and corporate existing under the laws of the State of Minnesota, hereinafter referred to as "Hermantown".

**WITNESSETH:**

**WHEREAS**, St. Louis County has prepared a maintenance striping project to maintain pavement markings on its county highways, identified further as CP 0000-369670; and

**WHEREAS**, Hermantown has requested to participate in this maintenance striping project to maintain pavement markings on their city streets; and

**WHEREAS**, St. Louis County has approved Hermantown to participate in this maintenance striping project, which work hereafter will be referred to as the "Project"; and

**WHEREAS**, St. Louis County and Hermantown have each determined the locations, quantities and types of pavement markings on their respective highways and streets; and

**WHEREAS**, St. Louis County and Hermantown have agreed to participate in the Project costs as hereinafter set forth.

**THEREFORE**, with regard to the Project, the parties hereby agree to the following:

1. St. Louis County shall prepare the plan, specifications, proposal and engineer's estimate for said Project in accordance with the 2020 Edition of the Minnesota Department of Transportation "Standard Specifications for Construction".
2. Hermantown shall provide to St. Louis County with the required locations, quantities and types of pavement markings that will be placed within Hermantown. St. Louis County shall incorporate said information into the plan and proposal.

3. St. Louis County shall open bids for the Project. Hermantown shall promptly review the apparent low bid and notify St. Louis County if it approves. St. Louis County, acting through the St. Louis County Highway Engineer, shall award the contract for said Project to the lowest responsible bidder in accordance with current Minnesota Statutes.
4. St. Louis County shall perform all necessary contract administration, and shall administer the terms of the contract from contract award to the certification of final payment. Hermantown shall pay to St. Louis County a flat fee in the amount of \$300.00 for contract administration services rendered by St. Louis County to Hermantown under this Agreement.
5. St. Louis County shall perform all record keeping and construction inspection for quantities associated with St. Louis County's portion of the Project in accordance with the plan and proposal.
6. Hermantown shall perform all record keeping and construction inspection for quantities associated with Hermantown's portion of the Project in accordance with the plan and proposal, and shall report any observed deficiencies or discrepancies to St. Louis County immediately.
7. St. Louis County's cost participation shall be 100 percent of St. Louis County's quantities as provided in the plan and proposal at the contract unit prices. St. Louis County shall also be responsible for 100 percent of the cost of overrun in St. Louis County's quantities or change orders applied to St. Louis County.
8. Hermantown's cost participation shall be 100 percent of Hermantown's quantities as provided in the plan and proposal at the contract unit prices. Hermantown shall also be responsible for 100 percent of the cost of overrun in Hermantown's quantities or change orders applied to Hermantown. Hermantown shall approve any change orders in writing.
9. Hermantown shall pay to St. Louis County upon award of the contract 95 percent of Hermantown's obligation as contained in the awarded contractor's bid, within 35 days of receipt of an invoice from St. Louis County.
10. Upon completion of the Project, Hermantown shall pay to St. Louis County the remaining balance of Hermantown's obligation of the Project, plus the contract administration fee, within 35 days of receipt of an invoice from St. Louis County. If any funds are received by St. Louis County in excess of the Project and administrative costs, they will be returned to Hermantown without interest.
11. St. Louis County shall require all contractors and subcontractors performing work for said Project to name Hermantown as an insured party in the amounts listed in the insurance requirements contained in the contract.

12. To the full extent permitted by law, actions by the Parties pursuant to this Agreement are intended to be and shall be construed as a "cooperative activity" and it is the intent of the Parties that they shall be deemed a "single governmental unit" for the purpose of liability, as set forth in Minnesota Statutes, Section 471.59, Subd. 1a.
13. Each party shall be liable for its own acts to the extent provided by law, and each party hereby agrees to indemnify, hold harmless and defend the others, their officers and employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees, which the others, their officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act of omission of the party, its agents, servants or employees, in the execution, performance, or failure to adequately perform its obligations pursuant to this Agreement.
14. Any and all employees of Hermantown, while engaged in the performance of any work or service which Hermantown is specifically required to perform under this Agreement, shall be considered employees of Hermantown only and not of St. Louis County. Any and all claims that may or might arise under the Workers Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act of said employees shall be the sole obligation of Hermantown.
15. Any and all employees of St. Louis County, while engaged in the performance of any work or service which St. Louis County is specifically required to perform under this Agreement, shall be considered employees of St. Louis County only and not of Hermantown. Any and all claims that may or might arise under the Workers Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act, of said employees, shall be the sole obligation of St. Louis County.
16. Each party designates an authorized representative for the purpose of administering this Agreement. A party's authorized representative has the authority to give and receive notices, and to make any other decision required or permitted by this Agreement.

a. For St. Louis County:

Victor Lund, PE (or successor)  
Traffic Engineer  
St. Louis County Public Works Department  
4787 Midway Road  
Duluth, MN 55811  
Phone: 218-825-3873  
[lundy@stlouiscountymn.gov](mailto:lundy@stlouiscountymn.gov)

b. For Hermantown:

Paul Senst (or successor)  
Public Works Supervisor  
City of Hermantown  
5105 Maple Grove Road  
Hermantown, MN 55811  
Phone: 218-729-3640  
[psenst@hermantownmn.com](mailto:psenst@hermantownmn.com)

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**CITY OF HERMANTOWN**

**COUNTY OF ST. LOUIS**

\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Public Works Director/Highway Engineer

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

APPROVED AS TO FORM

APPROVED AS TO FORM

\_\_\_\_\_  
Assistant County Attorney

\_\_\_\_\_  
City Attorney

Damion No. \_\_\_\_\_

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



**DATE:** October 26, 2021      **Meeting Date:** 11/1/21  
**SUBJECT:** Keene Creek Park Trail      **Agenda Item: 12-E**      **Resolution 2021-136**

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**REQUESTED ACTION**

**Approve final pay application to Veit & Company for the construction related to the Keene Creek Park Trail project**

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**BACKGROUND**

Attached is Final Pay Application and the Final Compensating Change Order for the work associated with the Keene Creek Park Trail project.

NCE has reviewed the quantities through construction inspection and discussions with Veit & Company, Inc. representatives. I recommend the final payment in the amount of **\$67,229.40** be authorized at the November 1, 2021 City Council Meeting.

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**SOURCE OF FUNDS (if applicable)**

412-419100-530

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**ATTACHMENTS**

Final Pay Application  
Final Compensating Change Order



**Resolution No. 2021-136**

**RESOLUTION APPROVING FINAL COMPENSATING CHANGE ORDER AND FINAL PAY REQUEST FOR KEENE CREEK PARK TRAIL TO VEIT & COMPANY, INC. IN THE AMOUNT OF \$67,229.40**

WHEREAS, the City of Hermantown has contracted with Veit & Company, Inc. for construction of Keene Creek Park Trail (“Project”); and

WHEREAS, Veit & Company, Inc. has performed the agreed upon work in said Project; and

WHEREAS, Veit & Company, Inc. has submitted Final Compensating Change Order and Final Pay Request in the amount of \$67,229.40; and

WHEREAS, Northland Consulting Engineers LLP has approved such Final Compensating Change Order and Final Pay Request; and

WHEREAS, the necessary documentation for the final compensating change order and final 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. Final Compensating Change Order and Final Pay Request is hereby approved.
2. The City is hereby authorized and directed to pay to Veit & Company, Inc. the sum of \$67,229.40 which is the amount represented on Final Compensating Change Order and Final Pay Request.

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 November 1, 2021.

October 27, 2021

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

Re: Keene Creek Trail Project

Dear John:

Attached are the Final Pay Application and Final Compensating Change Order for the work associated with the Keene Creek Trail project. NCE and Veit and Company Inc. have reviewed the project and agreed upon the final quantities of work completed. The amount of the Final Pay Application is **\$67,229.40**. We will release the retainage against the project.

I have reviewed and inspected the project and certify that the project has been constructed in accordance with the plans and specifications. I hereby am recommending that the City take ownership and maintenance on the Keene Creek Trail project. Lastly, I recommend payment Final Payment in the amount of **\$67,229.40** be authorized at the November 1, 2021 City Council Meeting.

Please contact me with any questions you may have.

Thank you,



David Bolf, P.E. – City Engineer  
Northland Consulting Engineers  
218-727-5995  
[david@nce-duluth.com](mailto:david@nce-duluth.com)

CC: Bonnie Engseth, City of Hermantown  
Andy Dammer, Veit and Company Inc.

**Contractor's Application for Payment**

Final

Application Period:	July 9, 2021 through October 16, 2021	Application Date:	10/27/2021
To (Owner):	City of Hermantown	From (Contractor):	Veit and Company Inc.
Owner's Contract Number:	Contractor's Project Number:	Engineer Project Number:	21-8001
			Via (Engineer): Northland Consulting Engineers, LLP

Application For Payment Change Order Summary		
Approved Change Orders		
Number	Additions	Deductions
1	\$ 50,329.57	
FCCO	\$ (3,510.00)	
3		
4		
<b>TOTAL</b>	<b>\$46,819.57</b>	
NET CHANGE BY CHANGE ORDER:		<b>\$46,819.57</b>


Application For Payment Previous Pay Application Summary		
Approved Pay Applications		
Number	Date	Amount
1	6/1/2021	143,247.18
2	7/13/2021	123,121.52
3		
4		
<b>8. TOTALS</b>		<b>\$266,368.70</b>

1. ORIGINAL CONTRACT PRICE.....	\$	<u>286,778.53</u>
2. Net change by Change Orders.....	\$	<u>46,819.57</u>
3. Final Contract Price (Line 1 ± 2).....	\$	<u>333,598.10</u>
4. TOTAL COMPLETED AND STORED TO DATE		
See attached Pay Application Summary.....	\$	<u>333,598.10</u>
5. RETAINAGE:		
a. 5%     X                                   Work Completed.....	\$	<u>                    </u>
b. 5%     X                                   Stored Material.....	\$	<u>                    </u>
c. Total Retainage (Line 5.a + Line 5.b).....	\$	<u>                    </u>
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	<u>333,598.10</u>
7. LESS PREVIOUS PAYMENTS (Line 8 ).....	\$	<u>266,368.70</u>
9. AMOUNT DUE THIS APPLICATION.....	\$	<u>67,229.40</u>
10. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 - 4 + Line 5.c above).....	\$	<u>0.00</u>

**Final Payment of:** \$ 67,229.40

(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:</p> <p>(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;</p> <p>(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 - Veit and Company Inc.	
By:	Date: 10/25/2021

Recommended by:  
  
 \_\_\_\_\_ 10/27/2021  
 David Bolf, P.E. - City Engineer (Date)

Approved by:  
 \_\_\_\_\_  
 John Mulder, City Administrator (Date)



**Final Pay Estimate - 10/27/21**  
**City of Hermantown**  
**Keene Creek Trail**

Item No.	Spec. Number	Item Description	Unit of Measure	Final Contract Quantities	Veit Unit Price	Total Project	
						Final Quantities	Cost
<b>BASE BID</b>							
1	2021.501	MOBILIZATION	LS	1	\$31,000.00	1	\$ 31,000.00
2	2101.501	CLEARING AND GRUBBING	LS	1	\$12,500.00	1	\$ 12,500.00
3	2101.524	CLEARING	TREE	6	\$300.00	6	\$ 1,800.00
4	2101.524	GRUBBING	TREE	6	\$150.00	6	\$ 900.00
5	2104.503	REMOVE METAL CULVERT	LF	32	\$18.00	32	\$ 576.00
6	2105.507	COMMON EXCAVATION (CV)	CY	1730	\$16.00	1730	\$ 27,680.00
7	2105.504	GEOTEXTILE FABRIC TYPE 5	SY	5200	\$1.05	5200	\$ 5,460.00
8	2105.507	SELECT GRANULAR BORROW MOD 7% (CV)	CY	3000	\$25.00	3000	\$ 75,000.00
9	2211.507	AGGREGATE BASE (CV) CLASS 5	CY	1600	\$35.00	1600	\$ 56,000.00
10	2301.504	CONCRETE PAVEMENT 6"	SY	67	\$93.00	67	\$ 6,231.00
11	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3;B)	TON	374	\$100.00	374	\$ 37,400.00
12	2511.507	RANDOM RIPRAP CLASS II	CY	85	\$50.00	85	\$ 4,250.00
13	2501.503	12" CP PIPE CULVERT	LF	45	\$24.00	45	\$ 1,080.00
14	2501.503	18" CP PIPE CULVERT	LF	115	\$36.00	115	\$ 4,140.00
15	2501.502	12" GS PIPE APRON	EACH	4	\$282.00	4	\$ 1,128.00
16	2501.502	18" GS PIPE APRON	EACH	8	\$354.00	8	\$ 2,832.00
17	2557.503	WIRE FENCE DESIGN SPECIAL VINYL COATED	LF	0	\$32.00	0	\$ -
18	2557.502	VEHICULAR GATE	EACH	2	\$4,650.00	2	\$ 9,300.00
19	2563.601	TRAFFIC CONTROL	LS	1	\$1,650.00	1	\$ 1,650.00
20	2564.502	INSTALL SIGN TYPE C	EACH	12	\$285.00	12	\$ 3,420.00
21	2573.501	STABILIZED CONSTRUCTION EXIT	LS	2	\$1,180.00	2	\$ 2,360.00
22	2573.503	SILT FENCE; TYPE HI	LF	4720	\$3.75	4720	\$ 17,700.00
23	2573.503	FILTER BERM TYPE 4	LF	0	\$3.30	0	\$ -
24	2575.504	SODDING TYPE LAWN	SY	0	\$14.25	0	\$ -
25	2575.505	SEEDING	ACRE	1	\$343.00	1	\$ 343.00
26	2575.508	SEED MIXTURE 36-311 (UPLAND)	LB	65	\$36.00	65	\$ 2,340.00
27	2575.508	SEED MIXTURE 34-361 (WETLAND)	LB	12	\$47.50	12	\$ 570.00
28	2575.605	MULCH MATERIAL TYPE 1	ACRE	1	\$2,300.00	1	\$ 2,300.00
29	CO #1	SOIL CORRECTION, SEPTIC, EXPLORATORY DIG & RIP RAP	LUMP SUM	1	\$22,548.10	1	\$ 22,548.10
30	FO CO	TOPSOIL AND SEED IN PARK	LUMP SUM	1	\$3,090.00	1	\$ 3,090.00

**Final Amount Earned \$ 333,598.10**

Date of Issuance: 10/27/21

Effective Date:

Owner: City of Hermantown

Owner's Contract No.: 21-8001

Contractor: Veit Companies

Contractor's Project No.:

Engineer: Northland Consulting Engineers

Engineer's Project No.: 21-8001

Project: Keene Creek Trail

SSID:

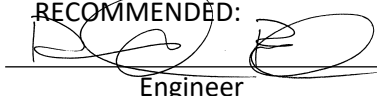
The Contract is modified as follows upon execution of this Final Compensating Change Order:

Description: This change order adjusts the contract quantities to reflect the final completed quantities.

**Total = (\$3,510.00)**

Attachments: 1) *Final Compensating Summary*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ 286,778.53	
Increase from previously approved Change Orders: \$ 50,329.57	<b>Extend Contract Time to 10/16/21</b>
Contract Price prior to this Change Order: \$ 337,108.10	
Decrease of this Change Order: \$ 3,510.00	
Final Contract Price incorporating this Change Order: \$ 333,598.10	

<b>RECOMMENDED:</b>		<b>ACCEPTED:</b>		<b>ACCEPTED:</b>	
By: 	By: _____	By: _____			
Engineer	Owner	Contractor			
Title: City Engineer	Title: _____	Title: Project Manager			
Date: 10/27/21	Date: _____	Date: 10/25/2021			



**Final Compensating Summary  
City of Hermantown  
Keene Creek Trail**

Item No.	Spec. Number	Item Description	Unit of Measure	Contract Total Quantities	Veit Unit Price	Total Project		
						Completed Quantities	Compenstaing	
							Quantities	Cost
<b>BASE BID</b>								
1	2021.501	MOBILIZATION	LS	1	\$31,000.00	1	0	\$ -
2	2101.501	CLEARING AND GRUBBING	LS	1	\$12,500.00	1	0	\$ -
3	2101.524	CLEARING	TREE	6	\$300.00	6	0	\$ -
4	2101.524	GRUBBING	TREE	6	\$150.00	6	0	\$ -
5	2104.503	REMOVE METAL CULVERT	L F	32	\$18.00	32	0	\$ -
6	2105.507	COMMON EXCAVATION (CV)	C Y	1730	\$16.00	1730	0	\$ -
7	2105.504	GEOTEXTILE FABRIC TYPE 5	S Y	5200	\$1.05	5200	0	\$ -
8	2105.507	SELECT GRANULAR BORROW MOD 7% (CV)	C Y	3000	\$25.00	3000	0	\$ -
9	2211.507	AGGREGATE BASE (CV) CLASS 5	C Y	1600	\$35.00	1600	0	\$ -
10	2301.504	CONCRETE PAVEMENT 6"	S Y	67	\$93.00	67	0	\$ -
11	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3;B)	TON	440	\$100.00	374	-66	\$ (6,600.00)
12	2511.507	RANDOM RIPRAP CLASS II	C Y	85	\$50.00	85	0	\$ -
13	2501.503	12" CP PIPE CULVERT	L F	45	\$24.00	45	0	\$ -
14	2501.503	18" CP PIPE CULVERT	L F	115	\$36.00	115	0	\$ -
15	2501.502	12" GS PIPE APRON	EACH	4	\$282.00	4	0	\$ -
16	2501.502	18" GS PIPE APRON	EACH	8	\$354.00	8	0	\$ -
17	2557.503	WIRE FENCE DESIGN SPECIAL VINYL COATED	L F	0	\$32.00	0	0	\$ -
18	2557.502	VEHICULAR GATE	EACH	2	\$4,650.00	2	0	\$ -
19	2563.601	TRAFFIC CONTROL	LS	1	\$1,650.00	1	0	\$ -
20	2564.502	INSTALL SIGN TYPE C	EACH	12	\$285.00	12	0	\$ -
21	2573.501	STABILIZED CONSTRUCTION EXIT	LS	2	\$1,180.00	2	0	\$ -
22	2573.503	SILT FENCE; TYPE HI	L F	4720	\$3.75	4720	0	\$ -
23	2573.503	FILTER BERM TYPE 4	L F	0	\$3.30	0	0	\$ -
24	2575.504	SODDING TYPE LAWN	S Y	0	\$14.25	0	0	\$ -
25	2575.505	SEEDING	ACRE	1	\$343.00	1.00	0	\$ -
26	2575.508	SEED MIXTURE 36-311 (UPLAND)	LB	65	\$36.00	65	0	\$ -
27	2575.508	SEED MIXTURE 34-361 (WETLAND)	LB	12	\$47.50	12	0	\$ -
28	2575.605	MULCH MATERIAL TYPE 1	ACRE	1	\$2,300.00	1.00	0	\$ -
29	CO #1	SOIL CORRECTION, SEPTIC, EXPLORATORY DIG & RIP RAP	LUMP SUM	1	\$22,548.10	1.00	0	\$ -
30	FO CO	TOPSOIL AND SEED IN PARK	LUMP SUM	0	\$3,090.00	1.00	1	\$ 3,090.00

**FINAL COMPENSATING AMOUNT \$ (3,510.00)**

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



**DATE:** October 26, 2021      **Meeting Date:** 11/1/21  
**SUBJECT:** Utility Extension Agreement with A-LIGN Properties LLC      **Agenda Item: 12-F**      **Resolution 2021-137**

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**REQUESTED ACTION**

**Approval of the utility extension agreement with A-LIGN Properties LLC in order to install water and sanitary sewer mains along Lavaque Road**

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**RECOMMENDED ACTION:**

Staff recommends approval of the utility extension agreement with A-LIGN Properties LLC in order to install water and sanitary sewer mains along Lavaque Road.

**DESCRIPTION OF REQUEST:**

A-LIGN Properties LLC (applicant) was approved by the City Council in March 2021 to construct three twinhomes (6 units total) on an existing 4.1 acre lot with the property being subdivided into three parcels ranging in size from 1.24 to 1.61 acres in size. The building locations are situated as to utilize an existing upland portion of the property on which to build.

The applicant will connect each residential unit to City sewer and water systems. Water and sewer are available along Hermantown Road with these two buildings having an availability fee associated with them. The twinhome building fronting Lavaque Road will require the extension of public sewer and water approximately 270 feet to the north from Hermantown Road.

To date, the two twinhomes along Hermantown Road have been constructed and are nearing completion. The third twinhome along Lavaque Road is planned in the near future but requires the extension of water and sanitary mains in order to be built.

The applicant has provided engineered plans for utility extensions/connections for the proposed work. Detailed plans for the utility extensions/connections will be reviewed and approved by the City Engineer prior to issuance of the building permits. The utility work will be designed and built to City standards/specifications and turned over to the City upon recommendation of acceptance by the City Engineer.

The applicant is proposing to provide individual utility services to each unit as this allows for the potential sale of the units.

There is an existing utility easement running from Hermantown Road to the property located at 3810 Lavaque Road. The location of the townhome building and proposed driveway on Tract B do not conflict with this easement.

The applicant will be required to either present a Letter of Credit for 125% of the construction value of these utilities or install these utilities prior to obtaining a certificate of occupancy.

The request for a utility extension along Lavaque Road was reviewed by the Utility Commission on October 19, 2021. Their only comment was the requirement to extend the utilities along the full length of the subject property to its northern boundary.

**RECOMMENDATION:**

Staff recommends approval of the utility extension agreement subject to the following conditions:

1. The applicant shall sign a consent form assenting to all conditions of this approval.
2. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.
3. The applicant shall pay all legal and engineering fees in connection with the documents related to this agreement.
4. The applicant shall extend the water and sewer mains along the length of the property along Lavaque Road to the property's northern property line.

**ATTACHMENTS**

Location Map  
Site Plan  
Utility Plan



**Resolution No. 2021-137**

**RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND  
CITY CLERK TO EXECUTE AND DELIVER UTILITY SERVICE AGREEMENT WITH  
A-LIGN PROPERTIES LLC**

WHEREAS, A-LIGN Properties LLC (“Owner”) desires to extend sanitary sewer from the City of Hermantown, a municipal corporation (hereinafter called “City”); and

WHEREAS, Owner is the owner of real estate (“Owners Property”) situated in St. Louis County, Minnesota legally described on **Exhibit A** attached hereto; and

WHEREAS, Owner desires to extend sanitary sewer service from City for Owner’s Property from the City sanitary sewermain (“Sewermain”) on Hermantown Road; and

WHEREAS, Owner desires to extend water service from City for Owner’s Property from the City watermain (“Watermain”) on Hermantown Road; and

WHEREAS, the location of the Sanitary Sewermain and Watermain and the proposed service lines to provide service to the Owner’s Property is shown on **Exhibit B** attached hereto; and

WHEREAS, City has agreed to allow Owner to extend sanitary sewer service and water service to Owner’s Property under the terms and conditions specified in the Utility Service Agreement **Exhibit C**.

NOW THEREFORE, BE IT RESOLVED, By the City Council of the City of Hermantown, Minnesota, that the Mayor and City Clerk are hereby authorized and directed to execute and deliver the Utility Agreement substantially in the form of the one attached hereto as **Exhibit C**.

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 November 1, 2021.

## EXHIBIT A

All that part of the Northwest Quarter of the Southwest Quarter, Section 26, Township 50, Range 15, St Louis County, Minnesota, which lies North of the centerline of Hermantown Road and being described using the following points of reference, to-wit and described below:

Point A - A point on the North line of said NW1/4 of SW1/4 located 356.2 feet east of the Northwest corner of said NW1/4 of SW1/4;

Point B - A point on the North line of said SW1/4 of NW1/4 being the point of intersection of the boundary line, between the E1/2 of SW1/4 of NW1/4 and the W1/2 of SW1/4 of NW1/4 in said Section 26, with the South line of said SW1/4 of NW1/4;

Point C - A point on the North line of said NW1/4 of SW1/4 located 829 feet East of the Northwest corner of said NW1/4 of SW1/4;

Point D - A point on the centerline of Hermantown Road located due south of said Point C;

Point E - A point on the centerline of Hermantown Road located due south of Point A;

Point F - A point on the centerline of Hermantown Road located equidistant between points D and E.

Commencing at said Point "B"; thence on an assumed bearing of South 89 degrees 36 minutes 24 seconds West, between said Point "B" and Point "A", a distance of 228.82 feet to the actual point of beginning of the tract of land herein described; thence South 15 degrees 30 minutes 30 seconds West a distance of 67.45 feet to the intersection of a line drawn between Point "E" and Point "F"; thence northwesterly to said Point "E"; thence northerly to said Point "A"; thence easterly to said point of beginning.

AND ALSO

The South 385.00 feet of the West Half of the Southwest Quarter of the Northwest Quarter, Section 26, Township 50, Range 15, St Louis County, Minnesota,

EXCEPT the following two described tracts:

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SUBJECT TO a 30.00-foot-wide easement for utility purposes over, under and across that part of the West Half of the Southwest Quarter of the Northwest Quarter, Section 26, Township 50, Range 15, St Louis County, Minnesota. The centerline of said 30.00-foot-wide easement is described as follows:

Commencing at the intersection of the west line of said West Half of the Southwest Quarter of the Northwest Quarter and the north line of the South 385.00 feet of said West Half of the Southwest Quarter of the Northwest Quarter; thence on an assumed bearing of North 89 degrees 36 minutes 24 seconds East, along last described north line, a distance of 225.86 feet to the actual point of beginning of the said easement centerline herein described; thence South 19 degrees 54 minutes 47 seconds West a distance of 75.28 feet; thence South 06

degrees 40 minutes 12 seconds West a distance of 142.89 feet; thence South 18 degrees 02 minutes 30 seconds East a distance of 74.91 feet; thence South 33 degrees 23 minutes 29 seconds West a distance of 40.25 feet, more or less, to the northerly right-of-way line of Hermantown Road and there said easement centerline terminating.

ALSO SUBJECT TO an easement for Lavaque Road along the westerly side thereof Hermantown Road along the southerly side thereof and any other easements of record, if any.

Abstract Property.

Parcel ID: 395-0010-07813



**EXHIBIT C**

**UTILITY SERVICE AGREEMENT**

THIS UTILITY SERVICE AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2021, between the **City of Hermantown**, a municipal corporation (hereinafter called “City”), and **A-LIGN Properties LLC**, a Minnesota Limited Liability Company (“Owner”), is made in response to the following situation:

A. Owner is the owner of real estate (“Property”) situated in St. Louis County, Minnesota, legally described on Exhibit A attached hereto.

B. Owner desires to construct privately a public sanitary sewer and public water lines by way of the existing sanitary sewer and water lines in the Hermantown Road right of way.

C. The location of the extended utilities and the proposed service lines to provide service to the proposed twin homes on the Property is shown on Exhibit B attached hereto.

D. City has approved a planned unit development to construct three, two-family dwellings on the Property, and agreed to allow Owner to obtain sanitary sewer and water service to the Property under the terms and conditions specified herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which are hereby acknowledged, the parties agree as follows:

1. As proposed on Exhibit B, Owner will extend the utility lines from the existing connection into its site along the Lavaque Road public right of way.

2. Owner will obtain all necessary permits for the utility extensions, including a Minnesota Department of Health permit for the water main and WLSSD and MPCA permits for the sanitary sewer extension.

3. Owner will be responsible for any road repairs associated with the utility work described herein.

4. Owner will provide engineering plans for the sewer and water main extensions and for the utility connections to the twin homes prior to beginning such utility work. The City Engineer shall review and must approved Owner’s utility plans prior to utility construction.

5. Owner shall pay to the City’s utility department the sewer hook up fee & permit fee per the City’s Fee Schedule, as well as a WLSSD Capacity Availability Fee of \$940.00 for each connection. The amount required to be paid under this Agreement shall be paid in full upon execution of this Agreement by the Owner.

6. Owner shall pay to the City’s utility department the water hook up fee per the City’s Fee Schedule, as well as a water availability charge of \$7.50 per front foot of road frontage for

each connection. The amount required to be paid under this Agreement shall be paid in full upon execution of this Agreement by the Owner.

7. Owner shall provide a security deposit equal to 125% of cost of construction of the utility improvements at time of Agreement execution. The security is to be in effect until all of the utility improvements have been constructed and the City Engineer and City Public Works Director executes a Certificate of Completion with respect to the utility improvements attesting that they have been properly constructed. No building permits shall be granted for the Property until the Certificate of Completion is issued.

8. In consideration of the payment of such sums and the performance of all of the other obligations of Owner to City hereunder, City hereby grants to Owner the right to extend the sanitary sewer main and water main to connect to the Property.

9. Owner covenants and agrees to execute a petition in substantially the form attached hereto as Exhibit C for the extension of the City sanitary sewer main and water main adjacent to the Property along Hermantown Road and that confirms Owner's obligation to pay for the cost of the extension of the sanitary sewer main and water main.

10. Owner shall be responsible for, indemnify and hold harmless the City from paying for all costs and expenses in connection with the installation, construction of the sanitary sewer main and water main extension. City shall be entitled to repair the sanitary sewer main or water main at the expense of Owner if Owner fails to repair the sanitary sewer main or water main. Any costs and expenses incurred by the City in connection with any such repair of the sanitary sewer main or water main shall be paid by Owner to the City immediately upon receipt by Owner of an itemized statement for the cost and expense incurred by the City in repairing the sanitary sewer main or water main. If Owner fails to pay such amount to the City within thirty (30) days of the mailing of such itemized statement by the City to Owner, then the City may proceed to collect such amount from Owner in whatever manner it deems appropriate, including, without limitation, assessing the amount of such statement against the Property in the manner provided by law. In this regard, Owner agrees that any charge made by the City for the repair of the sanitary sewer main shall be a charge for sanitary sewer service and any charges made by the City for the repair of the water main shall be a charge for water service. Nothing in this section shall be deemed to require the City to repair the sanitary sewer main or water main. Owner acknowledges that if Owner fails to repair the sanitary sewer main or water main, that City may discontinue allowing Owner to have access to the sanitary sewer main or water main. Owner hereby grants City permission to test the sanitary sewer main for leaks at any time and Owner agrees to pay the cost of performing any such test (i) once per calendar year or (ii) if the test shows that the sanitary sewer main is leaking.

11. Owner shall pay all legal fees and other expenses and any engineering fees and expenses incurred by the City of Hermantown in connection with the preparation of the Agreement and the documents related to this Agreement. A failure by Owner to pay such fees and expenses shall entitle City to discontinue providing water service to Owner until such fees and expenses are paid. Such fees and expenses shall also be deemed to be a charge for sewer or water service.

12. Owner shall complete a standard form of City's Sanitary Sewer Application prior to making any connection to the sanitary sewer main.

13. Owner shall complete a standard form of the City's Water Service Application prior to making any connection to the water main.

14. Owner agrees to notify the City at least three (3) working days before Owner commences the construction of the sanitary sewer main extension or water main extension and does further agree that no connection shall be made by Owner to the sanitary sewer main or water main until such connection, including the location of such connection, is approved and, if applicable, made by the City Public Works Director.

15. Owner agrees that the sanitary sewer main extension and water main extension shall be built and installed in accordance with all applicable building, plumbing and other codes and regulations and in accordance with the policies, requirements and procedures of the Utility Commission of the City including the installation of required clean-outs, if applicable. The City shall be entitled to inspect the Utility Service at any time during the construction and installation of it. A drawing showing the location of the Utility Service, which must show that it is within the City Right of Way, a design for installation of the Utility Service shall be prepared by a Minnesota registered engineer and submitted to the City Public Works Director and City Engineer for their review and written approval which shall be noted on the design and drawing. No changes in the design of the sanitary sewer main or water main shall be made without the prior written approval of the City Public Works Director and City Engineer. An "as built" record drawing showing the location and depth of the sanitary sewer main and water main and a collateral assignment of any warranties related to the construction and installation of the sanitary sewer main and water main, including any covering the pipe utilized in such installation, of the shall be provided to the City within ten (10) days after the completion of the installation of the sanitary sewer main and water main. If such "as built" record drawing is not provided within such time then, in that event, the City shall be entitled to discontinue sanitary sewer service and water service to the Property until such drawing is provided.

16. Owner agrees to not conduct any on-site burning or burial of brush or other site debris on the Property.

**[SIGNATURES APPEAR ON NEXT PAGE]**





IN WITNESS WHEREOF, Owner has caused this Agreement to be executed by its duly authorized representatives as of the date first above written.

**Owner:**

**A-LIGN Properties LLC**

By \_\_\_\_\_  
Steven W. Kaski, Its Manager

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

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by Steven W. Kaski, the Manager of A-LIGN Properties LLC, and on behalf of A-LIGN Properties LLC, a Minnesota limited liability company.

\_\_\_\_\_  
Notary Public

**[END OF SIGNATURES]**

## EXHIBIT A

All that part of the Northwest Quarter of the Southwest Quarter, Section 26, Township 50, Range 15, St Louis County, Minnesota, which lies North of the centerline of Hermantown Road and being described using the following points of reference, to-wit and described below:

Point A - A point on the North line of said NW1/4 of SW1/4 located 356.2 feet east of the Northwest corner of said NW1/4 of SW1/4;

Point B - A point on the North line of said SW1/4 of NW1/4 being the point of intersection of the boundary line, between the E1/2 of SW1/4 of NW1/4 and the W1/2 of SW1/4 of NW1/4 in said Section 26, with the South line of said SW1/4 of NW1/4;

Point C - A point on the North line of said NW1/4 of SW1/4 located 829 feet East of the Northwest corner of said NW1/4 of SW1/4;

Point D - A point on the centerline of Hermantown Road located due south of said Point C;

Point E - A point on the centerline of Hermantown Road located due south of Point A;

Point F - A point on the centerline of Hermantown Road located equidistant between points D and E.

Commencing at said Point "B"; thence on an assumed bearing of South 89 degrees 36 minutes 24 seconds West, between said Point "B" and Point "A", a distance of 228.82 feet to the actual point of beginning of the tract of land herein described; thence South 15 degrees 30 minutes 30 seconds West a distance of 67.45 feet to the intersection of a line drawn between Point "E" and Point "F"; thence northwesterly to said Point "E"; thence northerly to said Point "A"; thence easterly to said point of beginning.

AND ALSO

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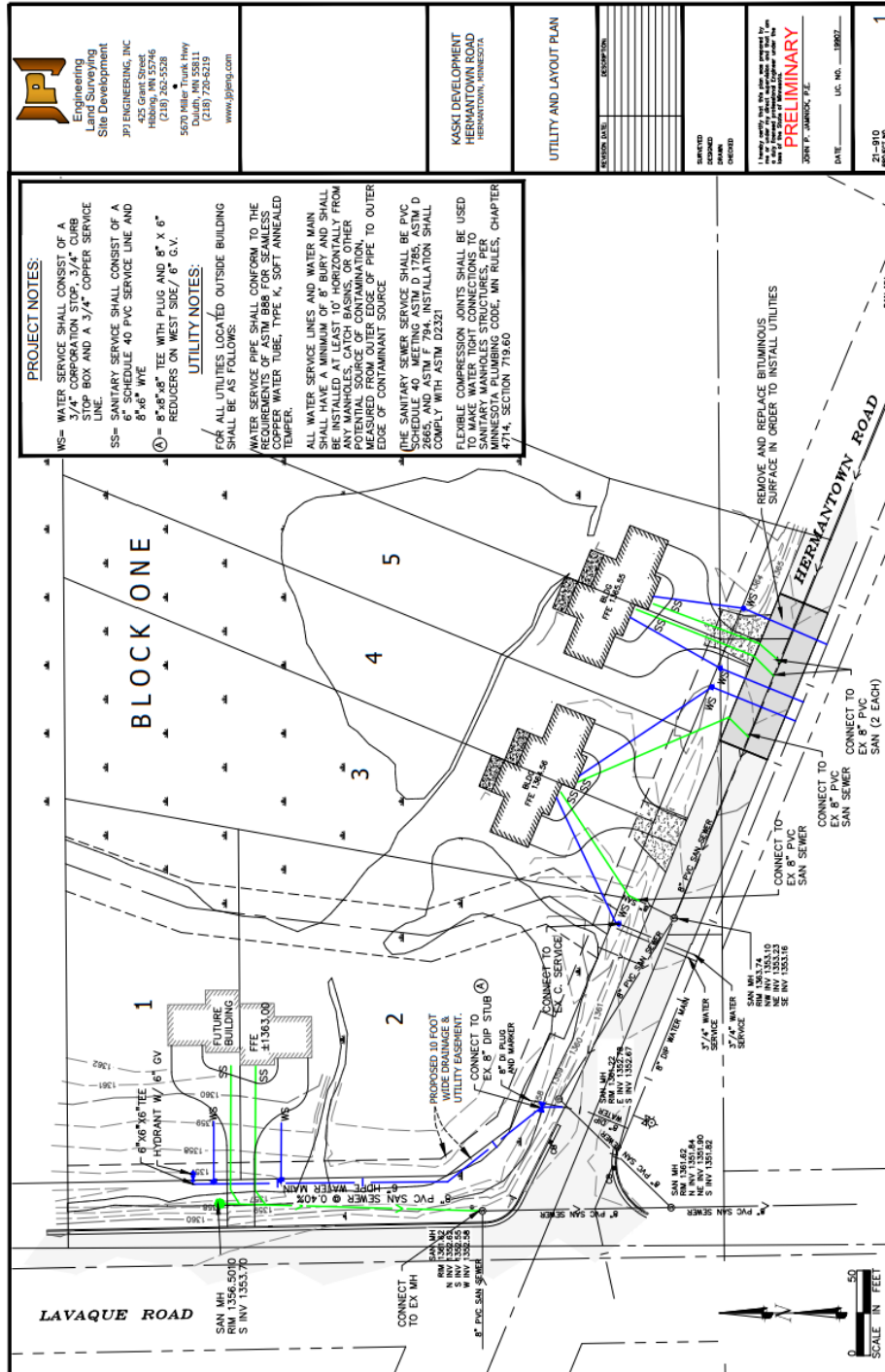
ALSO SUBJECT TO an easement for Lavaque Road along the westerly side thereof Hermantown Road along the southerly side thereof and any other easements of record, if any.

Abstract Property.

Parcel ID: 395-0010-07813

# EXHIBIT B

## Map Showing Location of Existing Sanitary Sewermain And Watermain and Proposed Location of Sanitary Sewer and Water Service Lines



**EXHIBIT C**  
**PETITION**

TO: The City Council of the City of Hermantown

\_\_\_\_\_ ("Owner"), being the fee owner of real estate in the City of Hermantown, County of St. Louis, State of Minnesota, does hereby petition your honorable body to cause the following improvements to be made within said City, to-wit:

Extension of the City's Sanitary Sewermain and Watermain along Lavaque Road adjacent and abutting on the property located in said City, County and State, legally described on **Exhibit A** attached hereto.

and does for himself and his successors and assigns, irrevocably appoint the Chairman of the Utility Commission of the City of Hermantown as his agent for the presentation of this Petition and such further petitions as are required to accomplish the improvements hereinbefore requested, to the City Council of the City of Hermantown, and finally represent that in consideration of the making of the improvements as described by the City of Hermantown, that he hereby binds himself, his successors and assigns to pay all assessments arising by reason of the ordering in or making of such improvements that are levied in accordance with then applicable law and then applicable City of Hermantown policies and procedures, including those applicable to delineate wetland areas.

Owner by this Petition agrees that Owner will not and may not challenge the amount of the assessment based on the argument that the Owner's Property will not be benefitted by the extension of the Sanitary Sewermain and Watermain.

IN WITNESS WHEREOF, \_\_\_\_\_ has caused this Petition to be executed  
this \_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_



**EXHIBIT A**  
**Legal Description of Property**

All that part of the Northwest Quarter of the Southwest Quarter, Section 26, Township 50, Range 15, St Louis County, Minnesota, which lies North of the centerline of Hermantown Road and being described using the following points of reference, to-wit and described below:

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Abstract Property.

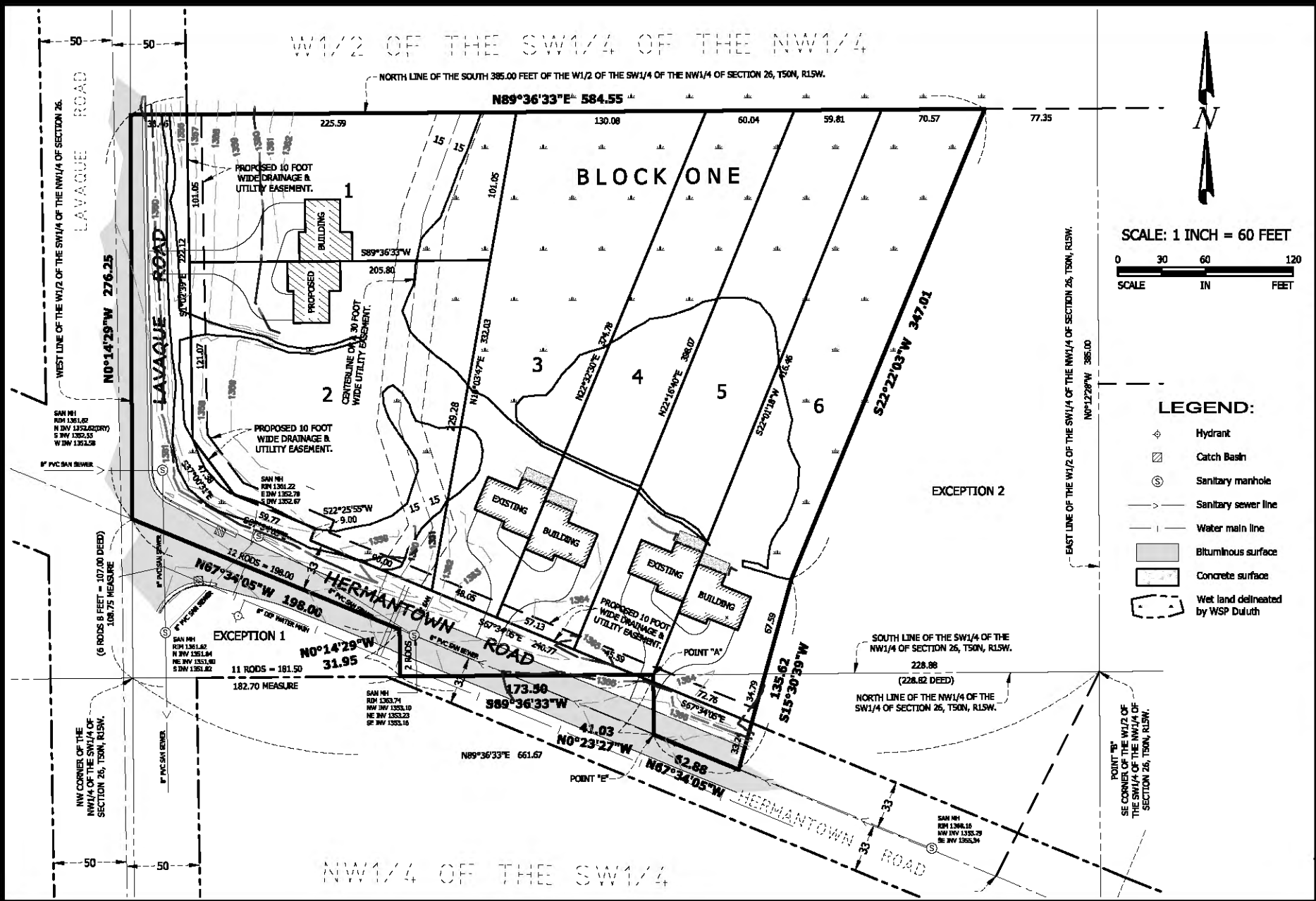
Parcel ID: 395-0010-07813



**Location Map**



T:\Kaski Steven\21-910 Hermantown Road\Hermantown Road\21-910 Steven Kaski Preliminary Plat.dwg 9/30/2021 8:16 AM





**Engineering  
Land Surveying  
Site Development**

JPJ ENGINEERING, INC  
425 Grant Street  
Hibbing, MN 55746  
(218) 262-5528

5670 Miller Trunk Hwy  
Duluth, MN 55811  
(218) 720-6219

www.jpjeng.com

**PRELIMINARY PLAT: CRYSTAL ESTATES**

**For: Steven Kaski**

5087 through 5093 Hermantown Road, Hermantown, Minnesota 55811  
Part of the SW1/4 of the NW1/4 of Section 26, T50N, R15W, St. Louis County, Minnesota.

SURVEY BY :	AJG
DRAWN BY :	RMM
DESIGNED BY :	
APPROVED BY :	RMM
DATE:	8/11/2021
PROJECT NUMBER	21-910
SHEET NUMBER	2 OF 2





**TO:** Mayor & City Council  
**FROM:** John Mulder, City Administrator  
**DATE:** October 27, 2021  
**SUBJECT:** Irrigation Meter Grant Program



**Meeting Date:** 11/1/21  
**Agenda Item:** 12-G  
**Resolution:** 2021-138

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**REQUESTED ACTION**

**Approve the creation of a grant program for irrigation meters for 2022**

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**BACKGROUND**

In 2020, there were a couple of complaints by residents that they had to pay sewer charges when they were watering their lawn. The City has allowed residents to install a second meter for irrigation purposes in the past at their expense. Those meters can cost between \$300 and \$500 dollars. The residents are then required to have a licensed plumber install them.

The Mayor specifically asked staff to find a way to assist residents in avoiding sewer charges for watering lawns. The attached grant program would provide irrigation meters to up to 5 people on a first come, first served basis in 2022. The approximate cost of the program would be \$1,500 to \$2,500.

If approved we would notify water customers shortly after the new year.

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**SOURCE OF FUNDS (if applicable)**

Water Utility-601

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**ATTACHMENTS**

Grant Policy  
Grant Application

**Resolution No. 2021-138**

**RESOLUTION CREATING A GRANT PROGRAM FOR  
CURRENT UTILITY CUSTOMERS IN 2022**

WHEREAS, the City of Hermantown provides water and sewer services for utility customers;  
and

WHEREAS, the City Council has determined that it is in the public interest to provide a grant program to five (5) utility customers in 2022 for watering without incurring sewer charges; and

WHEREAS, the City of Hermantown is creating a grant program to provide irrigation meters for five (5) utility customers in 2022; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hermantown to provide irrigation meters to five (5) utility customers as follows:

1. The grant shall come in the form of an irrigation meter free of charge.
2. The utility customer shall be a water and sewer customer of the City of Hermantown and one of the first five (5) utility customers to request an irrigation meter.
3. The utility customer shall install the irrigation meter within 60 days of receiving the irrigation meter and bear the cost of installation from an approved licensed contractor through the City. If the utility customer does not have the irrigation meter installed within 60 days, they shall return the meter to the City.
4. The utility customer shall have the installation of the meter inspected by the City of Hermantown Public Works Dept.

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 November 1, 2021.



# CITY OF HERMANTOWN

## IRRIGATION METERS

### GRANT PROGRAM POLICY

This Grant Program Policy applies to all applications for irrigation meters.

#### 1) Program Overview

The City of Hermantown (“City”) will provide irrigation water meters to up to five (5) residential homeowners in 2022. The purpose of the Grant Program is to mitigate the instances where irrigation water customers are being charged for water being put into the public sewer system that does not in fact go into the public sewer system. The City has recently updated the Ordinance governing irrigation meters and wants to encourage their use. An irrigation meter otherwise costs around Five Hundred and No/100 Dollars (\$500.00).

#### 2) Eligible Applicants

Eligible applicants are residents of Hermantown and owners of a residential home with a yard or garden that is or will be serviced by City water and sewer. Eligible applicants must be current on their water and sewer accounts.

#### 3) Grant Criteria

Up to five (5) eligible applicants in 2022 will receive the grant of an irrigation meter. Each Grant Application will be reviewed and evaluated on a first-come-first serve basis.

#### 4) Grant Terms

A completed Grant Application will be submitted to the City Finance Department. The City will provide the irrigation meter to the grantee at no cost. The grantee is required to have the meter installed at his or her own cost. The meter must be installed in the residence within sixty (60) days by a licensed plumber and shall meet all requirements set forth in Hermantown City Code § 940.20.6 and all other applicable local, state and federal requirements. The grantee shall provide the City Finance Department proof of installation within a week after said installation.

#### 5) Grant Evaluation and Process

All Grant Applications shall be evaluated and processed by the City Finance Department. Applicants must meet the eligibility criteria and grant terms.

#### 6) Grant Application

Grant Applications are available through the City’s Finance Department. Grant Applications will be accepted until the available irrigation meters have been expended.

Completed and signed applications should be submitted to:

Irrigation Meter Grant Program  
City of Hermantown Finance Department  
5105 Maple Grove Road  
Hermantown, MN 55811  
Phone # 218.729.3600



# CITY OF HERMANTOWN GRANT APPLICATION FOR IRRIGATION METER - 2022

**Applicant Name(s):** \_\_\_\_\_ **Mailing Address:** \_\_\_\_\_  
\_\_\_\_\_

**Home Phone:** \_\_\_\_\_ **Email Address(es):** \_\_\_\_\_

**Mobile Phone:** \_\_\_\_\_

**Do you own a residence in the City of Hermantown?**  YES  NO

**Is or will the residence be serviced by Hermantown water and sewer?**  YES  NO

**Does the residence have a lawn or garden?**  YES  NO

I, the undersigned, hereby apply for the foregoing grant from the City under the Irrigation Meter Grant Program and agree to the following: 1) The Irrigation Meter Grant Program is subject to change without notice, and submittal of an application does not guarantee I will qualify. 2) I am the owner of the above listed property that is located within the corporate limits of the City. 3) I have the authority to bind all co-owners of the above listed property. 4) The selection of plumbing contractors and equipment is at my discretion and the City expressly disclaims any liability for those chosen by the property owner. 5) Receipt of an irrigation meter is conditioned upon the grantee releasing and indemnifying the City from any liability in connection with my participation in this program.

I hereby agree to the foregoing statements and certify that the statements by the undersigned on this application are true and accurate to the best of my knowledge.

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Finance Department Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Return this completed application to:**  
**Irrigation Meter Grant Program**  
**City of Hermantown**  
**Attn: Finance Department**  
**5105 Maple Grove Road**  
**Hermantown, MN 55811**

### Tennessee Warning - Data Practice Advisory

Some or all of the information that you are asked to provide on the attached application is classified by state law as either private or confidential. Private data is information, which generally cannot be given to the public, but can be given to the subject of the data. Confidential data is information which generally cannot be given to either the public or the subject of the data. Our purpose and intended use of this information is to consider your application. You are not legally required to provide this information. You may refuse to provide this information. The consequences of supplying or refusing to supply data are that your application may not be considered or it may be denied. Other persons or entities may be authorized by law to receive the information.

