

**CITY OF HERMANTOWN
CITY COUNCIL MEETING**

Tuesday, June 20, 2023
6:30 PM Central

MEETING CONDUCTED IN PERSON & VIA ZOOM

Mayor Wayne Boucher: Present
Councilor John Geissler: Absent
Councilor Andy Hjelle: Present
Councilor Ellie Jones: Present
Councilor Brian LeBlanc: Present

CITY STAFF: John Mulder, City Administrator; Alissa Wentzlaff, City Clerk; Eric Johnson; Community Development Director; Joe Wicklund, Communications & Community Engagement Director; Kevin Orme, Director of Finance & Administration; David Bolf, City Engineer; Gunnar Johnson, City Attorney

VISITORS:

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **ANNOUNCEMENTS**
5. **PUBLIC HEARING**
6. **COMMUNICATIONS**

A. Correspondence 23-95 through 23-108 are placed on file

7. **PRESENTATIONS**

A. Legislative Re-Cap

Jeff Anderson, Costin Group, Inc
Erik Simonson, Coalition of Greater MN Cities
(*Pre-Agenda Only*)

B. Report on Audit for Year Ending 12/31/2022

Lance Lauinger, CPA - CliftonLarsonAllen LLP
(report sent under separate cover - and available on City's Website)
(*Pre-Agenda Only*)

C. Change Orders for Road Projects

David Bolf, City Engineer
(Pre-Agenda Only)

D. Legislative Re-cap

State Senator Grant Hauschild
State Representative Natalie Zeleznikar
(Regular Meeting only)

8. **PUBLIC DISCUSSION**

9. **MOTIONS**

A. Motion to approve/deny the following renewal of On Sale Intoxicating Liquor Licenses:

AAD Shrine Dance	5152 Miller Trunk Hwy	On Sale / Sunday /
Beacon Sports Bar Dance	5044 Hermantown Rd	On Sale / Sunday /
Chalet Lounge	4833 Miller Trunk Hwy	On Sale / Sunday
Famous Dave's Bar-B-Que	4135 Richard Ave	On Sale / Sunday
Foster's Sports Bar & Grill	4767 W. Arrowhead Rd	On Sale / Sunday
Maya Mexican Restaurant	4702 Miller Trunk Hwy	On Sale / Sunday*
McKenzie's Bar & Grill	5094 Miller Trunk Hwy	On Sale / Sunday
Outback Steakhouse	4255 Haines Rd	On Sale / Sunday
Skyline Social & Games	4894 Miller Trunk Hwy	On Sale / Sunday
The Social House	4897 Miller Trunk Hwy	On Sale / Sunday
Valentini's	4960 Miller Trunk Hwy	On Sale / Sunday

*Contingent upon all paperwork being received

(motion, roll call)

Motion to approve the following renewal of On Sale Intoxicating Liquor Licenses: AAD Shrine 5152 Miller Trunk Hwy On Sale / Sunday / Dance Beacon Sports Bar 5044 Hermantown Rd On Sale / Sunday / Dance Chalet Lounge 4833 Miller Trunk Hwy On Sale / Sunday Famous Dave's Bar-B-Que 4135 Richard Ave On Sale / Sunday Foster's Sports Bar & Grill 4767 W. Arrowhead Rd On Sale / Sunday Maya Mexican Restaurant 4702 Miller Trunk Hwy On Sale / Sunday* McKenzie's Bar & Grill 5094 Miller Trunk Hwy On Sale / Sunday Outback Steakhouse 4255 Haines Rd On Sale / Sunday Skyline Social & Games 4894 Miller Trunk Hwy On Sale / Sunday The Social House 4897 Miller Trunk Hwy On Sale / Sunday Valentini's 4960 Miller Trunk Hwy On Sale / Sunday *Contingent upon all paperwork being received (motion, roll call). This motion, made by Councilor Andy Hjelle and seconded by Councilor Ellie Jones, Carried.

Councilor Andy Hjelle: Yea

Councilor Brian LeBlanc: Yea

Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

**B. Motion to approve/deny the following renewal of On Sale Wine/Strong Beer
Liquor License:**

China Star Restaurant	4227 Haines Rd	Wine / Strong Beer*
Do North Pizzeria Sunday	5116 Miller Trunk Hwy	Wine / Strong Beer / Sunday
Sammy's Pizza Sunday	4310 Menard Dr	Wine / Strong Beer / Sunday
The King of Creams	4140 Richard Ave	Wine / Strong Beer

*Contingent upon all paperwork being received

(motion, roll call)

Motion to approve the following renewal of On Sale Wine/Strong Beer Liquor License: China Star Restaurant 4227 Haines Rd Wine / Strong Beer* Do North Pizzeria 5116 Miller Trunk Hwy Wine / Strong Beer / Sunday Sammy's Pizza 4310 Menard Dr. Wine / Strong Beer / Sunday The King of Creams 4140 Richard Ave Wine / Strong Beer *Contingent upon all paperwork being received. This motion, made by Councilor Brian LeBlanc and seconded by Councilor Ellie Jones, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

**C. Motion to approve/deny the following renewal of Off Sale Intoxicating
Liquor Licenses:**

Adolph Store	3706 Midway Rd	Off Sale
Sam's Club #6320	4743 Maple Grove Rd	Off Sale

(motion, roll call)

Motion to approve the following renewal of Off Sale Intoxicating Liquor Licenses: Adolph Store 3706 Midway Rd Off Sale Sam's Club #6320 4743 Maple Grove Rd Off Sale. This motion, made by Councilor Andy Hjelle and seconded by Councilor Brian LeBlanc, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea

Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

D. Motion to approve/deny the following renewal of Off Sale 3.2 Malt Liquor Licenses:

Holiday Stationstores #190	4795 Miller Trunk Hwy	Off Sale / 3.2
Kwik Trip #216	4805 Miller Trunk Hwy	Off Sale / 3.2
Kwik Trip #220	4978 Miller Trunk Hwy	Off Sale / 3.2
Kwik Trip #572	4145 Haines Rd	Off Sale / 3.2
Walmart #1757	4740 Loberg Ave	Off Sale / 3.2

(motion, roll call)

Motion to approve the following renewal of Off Sale 3.2 Malt Liquor Licenses:
Holiday Stationstores #190 4795 Miller Trunk Hwy Off Sale / 3.2 Kwik Trip #216
4805 Miller Trunk Hwy Off Sale / 3.2 Kwik Trip #220 4978 Miller Trunk Hwy Off
Sale / 3.2 Kwik Trip #572 4145 Haines Rd Off Sale / 3.2 Walmart #1757 4740
Loberg Ave Off Sale / 3.2 (motion, roll call). This motion, made by Councilor Andy
Hjelle and seconded by Councilor Ellie Jones, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

E. Motion to approve/deny the Temporary Service Area Expansion Application for the Beacon Sports Bar for Summerfest on July 21st & 22nd, 2023 with proposed hours of sale from 10:00 a.m. to 1:00 a.m.

(motion, roll call)

Motion to approve the Temporary Service Area Expansion Application for the
Beacon Sports Bar for Summerfest on July 21st & 22nd, 2023 with proposed hours
of sale from 10:00 a.m. to 1:00 a.m. This motion, made by Councilor Brian LeBlanc
and seconded by Councilor Ellie Jones, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

10. **CONSENT AGENDA**

A. **Minutes** - Approval or correction of June 5, 2023 City Council Continuation Minutes

B. **Accounts Payable** - Approve general city warrants from June 1, 2023 through June 15, 2023 in the amount of \$703,242.21

Motion to approve the Consent Agenda. This motion, made by Councilor Brian LeBlanc and seconded by Councilor Ellie Jones, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

11. **ORDINANCES**

A.2023-04 **An Ordinance Amending And Restating Chapter 14, Signs And Ground Signs, Of The Hermantown City Code**

(second reading)
(motion, roll call)

Motion to approve 2023-04 An Ordinance Amending And Restating Chapter 14, Signs And Ground Signs, Of The Hermantown City Code. This motion, made by Councilor Andy Hjelle and seconded by Councilor Ellie Jones, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

B.2023-05 **An Ordinance Amending Chapter 9, Utilities And Services, Of The Hermantown City Code By Modifying The Rules Governing The Collection On Delinquent Utility Accounts**

(second reading)
(motion, roll call)

Motion to approve 2023-05 An Ordinance Amending Chapter 9, Utilities And Services, Of The Hermantown City Code By Modifying The Rules Governing The Collection On Delinquent Utility Accounts. This motion, made by Councilor Ellie Jones and seconded by Councilor Brian LeBlanc, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

12. **RESOLUTIONS**

A. 2023-75 Resolution Authorizing A Summary Of An Ordinance Amending And Restating Chapter 14, Signs And Ground Signs, Of The Hermantown City Code

(motion, roll call)

Motion to approve 2023-75 Resolution Authorizing A Summary Of An Ordinance Amending And Restating Chapter 14, Signs And Ground Signs, Of The Hermantown City Code. This motion, made by Councilor Brian LeBlanc and seconded by Councilor Andy Hjelle, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

B. 2023-76 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver An Agreement Between The Minnesota Department Of Revenue And The City Of Hermantown For The Collection Of A Local Sales Tax

(motion, roll call)

Motion to approve 2023- 76 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver An Agreement Between The Minnesota Department Of Revenue And The City Of Hermantown For The Collection Of A Local Sales Tax. This motion, made by Councilor Ellie Jones and seconded by Councilor Brian LeBlanc, Carried.

Councilor Andy Hjelle: Yea

Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

C. 2023-77 Resolution Approving Change Orders Numbers 1 Through 7 For Road Improvement Project 534 (Ugstad & Arrowhead Roads)

(motion, roll call)

Motion to approve 2023-77 Resolution Approving Change Orders Numbers 1 Through 7 For Road Improvement Project 534 (Ugstad & Arrowhead Roads). This motion, made by Councilor Andy Hjelle and seconded by Councilor Ellie Jones, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

D. 2023-78 Resolution Approving Pay Request Number 1 For Road Improvement District 534 To Ulland Brothers, Inc In The Amount Of \$324,420.49

(motion, roll call)

Motion to approve Resolution 2023-78 Resolution Approving Pay Request Number 1 For Road Improvement District 534 To Ulland Brothers, Inc In The Amount Of \$324,420.49. This motion, made by Councilor Ellie Jones and seconded by Councilor Andy Hjelle, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

E. 2023-79 Resolution Authorizing And Directing Mayor And City Clerk To Execute An Acceptance Of Easement Agreement To The City Of Hermantown From Jenna M. And Reid T. Lund For The Okerstrom Sewer And Road Improvement

(motion, roll call)

Motion to approve 2023-79 Resolution Authorizing And Directing Mayor And City Clerk To Execute An Acceptance Of Easement Agreement To The City Of Hermantown From Jenna M. And Reid T. Lund For The Okerstrom Sewer And Road Improvement. This motion, made by Councilor Brian LeBlanc and seconded by Councilor Andy Hjelle, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

F. 2023-80 Resolution Authorizing And Directing Mayor And City Clerk To Execute An Acceptance Of Easement Agreement To The City Of Hermantown From David D. and Mary Jo Miller For The Okerstrom Sewer And Road Improvement

(motion, roll call)

Motion to approve 2023-80 Resolution Authorizing And Directing Mayor And City Clerk To Execute An Acceptance Of Easement Agreement To The City Of Hermantown From David D. and Mary Jo Miller For The Okerstrom Sewer And Road Improvement. This motion, made by Councilor Ellie Jones and seconded by Councilor Andy Hjelle, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

G. 2023-81 Resolution Authorizing And Directing Mayor And City Clerk To Execute An Acceptance Of Easement Agreement To The City Of Hermantown From Gregory a/k/a Greg Privette and Sara Seehus-Privette The Okerstrom Sewer And Road Improvement

(motion, roll call)

Motion to approve 2023-81 Resolution Authorizing And Directing Mayor And City Clerk To Execute An Acceptance Of Easement Agreement To The City Of

Hermantown From Gregory a/k/a Greg Privette and Sara Seehus-Privette The Okerstrom Sewer And Road Improvement. This motion, made by Councilor Andy Hjelle and seconded by Councilor Brian LeBlanc, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

H. 2023-82 Resolution Receiving Bids And Awarding Contract To Veit & Company, Inc For Sewer Improvement Project No. 451 (Okerstrom Road And Sewer) In The Amount Of \$934,142

(motion, roll call)

Motion to approve 2023-82 Resolution Receiving Bids And Awarding Contract To Veit & Company, Inc For Sewer Improvement Project No. 451 (Okerstrom Road And Sewer) In The Amount Of \$934,142. This motion, made by Councilor Ellie Jones and seconded by Councilor Andy Hjelle, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

I. 2023-83 Resolution Approving Change Order Number 1 and Pay Application Number 1 for the Lindahl Road Bridge Removal

(motion, roll call)

Motion to approve 2023-83 Resolution Approving Change Order Number 1 and Pay Application Number 1 for the Lindahl Road Bridge Removal. This motion, made by Councilor Andy Hjelle and seconded by Councilor Brian LeBlanc, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

J. 2023-84 Resolution Adopting Performance Measures

(motion, roll call)

Motion to approve 2023-84 Resolution Adopting Performance Measures. This motion, made by Councilor Brian LeBlanc and seconded by Councilor Ellie Jones, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

13. CLOSED SESSION

Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statutes § 13D.05, Subd. 3(c)(1) and 13D.05, Subd. 3(c)(3) to evaluate the asking price of naming rights and to consider the acquisition of property rights associated with a proposed hockey arena located on property adjacent to the existing hockey arena in the City of Hermantown and develop offers and counteroffers. Following this closed session, the council will re-convene in open session.

(motion, roll call)

Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statutes § 13D.05, Subd. 3(c)(1) and 13D.05, Subd. 3(c)(3) to evaluate the asking price of naming rights and to consider the acquisition of property rights associated with a proposed hockey arena located on property adjacent to the existing hockey arena in the City of Hermantown and develop offers and counteroffers. Following this closed session, the council will re-convene in open session. This motion, made by Councilor Andy Hjelle and seconded by Councilor Brian LeBlanc, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

Motion to reconvene into open session. This motion made by Andy Hjelle, seconded by Brian LeBlanc at 8:18. Motion carried.

14. **RECESS**

Motion to recess at 8:19 p.m. This motion, made by Councilor Andy Hjelle and seconded by Councilor Brian LeBlanc, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Yea
Councilor John Geissler: Absent
Mayor Wayne Boucher: Yea
Yea: 4, Nay: 0, Absent: 1

Mayor

ATTEST:

City Clerk

