



## **Hermantown City Council Meeting - Monday, October 2, 2023**

Hermantown’s upcoming City Council meeting will include both remote access and in-person access to Council Chambers. The remote access will be available through the platform, “Zoom,” which allows the public to view and participate in the meeting via phone or computer. Interested parties can also choose to attend the City Council meetings in person at City Hall.

### **Remote access to the 6:30 p.m. City Council Meeting via Zoom:**

<https://us02web.zoom.us/j/84409952143?pwd=cGdaNzZmU2NYdGxsUDIQVDVxeU9LQT09>

and/or by calling the number (312) 626-6799 and utilizing the meeting ID number of 844 0995 2143 and the passcode of 0260647091.

Public comment may also be submitted in advance of the meeting. Comments, questions, or concerns can be e-mailed to Community Engagement Director, 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 “City Council Meeting.” It is important to note that all comments regarding this 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
- Everyone has varying levels of comfort regarding remote technology, 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.



## AGENDA

### **Pre-Agenda Meeting Monday, October 2, 2023 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 Monday, October 2, 2023 at 6:30 p.m. Council Chambers, City Hall - Hermantown Governmental Services Building**

#### **Invitation to participate:**

The Hermantown City Council welcomes your thoughts, input and opinions to this meeting. The agenda for this meeting contains a brief description of each item to be considered, and the City Council encourages your participation. If you wish to speak on an item contained in the agenda, you will be allowed to address the Council when a motion is on the floor. If you wish to speak on a matter that does not appear on the agenda, you may do so during the public comment period regularly scheduled and set for the beginning of the meeting.

When addressing the City Council, please state your name and address for the record. Please address the City Council as a whole through the Mayor. Comments to individual Council Members or staff are not permitted. Speakers will be limited to three (3) minutes.

#### **Order of discussion**

1. Reading of the resolution title by Mayor
2. Motion/Second
3. Staff Explanation
4. Initial Discussion by City Council
5. Mayor invites public to speak to the motion (3-minute rule)
6. Follow up staff explanation and/or discussion by City Council
7. Call of the vote

**CITY OF HERMANTOWN  
AGENDA**

**Pre-Agenda Meeting Monday, October 2, 2023 at 4:30 p.m.  
Council Chambers, City Hall - Hermantown Governmental Services Building**

**City Council Meeting Monday, October 2, 2023 at 6:30 p.m.  
Council Chambers, City Hall - Hermantown Governmental Services Building**

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **ANNOUNCEMENTS**

*Council Members may make announcements as needed.*

5. **PUBLIC HEARING**

*Only when necessary. The rule adopted three minutes per person if necessary. Any action required after the public hearing will be taken immediately following the closing of the public hearing.*

A. Public Hearing On An Ordinance Amending The Fee Schedule For Licenses, Permits, And Fees Section 270 Of The Hermantown Code Of Ordinances

B. **2023-08 An Ordinance Amending Hermantown Code Of Ordinances Section 270 - Fee Schedule**

[6](#)

*(second reading)*

*(motion, roll call)*

6. **COMMUNICATIONS**

A. Correspondence 23-147 through 23-155 placed on file

[18](#)

7. **PRESENTATIONS**

A. **2024 Debt Service Budgets**

Kevin Orme, Director of Finance & Administration

*(Pre-Agenda Only)*

[19](#)

B. **Highway 53 Business Park**

David Bolf, City Engineer

*(Pre-Agenda Only)*

8. **PUBLIC DISCUSSION**

*This is the time for individuals to address the Council about any item not on the agenda. The time limit is three minutes per person.*

9. **MOTIONS**

10. **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 requests, in which event the item will be removed from the Consent Agenda and considered at the end of the Consent Agenda.*

- A. **Minutes** - Approval or correction of September 18, 2023 City Council Continuation Minutes [65](#)
  
- B. **Accounts Payable** - Approve general city warrants from September 16, 2023 through September 30, 2023 in the amount of \$1,034,666.99 [74](#)

11. **ORDINANCES**

- A. **2023-07 An Ordinance Amending Chapter 740, Hunting Deer By Bow And Arrow, Eliminating The "Earn A Buck" Requirement For The Hermantown City Bow Hunt And Allowing The Use Of Crossbows** [81](#)  
  

*(second reading)*  
*(motion, roll call)*

- B. **2023-09 An Ordinance Amending Title 2 Of The Hermantown City Code By Amending The Official Zoning Map Of The Northern 6.4 Acres Of Parcels 395-0010-0782 And 395-0010-07840** [84](#)  
  

*(first reading)*

12. **RESOLUTIONS**

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

- A. **2023-142 Resolution Approving A Special Use Permit For Grading And Filling Within A Natural Environment Shoreland Overlay Area** [93](#)  
  

*(motion, roll call)*
  
- B. **2023-143 Resolution Approving Memorandums Of Understanding (MOU's) And Authorizing And Directing Mayor And City Clerk To Execute And Deliver MOU's With International Union Of Operating Engineers Local 49 And AFSCME Local 66** [110](#)

*(motion, roll call)*

- C. **2023-144 Resolution Awarding A Contract For Heat Tape Installation On The Governmental Services Building To Benson Electric In The Amount Of \$88,000** [120](#)

*(motion, roll call)*

D. **2023-145 Resolution Approving Pay Request Number 3 For Sewer Improvement District 451 To Veit In The Amount Of \$263,887.58**

[144](#)

*(motion, roll call)*

13. **CLOSED SESSION**

14. **RECESS**



**CITY COUNCIL MEETING DATE:** October 2, 2023

**TO:** Mayor & City Council

**FROM:** Kevin Orme, Director of Finance & Administration

**SUBJECT:** Public Hearing on Ordinance - Section 270 - Fee Schedule

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**RESOLUTION:**                       **ORDINANCE:**                       **OTHER:** 2023-08

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**REQUESTED ACTION**

Second Reading of the Ordinance for the 2024 Fee Schedule

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**BACKGROUND**

Each year, the department heads are asked to review the Fee Schedule. The document following this memo shows in red all the proposed changes to the Fee Schedule beginning January 1, 2024.

Included in the fee changes are the utility rate increases. The rate increases are per Ehler’s recommendations in their Utility rate study. We haven’t found out yet how much Duluth is raising our water rates in 2024. We have reached out to them and they indicate they might now know until 2024 but that the rate increase could very well be sizeable.

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**SOURCE OF FUNDS (if applicable)**

N/A

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**ATTACHMENTS**

Fee Schedule with marked changes

**Ordinance No. 2023-08**

The City Council of the City of Hermantown does ordain:

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

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

See attached Exhibit A.

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

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

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

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

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

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

# Section 270 - Fee Schedule

As of January 1, 2023

| DESCRIPTION   | FEE     | 2024  |
|---|---------|-------|
| <b>Antenna Lease (New or Amendment)</b>                       | \$1,000 |       |
| <b>Assessment Searches</b>                                    |         |       |
| - First Parcel  | \$40    |       |
| - Additional  | \$20    |       |
| <b>AUDIO/VISUAL</b>   |         |       |
| -Audio CD of Meetings   | \$15    |       |
| - Photo CD's  | \$15    |       |
| - Video Tapes/DVD's   | \$15    |       |
| <b>BUILDING DEPARTMENT</b>                                    |         |       |
| <b>911 Signs</b>  |         |       |
| Installed Signpost  | \$75    |       |
| Sign and Bracket Only   | \$35    |       |
| <b>Appeals</b>  |         |       |
| Building Code Appeals   | \$250   |       |
| Fire Code Appeals   | \$250   |       |
| Hazardous & Unsafe Structures - Fire Code                     | \$250   |       |
| <b>Commercial</b>   |         |       |
| Permit Fees are Based On Value (See Schedule B)               |         |       |
| - Plan Checking Fee (% of Building Permit Fee)                | 65%     |       |
| <b>Demolition</b> *- Single Family Res.                       | \$0     |       |
| - Other   | \$100   |       |
| *Charge waived if issued with building permit                 |         |       |
| <b>Floodproofing Permit Fee</b>                               | \$25    |       |
| <b>Inspect Fire sprinkler systems</b>                         | \$50    |       |
| <b>Inspections after normal business hours</b>                | \$65/hr |       |
| <b>Investigation Fee</b>                                      |         |       |
| First Infraction - Double Permit (Min. \$200)                 |         |       |
| Each Add'l in 12 Month -Triple Permit (min \$300)             |         |       |
| <b>Residential</b>  |         |       |
| - Re-roofing Permit   | \$50    | \$60  |
| - Re-siding Permit  | \$50    | \$60  |
| - Window Replacement  | \$50    | \$60  |
| - Door Replacement  | \$50    | \$60  |
| - Plumbing Permit - initial                                   | \$50    |       |
| - Plus per fixture  | \$5     |       |
| - Mechanical Permit - initial                                 | \$50    |       |
| - Plus per fixture  | \$15    |       |
| - Replacement   | \$50    |       |
| - Detached Garage/Accessory Building (less than 1200 sq. ft.) | \$150   | \$175 |
| - Mobile/Manufactured -Home Setting Fee                       | 8 \$600 |       |



|   |                |  |
|---|----------------|--|
| - Park Dedication Fee - per bedroom                   | \$150          |  |
| - Plan Checking Fee (% of Building Permit Fee)        | 65%            |  |
| All Other Permit Fees are Based On Value (Schedule A) |                |  |
| <b>Special Permit Fees</b>                            | \$25           |  |
| <b>State Surcharge</b>                                | See Schedule B |  |
| single fixed fee permit for fees under \$2,010        | \$1            |  |

## CEMETERY/BURIAL

|   |         |         |
|---|---------|---------|
| - Burial                                |         |         |
| - Non-winter weekday                    | \$600   | \$650   |
| - Non-winter weekend                    | \$800   | \$850   |
| - Winter weekday (Nov 1 - Mar 31)       | \$800   | \$850   |
| - Winter weekend (Nov 1 - Mar 31)       | \$1250  | \$1,300 |
| - Burial of Urn                         |         |         |
| - New Plot                              | \$350   | \$385   |
| - Shared Plot                           | \$225   | \$250   |
| - Winter - New Plot (Nov 1 - Mar 31)    | \$550   | \$600   |
| - Winter - Shared Plot (Nov 1 - Mar 31) | \$450   | \$500   |
| - Weekend                               | \$1,000 | \$1,100 |

## CITY CLERK

### BUSINESS LICENSE FEES

#### Adult Businesses

|                                |         |         |
|--------------------------------|---------|---------|
| - Application Fee              |         |         |
| - New Principal License        | \$3,500 | \$3,750 |
| - Renewal of Principal License | \$725   | \$775   |
| - New Accessory License        | \$725   | \$775   |
| - Renewal of Accessory License | \$160   | \$175   |
| - License Fee                  |         |         |
| - Principal License            | \$1,425 | \$1525  |
| - Accessory License            | \$305   | \$350   |

### LIQUOR LICENSE FEES:

#### 3.2% Malt Liquor

|                       |       |       |
|-----------------------|-------|-------|
| - On Sale             | \$550 | \$600 |
| - Off Sale            | \$80  | \$85  |
| - Temporary - per day | \$60  | \$65  |
| - Transfer - On Sale  | \$110 | \$120 |
| -Transfer - Off Sale  | \$60  | \$65  |

#### Intoxicating Liquor

|                            |         |         |
|----------------------------|---------|---------|
| - On Sale                  | \$3,450 | \$3,700 |
| - Off Sale                 | \$155   | \$175   |
| - Temporary - per day      | \$255   | \$275   |
| - Transfer/On Sale         | \$155   | \$175   |
| -Transfer/Off Sale         | \$130   | \$150   |
| Investigation Fee (Police) | \$210   | \$225   |

**Wine**

|                       |         |         |
|-----------------------|---------|---------|
| - Only Wine           | \$815   | \$875   |
| - With Hard Beer      | \$1,150 | \$1,250 |
| - Temporary - per day | \$110   | \$125   |
| - Transfer            | \$110   | \$125   |

|   |       |       |
|---|-------|-------|
| <b>Sunday License</b>                   | \$200 | \$225 |
| <b>Charities Temporary Service Area</b> | \$405 | \$120 |

**Club License**

|                     |         |         |
|---------------------|---------|---------|
| - Under 200 members | \$300   | \$325   |
| - 201-500 members   | \$500   | \$535   |
| - 501-1000 members  | \$650   | \$700   |
| - 1001-2000 members | \$800   | \$850   |
| - 2001-4000 members | \$1,000 | \$1,075 |
| - 4001-6000 members | \$2,000 | \$2,150 |
| - Over 6000 members | \$3,000 | \$3,250 |

|   |       |       |
|---|-------|-------|
| <b>Dance Permit</b>                                 | \$500 | \$550 |
| <b>Summerfest Temporary Service Area</b>            | \$250 | \$275 |
| <b>Temporary Service Area Expansion</b>             | \$250 | \$275 |
| <b>Deposit for Temporary Service Area Expansion</b> | \$250 | \$275 |

**Other License Fees:**

|  |         |         |
|--|---------|---------|
| <b>Pawn Shop</b>                                 | \$3,750 | \$4,000 |
| Transaction Fee (\$25,000 Bond Required)         | \$6     |         |
| Investigation Fee (New Application)              | \$660   |         |
| <b>Massage Establishment</b>                     | \$125   | \$150   |
| -Investigation Fee (New Application)             | \$30    | \$35    |
| <b>Massage Therapist</b>                         | \$55    | \$60    |
| -Investigation Fee (New Application)             | \$30    | \$35    |
| <b>Tobacco License</b>                           | \$335   | \$350   |
| -Investigation Fee (New Application)             | \$30    | \$35    |
| <b>Tetrahydrocannabinol Products License Fee</b> | \$600   | \$650   |
| -Investigation Fee (New Application)             | \$30    | \$35    |
| <b>Candidate Filing Fee for City Council</b>     | \$5     | \$10    |

**COPIES, DOCUMENTS, FAXES, MAPS**

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

|                       |      |  |
|-----------------------|------|--|
| - Add'l               | \$0  |  |
| - 11 x 17 - 1st Page  | \$2  |  |
| - Add'l               | \$1  |  |
| - Larger than 11 x 17 | \$10 |  |
| - Photo - per page    | \$4  |  |

**FAXES**

|                        |        |  |
|------------------------|--------|--|
| - Local - 1st Page     | \$2    |  |
| - Add'l                | \$0    |  |
| - Long Dist.- 1st Page | \$3.00 |  |
| - Add'l                | \$0    |  |

**MAPS**

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

**OTHER FEES**

|  |       |       |
|--|-------|-------|
| <b>Foot and Bicycle Races</b>            | \$25  | \$30  |
| <b>Gambling Investigation Fee</b>        | \$400 | \$150 |
| <b>Non-Sufficient Funds (NSF) Charge</b> | \$30  | \$35  |
| <b>Recording Fee</b>                     | \$75  |       |

**PARKS DEPARTMENT**

**Hermantown Community Park (Passive Park)**

|                |      |  |
|----------------|------|--|
| - Resident     | \$25 |  |
| - Non-Resident | \$75 |  |

**PLANNING & ZONING DEPARTMENT**

|   |         |       |
|---|---------|-------|
| <b>Administrative Appeal</b>                                | \$200   |       |
| <b>Alternative Energy Systems Permit</b>                    | \$30    |       |
| <b>Christmas Tree Permit</b><br>(\$25 refund after Season)  | \$100   |       |
| <b>Com'l Industrial Development Permit</b>                  |         |       |
| - With Development Agreement*                               | \$700   |       |
| - Without Development Agreement                             | \$400   | \$450 |
| - Zoning Certificate in lieu of CIDP                        | \$250   | \$300 |
| * Plus, Professional Fees                                   |         |       |
| <b>Dog Exception Permit</b>                                 | \$195   | \$200 |
| <b>Driveway Access</b>                                      |         |       |
| - Permit (Plus \$250 Deposit)                               | \$100   | \$125 |
| <b>Erosion &amp; Sediment Control</b>                       |         |       |
| - Multi-Family/Com'l/Industrial                             | \$250   | \$275 |
| - Single Family Residential                                 | \$125   | \$150 |
| - Utility - Per lineal foot disturbed                       | \$0.125 |       |
| - Minimum   | \$250   |       |
| <b>Park Fee</b>   |         |       |
| -Single Family, Two Family, Three Family Residential Parcel | \$1,100 |       |
| -Multi-family, 2+bedroom units                              | \$800   |       |

|  |  |       |
|--|--|-------|
| -Multi-family, 1 bedroom and studio                    | \$400                                    |       |
| -Commercial and Industrial                             | \$1,100 per<br>acre                      |       |
| -Planned Unit Development                              | Proportional<br>to Mix of<br>Development |       |
| <b>Fence Permit</b>                                    |  |       |
| If Building Permit Not Needed                          | \$35                                     | \$40  |
| <b>Fireworks Permit</b>                                |  |       |
| - Established Retail                                   | \$100                                    |       |
| - Temporary Structure                                  | \$350                                    |       |
| <b>Land Alternation Permits (Fill)</b>                 |  |       |
| - Flat Fee   | \$125                                    | \$150 |
| - Refundable Deposit                                   | \$500                                    |       |
| <b>Mobile Home Park Approval Fee *</b>                 | \$445                                    | \$450 |
| *Plus Professional Fees                                |  |       |
| <b>Non-Conforming Use Permit &amp; Fee Application</b> |  |       |
| Single Family  | \$150                                    |       |
| Commercial   | \$400                                    |       |
| <b>Ordinance</b>                                       |  |       |
| - Amendment  | \$350                                    |       |
| - Interpretation                                       | \$185                                    |       |
| <b>Parcel Split Review Fee</b>                         |  |       |
| Fee per Split Reviewed                                 | \$300                                    | \$325 |
| <b>Planned Unit Development Approval*</b>              |  |       |
| PUD Fee  | \$700                                    |       |
| *Plus, Professional Fee                                |  |       |
| PUD Amendment  | \$350                                    |       |
| <b>Recording Fee</b>                                   | \$75                                     | \$100 |
| <b>Rezoning Application Fee</b>                        | \$350                                    | \$400 |
| <b>Sign Permits</b>                                    |  |       |
| - Temporary (Class G)                                  | \$20                                     |       |
| - Com'l (Class C-Other up to 25 ft.)                   | \$75                                     |       |
| - Com'l (Class C-Other over 25 ft.)                    | \$110                                    |       |
| - Com'l (Class C-Free Standing)                        | \$110                                    |       |
| - Billboards (Class D)                                 | \$500                                    |       |
| <b>Special Use Permit *</b>                            |  |       |
| - New  | \$400                                    | \$425 |
| - Renewal  | \$350                                    |       |
| - Amendment  | \$350                                    |       |
| * Plus, professional fees                              |  |       |
| <b>Stormwater *</b>                                    |  |       |
| - New application                                      | \$450                                    |       |
| - Recording fee  | \$75                                     |       |
| * Plus, professional fees                              |  |       |
| - Concept Plan Review***                               |  |       |
| *** Includes professional fees                         |  |       |
| <b>Subdivision Plan Approval</b>                       |  |       |

|   |                   |       |
|---|-------------------|-------|
| - Preliminary   | \$350             | \$400 |
| - Final   | \$300             | \$350 |
| - Combined process  | \$600             | \$700 |
| <b>Vacation Fee (easement)</b>                                | \$235             |       |
| <b>Variance Application Fee</b>                               | \$300             | \$350 |
| <b>Wetland Permits *</b>                                      |                   |       |
| - Deminimus Exemption   | \$250             |       |
| - Delineation   | \$200             |       |
| - No Loss Determination                                       | \$250             |       |
| - Replacement Plans   |                   |       |
| - Individual/Single Family                                    | \$350             |       |
| - Subdivisions/Com'l/Multi Family                             | \$750             |       |
| *Plus Professional Fees                                       |                   |       |
| <b>Wetland Impact Fee</b>                                     |                   |       |
| - per sq. ft. x mitigation ratio                              | \$0.15            |       |
| <b>Zoning Verification Letter</b>                             | \$30              |       |
| <b>Zoning Certificate Fee</b>                                 | \$35              | \$40  |
| <b>Hermantown Marketplace Zoning Certificate</b>              | \$250             |       |
| <b>Zoning Maps (GIS Maps) Plotted</b>                         |                   |       |
| - 11 x 17   | \$10              |       |
| - 24 x 36   | \$45              |       |
| - Color map   | \$30              |       |
| <b>POLICE DEPARTMENT</b>                                      |                   |       |
| <b>Animal Licenses ( Dog &amp; Cat)</b>                       | \$40              | \$15  |
| <b>Lifetime Permit</b>  | \$50              |       |
| <b>Lifetime Animal Transfer Fee</b>                           | \$5               |       |
| <b>Duplicate Tag Fee</b>                                      | \$5               |       |
| Animal Licenses at City Impound Facility                      | \$42              | \$17  |
| Dangerous Animal  | \$500             |       |
| <b>Archery (Bow Hunting)</b>                                  |                   |       |
| -Resident Permit  | \$10              |       |
| -Non-Resident Permit  | \$30              | \$35  |
| <b>Fingerprinting</b>   | \$30              |       |
| <b>Police Services</b>  |                   |       |
| Officer for School Events Beyond Contract (per unit per hour) | \$70              | \$75  |
| Officer for Special Events (Per unit per hour)                | \$85              | \$90  |
| <b>Training Center Rental</b>                                 |                   |       |
| - Resident - During Working Hours                             | Free once a month |       |
| <b>Training Center Rental</b>                                 |                   |       |
| - During Working Hours (8:00 am - 4:30 pm)                    | \$190             |       |
| - After Hours (After 4:30)                                    | \$245             |       |
| Add: Saturday Rental  | \$75              | \$120 |
| <b>Vehicle Storage/Impound (per day)</b>                      | \$30              |       |

**UTILITIES DEPARTMENT (WATER/SEWER)**

|   |                    |         |
|---|--------------------|---------|
| Administrative fee in delinquent utility property tax certification                     | \$100              |         |
| <b>Assessment Construction Project Admin. Fee</b>                                       | 3.5%               |         |
| <b>Excavating Contractor's License</b>  | \$200              |         |
| - Permit  | \$50               |         |
| <b>Excavating Permit for Private Person</b>   | \$50               |         |
| <b>Fats, Oil, Grease (FOG Program)</b>  |                    |         |
| <b>Sewer Service Surcharge</b>  | \$100              | Monthly |
| <b>Late Payment Fee (penalty on current balance due)</b>                                | 10%                |         |
| <b>Return Check Fee</b>   | \$30               | \$35    |
| <b>Unpolluted Water Surcharge (monthly)</b>   | \$100              |         |
| <b>Water Filling Station ( per 1008 gallons)</b>  | \$15               |         |
| <b><u>Water Rates: (per 1,000 gallons)</u></b>  |                    |         |
| Residential Tier 1 (up to 2,500 gallons)  | <del>\$8.82</del>  | \$9.22  |
| Residential Tier 2 (between 2,501-4,500 gallons)  | <del>\$10.15</del> | \$10.61 |
| Residential Tier 3 (over 4,501 gallons)   | <del>\$11.16</del> | \$11.66 |
| <b><u>Multi Family</u></b>  |                    |         |
| Multi-Family Tier 1 (all usage)   | <del>\$10.16</del> | \$10.61 |
| Multi-Family Tier 2 (all usage)   | <del>\$10.16</del> | \$10.61 |
| Multi-Family Tier 3 (all usage)   | <del>\$10.16</del> | \$10.61 |
| <b><u>Commercial</u></b>  |                    |         |
| Tier 1 (up to 20,000 gallons)   | <del>\$9.12</del>  | \$9.53  |
| Tier 2 (between 20,001-50,000 gallons)  | <del>\$9.59</del>  | \$10.02 |
| Tier 3 (over 50,001 gallons)  | <del>\$10.54</del> | \$11.01 |
| <b><u>Irrigation</u></b>  |                    |         |
| Tier 1 (all usage)  | <del>\$11.16</del> | \$11.66 |
| Tier 1 (all usage)  | <del>\$11.16</del> | \$11.66 |
| Tier 3 (all usage)  | <del>\$11.16</del> | \$11.66 |
| <b>Water testing fee - August annual bill</b>   | \$9.72             |         |
|   | \$150 per season   |         |
| <b>Temporary Meter Rental (Construction &amp; Hydrant)</b>                              |                    |         |
| <b>Service charges - billed monthly</b>   |                    |         |
| <b>5/8" to 1" meter</b>   | <del>\$9.73</del>  | \$10.17 |
| <b>1 1/4" meter</b>   | <del>\$14.60</del> | \$15.26 |
| <b>1 1/2" meter</b>   | <del>\$14.60</del> | \$15.26 |
| <b>2" meter</b>   | <del>\$36.50</del> | \$38.14 |
| <b>3" meter</b>   | <del>\$42.58</del> | \$44.49 |
| <b>4" meter</b>   | <del>\$54.75</del> | \$57.21 |
| <b>6" meter</b>   | <del>\$79.01</del> | \$82.63 |
| <b>On/Off Fees</b>  |                    |         |
| <b>Snowbirds</b>  | \$25               |         |
| <b>Reconnection for delinquent accounts</b>   | \$75               |         |
| <b>Water Hookups</b>  |                    |         |
| <b>Residential</b> (Includes 3/4" or 1" Iperl Meter)                                    | \$850              |         |
| <b>Irrigation Meter</b> (Includes 3/4" or 1" Iperl Meter)                               | \$850              |         |
| <b>Commercial</b> (Includes 3/4 or 1" meter, larger meter will have additional charges) | \$1,400 + tax      |         |

**Water Availability Charge** – call for fee amount Varies

**Sewer Rates: (per 1,000 gallons)**

|  |                    |                |
|--|--------------------|----------------|
| Residential <b>Tier 1</b> (all usage)  | <del>\$10.66</del> | <b>\$10.87</b> |
| Multi-Family <b>Tier 1</b> (all usage) | <del>\$10.66</del> | <b>\$10.87</b> |
| Commercial <b>Tier 1</b> (all usage)   | <del>\$10.66</del> | <b>\$10.87</b> |

Flat Rate Tier 2 – Residential **Average** ~~\$38.07~~ **\$38.83**

Flat Rate Tier 3 – Commercial **Average** ~~\$47.97~~ **\$48.93**

**Service charge – monthly** ~~\$3.40~~ **\$3.47**

**Minimum sewer charges**

**Service charge** ~~\$3.40~~ **\$3.47**

**Sewer Hookup**

**Residential (includes duplex)** \$850

**Permit** \$85

**Commercial** \$2,200

**Permit** \$85

**Stool Fee \$50 per toilet - max 50 toilets** \$50

**Capacity Availability Fee For Single Family (contact WLSSD for fee determination of commercial buildings)** \$940

**Sewer Availability Charge** (unless Resolution stipulates otherwise) \$5,000

**Stormwater Rates:**

Equivalent Rate Unit (ERU) ~~\$8.00/ERU~~ **\$8.28/ERU**

## Schedule A

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### Residential Building Permit Fee Schedule

The City of Hermantown for purposes of establishing the valuation to be utilized in establishing the building permit fee shall use the most updated building valuation data sheets, which list Minnesota State Building Code Designation for Occupancy, Type and Cost Per Square Foot as provided by the State of Minnesota, Department of Administration, Building Codes and Standards Division. The only exceptions to these are special inspections listed in the Fee Schedule.

| Total Valuation                |                | Fee  |
|--------------------------------|----------------|--|
| \$1.00 to \$500.00             | <b>\$30</b>    | <del>\$25.00</del>   |
| \$501.00 to \$2,000.00         | <b>\$30</b>    | <del>\$25.00</del> for the \$500.00 plus \$2.50 for each additional \$100.00 or fraction thereof, to and including \$2,000.00                    |
| \$2001.00 to \$25,000.00       | <b>\$64</b>    | <del>\$54.00</del> for the first \$2,000.00 plus \$11.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00        |
| \$25,001.00 to \$50,000.00     | <b>\$362</b>   | <del>\$302.00</del> for the first \$25,000.00 plus \$8.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00       |
| \$50,001.00 to \$100,000.00    | <b>\$596</b>   | <del>\$497.00</del> for the first \$50,000.00 plus \$5.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00      |
| \$100,000.00 to \$500,000.00   | <b>\$920</b>   | <del>\$767.00</del> for the first \$100,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof                                    |
| \$500,000.00 to \$1,000,000.00 | <b>\$2,935</b> | <del>\$2,446.00</del> for the first \$500,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00 |
| \$1,000,000.00 and up          | <b>\$5,095</b> | <del>\$4,246.00</del> for the first \$1,000,000.00 plus \$2.50 for each additional \$1,000.00 or fraction thereof                                |

All fees shall include a surcharge of .0005 times the valuation to determine the total fee. The minimum surcharge for a "fixed fee" permit is \$1.00



## Schedule B

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### Commercial Building Permit Fee Schedule

The City of Hermantown for purposes of establishing the valuation to be utilized in establishing the building permit fee shall use the most updated building valuation data sheets, which list Minnesota State Building Code Designation for Occupancy, Type and Cost Per Square Foot as provided by the State of Minnesota, Department of Administration, Building Codes and Standards Division. The only exceptions to these are special inspections listed in the Fee Schedule.

| Total Valuation                |                | Fee  |
|--------------------------------|----------------|--|
| \$1.00 to \$500.00             | <b>\$35</b>    | <del>\$30.00</del>   |
| \$501.00 to \$2,000.00         | <b>\$35</b>    | <del>\$30.00</del> for the \$500.00 plus \$3.50 for each additional \$100.00 or fraction thereof, to and including \$2,000.00                    |
| \$2001.00 to \$25,000.00       | <b>\$90</b>    | <del>\$75.00</del> for the first \$2,000.00 plus \$15.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00        |
| \$25,001.00 to \$50,000.00     | <b>\$506</b>   | <del>\$422.00</del> for the first \$25,000.00 plus \$11.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00      |
| \$50,001.00 to \$100,000.00    | <b>\$835</b>   | <del>\$696.00</del> for the first \$50,000.00 plus \$7.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00      |
| \$100,000.00 to \$500,000.00   | <b>\$1,288</b> | <del>\$1,074.00</del> for the first \$100,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof                                  |
| \$500,000.00 to \$1,000,000.00 | <b>\$4,111</b> | <del>\$3,426.00</del> for the first \$500,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00 |
| \$1,000,000.00 and up          | <b>\$7,135</b> | <del>\$5,946.00</del> for the first \$1,000,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof                                |

All fees shall include a surcharge of .0005 times the valuation to determine the total fee. The minimum surcharge for a "fixed fee" permit is \$1.00

## 2023 CORRESPONDENCE

| <u>DATE</u> | <u>LOG #</u> | <u>FROM</u>                     | <u>TO</u>                      | <u>REGARDING</u>   | <u>FILED</u> | <u>FILE</u> | <u>To City Council</u> |
|-------------|--------------|---------------------------------|--------------------------------|--|--------------|-------------|------------------------|
| 9/19/2023   | 23-147       | Dupont Settlement Administrator | City Council                   | Class Action Settlement                                  | 9/18/2023    |             | 10/2/2023              |
| 9/20/2023   | 23-148       | Braun Intertec                  | City of Hermantown             | Draft Alternative Urban Areawide Review                  | 8/17/2023    |             | 10/2/2023              |
| 9/21/2023   | 23-149       | Eric Johnson, Comm. Dev. Dir.   | Board of Appeals & Adjustments | James Savre, VAR, 3649 Ugstad Rd.                        | 9/12/2023    |             | 10/2/2023              |
| 9/21/2023   | 23-150       | Eric Johnson, Comm. Dev. Dir.   | Board of Appeals & Adjustments | PPT, LLC, VAR 4490 Sugar Maple Dr.                       | 9/12/2023    |             | 10/2/2023              |
| 9/21/2023   | 23-151       | Eric Johnson, Comm. Dev. Dir.   | Planning Commission            | Union Cemetery Association, ZM, 3807 Getchell Rd.        | 9/19/2023    |             | 10/2/2023              |
| 9/21/2023   | 23-152       | Eric Johnson, Comm. Dev. Dir.   | Planning Commission            | Civil Site Group (Titan Machinery) CIDP, 4311 Haines Rd. | 9/19/2023    |             | 10/2/2023              |
| 9/21/2023   | 23-153       | Eric Johnson, Comm. Dev. Dir.   | Planning Commission            | Civil Site Group (Titan Machinery) SUP, 4311 Haines Rd.  | 9/19/2023    |             | 10/2/2023              |
| 9/25/2023   | 23-154       | Howard Jacobson                 | John Mulder                    | Resignation from Utility Commission                      | 9/22/2023    |             | 10/2/2023              |
| 9/26/2023   | 23-155       | Sam Clark, Planning Comminssion | Eric Johnson, Comm. Dev. Dir.  | Resignation from Planning Commission                     | 9/26/2023    |             | 10/2/2023              |

# City of Hermantown 2024 Preliminary Debt Service Budgets



# 2024 Debt Service Budgets

- City has approx. \$32 million in bond debt
- Individual bonds expire between 2027 and 2039
- Annually the City pays approx. \$3.8 million to service our current debt
- Sales Tax covers approx. 73% of the debt payments
- Tax Levy covers approx. 9% of debt payments
  - Tax levy usage in 2024 (2023 was 343,621)
    - Total = \$395,134
    - Fund 323 (Firehalls) = \$142,564
    - Fund 324 (Rose Road) = \$51,568
    - Fund 326 (2020 Road Plan) = \$60,735
    - Fund 328 (2021 Road Plan) = 40,000
    - Fund 329 (2023 Road Plan) = 100,267
- City in planning stages of incurring additional debt in 2024 for: 2024 Road Plan, Hockey, Fichtner Field, Trails.

## City of Hermantown Debt Service Budgets September 2023

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

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

The City currently has eleven bonds outstanding. (Funds 315,318,320, 322-329). Each fund represents a bond issued by the City for various projects.

| Fund | Name     | Original<br>Principal | Interest<br>Rate | Expires |
|------|----------|-----------------------|------------------|---------|
| 315  | 2016B GO | 5,055,000             | 1.35             | 2027    |
| 318  | 2016A GO | 3,285,000             | 1.56             | 2030    |
| 320  | 2012A GO | 2,500,000             | 1.93             | 2026    |
| 322  | 2014A GO | 2,170,000             | 2.20             | 2028    |
| 323  | 2018A GO | 2,035,000             | 3.20             | 2039    |
| 324  | 2018B GO | 7,715,000             | 3.14             | 2039    |
| 325  | 2019A GO | 8,845,000             | 3.14             | 2039    |
| 326  | 2020A GO | 3,588,000             | 1.74             | 2036    |
| 327  | 2020B GO | 3,915,000             | 1.83             | 2037    |
| 328  | 2021A GO | 3,860,000             | 1.21             | 2037    |
| 329  | 2023A GO | 1,505,000             | 3.56             | 2039    |
|      |          | 44,473,000            |                  |         |

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

- Brief Description
- Revenues and Expenditures

Funds 315, 325, and 327 are funded 100% by sales tax.

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

No action is required at this time as these budgets are part of the overall budget that will be presented to the City Council for adoption in December, 2023.

**Fund 240 - City Sales Tax Fund**

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

| <u>Fund</u> |          | <u>2024 Transfer<br/>for Debt Service</u> |
|-------------|----------|---|
| 315         | 2006A GO | 698,807                                   |
| 318         | 2009A GO | 153,907                                   |
| 320         | 2012A GO | 197,539                                   |
| 322         | 2014A GO | 65,000                                    |
| 324         | 2018B GO | 519,291                                   |
| 325         | 2019A GO | 650,245                                   |
| 326         | 2020A GO | 180,188                                   |
| 327         | 2020B GO | 292,320                                   |
| <hr/>       |          |   |
| Total       |          | 2,757,297                                 |

CITY OF HERMANTOWN, MN  
Revenue Budget Report -- MultiYear Actuals  
For the Year: 2024

240 City Sales Tax Fund

| Account                        | Actuals   |           |           |           | Current Budget 2023 | % Rec. 2023 | Prelim. Budget 24 | Budget Change 24 | Final Budget 24 | % Old Budget 24 |
|--------------------------------|-----------|-----------|-----------|-----------|---------------------|-------------|-------------------|------------------|-----------------|-----------------|
|                                | 2020      | 2021      | 2022      | 2023      |                     |             |                   |                  |                 |                 |
| 313100 City Sales Tax          |           |           |           |           |                     |             |                   |                  |                 |                 |
| 313100 City Sales Tax          | 3,351,435 | 3,673,481 | 3,935,659 | 2,273,825 | 3,300,000           | 69%         | 3,300,000         |                  | 3,300,000       | 100%            |
| Group:                         | 3,351,435 | 3,673,481 | 3,935,659 | 2,273,825 | 3,300,000           | 69%         | 3,300,000         | 0                | 3,300,000       | 100%            |
| 318900 Total Other Tax Revenue |           |           |           |           |                     |             |                   |                  |                 |                 |
| 318990 Other Tax Revenues      | 222,142   | 208,728   | 211,836   | 86,869    | 185,000             | 47%         | 12,000            |                  | 12,000          | 6%              |
| Group:                         | 222,142   | 208,728   | 211,836   | 86,869    | 185,000             | 47%         | 12,000            | 0                | 12,000          | 6%              |
| 361100 Principal - Current     |           |           |           |           |                     |             |                   |                  |                 |                 |
| 361100 Principal - Current     |           |           | 4,410     |           | 0                   | 0%          |                   |                  | 0               | 0%              |
| 361120 Principal - Prepaid     |           |           | 48,542    |           | 0                   | 0%          |                   |                  | 0               | 0%              |
| Group:                         |           |           | 52,952    |           | 0                   | 0%          | 0                 | 0                | 0               | 0%              |
| 361200 Interest - Current      |           |           |           |           |                     |             |                   |                  |                 |                 |
| 361200 Interest - Current      |           |           | 2,118     |           | 0                   | 0%          |                   |                  | 0               | 0%              |
| Group:                         |           |           | 2,118     |           | 0                   | 0%          | 0                 | 0                | 0               | 0%              |
| 362100 Investment Interest     |           |           |           |           |                     |             |                   |                  |                 |                 |
| 362100 Investment Interest     | 94,313    | 66,721    | 88,283    | -15,097   | 10,000              | ***%        | 10,000            |                  | 10,000          | 100%            |
| 362160 Gain (Loss) on Sale of  | 5,942     | -83,097   | -277,738  |           | 0                   | 0%          |                   |                  | 0               | 0%              |
| Group:                         | 100,255   | -16,376   | -189,455  | -15,097   | 10,000              | ***%        | 10,000            | 0                | 10,000          | 100%            |
| 362400 911 Signs               |           |           |           |           |                     |             |                   |                  |                 |                 |
| 362430 Refund & Reimbursement  | 7,150     |           |           |           | 0                   | 0%          |                   |                  | 0               | 0%              |
| Group:                         | 7,150     |           |           |           | 0                   | 0%          | 0                 | 0                | 0               | 0%              |
| 392000                         |           |           |           |           |                     |             |                   |                  |                 |                 |
| 392010 Transfers In            |           | 137,689   |           |           | 0                   | 0%          |                   |                  | 0               | 0%              |
| Group:                         |           | 137,689   |           |           | 0                   | 0%          | 0                 | 0                | 0               | 0%              |
| 393100 Bond Issuance           |           |           |           |           |                     |             |                   |                  |                 |                 |
| 393100 Bond Issuance           | 4,092,438 |           |           |           | 0                   | 0%          |                   |                  | 0               | 0%              |
| Group:                         | 4,092,438 |           |           |           | 0                   | 0%          | 0                 | 0                | 0               | 0%              |
| 394000 Contributed Capital     |           |           |           |           |                     |             |                   |                  |                 |                 |
| 394000 Contributed Capital     | 66,190    |           |           |           | 0                   | 0%          |                   |                  | 0               | 0%              |
| Group:                         | 66,190    |           |           |           | 0                   | 0%          | 0                 | 0                | 0               | 0%              |
| Fund:                          | 7,839,610 | 4,003,522 | 4,013,110 | 2,345,597 | 3,495,000           | 67%         | 3,322,000         | 0                | 3,322,000       | 95%             |



CITY OF HERMANTOWN, MN  
Expenditure Budget Report -- MultiYear Actuals  
For the Year: 2024

240 City Sales Tax Fund

| Account | Object                           | Actuals   |           |           |         | Current Budget 2023 | % Exp. 2023 | Prelim. Budget 24 | Budget Changes 24 | Final Budget 24 | % Old Budget 24 |
|---------|----------------------------------|-----------|-----------|-----------|---------|---------------------|-------------|-------------------|-------------------|-----------------|-----------------|
|         |                                  | 2020      | 2021      | 2022      | 2023    |                     |             |                   |                   |                 |                 |
| 413200  | City Administrator               |           |           |           |         |                     |             |                   |                   |                 |                 |
| 720     | Transfer Out                     | 2,741,143 | 3,264,206 | 2,953,454 |         |                     | 2,577,109   |                   | 2,577,109         | 93%             |                 |
|         | Account:                         | 2,741,143 | 3,264,206 | 2,953,454 |         |                     | 2,577,109   | 0                 | 2,577,109         | 93%             |                 |
| 432500  | Sewer Improvements               |           |           |           |         |                     |             |                   |                   |                 |                 |
| 550     | Street Improvements              |           |           |           |         | 0                   | 1,100,000   |                   | 1,100,000         | *****           |                 |
|         | Account:                         |           |           |           |         | 0                   | 1,100,000   | 0                 | 1,100,000         | *****           |                 |
| 432510  | Trunk Sewer Construction         |           |           |           |         |                     |             |                   |                   |                 |                 |
| 305     | Engineer Fees                    | 228,994   | 65,645    | 10,859    | 110,933 | 265,000             | 42%         |                   |                   | 0               |                 |
| 308     | Legal Fees                       | 7,355     | 10,832    | 1,131     | 3,534   | 0                   | ***%        |                   |                   | 0               |                 |
| 310     | Recording/Filing Fees            | 138       |           |           |         | 0                   | 0%          |                   |                   | 0               |                 |
| 319     | Contracted Services              |           |           |           | 13,440  | 0                   | ***%        |                   |                   | 0               |                 |
| 351     | Legal Notices Publishing         |           |           |           | 223     | 0                   | ***%        |                   |                   | 0               |                 |
| 395     | State Fees/Surcharges            |           | 10,530    |           |         | 0                   | 0%          |                   |                   | 0               |                 |
| 510     | Land Acquisition                 |           | 306,000   |           | 15,000  | 0                   | ***%        |                   |                   | 0               |                 |
| 530     | Improvements Other Than B        | 3,087,105 | 396,000   |           | 393,078 | 0                   | ***%        | 265,000           | 265,000           | *****           |                 |
|         | Account:                         | 3,323,592 | 789,007   | 11,990    | 536,208 | 265,000             | 202%        | 265,000           | 0                 | 265,000         |                 |
| 433200  | Water Tower                      |           |           |           |         |                     |             |                   |                   |                 |                 |
| 305     | Engineer Fees                    |           | 15,475    | 35,173    |         | 0                   | 0%          |                   |                   | 0               |                 |
| 308     | Legal Fees                       |           | 906       |           |         | 0                   | 0%          |                   |                   | 0               |                 |
| 351     | Legal Notices Publishing         |           | 297       |           |         | 0                   | 0%          |                   |                   | 0               |                 |
| 530     | Improvements Other Than B        |           |           | 442,594   |         | 0                   | 0%          |                   |                   | 0               |                 |
|         | Account:                         |           | 16,678    | 477,767   |         | 0                   | ***%        | 0                 | 0                 | 0               |                 |
| 433500  | Water Improvements               |           |           |           |         |                     |             |                   |                   |                 |                 |
| 319     | Contracted Services              |           |           |           | 47,900  | 0                   | ***%        |                   |                   | 0               |                 |
| 351     | Legal Notices Publishing         |           |           | 281       |         | 0                   | 0%          |                   |                   | 0               |                 |
| 530     | Improvements Other Than B        |           |           |           | 50,553  | 0                   | ***%        |                   |                   | 0               |                 |
| 580     | Other Equipment                  |           |           | 130,258   | 25,571  | 325,000             | 8%          | 325,000           | 325,000           | 100%            |                 |
|         | Account:                         |           |           | 130,539   | 124,024 | 325,000             | 38%         | 325,000           | 0                 | 325,000         |                 |
| 471000  | Debt Service                     |           |           |           |         |                     |             |                   |                   |                 |                 |
| 303     | Banking Fees                     | 3,330     | 1,771     | 220       |         | 0                   | 0%          |                   |                   | 0               |                 |
| 620     | Fiscal Agent Fees                | 78,975    |           |           |         | 0                   | 0%          |                   |                   | 0               |                 |
|         | Account:                         | 82,305    | 1,771     | 220       |         | 0                   | ***%        | 0                 | 0                 | 0               |                 |
| 494300  | Water Distribution               |           |           |           |         |                     |             |                   |                   |                 |                 |
| 305     | Engineer Fees                    | 825       |           |           |         | 0                   | 0%          |                   |                   | 0               |                 |
|         | Account:                         | 825       |           |           |         | 0                   | ***%        | 0                 | 0                 | 0               |                 |
| 494400  | Water Administration and General |           |           |           |         |                     |             |                   |                   |                 |                 |
| 432     | Bad Debts                        |           | 52,952    |           |         | 0                   | 0%          |                   |                   | 0               |                 |
|         | Account:                         |           | 52,952    |           |         | 0                   | ***%        | 0                 | 0                 | 0               |                 |

CITY OF HERMANTOWN, MN  
Expenditure Budget Report -- MultiYear Actuals  
For the Year: 2024

240 City Sales Tax Fund

| Account | Object            | Actuals   |           |           |         | Current        | %            | Prelim.      | Budget        | Final        | % Old        |
|---------|-------------------|-----------|-----------|-----------|---------|----------------|--------------|--------------|---------------|--------------|--------------|
|         |                   | 2020      | 2021      | 2022      | 2023    | Budget<br>2023 | Exp.<br>2023 | Budget<br>24 | Changes<br>24 | Budget<br>24 | Budget<br>24 |
| 494500  | Sewer Maintenance |           |           |           |         |                |              |              |               |              |              |
| 305     | Engineer Fees     |           | 3,420     |           |         | 0              | 0%           |              |               | 0            | 0%           |
|         | Account:          |           | 3,420     |           |         | 0              | ***%         | 0            | 0             | 0            | 0%           |
|         | Fund:             | 6,147,865 | 4,128,034 | 3,573,970 | 660,232 | 3,347,402      | 20%          | 4,267,109    | 0             | 4,267,109    | 127%<br>%    |
|         | Grand Total:      | 6,147,865 | 4,128,034 | 3,573,970 | 660,232 | 3,347,402      |              | 4,267,109    | 0             | 4,267,109    |              |

**Fund 242 - City Sales Tax Fund - Community Recreation Initiative**

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Accounts for the ½ percent City sales tax collected that is authorized by the Minnesota State Legislature to fund the Community Recreation Initiative. Collections were effective April 1, 2023.

CITY OF HERMANTOWN, MN  
Revenue Budget Report -- MultiYear Actuals  
For the Year: 2024

242 Community Recreation Sales Tax Fund

| Account               | Actuals   |           |           |           | Current<br>Budget<br>2023 | %<br>Rec.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Change<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|-----------------------|-----------|-----------|-----------|-----------|---------------------------|-------------------|-------------------------|------------------------|-----------------------|-----------------------|
|                       | 2020      | 2021      | 2022      | 2023      |                           |                   |                         |                        |                       |                       |
| 313100 City Sales Tax |           |           |           |           |                           |                   |                         |                        |                       |                       |
| 313100 City Sales Tax |           |           |           | 680,932   | 0                         | ***%              | 1,650,000               |                        | 1,650,000             | *****%                |
| Group:                |           |           |           | 680,932   | 0                         | ***%              | 1,650,000               | 0                      | 1,650,000             | *****%                |
| Fund:                 |           |           |           | 680,932   | 0                         | ***%              | 1,650,000               | 0                      | 1,650,000             | *****%                |
| Grand Total:          | 7,839,610 | 4,003,522 | 4,013,110 | 3,026,529 | 3,495,000                 |                   | 4,972,000               | 0                      | 4,972,000             |                       |

### **Fund 315 -2016B G.O. Bonds**

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

#### **Amortization Schedule**

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

#### **Budget Detail**

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

| Account             | Actuals |         |         |      | Current        | %            | Prelim.      | Budget       | Final        | % Old        |
|---------------------|---------|---------|---------|------|----------------|--------------|--------------|--------------|--------------|--------------|
|                     | 2020    | 2021    | 2022    | 2023 | Budget<br>2023 | Rec.<br>2023 | Budget<br>24 | Change<br>24 | Budget<br>24 | Budget<br>24 |
| 392000              |         |         |         |      |                |              |              |              |              |              |
| 392010 Transfers In | 698,807 | 698,807 | 698,807 |      | 698,807        | 0%           | 698,807      |              | 698,807      | 100%         |
| Group:              | 698,807 | 698,807 | 698,807 |      | 698,807        | 0%           | 698,807      | 0            | 698,807      | 100%         |
| Fund:               | 698,807 | 698,807 | 698,807 |      | 698,807        | 0%           | 698,807      | 0            | 698,807      | 100%         |

CITY OF HERMANTOWN, MN  
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315 2016B 2006 Governmental Services Facility Bond (2016B)

| Account | Object            | Actuals |         |         |         | Current | %    | Prelim. | Budget  | Final   | % Old  |
|---------|-------------------|---------|---------|---------|---------|---------|------|---------|---------|---------|--------|
|         |                   | 2020    | 2021    | 2022    | 2023    | Budget  | Exp. | Budget  | Changes | Budget  | Budget |
|         |                   | 2020    | 2021    | 2022    | 2023    | 2023    | 2023 | 24      | 24      | 24      | 24     |
| 471000  | Debt Service      |         |         |         |         |         |      |         |         |         |        |
| 601     | Bond Principal    | 510,000 | 530,000 | 545,000 | 560,000 | 560,000 | 100% | 575,000 |         | 575,000 | 103%   |
| 611     | Bond Interest     | 110,100 | 94,500  | 78,375  | 61,800  | 61,800  | 100% | 44,775  |         | 44,775  | 72%    |
| 620     | Fiscal Agent Fees | 855     | 1,855   | 870     | 900     | 1,400   | 64%  | 1,400   |         | 1,400   | 100%   |
|         | Account:          | 620,955 | 626,355 | 624,245 | 622,700 | 623,200 | 100% | 621,175 | 0       | 621,175 | 100%   |
|         | Fund:             | 620,955 | 626,355 | 624,245 | 622,700 | 623,200 | 100% | 621,175 | 0       | 621,175 | 100%   |

**Fund 318 -2016A G.O. Bonds**

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

**Amortization Schedule**

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

**Budget Detail**



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

| Account                       | Actuals |         |         |        | Current        | %            | Prelim.      | Budget       | Final        | % Old        |
|-------------------------------|---------|---------|---------|--------|----------------|--------------|--------------|--------------|--------------|--------------|
|                               | 2020    | 2021    | 2022    | 2023   | Budget<br>2023 | Rec.<br>2023 | Budget<br>24 | Change<br>24 | Budget<br>24 | Budget<br>24 |
| 310100 Current Year Taxes     |         |         |         |        |                |              |              |              |              |              |
| 310100 Current Year Taxes     | 78,165  | 78,423  | 78,636  |        | 79,015         | 0%           |              |              |              | 0 0%         |
| Group:                        | 78,165  | 78,423  | 78,636  |        | 79,015         | 0%           | 0            | 0            |              | 0 0%         |
| 310200 Delinquent Taxes       |         |         |         |        |                |              |              |              |              |              |
| 310200 Delinquent Taxes       | 850     | 836     | 133     | -126   | 0              | ***%         |              |              |              | 0 0%         |
| Group:                        | 850     | 836     | 133     | -126   | 0              | ***%         | 0            | 0            |              | 0 0%         |
| 361100 Principal - Current    |         |         |         |        |                |              |              |              |              |              |
| 361100 Principal - Current    | 90,888  | 89,181  | 94,465  | 66,438 | 100,000        | 66%          | 100,000      |              | 100,000      | 100%         |
| 361110 Principal - Delinquent | 1,064   | 238     | 2,221   |        | 0              | 0%           |              |              | 0            | 0%           |
| 361120 Principal - Prepaid    | 30,065  | 3,463   | 1,400   |        | 0              | 0%           |              |              | 0            | 0%           |
| Group:                        | 122,017 | 92,882  | 98,086  | 66,438 | 100,000        | 66%          | 100,000      | 0            | 100,000      | 100%         |
| 361200 Interest - Current     |         |         |         |        |                |              |              |              |              |              |
| 361200 Interest - Current     | 34,531  | 27,302  | 22,580  |        | 0              | 0%           |              |              | 0            | 0%           |
| 361210 Interest - Delinquent  | 381     | 990     | 219     |        | 0              | 0%           |              |              | 0            | 0%           |
| 361220 Interest - Prepaid     | 3,693   |         |         |        | 0              | 0%           |              |              | 0            | 0%           |
| Group:                        | 38,605  | 28,292  | 22,799  |        | 0              | 0%           | 0            | 0            |              | 0 0%         |
| 361300 Penalties & Interest   |         |         |         |        |                |              |              |              |              |              |
| 361300 Penalties & Interest   | 731     | 553     | 760     | 8      | 0              | ***%         |              |              | 0            | 0%           |
| Group:                        | 731     | 553     | 760     | 8      | 0              | ***%         | 0            | 0            |              | 0 0%         |
| 392000                        |         |         |         |        |                |              |              |              |              |              |
| 392010 Transfers In           | 216,657 | 217,723 | 215,923 |        | 216,623        | 0%           | 217,223      |              | 217,223      | 100%         |
| Group:                        | 216,657 | 217,723 | 215,923 |        | 216,623        | 0%           | 217,223      | 0            | 217,223      | 100%         |
| Fund:                         | 457,025 | 418,709 | 416,337 | 66,320 | 395,638        | 17%          | 317,223      | 0            | 317,223      | 80%          |

CITY OF HERMANTOWN, MN  
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318 2016A (2009A Bond - PW Salt Storage & Refinance 2003 Bonds)

| Account | Object            | Actuals |         |         |         | Current<br>Budget<br>2023 | %<br>Exp.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Changes<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|---------|-------------------|---------|---------|---------|---------|---------------------------|-------------------|-------------------------|-------------------------|-----------------------|-----------------------|
|         |                   | 2020    | 2021    | 2022    | 2023    |                           |                   |                         |                         |                       |                       |
| 471000  | Debt Service      |         |         |         |         |                           |                   |                         |                         |                       |                       |
| 601     | Bond Principal    | 365,000 | 375,000 | 380,000 | 385,000 | 100%                      | 400,000           |                         | 400,000                 | 104%                  |                       |
| 611     | Bond Interest     | 55,050  | 47,650  | 40,100  | 32,450  | 100%                      | 24,600            |                         | 24,600                  | 76%                   |                       |
| 620     | Fiscal Agent Fees | 5,855   | 2,855   | 870     | 900     | 64%                       | 1,400             |                         | 1,400                   | 100%                  |                       |
|         | Account:          | 425,905 | 425,505 | 420,970 | 418,350 | 100%                      | 426,000           | 0                       | 426,000                 | 102%                  |                       |
|         | Fund:             | 425,905 | 425,505 | 420,970 | 418,350 | 100%                      | 426,000           | 0                       | 426,000                 | 102%                  |                       |

## **Fund 320 - 2012A G.O. Bonds**

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

### **Amortization Schedule**

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

### **Budget Detail**

CITY OF HERMANTOWN, MN  
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For the Year: 2024

320 2012A General Obligation Bonds

| Account                       | Actuals |         |         |        | Current<br>Budget<br>2023 | %<br>Rec.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Change<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|-------------------------------|---------|---------|---------|--------|---------------------------|-------------------|-------------------------|------------------------|-----------------------|-----------------------|
|                               | 2020    | 2021    | 2022    | 2023   |                           |                   |                         |                        |                       |                       |
| 361100 Principal - Current    |         |         |         |        |                           |                   |                         |                        |                       |                       |
| 361100 Principal - Current    | 32,637  | 30,033  | 32,173  | 21,345 | 35,000                    | 61%               | 36,000                  |                        | 36,000                | 103%                  |
| 361110 Principal - Delinquent | 2,592   |         |         |        | 0                         | 0%                |                         |                        | 0                     | 0%                    |
| 361120 Principal - Prepaid    | 9,791   | 4,008   | 2,589   |        | 0                         | 0%                |                         |                        | 0                     | 0%                    |
| Group:                        | 45,020  | 34,041  | 34,762  | 21,345 | 35,000                    | 61%               | 36,000                  | 0                      | 36,000                | 103%                  |
| 361200 Interest - Current     |         |         |         |        |                           |                   |                         |                        |                       |                       |
| 361200 Interest - Current     | 13,108  | 9,760   | 8,275   | 154    | 0                         | ***%              |                         |                        | 0                     | 0%                    |
| 361210 Interest - Delinquent  | 1,427   |         |         |        | 0                         | 0%                |                         |                        | 0                     | 0%                    |
| Group:                        | 14,535  | 9,760   | 8,275   | 154    | 0                         | ***%              | 0                       | 0                      | 0                     | 0%                    |
| 361300 Penalties & Interest   |         |         |         |        |                           |                   |                         |                        |                       |                       |
| 361300 Penalties & Interest   | 1,003   | -51     | 29      | 12     | 0                         | ***%              |                         |                        | 0                     | 0%                    |
| Group:                        | 1,003   | -51     | 29      | 12     | 0                         | ***%              | 0                       | 0                      | 0                     | 0%                    |
| 392000                        |         |         |         |        |                           |                   |                         |                        |                       |                       |
| 392010 Transfers In           | 197,539 | 197,539 | 197,539 |        | 197,539                   | 0%                | 197,539                 |                        | 197,539               | 100%                  |
| Group:                        | 197,539 | 197,539 | 197,539 |        | 197,539                   | 0%                | 197,539                 | 0                      | 197,539               | 100%                  |
| Fund:                         | 258,097 | 241,289 | 240,605 | 21,511 | 232,539                   | 9%                | 233,539                 | 0                      | 233,539               | 100%                  |

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320 2012A General Obligation Bonds

| Account | Object            | Actuals |         |         |         | Current<br>Budget<br>2023 | %<br>Exp.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Changes<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|---------|-------------------|---------|---------|---------|---------|---------------------------|-------------------|-------------------------|-------------------------|-----------------------|-----------------------|
|         |                   | 2020    | 2021    | 2022    | 2023    |                           |                   |                         |                         |                       |                       |
| 471000  | Debt Service      |         |         |         |         |                           |                   |                         |                         |                       |                       |
| 601     | Bond Principal    | 155,000 | 165,000 | 170,000 | 175,000 | 100%                      | 175,000           |                         | 175,000                 | 100%                  |                       |
| 611     | Bond Interest     | 23,931  | 21,204  | 17,935  | 14,311  | 100%                      | 10,505            |                         | 10,505                  | 73%                   |                       |
| 620     | Fiscal Agent Fees | 855     | 855     | 870     | 900     | 64%                       | 1,400             |                         | 1,400                   | 100%                  |                       |
|         | Account:          | 179,786 | 187,059 | 188,805 | 190,211 | 100%                      | 186,905           | 0                       | 186,905                 | 98%                   |                       |
|         | Fund:             | 179,786 | 187,059 | 188,805 | 190,211 | 100%                      | 186,905           | 0                       | 186,905                 | 98%                   |                       |

**Fund 322 - 2014A G.O. Improvement Bonds**

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

**Amortization Schedule**

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

**Budget Detail**

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322 2014A General Obligation Improvement Bonds

| Account                       | Actuals |         |         |        | Current        | %            | Prelim.      | Budget       | Final        | % Old        |
|-------------------------------|---------|---------|---------|--------|----------------|--------------|--------------|--------------|--------------|--------------|
|                               | 2020    | 2021    | 2022    | 2023   | Budget<br>2023 | Rec.<br>2023 | Budget<br>24 | Change<br>24 | Budget<br>24 | Budget<br>24 |
| 361100 Principal - Current    |         |         |         |        |                |              |              |              |              |              |
| 361100 Principal - Current    | 42,430  | 39,622  | 42,730  | 27,003 | 46,000         | 59%          | 50,000       |              | 50,000       | 109%         |
| 361110 Principal - Delinquent | 3,346   | 883     | 972     |        | 0              | 0%           |              |              | 0            | 0%           |
| 361120 Principal - Prepaid    | 35,734  | 10,187  |         |        | 0              | 0%           |              |              | 0            | 0%           |
| Group:                        | 81,510  | 50,692  | 43,702  | 27,003 | 46,000         | 59%          | 50,000       | 0            | 50,000       | 109%         |
| 361200 Interest - Current     |         |         |         |        |                |              |              |              |              |              |
| 361200 Interest - Current     | 23,128  | 18,475  | 16,301  |        | 0              | 0%           |              |              | 0            | 0%           |
| 361210 Interest - Delinquent  | 2,678   | 544     |         |        | 0              | 0%           |              |              | 0            | 0%           |
| Group:                        | 25,806  | 19,019  | 16,301  |        | 0              | 0%           | 0            | 0            | 0            | 0%           |
| 361300 Penalties & Interest   |         |         |         |        |                |              |              |              |              |              |
| 361300 Penalties & Interest   | 1,757   | 199     | 160     |        | 0              | 0%           |              |              | 0            | 0%           |
| Group:                        | 1,757   | 199     | 160     |        | 0              | 0%           | 0            | 0            | 0            | 0%           |
| 392000                        |         |         |         |        |                |              |              |              |              |              |
| 392010 Transfers In           | 231,500 | 231,200 | 230,900 |        | 80,450         | 0%           | 65,000       |              | 65,000       | 81%          |
| Group:                        | 231,500 | 231,200 | 230,900 |        | 80,450         | 0%           | 65,000       | 0            | 65,000       | 81%          |
| Fund:                         | 340,573 | 301,110 | 291,063 | 27,003 | 126,450        | 21%          | 115,000      | 0            | 115,000      | 91%          |

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322 2014A General Obligation Improvement Bonds

| Account | Object            | Actuals |         |         |         | Current        | %            | Prelim.      | Budget        | Final        | % Old        |
|---------|-------------------|---------|---------|---------|---------|----------------|--------------|--------------|---------------|--------------|--------------|
|         |                   | 2020    | 2021    | 2022    | 2023    | Budget<br>2023 | Exp.<br>2023 | Budget<br>24 | Changes<br>24 | Budget<br>24 | Budget<br>24 |
| 471000  | Debt Service      |         |         |         |         |                |              |              |               |              |              |
| 601     | Bond Principal    | 240,000 | 235,000 | 120,000 | 125,000 | 125,000        | 100%         | 110,000      |               | 110,000      | 88%          |
| 611     | Bond Interest     | 32,600  | 27,850  | 23,700  | 20,025  | 20,025         | 100%         | 16,500       |               | 16,500       | 82%          |
| 620     | Fiscal Agent Fees | 5,855   | 855     | 870     | 900     | 1,400          | 64%          | 1,400        |               | 1,400        | 100%         |
|         | Account:          | 278,455 | 263,705 | 144,570 | 145,925 | 146,425        | 100%         | 127,900      | 0             | 127,900      | 87%          |
|         | Fund:             | 278,455 | 263,705 | 144,570 | 145,925 | 146,425        | 100%         | 127,900      | 0             | 127,900      | 87%          |



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

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

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

**Budget Detail**

CITY OF HERMANTOWN, MN  
Revenue Budget Report -- MultiYear Actuals  
For the Year: 2024

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

| Account                   | Actuals |         |         |        | Current        | %            | Prelim.      | Budget       | Final        | % Old        |
|---------------------------|---------|---------|---------|--------|----------------|--------------|--------------|--------------|--------------|--------------|
|                           | 2020    | 2021    | 2022    | 2023   | Budget<br>2023 | Rec.<br>2023 | Budget<br>24 | Change<br>24 | Budget<br>24 | Budget<br>24 |
| 310100 Current Year Taxes |         |         |         |        |                |              |              |              |              |              |
| 310100 Current Year Taxes | 142,520 | 143,246 | 141,828 | 81,794 | 138,325        | 59%          | 135,775      |              | 135,775      | 98%          |
| Group:                    | 142,520 | 143,246 | 141,828 | 81,794 | 138,325        | 59%          | 135,775      | 0            | 135,775      | 98%          |
| 310200 Delinquent Taxes   |         |         |         |        |                |              |              |              |              |              |
| 310200 Delinquent Taxes   | 949     | 1,281   | 155     | -279   | 0              | ***%         |              |              | 0            | 0%           |
| Group:                    | 949     | 1,281   | 155     | -279   | 0              | ***%         | 0            | 0            | 0            | 0%           |
| Fund:                     | 143,469 | 144,527 | 141,983 | 81,515 | 138,325        | 59%          | 135,775      | 0            | 135,775      | 98%          |

CITY OF HERMANTOWN, MN  
Expenditure Budget Report -- MultiYear Actuals  
For the Year: 2024

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

| Account | Object            | Actuals |         |         |         | Current<br>Budget<br>2023 | %<br>Exp.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Changes<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|---------|-------------------|---------|---------|---------|---------|---------------------------|-------------------|-------------------------|-------------------------|-----------------------|-----------------------|
|         |                   | 2020    | 2021    | 2022    | 2023    |                           |                   |                         |                         |                       |                       |
| 471000  | Debt Service      |         |         |         |         |                           |                   |                         |                         |                       |                       |
| 601     | Bond Principal    | 75,000  | 75,000  | 80,000  | 80,000  | 100%                      | 85,000            |                         | 85,000                  | 106%                  |                       |
| 611     | Bond Interest     | 61,500  | 59,250  | 56,925  | 54,525  | 100%                      | 52,050            |                         | 52,050                  | 95%                   |                       |
| 620     | Fiscal Agent Fees | 3,855   | 855     | 870     | 4,650   | 332%                      | 1,400             |                         | 1,400                   | 100%                  |                       |
|         | Account:          | 140,355 | 135,105 | 137,795 | 139,175 | 102%                      | 138,450           | 0                       | 138,450                 | 102%                  |                       |
|         | Fund:             | 140,355 | 135,105 | 137,795 | 139,175 | 102%                      | 138,450           | 0                       | 138,450                 | 102%                  |                       |

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

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

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

**Budget Detail**

CITY OF HERMANTOWN, MN  
Revenue Budget Report -- MultiYear Actuals  
For the Year: 2024

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

| Account                   | Actuals |         |         |        | Current        | %            | Prelim.      | Budget       | Final        | % Old        |
|---------------------------|---------|---------|---------|--------|----------------|--------------|--------------|--------------|--------------|--------------|
|                           | 2020    | 2021    | 2022    | 2023   | Budget<br>2023 | Rec.<br>2023 | Budget<br>24 | Change<br>24 | Budget<br>24 | Budget<br>24 |
| 310100 Current Year Taxes |         |         |         |        |                |              |              |              |              |              |
| 310100 Current Year Taxes | 50,862  | 49,046  | 48,395  | 29,750 | 50,312         | 59%          | 49,112       |              | 49,112       | 98%          |
| Group:                    | 50,862  | 49,046  | 48,395  | 29,750 | 50,312         | 59%          | 49,112       | 0            | 49,112       | 98%          |
| 310200 Delinquent Taxes   |         |         |         |        |                |              |              |              |              |              |
| 310200 Delinquent Taxes   | 297     | 454     | 51      | -96    | 0              | ***%         |              |              | 0            | 0%           |
| Group:                    | 297     | 454     | 51      | -96    | 0              | ***%         | 0            | 0            | 0            | 0%           |
| 392000                    |         |         |         |        |                |              |              |              |              |              |
| 392010 Transfers In       | 517,821 | 517,611 | 522,231 |        | 520,971        | 0%           | 519,291      |              | 519,291      | 100%         |
| Group:                    | 517,821 | 517,611 | 522,231 |        | 520,971        | 0%           | 519,291      | 0            | 519,291      | 100%         |
| Fund:                     | 568,980 | 567,111 | 570,677 | 29,654 | 571,283        | 5%           | 568,403      | 0            | 568,403      | 99%          |

CITY OF HERMANTOWN, MN  
Expenditure Budget Report -- MultiYear Actuals  
For the Year: 2024

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

| Account | Object            | Actuals |         |         |         | Current<br>Budget<br>2023 | %<br>Exp.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Changes<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|---------|-------------------|---------|---------|---------|---------|---------------------------|-------------------|-------------------------|-------------------------|-----------------------|-----------------------|
|         |                   | 2020    | 2021    | 2022    | 2023    |                           |                   |                         |                         |                       |                       |
| 471000  | Debt Service      |         |         |         |         |                           |                   |                         |                         |                       |                       |
| 601     | Bond Principal    | 150,000 | 280,000 | 290,000 | 305,000 | 305,000                   | 100%              | 320,000                 | 320,000                 | 105%                  |                       |
| 611     | Bond Interest     | 264,475 | 255,875 | 244,475 | 232,575 | 232,575                   | 100%              | 220,075                 | 220,075                 | 95%                   |                       |
| 620     | Fiscal Agent Fees | 855     | 855     | 870     | 900     | 1,400                     | 64%               | 1,400                   | 1,400                   | 100%                  |                       |
|         | Account:          | 415,330 | 536,730 | 535,345 | 538,475 | 538,975                   | 100%              | 541,475                 | 0                       | 541,475               | 100%                  |
|         | Fund:             | 415,330 | 536,730 | 535,345 | 538,475 | 538,975                   | 100%              | 541,475                 | 0                       | 541,475               | 100%                  |

## **Fund 325 2019A G.O. Bond - Essentia Wellness Center**

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

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

### **Budget Detail**

CITY OF HERMANTOWN, MN  
Revenue Budget Report -- MultiYear Actuals  
For the Year: 2024

325 2019A GO Bond (Wellness Center)

| Account             | Actuals |         |         |      | Current        | %            | Prelim.      | Budget       | Final        | % Old        |
|---------------------|---------|---------|---------|------|----------------|--------------|--------------|--------------|--------------|--------------|
|                     | 2020    | 2021    | 2022    | 2023 | Budget<br>2023 | Rec.<br>2023 | Budget<br>24 | Change<br>24 | Budget<br>24 | Budget<br>24 |
| 392000              |         |         |         |      |                |              |              |              |              |              |
| 392010 Transfers In | 647,462 | 647,200 | 651,400 |      | 647,620        | 0%           | 650,245      |              | 650,245      | 100%         |
| Group:              | 647,462 | 647,200 | 651,400 |      | 647,620        | 0%           | 650,245      | 0            | 650,245      | 100%         |
| Fund:               | 647,462 | 647,200 | 651,400 |      | 647,620        | 0%           | 650,245      | 0            | 650,245      | 100%         |



CITY OF HERMANTOWN, MN  
Expenditure Budget Report -- MultiYear Actuals  
For the Year: 2024

325 2019A GO Bond (Wellness Center)

| Account | Object            | Actuals |         |         |         | Current        | %            | Prelim.      | Budget        | Final        | % Old        |
|---------|-------------------|---------|---------|---------|---------|----------------|--------------|--------------|---------------|--------------|--------------|
|         |                   | 2020    | 2021    | 2022    | 2023    | Budget<br>2023 | Exp.<br>2023 | Budget<br>24 | Changes<br>24 | Budget<br>24 | Budget<br>24 |
| 471000  | Debt Service      |         |         |         |         |                |              |              |               |              |              |
| 601     | Bond Principal    | 280,000 | 305,000 | 320,000 | 340,000 | 340,000        | 100%         | 350,000      |               | 350,000      | 103%         |
| 611     | Bond Interest     | 318,631 | 304,006 | 288,381 | 273,581 | 273,581        | 100%         | 258,031      |               | 258,031      | 94%          |
| 620     | Fiscal Agent Fees | 855     | 855     | 870     | 900     | 1,400          | 64%          | 1,400        |               | 1,400        | 100%         |
|         | Account:          | 599,486 | 609,861 | 609,251 | 614,481 | 614,981        | 100%         | 609,431      | 0             | 609,431      | 99%          |
|         | Fund:             | 599,486 | 609,861 | 609,251 | 614,481 | 614,981        | 100%         | 609,431      | 0             | 609,431      | 99%          |

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

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

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

**Budget Detail**

CITY OF HERMANTOWN, MN  
Revenue Budget Report -- MultiYear Actuals  
For the Year: 2024

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

| Account                       | Actuals |         |         |         | Current Budget<br>2023 | % Rec.<br>2023 | Prelim. Budget<br>24 | Budget Change<br>24 | Final Budget<br>24 | % Old Budget<br>24 |
|-------------------------------|---------|---------|---------|---------|------------------------|----------------|----------------------|---------------------|--------------------|--------------------|
|                               | 2020    | 2021    | 2022    | 2023    |                        |                |                      |                     |                    |                    |
| 310100 Current Year Taxes     |         |         |         |         |                        |                |                      |                     |                    |                    |
| 310100 Current Year Taxes     |         | 59,069  | 61,332  | 35,977  | 60,842                 | 59%            | 57,842               |                     | 57,842             | 95%                |
| Group:                        |         | 59,069  | 61,332  | 35,977  | 60,842                 | 59%            | 57,842               | 0                   | 57,842             | 95%                |
| 310200 Delinquent Taxes       |         |         |         |         |                        |                |                      |                     |                    |                    |
| 310200 Delinquent Taxes       |         |         | 84      | -121    | 0                      | ***%           |                      |                     | 0                  | 0%                 |
| Group:                        |         |         | 84      | -121    | 0                      | ***%           | 0                    | 0                   | 0                  | 0%                 |
| 361100 Principal - Current    |         |         |         |         |                        |                |                      |                     |                    |                    |
| 361100 Principal - Current    | 56,303  | 88,097  | 83,161  | 79,277  | 58,000                 | 137%           | 85,000               |                     | 85,000             | 147%               |
| 361110 Principal - Delinquent | 276     | 4,606   |         |         | 0                      | 0%             |                      |                     | 0                  | 0%                 |
| 361120 Principal - Prepaid    | 250,145 | 53,157  | 771     |         | 0                      | 0%             |                      |                     | 0                  | 0%                 |
| 361130 Principal - Deferred   |         |         | 15,555  |         | 0                      | 0%             |                      |                     | 0                  | 0%                 |
| Group:                        | 306,724 | 145,860 | 99,487  | 79,277  | 58,000                 | 137%           | 85,000               | 0                   | 85,000             | 147%               |
| 361200 Interest - Current     |         |         |         |         |                        |                |                      |                     |                    |                    |
| 361200 Interest - Current     | 23,745  | 42,634  | 36,802  |         | 0                      | 0%             |                      |                     | 0                  | 0%                 |
| 361210 Interest - Delinquent  | 282     | 1,859   |         |         | 0                      | 0%             |                      |                     | 0                  | 0%                 |
| Group:                        | 24,027  | 44,493  | 36,802  |         | 0                      | 0%             | 0                    | 0                   | 0                  | 0%                 |
| 361300 Penalties & Interest   |         |         |         |         |                        |                |                      |                     |                    |                    |
| 361300 Penalties & Interest   | 324     | 1,952   | 89      | 138     | 0                      | ***%           |                      |                     | 0                  | 0%                 |
| Group:                        | 324     | 1,952   | 89      | 138     | 0                      | ***%           | 0                    | 0                   | 0                  | 0%                 |
| 362100 Investment Interest    |         |         |         |         |                        |                |                      |                     |                    |                    |
| 362100 Investment Interest    |         |         | 1       |         | 0                      | 0%             |                      |                     | 0                  | 0%                 |
| 362160 Gain (Loss) on Sale of |         |         | 2       |         | 0                      | 0%             |                      |                     | 0                  | 0%                 |
| Group:                        |         |         | 3       |         | 0                      | 0%             | 0                    | 0                   | 0                  | 0%                 |
| 392000                        |         |         |         |         |                        |                |                      |                     |                    |                    |
| 392010 Transfers In           | 272,484 | 309,705 | 297,945 |         | 297,000                | 0%             | 41,055               |                     | 41,055             | 14%                |
| Group:                        | 272,484 | 309,705 | 297,945 |         | 297,000                | 0%             | 41,055               | 0                   | 41,055             | 14%                |
| Fund:                         | 603,559 | 561,082 | 495,739 | 115,271 | 415,842                | 28%            | 183,897              | 0                   | 183,897            | 44%                |

CITY OF HERMANTOWN, MN  
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For the Year: 2024

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

| Account | Object            | Actuals |         |         |         | Current        | %            | Prelim.      | Budget        | Final        | % Old        |
|---------|-------------------|---------|---------|---------|---------|----------------|--------------|--------------|---------------|--------------|--------------|
|         |                   | 2020    | 2021    | 2022    | 2023    | Budget<br>2023 | Exp.<br>2023 | Budget<br>24 | Changes<br>24 | Budget<br>24 | Budget<br>24 |
| 471000  | Debt Service      |         |         |         |         |                |              |              |               |              |              |
| 303     | Banking Fees      |         | 10      |         |         |                | 0            | 0%           |               | 0            | 0%           |
| 601     | Bond Principal    |         | 365,000 | 500,000 | 495,000 | 495,000        | 100%         | 165,000      |               | 165,000      | 33%          |
| 611     | Bond Interest     |         | 112,944 | 77,350  | 62,425  | 62,425         | 100%         | 52,525       |               | 52,525       | 84%          |
| 620     | Fiscal Agent Fees | 380     | 855     | 870     | 900     | 1,400          | 64%          | 1,400        |               | 1,400        | 100%         |
|         | Account:          | 380     | 478,809 | 578,220 | 558,325 | 558,825        | 100%         | 218,925      | 0             | 218,925      | 39%          |
|         | Fund:             | 380     | 478,809 | 578,220 | 558,325 | 558,825        | 100%         | 218,925      | 0             | 218,925      | 39%          |

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

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

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

**Budget Detail**

CITY OF HERMANTOWN, MN  
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327 2020B GO Bond (Section 24 Sewer)

| Account             | Actuals |         |         |      | Current        | %            | Prelim.      | Budget       | Final        | % Old        |
|---------------------|---------|---------|---------|------|----------------|--------------|--------------|--------------|--------------|--------------|
|                     | 2020    | 2021    | 2022    | 2023 | Budget<br>2023 | Rec.<br>2023 | Budget<br>24 | Change<br>24 | Budget<br>24 | Budget<br>24 |
| 392000              |         |         |         |      |                |              |              |              |              |              |
| 392010 Transfers In | 90,300  | 294,997 | 294,263 |      | 293,370        | 0%           | 292,320      |              | 292,320      | 100%         |
| Group:              | 90,300  | 294,997 | 294,263 |      | 293,370        | 0%           | 292,320      | 0            | 292,320      | 100%         |
| Fund:               | 90,300  | 294,997 | 294,263 |      | 293,370        | 0%           | 292,320      | 0            | 292,320      | 100%         |

CITY OF HERMANTOWN, MN  
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For the Year: 2024

327 2020B GO Bond (Section 24 Sewer)

| Account | Object            | Actuals |         |         |         | Current | %    | Prelim. | Budget  | Final   | % Old  |
|---------|-------------------|---------|---------|---------|---------|---------|------|---------|---------|---------|--------|
|         |                   | 2020    | 2021    | 2022    | 2023    | Budget  | Exp. | Budget  | Changes | Budget  | Budget |
|         |                   | 2020    | 2021    | 2022    | 2023    | 2023    | 2023 | 24      | 24      | 24      | 24     |
| 471000  | Debt Service      |         |         |         |         |         |      |         |         |         |        |
| 601     | Bond Principal    |         | 205,000 | 190,000 | 195,000 | 195,000 | 100% | 200,000 |         | 200,000 | 103%   |
| 611     | Bond Interest     | 22,926  | 94,025  | 88,100  | 82,325  | 82,325  | 100% | 76,400  |         | 76,400  | 93%    |
| 620     | Fiscal Agent Fees | 855     | 855     | 870     | 900     | 1,400   | 64%  | 1,400   |         | 1,400   | 100%   |
|         | Account:          | 23,781  | 299,880 | 278,970 | 278,225 | 278,725 | 100% | 277,800 | 0       | 277,800 | 100%   |
|         | Fund:             | 23,781  | 299,880 | 278,970 | 278,225 | 278,725 | 100% | 277,800 | 0       | 277,800 | 100%   |

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

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

**Amortization Schedule**

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

**Budget Detail**



CITY OF HERMANTOWN, MN  
Revenue Budget Report -- MultiYear Actuals  
For the Year: 2024

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

| Account                       | Actuals |           |         |         | Current        | %            | Prelim.      | Budget       | Final        | % Old        |
|-------------------------------|---------|-----------|---------|---------|----------------|--------------|--------------|--------------|--------------|--------------|
|                               | 2020    | 2021      | 2022    | 2023    | Budget<br>2023 | Rec.<br>2023 | Budget<br>24 | Change<br>24 | Budget<br>24 | Budget<br>24 |
| 310100 Current Year Taxes     |         |           |         |         |                |              |              |              |              |              |
| 310100 Current Year Taxes     |         |           | 83,052  | 45,991  | 77,778         | 59%          | 81,078       |              | 81,078       | 104%         |
| Group:                        |         |           | 83,052  | 45,991  | 77,778         | 59%          | 81,078       | 0            | 81,078       | 104%         |
| 310200 Delinquent Taxes       |         |           |         |         |                |              |              |              |              |              |
| 310200 Delinquent Taxes       |         |           |         | -79     | 0              | ***%         |              |              | 0            | 0%           |
| Group:                        |         |           |         | -79     | 0              | ***%         | 0            | 0            | 0            | 0%           |
| 361100 Principal - Current    |         |           |         |         |                |              |              |              |              |              |
| 361100 Principal - Current    |         | 4,771     | 70,595  | 80,890  | 84,000         | 96%          | 100,000      |              | 100,000      | 119%         |
| 361110 Principal - Delinquent |         | 1,001     |         |         | 0              | 0%           |              |              | 0            | 0%           |
| 361120 Principal - Prepaid    |         | 175,258   | 12,846  | 19,839  | 0              | ***%         |              |              | 0            | 0%           |
| Group:                        |         | 181,030   | 83,441  | 100,729 | 84,000         | 120%         | 100,000      | 0            | 100,000      | 119%         |
| 361200 Interest - Current     |         |           |         |         |                |              |              |              |              |              |
| 361200 Interest - Current     |         | 44,228    | 50,678  |         | 0              | 0%           |              |              | 0            | 0%           |
| 361210 Interest - Delinquent  |         | 2,077     |         |         | 0              | 0%           |              |              | 0            | 0%           |
| Group:                        |         | 46,305    | 50,678  |         | 0              | 0%           | 0            | 0            | 0            | 0%           |
| 361300 Penalties & Interest   |         |           |         |         |                |              |              |              |              |              |
| 361300 Penalties & Interest   |         | 605       | 225     | 253     | 0              | ***%         |              |              | 0            | 0%           |
| Group:                        |         | 605       | 225     | 253     | 0              | ***%         | 0            | 0            | 0            | 0%           |
| 392000                        |         |           |         |         |                |              |              |              |              |              |
| 392010 Transfers In           |         | 1,665,893 | 43,230  |         | 14,340         | 0%           | 19,090       |              | 19,090       | 133%         |
| Group:                        |         | 1,665,893 | 43,230  |         | 14,340         | 0%           | 19,090       | 0            | 19,090       | 133%         |
| Fund:                         |         | 1,893,833 | 260,626 | 146,894 | 176,118        | 83%          | 200,168      | 0            | 200,168      | 114%         |

CITY OF HERMANTOWN, MN  
Expenditure Budget Report -- MultiYear Actuals  
For the Year: 2024

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

| Account | Object            | Actuals |      | 2022    | 2023    | Current<br>Budget<br>2023 | %<br>Exp.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Changes<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|---------|-------------------|---------|------|---------|---------|---------------------------|-------------------|-------------------------|-------------------------|-----------------------|-----------------------|
|         |                   | 2020    | 2021 |         |         |                           |                   |                         |                         |                       |                       |
| 471000  | Debt Service      |         |      |         |         |                           |                   |                         |                         |                       |                       |
| 601     | Bond Principal    |         |      | 150,000 | 245,000 | 245,000                   | 100%              | 250,000                 |                         | 250,000               | 102%                  |
| 611     | Bond Interest     |         |      | 82,002  | 62,103  | 62,103                    | 100%              | 57,153                  |                         | 57,153                | 92%                   |
| 620     | Fiscal Agent Fees |         |      | 870     | 900     | 1,400                     | 64%               | 1,400                   |                         | 1,400                 | 100%                  |
|         | Account:          |         |      | 232,872 | 308,003 | 308,503                   | 100%              | 308,553                 | 0                       | 308,553               | 100%                  |
|         | Fund:             |         |      | 232,872 | 308,003 | 308,503                   | 100%              | 308,553                 | 0                       | 308,553               | 100%                  |

## **Fund 329 2023A G.O. Bond - Road Improvement**

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The General Obligation Improvement Bonds, Series 2023A were issued in June of 2023 in the amount of \$1,505,000, carry a true interest cost of 3.56% and mature in 2039. The bonds will be used to finance the 2023 Road Improvement Plan. The bonds will be repaid with property taxes and assessments.

| <b><u>Year</u></b> | <b><u>Principal</u></b> | <b><u>Interest</u></b> | <b><u>Total</u></b> |
|--------------------|-------------------------|------------------------|---------------------|
| 2024               | -                       | 40,150                 | 40,150              |
| 2025               | 70,000                  | 66,000                 | 136,000             |
| 2026               | 75,000                  | 62,500                 | 137,500             |
| 2027               | 80,000                  | 58,750                 | 138,750             |
| 2028               | 85,000                  | 54,750                 | 139,750             |
| 2029               | 85,000                  | 50,500                 | 135,500             |
| 2030               | 90,000                  | 46,250                 | 136,250             |
| 2031               | 95,000                  | 41,750                 | 136,750             |
| 2032               | 100,000                 | 37,000                 | 137,000             |
| 2033               | 105,000                 | 33,000                 | 138,000             |
| 2034               | 110,000                 | 28,800                 | 138,800             |
| 2035               | 115,000                 | 24,400                 | 139,400             |
| 2036               | 120,000                 | 19,800                 | 139,800             |
| 2037               | 120,000                 | 15,000                 | 135,000             |
| 2038               | 125,000                 | 10,200                 | 135,200             |
| 2039               | 130,000                 | 5,200                  | 135,200             |
| <b>Total</b>       | <b>1,505,000</b>        | <b>594,050</b>         | <b>2,099,050</b>    |

### **Budget Detail**

CITY OF HERMANTOWN, MN  
Revenue Budget Report -- MultiYear Actuals  
For the Year: 2024

329 2023A GO Bond (Richard Lingren)

| Account                    | Actuals |      |      |      | Current<br>Budget<br>2023 | %<br>Rec.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Change<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|----------------------------|---------|------|------|------|---------------------------|-------------------|-------------------------|------------------------|-----------------------|-----------------------|
|                            | 2020    | 2021 | 2022 | 2023 |                           |                   |                         |                        |                       |                       |
| 310100 Current Year Taxes  |         |      |      |      |                           |                   |                         |                        |                       |                       |
| 310100 Current Year Taxes  |         |      |      |      | 0                         | 0%                | 95,491                  |                        | 95,491                | *****%                |
| Group:                     |         |      |      |      | 0                         | 0%                | 95,491                  | 0                      | 95,491                | *****%                |
| 361100 Principal - Current |         |      |      |      |                           |                   |                         |                        |                       |                       |
| 361100 Principal - Current |         |      |      |      | 0                         | 0%                | 42,534                  |                        | 42,534                | *****%                |
| Group:                     |         |      |      |      | 0                         | 0%                | 42,534                  | 0                      | 42,534                | *****%                |
| Fund:                      |         |      |      |      | 0                         | 0%                | 138,025                 | 0                      | 138,025               | *****%                |

09/19/23  
13:06:57

CITY OF HERMANTOWN, MN  
Expenditure Budget Report -- MultiYear Actuals  
For the Year: 2024

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329 2023A GO Bond (Richard Lingren)

| Account | Object                | Actuals |      |      |      | Current<br>Budget<br>2023 | %<br>Exp.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Changes<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|---------|-----------------------|---------|------|------|------|---------------------------|-------------------|-------------------------|-------------------------|-----------------------|-----------------------|
|         |                       | 2020    | 2021 | 2022 | 2023 |                           |                   |                         |                         |                       |                       |
| 471000  | Debt Service          |         |      |      |      |                           |                   |                         |                         |                       |                       |
|         | 611 Bond Interest     |         |      |      |      | 0 0%                      | 73,150            |                         | 73,150                  | *****%                |                       |
|         | 620 Fiscal Agent Fees |         |      |      |      | 0 0%                      | 1,400             |                         | 1,400                   | *****%                |                       |
|         | Account:              |         |      |      |      | 0 ***%                    | 74,550            | 0                       | 74,550                  | *****%                |                       |
|         | Fund:                 |         |      |      |      | 0 0%                      | 74,550            | 0                       | 74,550                  | *****%<br>%           |                       |

**Fund 350 - Special Assessment Deficiency Fund**

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

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Transfers out:

| <u>Fund</u> | <u>Name</u> | Transfers<br>From<br>Special<br><u>Deficiency</u> |
|-------------|-------------|---|
|-------------|-------------|---|

**Budget Detail**

CITY OF HERMANTOWN, MN  
Revenue Budget Report -- MultiYear Actuals  
For the Year: 2024

350 Special Assessment Deficiency Fund

| Account                       | Actuals   |           |           |         | Current<br>Budget<br>2023 | %<br>Rec.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Change<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|-------------------------------|-----------|-----------|-----------|---------|---------------------------|-------------------|-------------------------|------------------------|-----------------------|-----------------------|
|                               | 2020      | 2021      | 2022      | 2023    |                           |                   |                         |                        |                       |                       |
| 361100 Principal - Current    |           |           |           |         |                           |                   |                         |                        |                       |                       |
| 361100 Principal - Current    | 5,263     | 16,457    | 17,241    | 8,700   | 14,000                    | 62%               | 14,000                  |                        | 14,000                | 100%                  |
| 361120 Principal - Prepaid    |           |           | 6,145     |         | 0                         | 0%                |                         |                        | 0                     | 0%                    |
| Group:                        | 5,263     | 16,457    | 23,386    | 8,700   | 14,000                    | 62%               | 14,000                  | 0                      | 14,000                | 100%                  |
| 361200 Interest - Current     |           |           |           |         |                           |                   |                         |                        |                       |                       |
| 361200 Interest - Current     | 3,096     | 1,898     | 2,035     |         | 0                         | 0%                |                         |                        | 0                     | 0%                    |
| 361220 Interest - Prepaid     |           |           | 1,536     |         | 0                         | 0%                |                         |                        | 0                     | 0%                    |
| Group:                        | 3,096     | 1,898     | 3,571     |         | 0                         | 0%                | 0                       | 0                      | 0                     | 0%                    |
| 361300 Penalties & Interest   |           |           |           |         |                           |                   |                         |                        |                       |                       |
| 361300 Penalties & Interest   | 74        | -9        |           |         | 0                         | 0%                |                         |                        | 0                     | 0%                    |
| Group:                        | 74        | -9        |           |         | 0                         | 0%                | 0                       | 0                      | 0                     | 0%                    |
| 362100 Investment Interest    |           |           |           |         |                           |                   |                         |                        |                       |                       |
| 362100 Investment Interest    | 2,992     | 1,508     | 3,043     | -522    | 0                         | ***%              |                         |                        | 0                     | 0%                    |
| 362160 Gain (Loss) on Sale of | 901       | -2,572    | -9,606    |         | 0                         | 0%                |                         |                        | 0                     | 0%                    |
| Group:                        | 3,893     | -1,064    | -6,563    | -522    | 0                         | ***%              | 0                       | 0                      | 0                     | 0%                    |
| Fund:                         | 12,326    | 17,282    | 20,394    | 8,178   | 14,000                    | 58%               | 14,000                  | 0                      | 14,000                | 100%                  |
| Grand Total:                  | 5,793,175 | 8,076,914 | 4,081,920 | 496,349 | 3,709,992                 |                   | 3,547,402               | 0                      | 3,547,402             |                       |

CITY OF HERMANTOWN, MN  
Expenditure Budget Report -- MultiYear Actuals  
For the Year: 2024

350 Special Assessment Deficiency Fund

| Account | Object                   | Actuals   |           |           |           | Current<br>Budget<br>2023 | %<br>Exp.<br>2023 | Prelim.<br>Budget<br>24 | Budget<br>Changes<br>24 | Final<br>Budget<br>24 | % Old<br>Budget<br>24 |
|---------|--------------------------|-----------|-----------|-----------|-----------|---------------------------|-------------------|-------------------------|-------------------------|-----------------------|-----------------------|
|         |                          | 2020      | 2021      | 2022      | 2023      |                           |                   |                         |                         |                       |                       |
| 415300  | Administration & Finance |           |           |           |           |                           |                   |                         |                         |                       |                       |
| 319     | Contracted Services      | 2,750     | 3,506     | 390       | 398       | 2,200                     | 18%               | 2,200                   |                         | 2,200                 | 100%                  |
|         | Account:                 | 2,750     | 3,506     | 390       | 398       | 2,200                     | 18%               | 2,200                   | 0                       | 2,200                 | 100%                  |
| 471000  | Debt Service             |           |           |           |           |                           |                   |                         |                         |                       |                       |
| 720     | Transfer Out             | 27,806    | 27,806    | 27,806    |           | 27,806                    | 0%                |                         |                         | 0                     | 0%                    |
|         | Account:                 | 27,806    | 27,806    | 27,806    |           | 27,806                    | 0%                | 0                       | 0                       | 0                     | 0%                    |
|         | Fund:                    | 30,556    | 31,312    | 28,196    | 398       | 30,006                    | 1%                | 2,200                   | 0                       | 2,200                 | 7%                    |
|         |                          |           |           |           |           |                           |                   |                         |                         |                       | %                     |
|         | Grand Total:             | 4,987,619 | 7,215,437 | 3,779,239 | 3,814,268 | 3,845,126                 |                   | 3,533,364               | 0                       | 3,533,364             |                       |



**CITY OF HERMANTOWN  
CITY COUNCIL MEETING**  
Monday, September 18, 2023  
6:30 PM Central

**MEETING CONDUCTED IN PERSON & VIA ZOOM**

Mayor Wayne Boucher: Present  
Councilor John Geissler: Present  
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; Paul Sens, Public Works Director; Kevin Orme, Director of Finance & Administration; David Bolf, City Engineer; Gunnar Johnson, City Attorney

**VISITORS:** 2

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

A. Correspondence 23-145 through 23-146 placed on file

**B. 23-145**

From: Jeffrey Dwyer, LELS Local 47 President  
To: Mayor & City Council  
Re: Recruitment and Retention Incentives

**C. 23-146**

From: Maple Village Homeowners Association  
To: Mayor & City Council  
Re: Maple Village Concerns

7. **PRESENTATIONS**

8. **PUBLIC DISCUSSION**

Judie Hilmoe of 5036 Silver Leaf St. and Kathy McNamara Heimbach of 4442 Sugar Maple Dr. appeared before council to express their concerns about speeding in the Maple Village neighborhood.

9. **MOTIONS**

10. **CONSENT AGENDA**

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

B. **Accounts Payable** - Approve general city warrants from September 1, 2023 through September 15, 2023 in the amount of \$1,733,196.36.

Motion to the approve the Consent Agenda. This motion, made by Councilor Andy Hjelle and seconded by Councilor John Geissler, Carried.

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

Yea: 5, Nay: 0

11. **ORDINANCES**

A. **2023-06 An Ordinance Amending Chapter 300, Smoking Policy, Prohibiting The Use Of Cannabinoid Products In Public Structures, Public Vehicles, Parks And Recreation Areas**

*(second reading)*  
*(motion, roll call)*

Motion to approve 2023-06 An Ordinance Amending Chapter 300, Smoking Policy, Prohibiting The Use Of Cannabinoid Products In Public Structures, Public Vehicles, Parks And Recreation Areas. 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: Yea  
Mayor Wayne Boucher: Yea

Yea: 5, Nay: 0

**B. 2023-07 An Ordinance Amending Chapter 740, Hunting Deer By Bow And Arrow, Eliminating The "Earn-A-Buck" Requirement For The Hermantown City Bow Hunt And Allowing The Use Of Crossbows**

*(first reading)*

**C. 2023-08 An Ordinance Amending Hermantown Code Of Ordinances Section 270 - Fee Schedule**

*(first reading)*

12. **RESOLUTIONS**

**A. 2023-130 Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Proposed Assessment Roll For Road Improvement District No. 534 Ugstad Road**

*(motion, roll call)*

Motion to approve 2023-130 Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Proposed Assessment Roll For Road Improvement District No. 534 Ugstad Road. This motion, made by Councilor John Geissler and seconded by Councilor Ellie Jones, Carried.

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

Yea: 5, Nay: 0

**B. 2023-131 Resolution Receiving Proposed Assessment Roll For The Construction Of Road Improvement District No. 534 Ugstad Road And Ordering Hearing Thereon**

*(motion, roll call)*

Motion to approve 2023-131 Resolution Receiving Proposed Assessment Roll For The Construction Of Road Improvement District No. 534 Ugstad Road And Ordering Hearing Thereon. 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: Yea  
Mayor Wayne Boucher: Yea

Yea: 5, Nay: 0

**C. 2023-132 Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Proposed Assessment Roll For Road Improvement District No. 538 Richard Avenue And Lindgren Road**

*(motion, roll call)*

Motion to approve 2023-132 Resolution Declaring Cost To Be Assessed And Ordering Preparation Of Proposed Assessment Roll For Road Improvement District No. 538 Richard Avenue And Lindgren Road. This motion, made by Councilor John Geissler and seconded by Councilor Ellie Jones, Carried.

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

Yea: 5, Nay: 0

**D. 2023-133 Resolution Receiving Proposed Assessment Roll For The Construction Of Road Improvement District No. 538 Richard Avenue And Lindgren Road And Ordering Hearing Thereon**

*(motion, roll call)*

Motion to approve 2023-133 Resolution Receiving Proposed Assessment Roll For The Construction Of Road Improvement District No. 538 Richard Avenue And Lindgren Road And Ordering Hearing Thereon. 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: Yea  
Mayor Wayne Boucher: Yea

Yea: 5, Nay: 0

**E. 2023-134 Resolution Accepting Hermantown Volunteer Fire Department's Notice Of Termination Of The Agreement For Fire-Related Services**

*(motion, roll call)*

Motion to approve 2023-134 Resolution Accepting Hermantown Volunteer Fire Department's Notice Of Termination Of The Agreement For Fire-Related Services. This motion, made by Councilor John Geissler and seconded by Councilor Andy Hjelle, Carried.

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

Yea: 5, Nay: 0

**F. 2023-135 Resolution To Adopt The Proposed Property Tax And Proposed Budget For Taxes Payable 2024 And Scheduling The Truth In Taxation Hearing**

*(motion, roll call)*

Motion to approve 2023-135 Resolution To Adopt The Proposed Property Tax And Proposed Budget For Taxes Payable 2024 And Scheduling The Truth In Taxation Hearing. 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: Yea  
Mayor Wayne Boucher: Yea

Yea: 5, Nay: 0

**G. 2023-136 Resolution Directing Preparation Of Assessment Roll For Delinquent Utility Charges**

*(motion, roll call)*

Motion to approve 2023-136 Resolution Directing Preparation Of Assessment Roll For Delinquent Utility Charges. This motion, made by Councilor John Geissler and seconded by Councilor Ellie Jones, Carried.

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

Yea: 5, Nay: 0

**H. 2023-137 Resolution Approving Change Orders Number 13 Through 14 For Road Improvement Project 534 (Ugstad & Arrowhead Roads)**

*(motion, roll call)*

Motion to approve 2023-137 Resolution Approving Change Orders Number 13 Through 14 For Road Improvement Project 534 (Ugstad & Arrowhead Roads). This motion, made by Councilor Brian LeBlanc and seconded by Councilor John Geissler, Carried.

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

Yea: 5, Nay: 0

**I. 2023-138 Resolution Approving Pay Request Number 4 For Road Improvement District 534 To Ulland Brothers, Inc. In The Amount Of \$1,748,581.78**

*(motion, roll call)*

Motion to approve 2023-138 Resolution Approving Pay Request Number 4 For Road Improvement District 534 To Ulland Brothers, Inc. In The Amount Of \$1,748,581.78. 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: Yea  
Mayor Wayne Boucher: Yea

Yea: 5, Nay: 0

**J. 2023-139 Resolution Approving Pay Request Number 3 For Road Improvement District 538 To Ulland Brothers, Inc. In The Amount Of \$38,306.85**

*(motion, roll call)*

Motion to approve 2023-139 Resolution Approving Pay Request Number 3 For Road Improvement District 538 To Ulland Brothers, Inc. In The Amount Of \$38,306.85. This motion, made by Councilor John Geissler and seconded by Councilor Ellie Jones, Carried.

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

Yea: 5, Nay: 0

**K. 2023-140 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 2024 Maintenance Striping CP 0000-369670**

*(motion, roll call)*

2023-140 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 2024 Maintenance Striping CP 0000-369670. 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: Yea  
Mayor Wayne Boucher: Yea

Yea: 5, Nay: 0

**L. 2023-141 Resolution Approving Final Plans And Specifications And Ordering Advertisement For Bids For 2023 Sewer Improvement District No. 544 (Stebner Park Improvement District - Sewer, Water, & Road)**

*(motion, roll call)*

Motion to approve 2023-141 Resolution Approving Final Plans And Specifications And Ordering Advertisement For Bids For 2023 Sewer Improvement District No. 544 (Stebner Park Improvement District - Sewer, Water, & Road). This motion, made by Councilor John Geissler and seconded by Councilor Brian LeBlanc, Carried.

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

Yea: 5, Nay: 0

13. **CLOSED SESSION**

A. Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statute § Section 13D.03 to consider confidential information related to labor negotiations strategy. Following this closed session, the Hermantown City Council will re-convene in an open session.

*(motion, roll call)*

Motion to recess at 6:59 p.m. Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statute § Section 13D.03 to consider confidential information related to labor negotiations strategy. Following this closed session, the Hermantown City Council will re-convene in open session. 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: Yea  
Mayor Wayne Boucher: Yea

Yea: 5, Nay: 0

Motion to reconvene into open sessions at 7:54 p.m. This motion, made by Councilor LeBlanc and seconded by Councilor Jones, Carried.

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

Yea: 5, Nay: 0

14. **RECESS**

Motion to recess at 7:45 p.m. This motion, made by Councilor Geissler and seconded by Councilor Hjelle, Carried.

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

Yea: 5, Nay: 0

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Mayor

ATTEST:

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City Clerk

**CITY OF HERMANTOWN**

CHECKS #70247-70286  
09/16/2023 - 09/30/2023

PAYROLL CHECKS

Electronic Checks - #-67371-67413 \$83,347.28

Electronic Checks - #-67359-67365 \$3,722.57

LIABILITY CHECKS

Electronic Checks - #-67366-67370 \$63,070.29

Electronic Checks - #-67356-67357 \$772.57

Checks - #70281-70286 \$4,003.10

**PAYROLL EXPENSE TOTAL \$154,915.81**

ACCOUNTS PAYABLE

Checks - #70247-70280 \$415,921.42

Electronic Payments #-99176-99202 \$463,829.76

**ACCOUNTS PAYABLE TOTAL \$879,751.18**

**TOTAL \$1,034,666.99**

| Fun<br>d | Account | Department                              | Vendor Name                    | Description                    | Amount    | Check # |
|----------|---------|---|--------------------------------|--------------------------------|-----------|---------|
| 101      | 415300  | Administration & Finance                | AT&T MOBILITY                  | Cell Phones/Tablets-PW/CH      | 149.08    | -99202  |
| 101      | 419901  | City Hall & Police Building Maintenance | AT&T MOBILITY                  | Cell Phones/Tablets-PW/CH      | 44.80     | -99202  |
| 101      | 421100  | Police Administration                   | AT&T MOBILITY                  | Cell Phones PD                 | 1,352.92  | -99202  |
| 101      | 431100  | Street Department                       | AT&T MOBILITY                  | Cell Phones/Tablets-PW/CH      | 156.80    | -99202  |
| 601      | 494400  | Water Administration and General        | AT&T MOBILITY                  | Cell Phones/Tablets-PW/CH      | 277.49    | -99202  |
| 602      | 494900  | Sewer Administration and General        | AT&T MOBILITY                  | Cell Phones/Tablets-PW/CH      | 181.83    | -99202  |
| 601      | 494300  | Water Distribution                      | CITY OF DULUTH COMFORT SYSTEMS | Aug Water Charges              | 99,509.17 | -99201  |
| 101      | 415300  | Administration & Finance                | FIRST BANKCARD                 | Aug First Bankcard Heinbuch    | 119.37    | -99200  |
| 101      | 415300  | Administration & Finance                | FIRST BANKCARD                 | Aug First Bankcard Heinbuch    | 56.67     | -99200  |
| 101      | 415300  | Administration & Finance                | FIRST BANKCARD                 | Aug First Bankcard Mulder      | 277.95    | -99200  |
| 101      | 415300  | Administration & Finance                | FIRST BANKCARD                 | Aug First Bankcard Orme        | 5.58      | -99200  |
| 101      | 415300  | Administration & Finance                | FIRST BANKCARD                 | Aug First Bankcard Orme        | 10.45     | -99200  |
| 101      | 419901  | City Hall & Police Building Maintenance | FIRST BANKCARD                 | Aug First Bankcard Orme        | 386.38    | -99200  |
| 101      | 419901  | City Hall & Police Building Maintenance | FIRST BANKCARD                 | Aug First Bankcard Orme        | 163.92    | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Crace       | 129.95    | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Ross        | 745.86    | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Gottschald  | 1.41      | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Williams    | 287.58    | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Gunderson   | 548.38    | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Esterbrooks | 938.50    | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Esterbrooks | 12.34     | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Williams    | 12.33     | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Esterbrooks | 528.86    | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Pfeiffer    | 479.87    | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Knapp       | 65.51     | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Crace       | 16.99     | -99200  |
| 101      | 421100  | Police Administration                   | FIRST BANKCARD                 | Aug First Bankcard Heinbuch    | 221.21    | -99200  |
| 101      | 422901  | Firehall #1 Maple Grove Road            | FIRST BANKCARD                 | Aug First Bankcard Orme        | 96.60     | -99200  |
| 101      | 422901  | Firehall #1 Maple Grove Road            | FIRST BANKCARD                 | Aug First Bankcard Orme        | 40.98     | -99200  |
| 101      | 431100  | Street Department                       | FIRST BANKCARD                 | Aug First Bankcard Senst       | 261.07    | -99200  |
| 101      | 431100  | Street Department                       | FIRST BANKCARD                 | Aug First Bankcard Senst       | 189.85    | -99200  |
| 101      | 431100  | Street Department                       | FIRST BANKCARD                 | Aug First Bankcard Orme        | 22.18     | -99200  |
| 101      | 431100  | Street Department                       | FIRST BANKCARD                 | Aug First Bankcard Orme        | 118.45    | -99200  |
| 601      | 494400  | Water Administration and General        | FIRST BANKCARD                 | Aug First Bankcard Orme        | 8.86      | -99200  |
| 601      | 494400  | Water Administration and General        | FIRST BANKCARD                 | Aug First Bankcard Orme        | 3.48      | -99200  |
| 601      | 494400  | Water Administration and General        | FIRST BANKCARD                 | Aug First Bankcard Orme        | 47.38     | -99200  |
| 601      | 494400  | Water Administration and General        | FIRST BANKCARD                 | Aug First Bankcard Orme        | 12.50     | -99200  |
| 602      | 494900  | Sewer Administration and General        | FIRST BANKCARD                 | Aug First Bankcard Orme        | 71.07     | -99200  |

| Fun<br>d | Account | Department                              | Vendor Name                           | Description                    | Amount    | Check # |
|----------|---------|---|---------------------------------------|--------------------------------|-----------|---------|
| 602      | 494900  | Sewer Administration and General        | FIRST BANKCARD                        | Aug First Bankcard Orme        | 13.31     | -99200  |
| 602      | 494900  | Sewer Administration and General        | FIRST BANKCARD                        | Aug First Bankcard Orme        | 12.50     | -99200  |
| 602      | 494900  | Sewer Administration and General        | FIRST BANKCARD                        | Aug First Bankcard Orme        | 3.48      | -99200  |
| 275      | 452200  | Community Building                      | FIRST BANKCARD                        | Aug First Bankcard Orme        | 686.15    | -99200  |
| 275      | 452200  | Community Building                      | FIRST BANKCARD                        | Aug First Bankcard Orme        | 1,012.15  | -99200  |
| 101      | 415300  | Administration & Finance                | GREATAMERICA FINANCIAL SERVICES       | Copier Lease/Konica bizhubC308 | 96.00     | -99199  |
| 101      | 421100  | Police Administration                   | GREATAMERICA FINANCIAL SERVICES       | Copier Lease/Konica C300&C3320 | 119.58    | -99199  |
| 101      | 415300  | Administration & Finance                | PITNEY BOWES PURCHASE POWER           | Refill Postage Meter           | 278.45    | -99198  |
| 101      | 419100  | Community Development                   | PITNEY BOWES PURCHASE POWER           | Refill Postage Meter           | 39.57     | -99198  |
| 101      | 421100  | Police Administration                   | PITNEY BOWES PURCHASE POWER           | Refill Postage Meter           | 122.35    | -99198  |
| 101      | 424100  | Building Inspection                     | PITNEY BOWES PURCHASE POWER           | Refill Postage Meter           | 47.25     | -99198  |
| 601      | 494400  | Water Administration and General        | PITNEY BOWES PURCHASE POWER           | Refill Postage Meter           | 128.63    | -99198  |
| 602      | 494900  | Sewer Administration and General        | PITNEY BOWES PURCHASE POWER           | Refill Postage Meter           | 85.75     | -99198  |
| 101      | 415300  | Administration & Finance                | BLACK MOUNTAIN SOFTWARE INC           | AnnualSrv-DlyTmCrds8/23-12/23  | 248.00    | -99197  |
| 601      | 494400  | Water Administration and General        | BLACK MOUNTAIN SOFTWARE INC           | AnnualSrv-DlyTmCrds8/23-12/23  | 124.00    | -99197  |
| 602      | 494900  | Sewer Administration and General        | BLACK MOUNTAIN SOFTWARE INC           | AnnualSrv-DlyTmCrds8/23-12/23  | 124.00    | -99197  |
| 603      | 441100  | Storm Water                             | BLACK MOUNTAIN SOFTWARE INC           | AnnualSrv-DlyTmCrds8/23-12/23  | 62.00     | -99197  |
| 230      | 465100  | HEDA                                    | BRAUN INTERTEC CORPORATION            | Future Business Park Site - AU | 13,560.00 | -99196  |
| 402      | 431150  | Street Improvements                     | BRAUN INTERTEC CORPORATION            | Ugstad Road Project            | 11,390.00 | -99195  |
| 101      | 421100  | Police Administration                   | BRAY & REED LTD.                      | Prosecution Services Aug 2023  | 4,500.00  | -99194  |
| 230      | 465100  | HEDA                                    | CREATIVE ARCADE                       | Website Monthly Maintenance    | 250.03    | -99193  |
| 101      | 452100  | Parks                                   | DULUTH LAWN CARE INC                  | Fert/Weed Treatment            | 5,261.25  | -99192  |
| 101      | 422902  | Firehall #2 Morris Thomas Road          | ESC SYSTEMS SOUND AND LIFE SAFETY     | ProxPro Reader - FH2           | 1,711.12  | -99191  |
| 101      | 421100  | Police Administration                   | FAUL PSYCHOLOGICAL PLLC               | Evaluation - Towner            | 650.00    | -99190  |
| 601      | 494400  | Water Administration and General        | GOPHER STATE ONE-CALL INC             | Aug 23 Locates                 | 237.33    | -99189  |
| 602      | 494900  | Sewer Administration and General        | GOPHER STATE ONE-CALL INC             | Aug 23 Locates                 | 158.22    | -99189  |
| 101      | 431100  | Street Department                       | INTER CITY OIL CO INC                 | Fuel                           | 1,292.36  | -99188  |
| 101      | 431100  | Street Department                       | INTER CITY OIL CO INC                 | Fuel                           | 485.25    | -99188  |
| 101      | 431100  | Street Department                       | INTER CITY OIL CO INC                 | Fuel                           | 1,184.10  | -99188  |
| 101      | 431100  | Street Department                       | INTER CITY OIL CO INC                 | Fuel                           | 463.94    | -99188  |
| 603      | 441100  | Storm Water                             | LHB INC                               | Design - Hermantown Rocky Run  | 2,092.00  | -99187  |
| 603      | 441100  | Storm Water                             | MACQUEEN EQUIPMENT, LLC               | Delivery of Rental Sweeper     | 700.00    | -99186  |
| 101      | 419901  | City Hall & Police Building Maintenance | MIDWEST MACHINERY CO, INC.            | Service - Utility Tractor      | 478.92    | -99185  |
| 402      | 431150  | Street Improvements                     | MSA PROFESSIONAL SERVICES, INC.       | Ugstad Rd Reconditioning MSA P | 42.50     | -99184  |
| 101      | 431100  | Street Department                       | NORTHERN STATES SUPPLY INC            | Hose Clamps, Washers Nuts, bol | 46.56     | -99183  |
| 412      | 419100  | Community Development                   | NORTHLAND CONSULTING ENGINEERS L.L.P. | Hermantown Trail Project       | 5,125.00  | -99182  |
| 101      | 419100  | Community Development                   | NORTHLAND CONSULTING ENGINEERS L.L.P. | PO 2367 Rob Irving Dev - Midwa | 435.00    | -99182  |
| 416      | 452100  | Parks                                   | NORTHLAND CONSULTING ENGINEERS L.L.P. | Fichtner Park Improvements     | 3,991.00  | -99182  |

| Fun<br>d | Account | Department                       | Vendor Name                           | Description                     | Amount    | Check # |
|----------|---------|----------------------------------|---------------------------------------|---------------------------------|-----------|---------|
| 230      | 465100  | HEDA                             | NORTHLAND CONSULTING ENGINEERS L.L.P. | Hwy 53 Business Park Feasibili  | 2,500.00  | -99182  |
| 475      | 431150  | Street Improvements              | NORTHLAND CONSULTING ENGINEERS L.L.P. | Richard Lindgren - SAP 202-080  | 5,660.00  | -99182  |
| 402      | 431150  | Street Improvements              | NORTHLAND CONSULTING ENGINEERS L.L.P. | Ugstad Rd - SP 202-101-014      | 3,060.00  | -99182  |
| 475      | 431150  | Street Improvements              | NORTHLAND CONSULTING ENGINEERS L.L.P. | Hermantown Rd & Old Midway Rd   | 23,100.00 | -99182  |
| 415      | 465200  | Community Development            | NORTHLAND CONSULTING ENGINEERS L.L.P. | Hermantown Ice Arena            | 1,250.00  | -99182  |
| 240      | 433500  | Water Improvements               | NORTHLAND CONSULTING ENGINEERS L.L.P. | Stebner Park Utilities          | 6,302.50  | -99182  |
| 101      | 431130  | City Engineer                    | NORTHLAND CONSULTING ENGINEERS L.L.P. | Preagenda/City Council/Four Sq  | 900.00    | -99182  |
| 240      | 432510  | Trunk Sewer Construction         | NORTHLAND CONSULTING ENGINEERS L.L.P. | Oak Ridge Dr. Sanitary Sewer E  | 11,645.00 | -99182  |
| 230      | 214500  | Escrow Deposits Payable          | NORTHLAND CONSULTING ENGINEERS L.L.P. | PO 2372 Kolquist Trucking       | 580.00    | -99182  |
| 101      | 214500  | Escrow Deposits Payable          | NORTHLAND CONSULTING ENGINEERS L.L.P. | Peyton Property Development     | 640.00    | -99182  |
| 101      | 214500  | Escrow Deposits Payable          | NORTHLAND CONSULTING ENGINEERS L.L.P. | PO 2311 Jenny Farms             | 180.00    | -99182  |
| 101      | 414100  | Elections                        | OVEROM LAW, PLLC                      | Voter Election Allocation Fund  | 89.50     | -99181  |
| 101      | 416100  | City Attorney                    | OVEROM LAW, PLLC                      | Performance Development Group   | 348.00    | -99181  |
| 101      | 416100  | City Attorney                    | OVEROM LAW, PLLC                      | 3719 Johnson Rd - Nguyen Nuisa  | 288.00    | -99181  |
| 101      | 416100  | City Attorney                    | OVEROM LAW, PLLC                      | Marijuana Use Restrictions      | 660.50    | -99181  |
| 101      | 416100  | City Attorney                    | OVEROM LAW, PLLC                      | 3M PFAS Class Action            | 132.00    | -99181  |
| 101      | 416100  | City Attorney                    | OVEROM LAW, PLLC                      | Earned Sick and Safe Time       | 554.25    | -99181  |
| 101      | 416100  | City Attorney                    | OVEROM LAW, PLLC                      | Paul Senst Accident Claim       | 252.00    | -99181  |
| 101      | 416100  | City Attorney                    | OVEROM LAW, PLLC                      | Lavaque Road/Hwy 53 Access Iss  | 84.00     | -99181  |
| 101      | 416100  | City Attorney                    | OVEROM LAW, PLLC                      | Stebner Park Street Improvemen  | 5.50      | -99181  |
| 101      | 416100  | City Attorney                    | OVEROM LAW, PLLC                      | General Matters/Retainer        | 2,000.00  | -99181  |
| 101      | 419100  | Community Development            | OVEROM LAW, PLLC                      | 2022 Sign Ordinance Amendments  | 108.00    | -99181  |
| 412      | 419100  | Community Development            | OVEROM LAW, PLLC                      | Hermantown Trail Connector Eas  | 753.25    | -99181  |
| 101      | 419100  | Community Development            | OVEROM LAW, PLLC                      | Oppidan Development             | 391.50    | -99181  |
| 101      | 419100  | Community Development            | OVEROM LAW, PLLC                      | Stebner Farms Projects          | 824.00    | -99181  |
| 101      | 419100  | Community Development            | OVEROM LAW, PLLC                      | Community Development Matters   | 36.00     | -99181  |
| 101      | 419100  | Community Development            | OVEROM LAW, PLLC                      | Planning & Zoning Commission    | 362.00    | -99181  |
| 101      | 421100  | Police Administration            | OVEROM LAW, PLLC                      | Student Resource Officers (SRO) | 955.00    | -99181  |
| 101      | 421100  | Police Administration            | OVEROM LAW, PLLC                      | Gale Rachuy Claim               | 36.00     | -99181  |
| 101      | 421100  | Police Administration            | OVEROM LAW, PLLC                      | Police Dept Personnel Matters   | 36.00     | -99181  |
| 101      | 421100  | Police Administration            | OVEROM LAW, PLLC                      | 2023 Compensation Review        | 1,032.00  | -99181  |
| 101      | 422100  | Fire Administration              | OVEROM LAW, PLLC                      | Creation of New City Fire Dept  | 1,044.00  | -99181  |
| 416      | 452100  | Parks                            | OVEROM LAW, PLLC                      | Fichtner Field Park Improvemen  | 11.00     | -99181  |
| 230      | 465100  | HEDA                             | OVEROM LAW, PLLC                      | HEDA Agenda Matters             | 375.00    | -99181  |
| 230      | 465100  | HEDA                             | OVEROM LAW, PLLC                      | Hermantown Business Park Rezon  | 36.00     | -99181  |
| 230      | 465100  | HEDA                             | OVEROM LAW, PLLC                      | Hwy 53 Business Park Developme  | 135.00    | -99181  |
| 602      | 494900  | Sewer Administration and General | OVEROM LAW, PLLC                      | Deferrals of Assessments        | 253.75    | -99181  |
| 475      | 431150  | Street Improvements              | OVEROM LAW, PLLC                      | Richard Avenue and Lindgren Rd  | 728.25    | -99181  |

**CITY OF HERMANTOWN, MN 09/16/2023-09/30/2023**  
**Check # is between 70247 and 70280 or Check # is between -99202 and -99176**

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| Fun<br>d | Account | Department                              | Vendor Name                   | Description                    | Amount     | Check # |
|----------|---------|---|-------------------------------|--------------------------------|------------|---------|
| 402      | 431150  | Street Improvements                     | OVEROM LAW, PLLC              | Utility Service Agreement - Pe | 712.00     | -99181  |
| 475      | 431150  | Street Improvements                     | OVEROM LAW, PLLC              | Richard Avenue and Lindgren Rd | 204.00     | -99181  |
| 415      | 465200  | Community Development                   | OVEROM LAW, PLLC              | Arena Construction             | 2,175.00   | -99181  |
| 230      | 214500  | Escrow Deposits Payable                 | OVEROM LAW, PLLC              | P&R Properties Engwalls Develo | 30.00      | -99181  |
| 230      | 214500  | Escrow Deposits Payable                 | OVEROM LAW, PLLC              | HEDA Sale to Brett Kolquist    | 1,082.00   | -99181  |
| 230      | 214500  | Escrow Deposits Payable                 | OVEROM LAW, PLLC              | P&R Properties Tax Increment M | 4,985.75   | -99181  |
| 101      | 421100  | Police Administration                   | PER MAR SECURITY SERVICES INC | CCTV 10/01/2023 - 12/31/2023   | 91.89      | -99180  |
| 101      | 419901  | City Hall & Police Building Maintenance | TLX COMMUNICATIONS            | Sept 2023 Maintenance          | 237.85     | -99179  |
| 101      | 422901  | Firehall #1 Maple Grove Road            | TLX COMMUNICATIONS            | Sept 2023 Maintenance          | 70.35      | -99179  |
| 101      | 431100  | Street Department                       | TLX COMMUNICATIONS            | Sept 2023 Maintenance          | 16.75      | -99179  |
| 101      | 452200  | Community Building                      | TLX COMMUNICATIONS            | Sept 2023 Maintenance          | 10.05      | -99179  |
| 401      | 431100  | Street Department                       | TOWMASTER                     | Plow Truck Build               | 175,248.00 | -99178  |
| 101      | 419100  | Community Development                   | VC3                           | New Workstation - Crego        | 221.11     | -99177  |
| 601      | 494400  | Water Administration and General        | VC3                           | New Workstation - Crego        | 157.94     | -99177  |
| 602      | 494900  | Sewer Administration and General        | VC3                           | New Workstation - Crego        | 157.94     | -99177  |
| 603      | 441100  | Storm Water                             | VC3                           | New Workstation - Crego        | 94.76      | -99177  |
| 602      | 494500  | Sewer Maintenance                       | WLSSD                         | Wastewater Charges             | 46,175.00  | -99176  |
| 101      | 427100  | Poundmaster                             | ANIMAL ALLIES HUMANE SOCIETY  | Aug 2023 Boarding              | 1,872.00   | 70247   |
| 601      | 494300  | Water Distribution                      | BORDER STATES ELECTRIC SUPPLY | Water Radio Wire               | 111.54     | 70248   |
| 101      | 431100  | Street Department                       | CENTRAL PENSION FUND          | Training Per Contract          | 38.42      | 70249   |
| 601      | 494300  | Water Distribution                      | CENTRAL PENSION FUND          | Training Per Contract          | 38.42      | 70249   |
| 602      | 494500  | Sewer Maintenance                       | CENTRAL PENSION FUND          | Training Per Contract          | 38.41      | 70249   |
| 101      | 422902  | Firehall #2 Morris Thomas Road          | CENTURYLINK                   | Internet FH2 08/28/23-09/27/23 | 79.98      | 70250   |
| 101      | 419901  | City Hall & Police Building Maintenance | CINTAS CORPORATION            | Mats - FD/PD                   | 30.72      | 70251   |
| 101      | 419901  | City Hall & Police Building Maintenance | CINTAS CORPORATION            | Mats - CH                      | 8.88       | 70251   |
| 101      | 431100  | Street Department                       | CINTAS CORPORATION            | Uniforms                       | 7.92       | 70251   |
| 101      | 431100  | Street Department                       | CINTAS CORPORATION            | Uniforms                       | 42.37      | 70251   |
| 101      | 431100  | Street Department                       | CINTAS CORPORATION            | Uniforms                       | 7.92       | 70251   |
| 101      | 431100  | Street Department                       | CINTAS CORPORATION            | Uniforms                       | 42.37      | 70251   |
| 101      | 431901  | City Garage                             | CINTAS CORPORATION            | Mats - PW                      | 10.35      | 70251   |
| 101      | 431901  | City Garage                             | CINTAS CORPORATION            | Supplies                       | 28.51      | 70251   |
| 101      | 431901  | City Garage                             | CINTAS CORPORATION            | Supplies                       | 28.51      | 70251   |
| 101      | 431901  | City Garage                             | CINTAS CORPORATION            | Mats - PW                      | 30.03      | 70251   |
| 601      | 494300  | Water Distribution                      | CORE & MAIN LP                | Water Radios                   | 4,801.79   | 70252   |
| 601      | 494300  | Water Distribution                      | CORE & MAIN LP                | Water Meters - The Pillars     | 1,076.58   | 70252   |
| 601      | 494300  | Water Distribution                      | CORE & MAIN LP                | Water Radios                   | 4,807.49   | 70252   |
| 601      | 494300  | Water Distribution                      | CORE & MAIN LP                | Water Parts                    | 4,250.75   | 70252   |
| 240      | 433500  | Water Improvements                      | CORE & MAIN LP                | AMI Annual Fee                 | 6,438.00   | 70252   |

**CITY OF HERMANTOWN, MN 09/16/2023-09/30/2023**  
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9/27/2023

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| Fun<br>d | Account | Department                               | Vendor Name                 | Description                    | Amount    | Check # |
|----------|---------|--|-----------------------------|--------------------------------|-----------|---------|
| 245      | 465100  | HEDA                                     | COSTIN GROUP MN             | City Lobbyist                  | 1,500.00  | 70253   |
| 415      | 465200  | Community Development                    | DSGW ARCHITECTS             | Hermantown Arena               | 38,760.00 | 70254   |
| 101      | 431100  | Street Department                        | DULUTH READY MIX INC        | Road Sand                      | 7,242.86  | 70255   |
| 101      | 431100  | Street Department                        | DULUTH READY MIX INC        | Road Sand                      | 8,473.53  | 70255   |
| 101      | 421100  | Police Administration                    | ESSENTIA HEALTH             | Test - Towner                  | 1,498.00  | 70256   |
| 601      | 494300  | Water Distribution                       | FERGUSON WATERWORKS #2516   | Water Parts                    | 657.44    | 70257   |
| 601      | 494300  | Water Distribution                       | FERGUSON WATERWORKS #2516   | Curb Stop/Water Parts          | 776.48    | 70257   |
| 101      | 411300  | Ordinance, Public Notice and Proceedings | HERMANTOWN STAR LLC         | City Council Minutes           | 115.50    | 70258   |
| 101      | 419100  | Community Development                    | HERMANTOWN STAR LLC         | Public Hearing - Stebner Farm  | 99.00     | 70258   |
| 101      | 419100  | Community Development                    | HERMANTOWN STAR LLC         | Public Hearing - Board of Appe | 41.25     | 70258   |
| 101      | 422100  | Fire Administration                      | HERMANTOWN STAR LLC         | Deputy Chief Hiring            | 66.00     | 70258   |
| 101      | 421100  | Police Administration                    | HOLIDAY COMPANIES           | Car Washes - Aug 2023          | 25.00     | 70259   |
| 101      | 421100  | Police Administration                    | KOLAR                       | Repair - '19 Chev Tahoe        | 913.31    | 70260   |
| 101      | 421100  | Police Administration                    | KOLAR                       | Batteries - '19 Chev Tahoe     | 780.00    | 70260   |
| 601      | 494300  | Water Distribution                       | KTM PAVING INC              | Water Main Patches             | 17,182.93 | 70261   |
| 101      | 419901  | City Hall & Police Building Maintenance  | KWIK TRIP EXTENDED NETWORK  | Gas Building                   | 72.92     | 70262   |
| 101      | 421100  | Police Administration                    | KWIK TRIP EXTENDED NETWORK  | Car Wash PD                    | 261.98    | 70262   |
| 101      | 421100  | Police Administration                    | KWIK TRIP EXTENDED NETWORK  | Gas PD                         | 5,207.72  | 70262   |
| 101      | 431100  | Street Department                        | KWIK TRIP EXTENDED NETWORK  | Ice - PW                       | 2.79      | 70262   |
| 101      | 431100  | Street Department                        | KWIK TRIP EXTENDED NETWORK  | Car Wash PW                    | 11.00     | 70262   |
| 101      | 431100  | Street Department                        | KWIK TRIP EXTENDED NETWORK  | Gas Street                     | 1,131.09  | 70262   |
| 601      | 494300  | Water Distribution                       | KWIK TRIP EXTENDED NETWORK  | Gas Utility                    | 845.72    | 70262   |
| 602      | 494500  | Sewer Maintenance                        | KWIK TRIP EXTENDED NETWORK  | Gas Utility                    | 563.81    | 70262   |
| 101      | 411100  | Council                                  | LEAGUE OF MINNESOTA CITIES  | Membership Dues 23-24          | 11,192.00 | 70263   |
| 101      | 413100  | Mayor                                    | LEAGUE OF MINNESOTA CITIES  | MN Mayors Assn Dues Boucher    | 30.00     | 70263   |
| 101      | 431100  | Street Department                        | LINDE GAS & EQUIPMENT INC.  | Cyl/SafeEnvFee 720-820/23      | 71.31     | 70264   |
| 101      | 419901  | City Hall & Police Building Maintenance  | MENARD INC                  | Glove/Clips/Dish Soap          | 26.79     | 70265   |
| 101      | 431100  | Street Department                        | MENARD INC                  | Pressure Washer Parts - Vac Tr | 21.98     | 70265   |
| 101      | 431901  | City Garage                              | MENARD INC                  | Steel - PW Roof                | 867.83    | 70265   |
| 601      | 494300  | Water Distribution                       | MENARD INC                  | Elec Tap & Galv Nipple         | 25.97     | 70265   |
| 601      | 494300  | Water Distribution                       | MENARD INC                  | Rubber Spray                   | 11.98     | 70265   |
| 601      | 494300  | Water Distribution                       | MENARD INC                  | Channel Lock Pliers            | 71.69     | 70265   |
| 101      | 431100  | Street Department                        | MIKE'S SIGNS                | Stripping - H1                 | 425.00    | 70266   |
| 275      | 452200  | Community Building                       | MN DEPT OF LABOR & INDUSTRY | EWC - Elevator Annual Op Lic   | 200.00    | 70267   |
| 101      | 419901  | City Hall & Police Building Maintenance  | MN TELECOMMUNICATIONS       | Aug 2023 Internet              | 360.00    | 70268   |
| 101      | 422901  | Firehall #1 Maple Grove Road             | MN TELECOMMUNICATIONS       | Aug 2023 Internet              | 90.00     | 70268   |
| 101      | 431100  | Street Department                        | MORTON SALT, INC.           | Road Salt                      | 6,506.57  | 70269   |
| 101      | 431100  | Street Department                        | MORTON SALT, INC.           | Road Salt                      | 12,597.36 | 70269   |

CITY OF HERMANTOWN, MN 09/16/2023-09/30/2023  
 Check # is between 70247 and 70280 or Check # is between -99202 and -99176

9/27/2023

Page 6

| Fun<br>d | Account | Department                       | Vendor Name                    | Description                    | Amount     | Check # |
|----------|---------|----------------------------------|--------------------------------|--------------------------------|------------|---------|
| 101      | 431100  | Street Department                | NAPA AUTO PARTS                | DEF Fluid                      | 43.79      | 70270   |
| 601      | 494300  | Water Distribution               | NAPA AUTO PARTS                | Torq Wrenches                  | 151.98     | 70270   |
| 101      | 431100  | Street Department                | SATHERS, LLC                   | Top Soil/Class 5 - Crushed Mat | 1,160.90   | 70271   |
| 601      | 494300  | Water Distribution               | SATHERS, LLC                   | 1.5 Rock                       | 661.50     | 70271   |
| 101      | 421100  | Police Administration            | SHEL/DON GROUP INC             | Business Cards - Prouse & Pern | 146.01     | 70272   |
| 601      | 214500  | Escrow Deposits Payable          | SHORT ELLIOTT HENDRICKSON INC  | HERT 22 Sprint @ Hawk Circle W | 1,732.50   | 70273   |
| 101      | 421100  | Police Administration            | ST LUKES CLINICS               | Blood Draws - Aug 23           | 29.10      | 70274   |
| 101      | 421100  | Police Administration            | STREICHER'S                    | Ammo                           | 1,687.68   | 70275   |
| 101      | 431100  | Street Department                | TERHAAR, JERRIE                | Lunch - Pickup New Dump Trk    | 13.72      | 70276   |
| 101      | 421100  | Police Administration            | TROY'S BP AMOCO INC            | Oil & Filter - SQD 15          | 78.04      | 70277   |
| 101      | 421100  | Police Administration            | TROY'S BP AMOCO INC            | Oil & Filter - SQD 18          | 83.57      | 70277   |
| 101      | 421100  | Police Administration            | TROY'S BP AMOCO INC            | Oil & Filter - SQD 21          | 81.53      | 70277   |
| 601      | 494400  | Water Administration and General | VALLI INFORMATION SYSTEMS, INC | Aug 2023 Bill Print            | 560.94     | 70278   |
| 602      | 494900  | Sewer Administration and General | VALLI INFORMATION SYSTEMS, INC | Aug 2023 Bill Print            | 560.94     | 70278   |
| 603      | 441100  | Storm Water                      | VALLI INFORMATION SYSTEMS, INC | Aug 2023 Bill Print            | 560.95     | 70278   |
| 240      | 432510  | Trunk Sewer Construction         | VEIT & COMPANY INC             | Okerstrom Rd Sewer Improvement | 265,833.66 | 70279   |
| 101      | 431100  | Street Department                | YOUNGREN, ALEX W               | Lunch - Pickup New Dump Truck  | 16.84      | 70280   |

Totals: 207 records printed

879,751.18





**CITY COUNCIL MEETING DATE:** October 2, 2023

**TO:** Mayor & City Council

**FROM:** Jim Crace, Director of Public Safety

**SUBJECT:** Deer Hunting Ordinance

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**RESOLUTION:**                       **ORDINANCE:** 2023-07                       **OTHER:**

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**REQUESTED ACTION**

Approve an ordinance to amend Chapter 740 which eliminates the earn a buck requirement which required hunters to first harvest an antlerless deer prior to harvesting antlered buck during the City’s bow hunting season. This amendment will allow for the use of a crossbow in addition to a bow and arrow, and removes the requirement that only disabled persons with a valid permit and MN DNR archery license may hunt with a crossbow.

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**BACKGROUND**

Originally, the Hermantown Archery Hunt was set up to control the deer herd within the city. In recent years, deer populations have declined to the point that the “earn a buck” provision is not necessary. Last year, we did a one-year moratorium on the “earn a buck” provision and it was successful.

The State of Minnesota has recently changed its law on using crossbows and this change would put the Hermantown Ordinance in alignment with the state law.

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**SOURCE OF FUNDS (if applicable)**

N/A

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**ATTACHMENTS**

Ordinance

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE AMENDING CHAPTER 740, HUNTING DEER BY BOW AND ARROW, ELIMINATING THE “EARN-A-BUCK” REQUIREMENT FOR THE HERMANTOWN CITY BOW HUNT AND ALLOWING THE USE OF CROSSBOWS**

Section 1. **Purpose and Intent.** The purpose and intent of this amendment is to eliminate the Earn-a-Buck requirement which required hunters to first harvest an antlerless deer prior to harvesting antlered buck during the City’s bow hunting season. The City has studied this requirement and determined that such requirement did not result in any negative effects during the City’s deer hunt. Additionally, this amendment will further clarify the use of crossbows when hunting. This amendment is in the best interests of the residents of the City of Hermantown.

Section 2. **Amendment to Section 740.01.1.** Section 740.01.1, is hereby amended to read and inserted into the Hermantown City Code as follows:

“**740.01.1** “Bow and arrow” means a bow and arrow, a crossbow or a bow and arrow drawn, held or released by a mechanical device.”

Section 3. **Amendment to Section 740.02.1.3.3.** Section 740.01.1, is hereby amended to read and inserted into the Hermantown City Code as follows:

“**740.02.1.3.3** The type of bow and arrow to be discharged.”

Section 4. **Deletion of Section 740.02.1.11.** Section 740.02.1.11 is hereby deleted and the remaining sections renumbered.

Section 5. **Amendment to be Inserted in Code.** After this ordinance becomes effective, the changes made by this ordinance shall be made in the appropriate place in the Hermantown City Code. This ordinance shall be published in the official newspaper of the City.

Section 6. **Effective Date.** The provisions of this Ordinance shall be effective after adoption and immediately upon publication once in the official newspaper of the City of Hermantown.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_



**CITY COUNCIL MEETING DATE:** October 2, 2023

**TO:** Mayor & City Council

**FROM:** Eric Johnson, Community Development Director

**SUBJECT:** Zoning Map Amendment from P, Public to R-3 Residential

**RESOLUTION:**                       **ORDINANCE:** 2023-09                       **OTHER:**

**REQUESTED ACTION**

Conduct a first reading on the proposed amendment to the Hermantown Zoning Map by rezoning the northern 6.4 acres associated with parcels 395-0010-07820 and 395-0010-07840 from P, Public to R-3 Residential. This is the northern portion of the Union Cemetery property located at 3807 Getchell Road.

**DESCRIPTION OF REQUEST**

Requested is the proposed amendment to the Hermantown Zoning Map by rezoning the northern 6.4 acres associated with parcels 395-0010-07820 and 395-0010-07840 from P, Public to R-3 Residential. This is the northern portion of the Union Cemetery property located at 3807 Getchell Road. The purpose of the rezoning is to facilitate the sale of the property for future residential development.

A public hearing for this application was held on Tuesday, September 19, 2023. In addition to the applicant, there were three other members of the public present to speak on the application. Concerns expressed by the public included what plans there were for the property, the ability to develop the property if the land was gifted to the cemetery association and potential wetlands on the property. traffic generated by a future development and changes to the overall character of the area.

The Planning and Zoning Commission is a recommending body in the City Process. The Planning and Zoning Commission recommended to approve the rezoning on a 4-0 vote

**SITE DATA**

|                            |   |
|----------------------------|---|
| <b>Address:</b>            | 3807 Getchell Road (395-0010-07820 and 395-0010-07840)  |
| <b>Comprehensive Plan:</b> | Concept Area 1: Maintain Suburban Character, Preserve Critical Natural Features, Phase Residential Development, Existing and New Park Areas |
| <b>Current Zoning:</b>     | P, Public   |
| <b>Current Use:</b>        | Vacant/undeveloped  |
| <b>Lot Size:</b>           | 6.4 acres   |
| <b>Wetlands:</b>           | Yes, delineation performed but not yet reviewed   |
| <b>Shoreland Overlay:</b>  | No  |
| <b>Airport Zoning:</b>     | N/A   |



**ZONING PROCESS**

Union Cemetery Association (Applicant) is requesting a rezoning from P, Public to R-3, Residential. Applicant has stated the purpose of the rezoning is to facilitate the sale of the property for future residential development. Other than the cemetery property, the surrounding properties are zoned R-3, Residential.

Dimensional standards would change as follows:

| Dimensional Standards         | P       | R-3                                |
|-------------------------------|---------|------------------------------------|
| Height                        | 50 feet | 35 feet                            |
| Setbacks                      |         |                                    |
| <i>Front</i>                  | 35 feet | 50 feet                            |
| <i>Side (abutting street)</i> | 35 feet | 10 feet                            |
| <i>Side</i>                   | 15 feet | 10 foot minimum, 25 foot aggregate |
| <i>Rear</i>                   | 25 feet | 40 feet                            |
| Minimum lot area              | None    | ½ acre                             |
| Minimum lot width             | None    | 100 feet                           |
| Maximum lot coverage          | 35%     | 35%                                |

**COMPREHENSIVE PLAN**

The site is in Area 1 on the Hermantown Comprehensive Plan Concepts Map. The goal for Area 1 is to maintain suburban character, preserve critical natural features, phase residential development, and develop existing and new park areas. Suburban character includes residential development and is compatible with the uses of the adjacent properties.

**BACKGROUND**

Union Cemetery Association (Applicant) owns two parcels associated with the Union Cemetery; 395-0010-07820 and 395-0010-07840. The southern portion of both of these parcels contain the cemetery with the northern 6.4 acres of these parcels being vacant. The Applicant does not foresee the need for this northern portion of land and is seeking to rezone this portion of property in order to be marketed for residential development.

With the exception of the cemetery land to the south, the subject property is bordered by the R-3, Residential zoning district. Rezoning of this property would be in keeping with the surrounding zoning and land use.

**Land Subdivision**

Assuming the 6.4 acre parcel is rezoned, the Applicant will submit an application for an Administrative Parcel Split. The proposed subdivision/reconfiguration of parcels 395-0010-07820 and 395-0010-07840 will contain two parcels with the southern 6.8 acre of parcels 395-0010-07820 and 395-0010-07840 containing the cemetery and remaining a P, Public zoning and the northern 6.4 acres of the newly created parcel being rezoned to R-3 Residential and marketed for residential development.

### Utilities

There is public water and sanitary sewer within the Getchell Road right of way. Any future residential development will be required to connect to the public utilities and pay any applicable connection and availability fees. Utility connections are subject to the City staff approval of work within Getchell Road.

### Wetlands

A wetland delineation has been performed but has not been reviewed at the time of this staff report. From the wetland report, there is a wetland that bisects the property running north/south which will be reviewed by the Hermantown Technical Evaluation Panel prior to any development of the property. Any proposed wetland impacts in this area of the property require review and approval by the Hermantown Technical Evaluation Panel.

### **SUMMARY**

The proposed rezoning meets the criteria of the Comprehensive Plan and the overall goals and policies of the Zoning Ordinance. The 6.4 acre site is located in an area that has an existing residential character and rezoning of the parcel would be complementary to the area. Staff recommends approval of the rezoning based on the following Findings of Fact:

1. The Planning Commission of the City of Hermantown (“Planning Commission”) held a public hearing on the rezoning request on September 19, 2023 at which time all parties desiring to be heard were afforded the opportunity to be heard.
2. A rezoning to R-3, Residential is compatible with the surrounding uses as it mirrors the existing development patterns of the surrounding/abutting parcels.
3. A rezoning to R-3, Residential allows for the maximization of existing water and sanitary sewer infrastructure thus allowing for more development opportunities than can be realized under a P, Public zoning.
4. The subject parcels (395-0010-07820 and 395-0010-07840) will be administratively subdivided/reconfigured to create the new 6.4 acre parcel. Any future lot splits will require the payment of a \$1,100.00 park dedication fee and the subsequent \$300.00 application fee.
5. The Land falls within the City’s Urban Services Boundary. Sanitary sewer and water mains are within the adjacent right of way of Stebner Road.
6. The property is included in the suburban development concept area (Area 1) of the Comprehensive Plan within which residential development is currently allowed.

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### **SOURCE OF FUNDS (if applicable)**

N/A

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## ATTACHMENTS

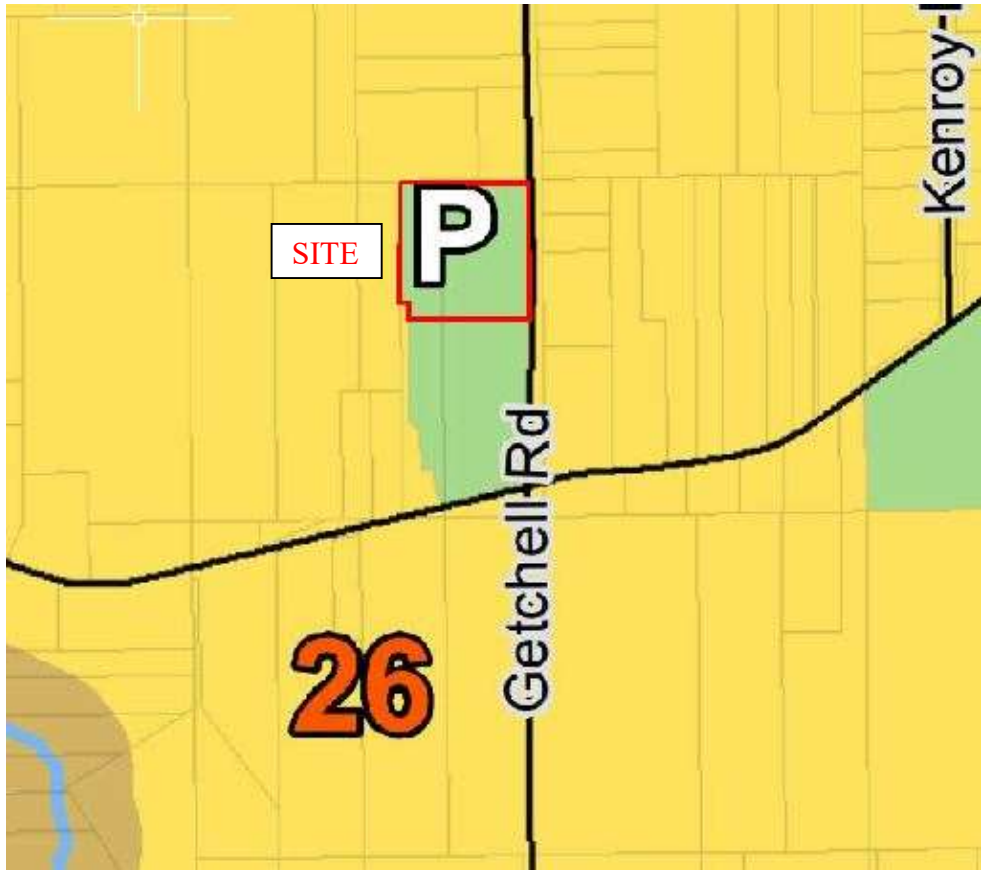
- Location Map
- Current and Proposed Zoning Maps
- Ordinance

**Location Map**



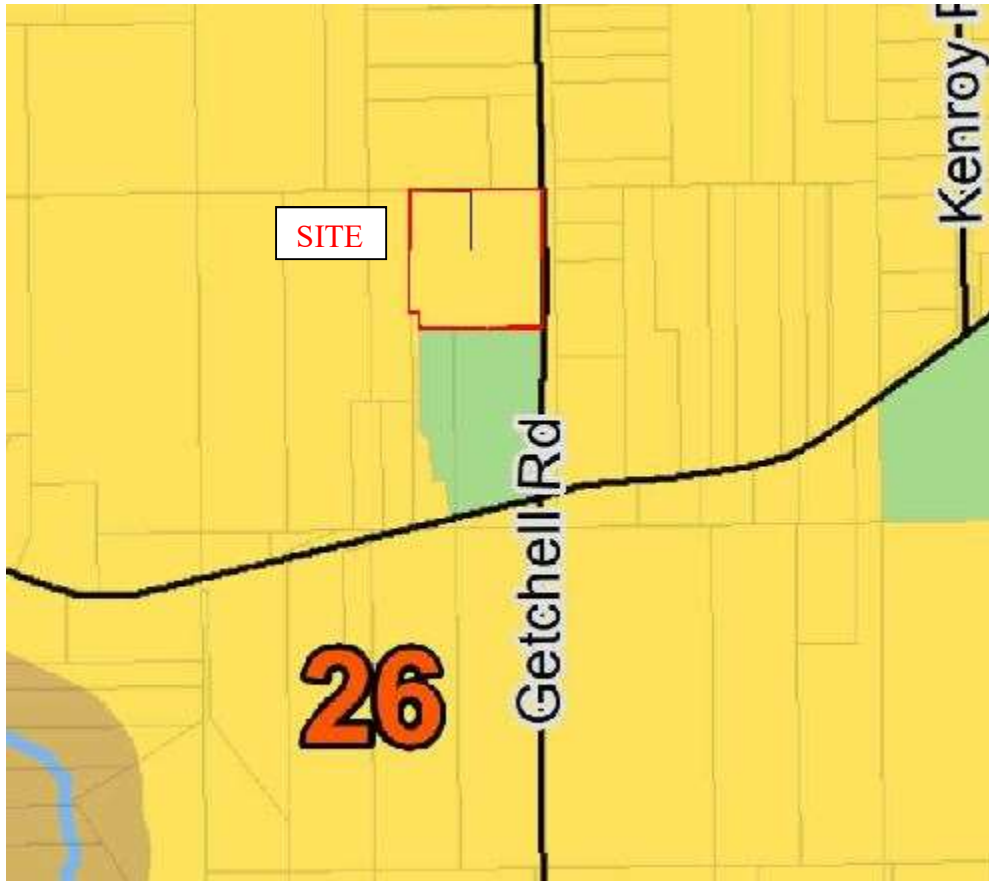


# Existing Zoning Map



- Hermantown Zoning Districts**
- HM-Hermantown Marketplace
  - BLM-Business/Light Manufacturing
  - C-General Commercial
  - C1-Office/Light Industrial
  - C1A-Sexually Oriented Uses
  - M2-Heavy Industrial
  - O-Conservation/Open Space
  - P-Public Facilities
  - PUD-Planned Unit Development
  - R1-Residential
  - R3-Residential
  - R3a-Multiple Family Dwellings
  - S1-Rural/Suburban

# Proposed Zoning Map



## Hermantown Zoning Districts

-  HM-Hermantown Marketplace
-  BLM-Business/Light Manufacturing
-  C-General Commercial
-  C1-Office/Light Industrial
-  C1A-Sexually Oriented Uses
-  M2-Heavy Industrial
-  O-Conservation/Open Space
-  P-Public Facilities
-  PUD-Planned Unit Development
-  R1-Residential
-  R3-Residential
-  R3a-Multiple Family Dwellings
-  S1-Rural/Suburban

**Ordinance No. 2023-09**

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE AMENDING TITLE 2 OF THE HERMANTOWN CITY CODE  
BY AMENDING THE OFFICIAL ZONING MAP OF  
THE NORTHERN 6.4 ACRES OF PARCELS 395-0010-07820 and 395-0010-07840**

Section 1. Amendment to Official Zoning Map. The Official Zoning Map of the City of Hermantown is hereby amended so that the northern 6.4 acres of Parcels 395-0010-07820 and 395-0010-07840 is zoned R-3, Residential. See Exhibit A for Legal Description.

Section 2. Purpose and Intent. The purpose of this amendment is to rezone the northern 6.4 acres of Parcels 395-0010-07820 and 395-0010-07840 to R-3, Residential with the following Findings of Fact:

**Findings of Fact.**

1. The Planning Commission of the City of Hermantown (“Planning Commission”) held a public hearing on the rezoning request on September 19, 2023 at which time all parties desiring to be heard were afforded the opportunity to be heard.

2. A rezoning to R-3, Residential is compatible with the surrounding uses as it mirrors the existing development patterns of the surrounding/abutting parcels.

3. A rezoning to R-3, Residential allows for the maximization of existing water and sanitary sewer infrastructure thus allowing for more development opportunities than can be realized under a P, Public zoning.

4. The Land falls within the City’s Urban Services Boundary. Sanitary sewer and water mains are within the adjacent right of way of Stebner Road.

5. The property is included in the suburban development concept area (Area 1) of the Comprehensive Plan within which residential development is currently allowed.

Section 3. Effective Date. This amendment to Title 2 of the Hermantown Code that amends the Official Zoning Map shall be effective after adoption immediately upon (1) the publication of this Amendment to Title 2 of the Hermantown City Code once in the legal newspaper of the City of Hermantown and (2) the filing of this Amendment to Title 2 with the County Recorder of St. Louis County.

Dated: \_\_\_\_\_ Mayor \_\_\_\_\_

Attest:

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

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

## Exhibit A – Legal Descriptions

### LEGAL DESCRIPTION OF PARCEL A

That part of the East Half of the West Half of the East Half of the Southeast Quarter of the Northwest Quarter and that part of the East Half of the East Half of the Southeast Quarter of the Northwest Quarter lying Northerly of Hermantown Road in Section 26, Township 50 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota described as follows: Commencing at the West Quarter corner of said Section 26; thence on an assumed bearing of North 89 degrees 36 minutes 33 seconds East, along the South line of the Northwest Quarter of said Section 26 for a distance of 2150.44 feet to the Southwest corner of said East Half of the West Half of the East Half of the Southeast Quarter of the Northwest Quarter; thence continue South 89 degrees 36 minutes 33 seconds East, along the South line of the Northwest Quarter of said Section 26 for a distance of 165.42 feet; thence North 15 degrees 53 minutes 30 seconds West 50.51 feet to the center line of Hermantown Road, said point being the point of beginning of the parcel herein described; thence continue North 15 degrees 53 minutes 30 seconds West 58.85 feet; thence North 08 degrees 18 minutes 34 seconds West 85.39 feet; thence South 88 degrees 07 minutes 57 seconds West 47.27 feet; thence North 01 degrees 52 minutes 03 seconds West 152.80 feet; thence North 48 degrees 19 minutes 03 seconds West 55.80 feet; thence North 00 degrees 07 minutes 12 seconds West 382.96 feet to a line parallel with and distant 565.00 feet South of the North line of the Southeast Quarter of the Northwest Quarter of said Section 26; thence North 89 degrees 31 minutes 43 seconds East, along said parallel line 466.40 feet to the East line of said Southeast Quarter of the Northwest Quarter; thence South 00 degrees 06 minutes 28 seconds East, along said East line 637.47 feet to the center line of Hermantown Road; thence South 77 degrees 07 minutes 43 seconds West, along said center line 353.30 feet to the point of beginning.

Said Parcel A contains 297,286 square feet or 6.82 acres.

### LEGAL DESCRIPTION OF PARCEL B

That part of the East Half of the West Half of the East Half of the Southeast Quarter of the Northwest Quarter and that part of the East Half of the East Half of the Southeast Quarter of the Northwest Quarter lying Northerly of Hermantown Road in Section 26, Township 50 North, Range 15 West of the Fourth Principal Meridian, St. Louis County, Minnesota described as follows: Commencing at the West Quarter corner of said Section 26; thence on an assumed bearing of North 89 degrees 36 minutes 33 seconds East, along the South line of the Northwest Quarter of said Section 26 for a distance of 2150.44 feet to the Southwest corner of said East Half of the West Half of the East Half of the Southeast Quarter of the Northwest Quarter; thence continue South 89 degrees 36 minutes 33 seconds East, along the South line of the Northwest Quarter of said Section 26 for a distance of 165.42 feet; thence North 15 degrees 53 minutes 30 seconds West 50.51 feet to the center line of Hermantown Road; thence continue North 15 degrees 53 minutes 30 seconds West 58.85 feet; thence North 08 degrees 18 minutes 34 seconds West 85.39 feet; thence South 88 degrees 07 minutes 57 seconds West 47.27 feet; thence North 01 degrees 52 minutes 03 seconds West 152.80 feet; thence North 48 degrees 19 minutes 03 seconds West 55.80 feet; thence North 00 degrees 07 minutes 12 seconds West 382.96 feet to a line parallel with and distant 565.00 feet South of the North line of the Southeast Quarter of the Northwest Quarter of said Section 26, said point being the point of beginning of the parcel herein described; thence North 89 degrees 31 minutes 43 seconds East, along said parallel line 466.40 feet to the East line of said Southeast Quarter of the Northwest Quarter; thence North 00 degrees 06 minutes 28 seconds West, along said East line 565.01 feet to the North line of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 31 minutes 43 seconds West, along said North line 496.84 feet to the West line of the East Half of the West Half of the East Half of the Southeast Quarter of the Northwest Quarter; thence South 00 degrees 07 minutes 58 seconds East, along said West line 486.65 feet; thence North 89 degrees 52 minutes 48 seconds East 30.21 feet; thence South 00 degrees 07 minutes 12 seconds East 78.17 feet to the point of beginning.

Said Parcel B contains 278,280 square feet or 6.39 acres.

## Parcels

395-0010-07820

395-0010-07840



**CITY COUNCIL MEETING DATE:** October 2, 2023

**TO:** Mayor & City Council

**FROM:** Eric Johnson, Community Development Director

**SUBJECT:** Special Use Permit – Grading and filling within a Natural Environment Shoreland Overlay for construction of a 10,700 square foot building addition

**RESOLUTION:** 2023-142     **ORDINANCE:**                       **OTHER:**

**REQUESTED ACTION**

Council approval of a Special Use Permit (SUP) in order to grade and fill within a Natural Environment Shoreland Area in association with the construction a 10,700 square foot building addition with associated site improvements for Civil Site Group (Titan Machinery) (Applicant). The property is located at 4311 Haines Road and is located in a BLM, Business and Light Manufacturing zoning district.

**BACKGROUND**

The Applicant is proposing a 10,700 square foot building addition. The existing building is used for the storage and rental of construction based equipment as well as parts storage and offices associated with the business. The proposed byulding addition is for additional stoarge space and loading docks for deliveries.

The property is adjacent to Miller Creek with the creek being the properties western boundary. There is a Natural Environment Shoreland Area associated with Miller Creek. The proposed building addition is not within the shoreland area, however the rear gravel storage area is within the shoreland area and the proposed lot improvements require a Special Use Permit.

**SITE INFORMATION:**

|                            |  |
|----------------------------|--|
| <b>Parcel Size:</b>        | 7.17 acres                               |
| <b>Legal Access:</b>       | 4311 Haines Road                         |
| <b>Wetlands:</b>           | Yes, delineated in August 2023           |
| <b>Existing Zoning:</b>    | BLM, Business and Light Manufacturing    |
| <b>Airport Overlay:</b>    | Zone 3 – Height restrictions only        |
| <b>Shoreland Overlay:</b>  | Yes – Natural Environment Shoreland Area |
| <b>Comprehensive Plan:</b> | Commercial                               |

**ZONING ANALYSIS:**

| Zoning District: BLM, Business and Light Manufacturing |                                      |  |
|--|--------------------------------------|--|
| Type   | Required                             | Proposed   |
| Min Lot Area   | None                                 | 7.17 acres   |
| Lot Width  | 100 feet                             | 280 feet along Haines Road ROW                         |
| Front Yard   | 20 feet ROW                          | 40 feet – Haines Road<br>65 feet – West Arrowhead Road |
| Rear Yard  | 20 feet                              | 460 feet   |
| Side Yard  | 20 feet                              | 90 feet  |
| Lot coverage   | 35%                                  | 8.0%   |
| Maximum Building Height                                | 80 feet                              | 29 feet  |
| Parking  | 8 spaces (1 space/employee per shift | 15 spaces  |

A public hearing for this application was held on Tuesday, September 19, 2023. There was one adjoining property owner who expressed concerns about the wetlands and Miller Creek area but was generally supportive of the application. The Planning and Zoning Commission unanimously recommended the application to the City Council for approval.

**Wetlands**

The property had a wetland delineation performed in August 2023. There is an existing wetland located on the western portion of the property. In addition, Miller Creek is located on the west portion of the property and serves as the western boundary of the property. This property falls within a Natural Environment Shoreland Area and will require a Special Use Permit for grading and filling associated with the rear parking/storage area. There are no proposed wetland impacts associated with the project.

**Shoreland Area**

Approximately half of the property is located within a Natural Shoreland Area and is subject to the requirements of the City’s Shoreland Ordinance as it pertains to grading a filling within a shoreland area.

Approximately 10,000 SF will be affected within the shoreland area which is parking surface only. The proposed building is outside of the 150 foot building setback associated with the overlay.

**Special Use Permit**

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

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

The construction of buildings for the purpose of industrial equipment sales, service, storage and repair is a permitted use within the BLM, Business and Light Manufacturing zoning district.

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

The existing development surrounding this site is mixture of commercial/office related businesses. Industrial equipment sales, service, storage and repair are a permitted use within the BLM, Business and Light Manufacturing zoning district.

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

The property is within an area marked for Development of new compatible light industrial with adequate public facilities, preserve wetlands and rural uses. The proposed building addition is consistent with Comprehensive Plan recommendations for commercial areas of the City.

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

The existing development surrounding this site is mixture of commercial/office related businesses. Industrial equipment sales, service, storage and repair are a permitted use within the BLM, Business and Light Manufacturing zoning district.

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

No wetland impacts are allowed/permitted under this approval.

The applicant will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2. Additional details of note include:

- No impervious surface or clearing, grubbing and grading will be allowed within 50 feet of the Ordinary High Water Level of the unnamed tributary.
- The elevation of the lowest floor level shall be at least three feet above the Ordinary High Water Level of Miller Creek.

### **Findings of Fact and Recommendations**

Staff recommends approval of the Special Use Permit based on the findings set forth in the Staff report, subject to the following conditions:

- The approval is for a Special Use Permit for filling and grading in a Natural Environment Shoreland of Miller Creek to construct a 10,700 square foot building addition. The Community Development Director may approve minor variations to structures and filling and grading indicated on the attached preliminary site plan as long as the variations do not result in any wetland impacts.

2. The applicant will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2 including, but not limited to:
  - a. No impervious surface or clearing, grubbing and grading will be allowed within 50 feet of the Ordinary High Water Level of Miller Creek.
  - b. The elevation of the lowest floor level shall be at least three feet above the Ordinary High Water Level of Miller Creek.
  - c. The smallest amount of bare ground is exposed for as short a time as feasible;
  - d. Temporary groundcover, such as mulch, is used, and permanent groundcover, such as sod, is planted;
  - e. Adequate methods to prevent erosion and trap sediment are employed;
  - f. Fill is stabilized to accepted engineering standards;
  - g. Adequate methods are employed to reduce the runoff and/or flow of water on or over the affected shoreland so that the grading, filling or alteration of the natural topography does not contribute to downstream flooding;
  - h. Adequate methods are employed to preserve water quality so that the grading, filling or alteration of the natural topography will not detrimentally affect the quality of the public waters of the City of Hermantown;
  - i. Adequate methods are employed for the preservation or establishment of local vegetation that provides wildlife habitat and screening; and
  - j. Fill used will consist of suitable material free from toxic pollutants in other than trace quantities.
3. The applicant shall sign a consent form assenting to all conditions of this approval.
4. The proposed building addition shall meet all setback requirements for structures in the BLM (Business and Light Manufacturing) Zoning District.
5. The proposed building addition location is depicted on the approved site plan.
6. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

**ATTACHMENTS:**

- Site Location Map
- Proposed Site Plan with Shoreland Area
- Proposed Grading Plan



**Resolution No. 2023-142**

**Resolution Approving A Special Use Permit For Grading And Filling Within A Natural Environment Shoreland Overlay Area**

WHEREAS, Titan Machinery Inc, (“Applicant”), owner of the property at 395-0010-03533 and 395-0010-03535 submitted an application for a Special Use Permit for grading and filling within a Natural Environment Shoreland Overlay Area for the purpose of constructing a 10,700 square foot building addition in a BLM District (the “Project”), with a legal description as follows:

SLY 325 FT OF SE1/4 OF SE1/4 LYING WLY OF E 325 FT & E OF CENTERLINE OF MILLER CREEK AND TO THAT PART OF NLY 620.65 FT OF SLY 945.65 FT LYING E OF CENTERLINE OF MILLER CREEK AND LYING W AND S OF A LINE DESC AS COMM AT SE COR THENCE NLY ALONG E LINE 325 FT THENCE DEFLECT LEFT WLY 89DEG31'43" ON LINE PARALLEL TO S LINE 200.12 FT TO BEG OF LINE THENCE DEFLECT RIGHT NLY 89DEG31'43" ON LINE PARALLEL TO E LINE 104.88 FT THENCE DEFLECT LEFT NWLY 35 FT THENCE DEFLECT DEFLECT LEFT WLY ON LINE PARALLEL TO S LINE 390 FT MORE OR LESS TO CENTERLINE OF MILLER CREEK AND THERE ENDING SECTION 12 RANGE 15 TOWNSHIP 50

Property ID: 395-0010-03533

SOUTH 325 FT OF EAST 325 FT OF SE1/4 OF SE1/4 SECTION 12 RANGE 15 TOWNSHIP 50

Property ID: 395-0010-03535

WHEREAS, The Hermantown Planning and Zoning Commission held a public hearing on the Special Use Permit application at its meeting on September 19, 2023 and recommended approval of the Special Use Permit at such meeting; and

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

**FINDINGS OF FACT**

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

The construction of buildings for the purpose of industrial equipment sales, service, storage and repair is a permitted use within the BLM, Business and Light Manufacturing zoning district.

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

The existing development surrounding this site is mixture of commercial/office related businesses. Industrial equipment sales, service, storage and repair are a permitted use within the BLM, Business and Light Manufacturing zoning district.

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

The property is within an area marked for Development of new compatible light industrial with adequate public facilities, preserve wetlands and rural uses. The proposed building addition is consistent with Comprehensive Plan recommendations for commercial areas of the City.

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

The existing development surrounding this site is mixture of commercial/office related businesses. Industrial equipment sales, service, storage and repair are a permitted use within the BLM, Business and Light Manufacturing zoning district.

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

No wetland impacts are allowed/permitted under this approval.

The applicant will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2. Additional details of note include:

- A. No impervious surface or clearing, grubbing and grading will be allowed within 50 feet of the Ordinary High Water Level of the unnamed tributary.
- B. The elevation of the lowest floor level shall be at least three feet above the Ordinary High Water Level of the unnamed tributary

## **CONCLUSION**

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

1. The approval is for a Special Use Permit for filling and grading in a Natural Environment Shoreland of Miller Creek to construct a 10,700 square foot building addition. The Community Development Director may approve minor variations to structures and filling and grading indicated on the attached preliminary site plan as long as the variations do not result in any wetland impacts.
2. The applicant will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2 including, but not limited to:
  - a. No impervious surface or clearing, grubbing and grading will be allowed within 50 feet of the Ordinary High Water Level of Miller Creek.
  - b. The elevation of the lowest floor level shall be at least three feet above the Ordinary High Water Level of Miller Creek.
  - c. The smallest amount of bare ground is exposed for as short a time as feasible;
  - d. Temporary groundcover, such as mulch, is used, and permanent groundcover, such as sod, is planted;
  - e. Adequate methods to prevent erosion and trap sediment are employed;
  - f. Fill is stabilized to accepted engineering standards;
  - g. Adequate methods are employed to reduce the runoff and/or flow of water on or over the affected shoreland so that the grading, filling or alteration of the natural topography does not contribute to downstream flooding;
  - h. Adequate methods are employed to preserve water quality so that the grading, filling or alteration of the natural topography will not detrimentally affect the quality of the public waters of the City of Hermantown;
  - i. Adequate methods are employed for the preservation or establishment of local vegetation that provides wildlife habitat and screening; and
  - j. Fill used will consist of suitable material free from toxic pollutants in other than trace quantities.
3. The applicant shall sign a consent form assenting to all conditions of this approval.
4. The proposed building addition shall meet all setback requirements for structures in the BLM (Business and Light Manufacturing) Zoning District.
5. The proposed building addition location is depicted on the approved site plan.
6. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

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

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

Councilors \_\_\_\_\_ and Mayor Boucher, aye.

and the following voted in opposition thereto:

None

WHEREUPON, such resolution was declared duly passed and adopted October 2, 2023.

---

## SPECIAL USE PERMIT

**Permission is hereby granted to Titan Machinery Inc, (“Applicant”), owner of the property located at 395-0010-03533 and 395-0010-03535, submitted an application for grading and filling within a Natural Environment Shoreland Overlay Area for the purpose of constructing a 10,700 square foot building addition at 395-0010-03533 and 395-0010-03535 (“Project”), and legally described in Attachment A.**

The permission hereby granted is expressly conditioned as follows:

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

- g. Applicant is initially and continually in compliance with all of the ordinances and regulations of the City of Hermantown Building Code and the Hermantown Fire Code.
- h. All state licenses and other permits required for the Project have been obtained by the Applicant and copies are provided to the City of Hermantown.
- i. That Applicant pay all direct costs incurred by the City of Hermantown in connection with the enforcement and administration of this permit within fifteen (15) days of Applicant being invoiced by the City for such costs.
- j. The approval is for a Special Use Permit for construction of a 10,700 square foot building addition at the applicants property located at 395-0010-03533 and 395-0010-03535.
- k. Prior to issuance of a building permit, the applicant will submit a site plan showing the lot dimensions and location of the two-family residence relative to the side lot lines.
- l. Erosion control measures shall be utilized and remain in place throughout the construction period, and shall not be removed until vegetation is established on the site.
- m. Prior to issuance of a building permit, all necessary permits shall be obtained.
- o. The approval is for a Special Use Permit for filling and grading in a Natural Environment Shoreland area for the purpose of constructing a 10,700 square foot building addition. The Community Development Director may approve minor variations to filling and grading as long as the variations do not result in any wetland impacts.
- p. The City will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2 including, but not limited to:
  - 1. No impervious surface or clearing, grubbing and grading will be allowed within 50 feet of the Ordinary High Water Level of Miller Creek.
  - 2. The elevation of the lowest floor level shall be at least three feet above the Ordinary High Water Level of the Miller Creek.
  - 3. The smallest amount of bare ground is exposed for as short a time as feasible;
  - 4. Temporary groundcover, such as mulch, is used, and permanent groundcover, such as sod, is planted;
  - 5. Adequate methods to prevent erosion and trap sediment are employed;
  - 6. Fill is stabilized to accepted engineering standards;
  - 7. Adequate methods are employed to reduce the runoff and/or flow of water on or over the affected shoreland so that the grading, filling or alteration of the natural topography does not contribute to downstream flooding;
  - 8. Adequate methods are employed to preserve water quality so that the grading, filling or alteration of the natural topography will not detrimentally affect the quality of the public waters of the City of Hermantown;
  - 9. Adequate methods are employed for the preservation or establishment of local vegetation that provides wildlife habitat and screening; and

10. Fill used will consist of suitable material free from toxic pollutants in other than trace quantities.
- q. The applicant shall sign a consent form assenting to all conditions of this approval.
  - r. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.







**ATTACHMENT A**

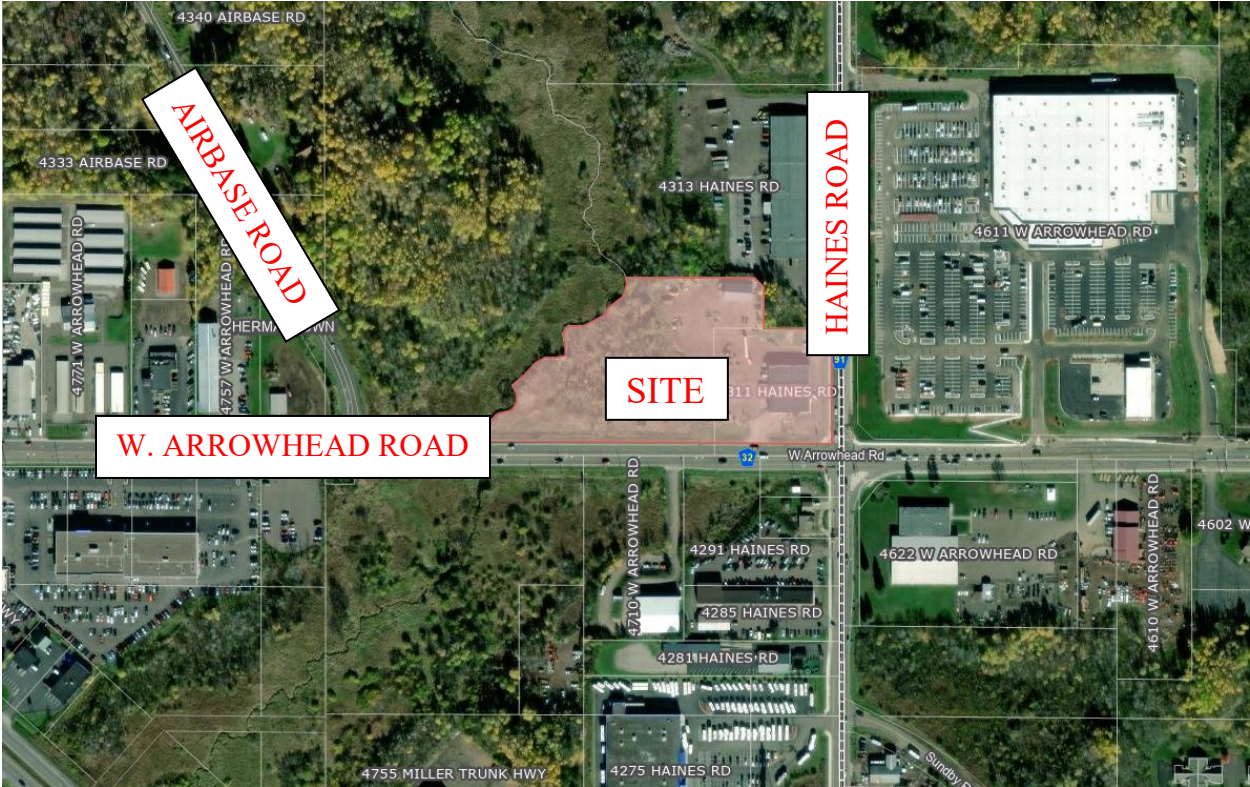
SLY 325 FT OF SE1/4 OF SE1/4 LYING WLY OF E 325 FT & E OF CENTERLINE OF MILLER CREEK AND TO THAT PART OF NLY 620.65 FT OF SLY 945.65 FT LYING E OF CENTERLINE OF MILLER CREEK AND LYING W AND S OF A LINE DESC AS COMM AT SE COR THENCE NLY ALONG E LINE 325 FT THENCE DEFLECT LEFT WLY 89DEG31'43" ON LINE PARALLEL TO S LINE 200.12 FT TO BEG OF LINE THENCE DEFLECT RIGHT NLY 89DEG31'43" ON LINE PARALLEL TO E LINE 104.88 FT THENCE DEFLECT LEFT NWLY 35 FT THENCE DEFLECT DEFLECT LEFT WLY ON LINE PARALLEL TO S LINE 390 FT MORE OR LESS TO CENTERLINE OF MILLER CREEK AND THERE ENDING SECTION 12 RANGE 15 TOWNSHIP 50

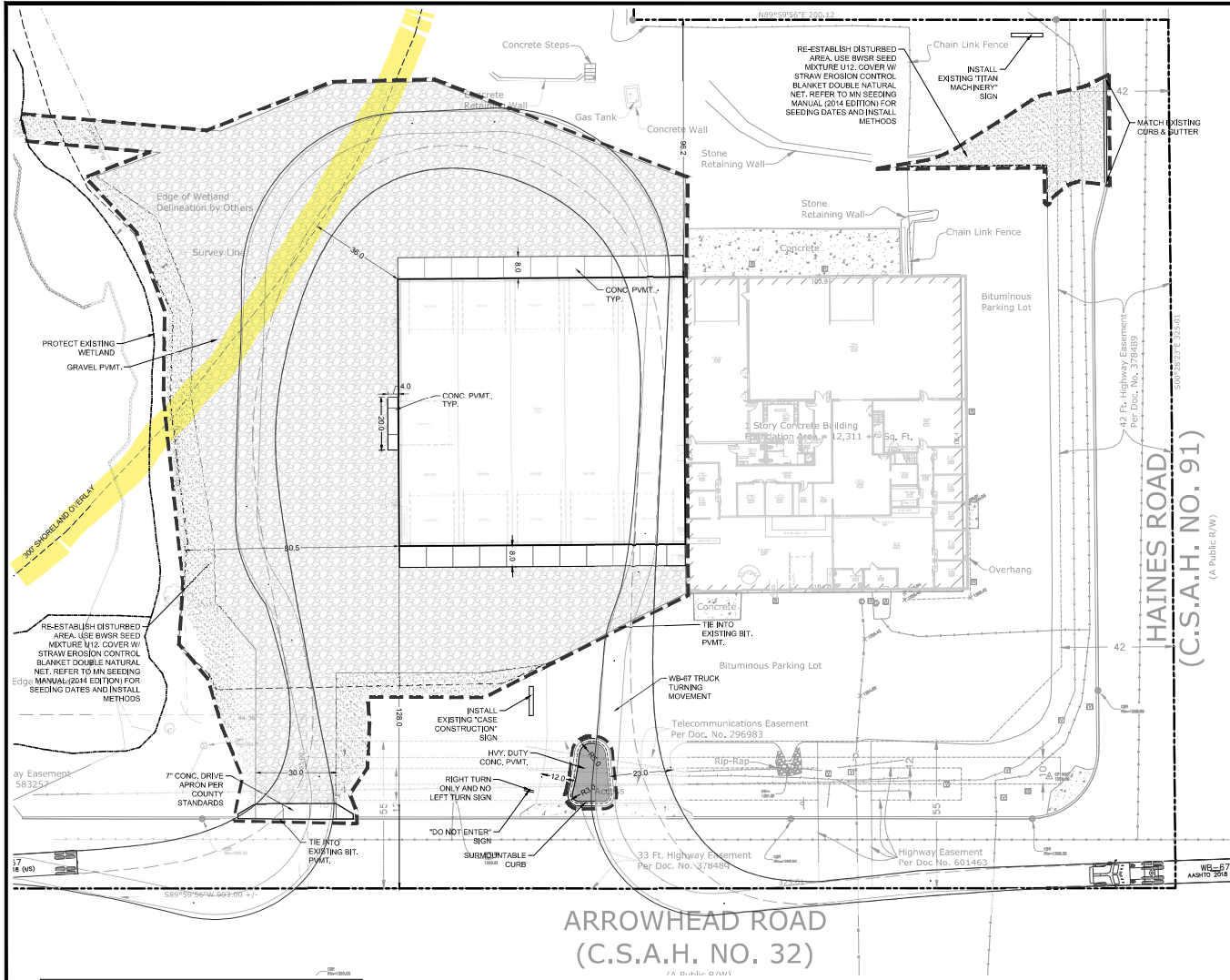
Property ID: 395-0010-03533

SOUTH 325 FT OF EAST 325 FT OF SE1/4 OF SE1/4 SECTION 12 RANGE 15 TOWNSHIP 50

Property ID: 395-0010-03535

Location Map





- ### SITE LAYOUT NOTES:
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "OPPER STATE ONE CALL" (877-462-0022 OR 800-252-1166) FOR UTILITY LOCATIONS. 48 HOURS PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
  - CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITIES, BUILDINGS AND PAVEMENTS. CONTRACTOR IS RESPONSIBLE FOR FINAL LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION, DUE TO LOCAL ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STAKE LAYOUT FOR APPROVAL.
  - THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
  - THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
  - CONTRACTOR SHALL FIELD VERIFY COORDINATES AND LOCATION DIMENSIONS & ELEVATIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
  - LOCATIONS OF STRUCTURES, ROADWAY PAVEMENTS, CURBS AND GUTTERS, BOLLARDS, AND WALKS ARE APPROXIMATE AND SHALL BE STAKED IN THE FIELD, PRIOR TO INSTALLATION, FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT.
  - CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF BUILDING IS TO BUILDING FOUNDATION AND SHALL BE AS SHOWN ON THE DRAWINGS.
  - THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO FABRICATION FOR ALL PRE-FABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: FURNISHINGS, PAVEMENTS, WALLS, BOLLARDS, BENCHES, FLAGPOLES, LANDING PADS FOR CURB RAMPS, AND LIGHT AND POLES. THE OWNER RESERVES THE RIGHT TO REJECT INSTALLED MATERIALS NOT PREVIOUSLY APPROVED.
  - PEDESTRIAN CURB RAMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
  - CROSSWALK STRIPING SHALL BE 24" WIDE WHITE PAINTED LINE, SPACED 48" ON CENTER PERPENDICULAR TO THE FLOW OF TRAFFIC. WIDTH OF CROSSWALK SHALL BE 8' WIDE. ALL OTHER PAVEMENT MARKINGS SHALL BE WHITE IN COLOR UNLESS OTHERWISE NOTED OR REQUIRED BY ADA OR LOCAL GOVERNING BODIES.
  - SEE SITE PLAN FOR CURB AND GUTTER TYPE, TAPER BETWEEN CURB TYPES-SEE DETAIL.
  - ALL CURB RADII ARE MINIMUM 3' UNLESS OTHERWISE NOTED.
  - CONTRACTOR SHALL REFER TO FINAL PLAT FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE IMPROVEMENTS.
  - FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
  - PARKING IS TO BE SET PARALLEL OR PERPENDICULAR TO EXISTING BUILDING UNLESS NOTED OTHERWISE.
  - ALL PARKING LOT PAINT STRIPING TO BE WHITE, 4" WIDE TYP.
  - BITUMINOUS PAVING TO BE "LIGHT DUTY" UNLESS OTHERWISE NOTED. SEE DETAIL SHEETS FOR PAVEMENT SECTIONS.
  - ALL TREES THAT ARE TO REMAIN ARE TO BE PROTECTED FROM DAMAGE WITH A CONSTRUCTION FENCE AT THE DRIP LINE. SEE LANDSCAPE DOCUMENTS.
  - CONTRACTOR IS RESPONSIBLE TO INSTALL ANY SIDEWALK AND CURBING PER DESIGN PLAN. CONTRACTOR TO VERIFY ALL CURBS AND SIDEWALKS WILL DRAIN PROPERLY IN FIELD CONDITIONS. CONTRACTOR MUST CONTACT THE CITY ENGINEER 24 HOURS PRIOR TO ANY CURB AND/OR SIDEWALK INSTALLATION TO REVIEW AND INSPECT CURB STAKES. CONTRACTOR IS RESPONSIBLE FOR ANY CURB OR SIDEWALK REPLACEMENT IF THIS PROCEDURE IS NOT FOLLOWED.



PRELIMINARY:  
NOT FOR  
CONSTRUCTION

**TITAN MACHINERY**  
4311 HAINES RD. HERMANTOWN, MN 55811  
**TITAN MACHINERY INC**  
www.titanmachinery.com | 612-415-6400

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
*Paul J. Kunkle*  
Drawn & Proposed:  
DATE: 08/30/23 LICENSE NO. 48776

| ISSUE/SUBMITTAL SUMMARY |             |
|-------------------------|-------------|
| DATE                    | DESCRIPTION |
|                         |             |
|                         |             |
|                         |             |
|                         |             |
| REVISION SUMMARY        |             |
| DATE                    | DESCRIPTION |
|                         |             |
|                         |             |

- ### SITE PLAN LEGEND:
- SEED MIXTURE U12 (BWSR CONSTRUCTION DISTURBED AREA)
  - 24" COMPACTED GRAVEL / MNDOT CLASS 5 AGGREGATE SURFACING. SEE GEOTECHNICAL REPORT
  - CONCRETE PAVEMENT (IF APPLICABLE) AS SPECIFIED (PAD OR WALK) SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & CONCRETE DEPTHS, WITHIN ROW SEE CITY DETAIL, WITHIN PRIVATE PROPERTY SEE CS&D DETAIL
  - HEAVY DUTY CONCRETE PAVEMENT (IF APPLICABLE). SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & CONCRETE DEPTH. SEE DETAIL.
  - PROPERTY LINE
  - CONSTRUCTION LIMITS
  - CURB AND GUTTER-SEE NOTES (T.O.) TIP OUT GUTTER WHERE APPLICABLE-SEE PLAN
  - SIGN AND POST ASSEMBLY. SHOP DRAWINGS REQUIRED  
MC = ACCESSIBLE SIGN  
NP = NO PARKING FIRE LANE  
ST = STOP  
CP = COMPACT CAR PARKING ONLY  
WETLAND BOUNDARY

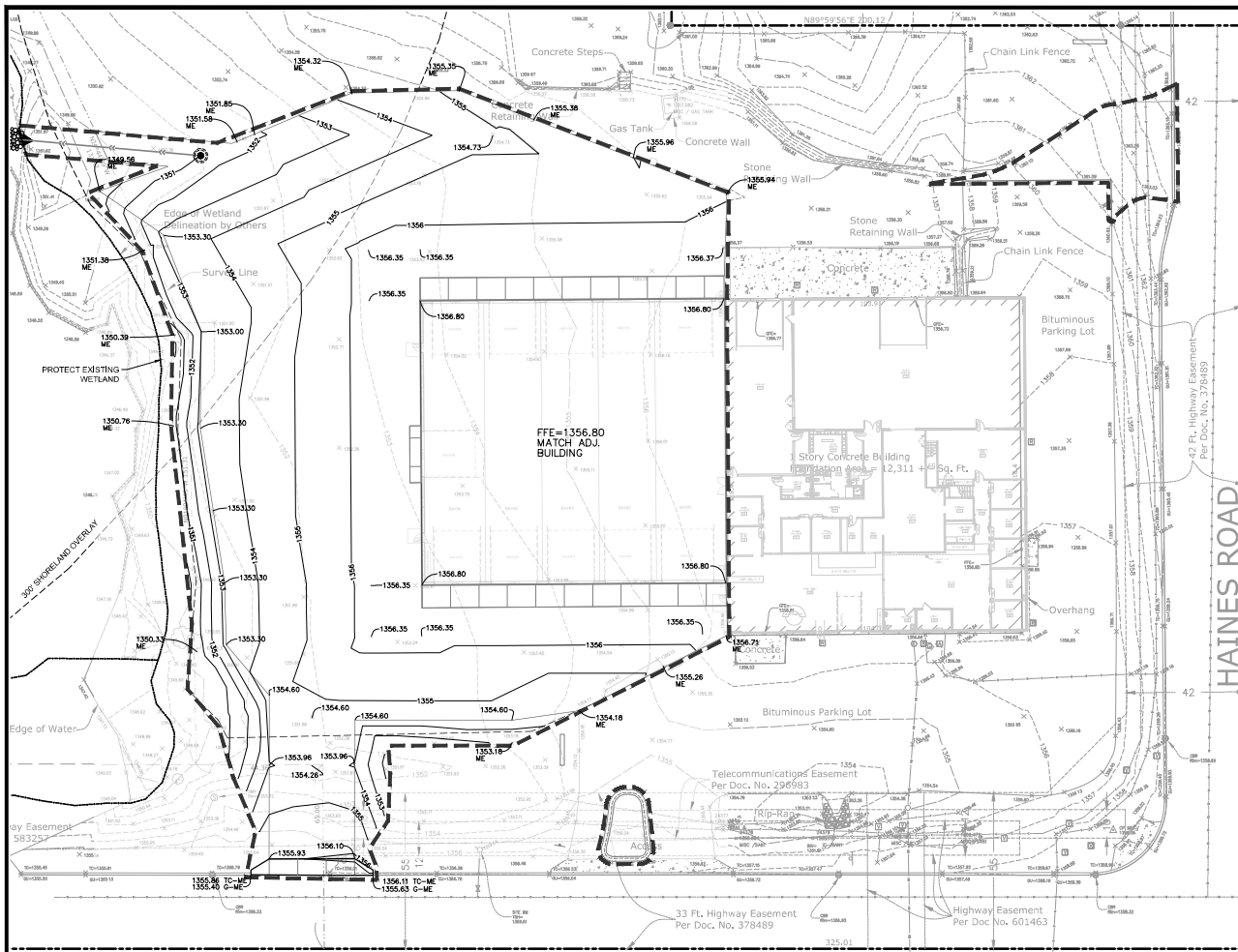
**CITY OF HERMANTOWN SITE SPECIFIC NOTES:**  
1. RESERVED FOR CITY SPECIFIC SITE NOTES.

**OWNER INFORMATION**  
TITAN MACHINERY INC  
844 E BOSTON DR  
WEST FARGO, ND 58776  
800-7-THIBERT  
701-281-4237  
MCH-TIBERT@TITANMACHINERY.COM

| SITE AREA CALCULATIONS    | EXISTING CONDITION            | PROPOSED CONDITION       |
|---------------------------|-------------------------------|--------------------------|
| IMPERVIOUS SURFACES       | 15,211 SF 4.9%                | 25,322 SF 8.3%           |
| BUILDING COVERAGE         | 102,907 SF 32.8%              | 89,543 SF 28.7%          |
| PAVEMENT                  | 117,718 SF 37.7% 2.7 AC       | 115,465 SF 37.0% 2.7 AC  |
| PERVIOUS SURFACES         | TOTAL 194,607 SF 62.3% 4.5 AC | 196,860 SF 63.0% 4.5 AC  |
| TOTAL SITE AREA           | 312,325 SF 100.0% 7.2 AC      | 312,325 SF 100.0% 7.2 AC |
| DIFFERENCE (EX. VS PROP.) | -2,253 SF -0.7%               |                          |
| DISTURBED AREA            | 46,284 SF 1.1 AC              |                          |

1" = 20'-0"  
10'-0" 0 20'-0"

C2.0



**ARROWHEAD ROAD  
(C.S.A.H. NO. 32)**  
(A Public Right of Way)

**HAINES ROAD  
(C.S.A.H. NO. 91)**  
(A Public Right of Way)

**GENERAL GRADING NOTES:**

- CONTRACTOR SHALL VERIFY ALL BUILDING ELEVATIONS, (FEE, LIFE, GFE), PRIOR TO CONSTRUCTION BY CROSS CHECKING WITH ARCHITECTURAL, STRUCTURAL AND C&M ELEVATIONS FOR EQUIVALENT "100" ELEVATIONS. THIS MUST BE DONE PRIOR TO EXCAVATION AND INSTALLATION OF ANY FOOTING MATERIALS. VERIFICATION OF THIS COORDINATION SHALL BE CONFIRMED IN WRITING BY CIVIL, SURVEYOR, ARCHITECTURAL, STRUCTURAL AND CONTRACTOR PRIOR TO CONSTRUCTION.
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "90"PER STATE ONE CALL" (651-454-0002 OR 800-552-1569) FOR UTILITY LOCATIONS. 48 HOURS PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
- THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
- ANY ELEMENTS OF AN EARTH RETENTION SYSTEM AND RELATED EXCAVATIONS THAT FALL WITHIN THE PUBLIC RIGHT OF WAY WILL REQUIRE A "RIGHT OF WAY EXCAVATION PERMIT". CONTRACTOR IS RESPONSIBLE FOR ACQUIRING THIS PERMIT PRIOR TO CONSTRUCTION IF APPLICABLE.
- ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "90"PER STATE ONE CALL" (651-454-0002 OR 800-552-1569) FOR UTILITY LOCATIONS. 48 HOURS PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
- GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
- PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
- GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
- PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 1:1.
- PROPOSED RETAINING WALLS, FREESTANDING WALLS, OR COMBINATION OF WALL TYPES GREATER THAN 4' IN HEIGHT SHALL BE DESIGNED AND ENGINEERED BY A REGISTERED RETAINING WALL ENGINEER. DESIGN DRAWINGS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF GRADE STAKES THROUGHOUT THE DURATION OF CONSTRUCTION TO ESTABLISH PROPER GRADES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR A FINAL FIELD CHECK OF FINISHED GRADES ACCEPTABLE TO THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO TOPSOIL AND SODDING ACTIVITIES.
- IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
- EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILED IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED, EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROWWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. REGRADE TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
- FINISHED GRADING SHALL BE COMPLETED. THE CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING, INCLUDING ADJACENT TRANSITION AREAS. PROVIDE A SMOOTH FINISHED SURFACE WITHIN SPECIFIED TOLERANCES, WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES. AREAS THAT HAVE BEEN FINISH GRADED SHALL BE PROTECTED FROM SUBSEQUENT CONSTRUCTION OPERATIONS, TRAFFIC AND EROSION. REPAIR ALL AREAS THAT HAVE BEEN RUINED BY TRAFFIC OR ERODED BY WATER OR HAS SETTLED BELOW THE CORRECT GRADE. ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO EQUAL OR BETTER THAN ORIGINAL CONDITION OR TO THE REQUIREMENTS OF THE NEW WORK.
- PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK WITH A GROSS WEIGHT OF 25 TONS. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL DETERMINE WHICH SECTIONS OF THE STREET OR PARKING AREA ARE UNSTABLE. CORRECTION OF THE SUBGRADE SOILS SHALL BE COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOILS ENGINEER. NO TEST ROLL SHALL OCCUR WITHIN 10' OF ANY UNDERGROUND STORM RETENTION/RETENTION SYSTEMS.
- TOLERANCES
- THE BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.30 FOOT ABOVE, OR 0.30 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE.
- THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.05 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE.
- AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER.
- TOPSOIL SHALL BE GRADED TO PLUS OR MINUS 1/2 INCH OF THE SPECIFIED THICKNESS.
- MAINTENANCE
- THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS.
- CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS TO SPECIFIED TOLERANCES, DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD. ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEEDED AND MULCHED.
- WHERE COMPLETED COMPACTED AREAS ARE DISTURBED BY SUBSEQUENT CONSTRUCTION OPERATIONS OR ADVERSE WEATHER, CONTRACTOR SHALL SCARIFY, SURFACE, RESHAPE, AND COMPACT TO REQUIRED DENSITY PRIOR TO FURTHER CONSTRUCTION.



**PRELIMINARY:  
NOT FOR  
CONSTRUCTION**

**TITAN MACHINERY**  
4311 HAINES RD. HERMANTOWN, MN 55611

**TITAN MACHINERY INC**  
(see schedule of items for more info)

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Paul J. Knudt*  
Date: 08/30/23 License No. 48776

| ISSUE/SUBMITTAL SUMMARY |             |
|-------------------------|-------------|
| DATE                    | DESCRIPTION |
|                         |             |
|                         |             |
|                         |             |
| REVISION SUMMARY        |             |
| DATE                    | DESCRIPTION |
|                         |             |
|                         |             |

**CITY OF HERMANTOWN GRADING NOTES:**  
1. RESERVED FOR CITY SPECIFIC GRADING NOTES.

**EROSION CONTROL NOTES:**  
SEE SWPPP ON SHEETS SW1.0 - SW1.5

| GROUNDWATER ELEVATION PER BORING |                        |
|----------------------------------|------------------------|
| BORING                           | GROUND WATER ELEVATION |
| SB-01                            | NA                     |
| SB-02                            | NA                     |
| SB-03                            | 1342.40                |
| SB-04                            | 1337.10                |
| SB-05                            | NA                     |
| SB-07                            | 1344.00                |
| SB-08                            | NA                     |

PER DRAFT BORING LOGS COMPLETED BY AMERICAN ENGINEERING TESTING ON 08/14/2023.

**GRADING PLAN LEGEND:**

- EX. 1' CONTOUR ELEVATION INTERVAL
- 1/2' CONTOUR ELEVATION INTERVAL
- SPOT GRADE ELEVATION (GUTTER FLOW LINE UNLESS OTHERWISE NOTED)
- SPOT GRADE ELEVATION GUTTER
- SPOT GRADE ELEVATION TOP OF CURB
- SPOT GRADE ELEVATION BOTTOM OF STAIRS/TOP OF STAIRS
- SPOT GRADE ELEVATION MATCH EXISTING
- GRADE BREAK - HIGH POINTS
- CURB AND GUTTER (T.O = TIP OUT)
- EMERGENCY OVRFLOW
- CONSTRUCTION LIMITS



**GRADING PLAN**

**C3.0**



**CITY COUNCIL MEETING DATE:** October 2<sup>nd</sup>, 2023

**TO:** Mayor & City Council

**FROM:** John Mulder, City Administrator

**SUBJECT:** Memorandums of Understanding - Recruitment & Retention Incentive Pay

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**RESOLUTION:** 2023-143       **ORDINANCE:**                       **OTHER:**

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**REQUESTED ACTION**

Approve Memorandums of Understanding regarding recruitment and retention incentives for City employees

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**BACKGROUND**

Following the discussion with the City Council in closed session, the attached memorandum of understanding was presented to the International Union of Operating Engineers Local 49 representing employees of the Public Works Department and AFSCME Local 66 representing the administrative professional employees of the City. This is very similar to the MOU with the Law Enforcement Labor Services which was approved previously. Both Unions have approved and signed off on the agreement.

This MOU would also apply to the City’s management employees.

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**SOURCE OF FUNDS (if applicable)**

Funding: American Rescue Plan Funds

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**ATTACHMENTS**

Memorandums of Understanding

**Resolution No. 2023-143**

**Resolution Approving Memorandums Of Understanding (MOU's) And Authorizing And Directing Mayor And City Clerk To Execute And Deliver MOU's With International Union of Operating Engineers Local 49 And AFSCME Local 66**

WHEREAS, the City of Hermantown faces challenges to recruit and retain quality employees; and

WHEREAS, retaining and recruiting quality employees is so critical to public service, the Hermantown City Council has approved these expenditures as serving a public purpose and providing a benefit to the community at large.

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

1. The City Council approves the Memorandum of Understanding for Recruitment and Retention Incentives with the International Union of Operating Engineers Local # 49 dated September 25, 2023 as attached as Exhibit A and authorizes the Mayor and City Clerk to Execute and Deliver Memorandum of Understanding for Recruitment and Retention Incentives.
2. The City Council approves the Memorandum of Understanding for Recruitment and Retention Incentives with AFSCME Local 66 dated September 25, 2023 as attached as Exhibit B and authorizes the Mayor and City Clerk to Execute and Deliver Memorandum of Understanding for Recruitment and Retention Incentives.

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 Mayor Boucher, aye.

and the following voted in opposition thereto:

None.

WHEREUPON, such resolution was declared duly passed and adopted October 2, 2023.

**EXHIBIT A**



## **EXHIBIT B**

**RECRUITMENT AND RETENTION INCENTIVES**  
**Memorandum of Understanding**  
**Between City of Hermantown**  
**And**  
**City Management Employees**  
**AFSCME Local 66 City of Hermantown Employees**  
**International Union Of Operating Engineers — Local # 49 City of Hermantown Employees**

September 25, 2023

**Background**

The City of Hermantown faces challenges to recruit and retain quality employees. While these challenges are not unique to Hermantown, in an effort to address these issues, the City of Hermantown ("City") has agreed to the following one-time incentive program.

Because retaining quality employees is so critical to public service, the Hermantown City Council has approved these expenditures as serving a public purpose and providing a benefit to the community at large.

**Timeframe**

All incentives described below are effective October 1, 2023 through November 29, 2024. This *Memorandum of Understanding (MOU)* will not be used as evidence of any past practice or precedent with respect to future benefits or retention incentive pay to Members. This MOU provides no guarantees that the City will agree to similar incentives after the expiration of this MOU.

**Retention Incentive Payments**

For purposes of this section, the term "worked" includes time spent on approved vacation, sick, or compensatory leave, or an absence related to an approved worker's compensation claim. Compensatory hours cashed-out shall not count towards shifts "worked". These payments will only be made to full- and part-time (excluding seasonal and interns) employees who are not previously covered under a recruitment and retention incentive agreement/plan of the City

1. On January 12, 2024, the City will issue an Incentive Payment in the amount of \$6,000 (less applicable taxes) to all full- or part-time employees (excluding seasonal and interns) who:
  - are in active payroll status (not unpaid leave status) on November 26, 2023;
  - have not been subject to discipline that results in termination or suspension between November 26, 2022, and November 26, 2023.
  - Employees who are part-time shall receive a pro-rated share based on the number of hours paid in the previous 12 months
  - For Employees who have not yet worked six months, the payment will be made on the first pay period following six months of successful employment.
  
2. On November 29, 2024, the City will issue a second Incentive Payment in the amount of \$4,000 (less applicable taxes) to all to all full- or part-time employees (excluding seasonal and interns):
  - are in active payroll status (not unpaid leave status) on November 24, 2024;
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  -

**Recruitment Incentive Payments**

3. The City will issue an Incentive Payment in the amount of \$6,000 (less applicable taxes) to all newly hired full or part time employees (excluding seasonal and interns) who:
  - Successfully complete the probationary period. This payment will be made on the pay period following completion of the probationary period.
4. The City will issue a second Incentive Payment in the amount of \$4,000 (less applicable taxes) to all newly hired employees (excluding seasonal and interns) who:
  - Successfully complete an additional 3 months of employment. This payment will be made on the pay period following completion of the additional three months of employment.

If the employee resigns or is released from employment prior to any of the dates for payments, the employee shall not receive any Incentive Payments due after the employee's resignation or termination date.

Employees on a leave of absence, whether paid or unpaid, are eligible for an Incentive Payment upon return to work provided they meet all the requirements in paragraphs 1 through 2.

Employees are only eligible for a recruitment or retention incentive under the terms of this agreement, not both.

The City reserves the right to cancel the recruitment incentive payments at any time.

All incentive payment amounts must be re-paid in full to the City in the event an employee's employment ends, voluntarily or involuntarily, within one (1) year of the date of payment.

Dated this \_\_\_\_\_ of September, 2023

**City of Hermantown**

\_\_\_\_\_  
Wayne Boucher, Mayor

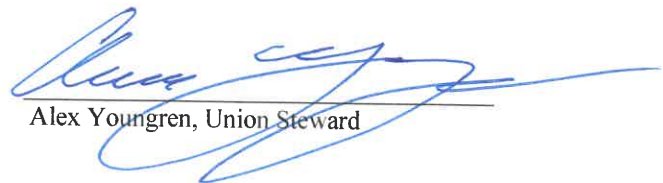
**IUOE Local 49**

  
\_\_\_\_\_  
Daniel Manick, Business Agent

**City of Hermantown**

\_\_\_\_\_  
Alissa Wentzlaff, City Clerk

**IUOE Local 49**

  
\_\_\_\_\_  
Alex Youngren, Union Steward

**RECRUITMENT AND RETENTION INCENTIVES**  
**Memorandum of Understanding**  
**Between City of Hermantown**  
**And**  
**City Management Employees**  
**AFSCME Local 66 City of Hermantown Employees**  
**International Union Of Operating Engineers — Local # 49 City of Hermantown Employees**

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**City of Hermantown**

\_\_\_\_\_  
Wayne Boucher, Mayor

**IUOE Local 49**

  
\_\_\_\_\_  
Daniel Manick, Business Agent

**City of Hermantown**

\_\_\_\_\_  
Alissa Wentzlaff, City Clerk

**IUOE Local 49**

  
\_\_\_\_\_  
Alex Youngren, Union Steward

**RECRUITMENT AND RETENTION INCENTIVES**  
**Memorandum of Understanding**  
**Between City of Hermantown**  
**And**  
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  -

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The City reserves the right to cancel the recruitment incentive payments at any time.

All incentive payment amounts must be re-paid in full to the City in the event an employee's employment ends, voluntarily or involuntarily, within one (1) year of the date of payment.

Dated this \_\_\_\_\_ of September, 2023

**City of Hermantown**

\_\_\_\_\_  
Wayne Boucher, Mayor

**IUOE Local 49**

  
Daniel Manick, Business Agent

**City of Hermantown**

\_\_\_\_\_  
Alissa Wentzlaff, City Clerk

**IUOE Local 49**

  
Alex Youngren, Union Steward



**CITY COUNCIL MEETING DATE:** October 2<sup>nd</sup>, 2023

**TO:** Mayor & City Council

**FROM:** John Mulder, City Administrator

**SUBJECT:** Award Contract – City Hall Attic Repairs

**RESOLUTION:** 2023-144       **ORDINANCE:**                       **OTHER:**

**REQUESTED ACTION**

Award contract to Benson Electric in the amount of \$88,000 to install electric heat tape to the City Governmental Services Building

**BACKGROUND**

The Governmental Services Building has three issues, poor ventilation, heat loss and ice dams. Some of the ice dams are caused by snow drifting and build up within valleys or against walls and roof edges. The original project consisted of combining these with repairs within the attic’s interior and heat tape on the roof to one bid.

Obtaining proposals for this project has proven difficult. Bids were initially due on Thursday September 21<sup>st</sup>, but no bids were received. The deadline was then extended to Tuesday September 26. A number of factors have gone into these difficulties – weather, timing/ scheduling and product availability. Ultimately, we have received 2 proposals for the heat tape/ exterior portion of this project.

Since we were not able to receive bids for the interior work, at least receiving heat tape bids is a good start to the overall plan. The heat tape is installed by a separate contractor that doesn’t interfere with the overall scope

Benson Electric and Stack brothers have provided the attached bids for this scope of work.

|                 |           |
|-----------------|-----------|
| Benson Electric | \$88,000  |
| Stack Brothers  | \$109,050 |

The proposal from Benson appears acceptable and is also able to be completed this late fall prior to cold weather conditions. Braun recommends proceeding with the installation of the heat tape this fall as soon as the contractor can.

**SOURCE OF FUNDS (if applicable)**

409-419900-319



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**ATTACHMENTS**

Quote from Benson Electric

Construction Contract

**Resolution No. 2023-144**

**Resolution Receiving Bids And Approving Award Of Contract To Benson Electric Company For The Construction And Installation Of The Administration Building Roof Heat Trace In An Amount Not To Exceed \$88,000.00**

WHEREAS, the City of Hermantown (“City”) desires to have the roof and attic repaired in the building located at 5105 Maple Grove Road, commonly known as the Governmental Services Building, in Hermantown, Minnesota (“Project”); and

WHEREAS, Benson Electric Company (“Proposer”) submitted a proposal (“Proposal”) attached hereto as Exhibit A to perform the construction and installation of the roof heat trace in connection with the Project to City; and

WHEREAS, Braun Intertec Corporation (“Engineer”) and City reviewed the Proposal to confirm accuracy; and

WHEREAS, Engineer and City found the Proposal to be technically responsive to the specifications; and

WHEREAS, Engineer also investigated the experience, past record of performance and capacity of Proposer to perform the work contracted to be performed within the stated time period; and

WHEREAS, on the basis of such review, Engineer and City staff have recommended that Proposer be awarded the contract for Project; and

WHEREAS, City desires to enter into a Construction Contract (“Contract”) as shown on Exhibit B attached hereto in which Proposer provides the services described in the Proposal to City pursuant to these terms of the Contract and the Proposal; and

WHEREAS, after fully considering this matter, the City Council believes that it is in the best interests of the City of Hermantown to award the Contract for such improvement to Proposer and authorize and direct the Mayor and City Clerk to execute and deliver it on behalf of the City of Hermantown; and

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

1. The Proposal attached hereto as Exhibit A is hereby approved.

2. The form of Contract for the Project is attached hereto as Exhibit B, and the Mayor and City Clerk are hereby authorized to execute and deliver the Contract to Proposer for execution by it as soon as possible.

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 Mayor Boucher, aye.

and the following voted in opposition thereto:

None.

WHEREUPON, such resolution was declared duly passed and adopted on October 2, 2023.

**EXHIBIT A**



**BENSON ELECTRIC COMPANY**

1102 North Third Street Superior, WI 54880 Phone 715.394.5547



COMMERCIAL-RESIDENTIAL-INDUSTRIAL-SOLAR-DATA & FIBER

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Proposal From the Desk of Brian Kregness

9/25/2023

TO: City of Hermantown Attn: Adam Schminski

RE: Administration Building Roof Heat Trace at 5105 Maple Grove Rd, Hermantown MN

[aschminski@hermantownmn.com](mailto:aschminski@hermantownmn.com)

218-729-3600

We offer the following scope of work:

- \* Supply and install roughly 2500' of Raychem ICESTOP self-regulating de-icing cable in the locations specified on the drawings we were provided
- \* Near the existing electrical panel LP3 we will supply and install (9) 3-pole contactors and near the existing electrical panel D we will supply and install (4) 3-pole contactors both sets controlled by separate temperature sensors
- \* We include lift rental for the ease of accessing the steep valleys and to cut down on foot traffic on the newly shingled roof
- \* All new wiring will be protected by GFCI circuit breakers and done in EMT conduit using copper wiring in the attic spaces and soffits if needed
- \* Our supplier has assured me that he currently has good stock on all of the de-icing material needed but coming in to the winter months he can't promise anything

|            |    |           |
|------------|----|-----------|
| Labor:     | \$ | 35,000.00 |
| Materials: | \$ | 53,000.00 |
| Total:     | \$ | 88,000.00 |

**NOTES:**

Work is assumed to be during normal business hours, overtime is not included.

Permit and taxes, if required, are included

50% down payment required at the time of acceptance(a 3% fee will be added for credit card payments)

Utility fees, if any, are not included

Quote is valid for 30 days, we reserve the right to re-evaluate at the time of acceptance due to market fluctuations

If you have any questions or concerns, please do not hesitate to call.

Acceptance of Proposal

Date:

---

**EXHIBIT B**

## CONSTRUCTION CONTRACT

THIS CONSTRUCTION CONTRACT (“Construction Contract”) is dated the \_\_\_\_ day of October, 2023, by and between City of **Hermantown**, a Minnesota statutory city, (“City”), and **Benson Electric Company**, a Wisconsin corporation (“Contractor”).

WITNESSETH:

WHEREAS, City desires to have the roof and attic repaired in the building located at 5105 Maple Grove Road, commonly known as the Governmental Services Building, in Hermantown, Minnesota (“Project”) and such Project is more particularly described in Plans, Specifications and Drawings (“Plans”) prepared by Braun Intertec Corporation (“Engineer”); and

WHEREAS, Contractor desires to construct and install the roof heat trace in connection with such Project and perform the related work in accordance with its proposal (“Proposal”) made on September 25, 2023.

NOW, THEREFORE, City and Contractor, for the consideration hereinafter set forth, agree as follows:

### ARTICLE I SCOPE OF CONTRACT

1.1 The Contract. The Contract between the parties consists of this Construction Contract, and the items more specifically described on Exhibit A attached hereto all of which documents have been executed or approved in writing by both parties and are hereafter collectively called the “Contract Documents.” The provisions of this Construction Contract take precedence over any inconsistent provision in any of the other Contract Documents. This Contract constitutes the entire agreement between the parties and any previously existing contract concerning the work contemplated by the Contract Documents or otherwise is hereby revoked.

1.2 Work to be Performed. Contractor shall construct the Project in accordance with the Contract Documents (“Work”).

1.3 Identity of Engineer. The Plans have been prepared by Engineer. The Inspecting Engineer for the administration of the Construction Documents is the Engineer.

1.4 Master Drawings and Specifications. A master set of the Plans initialed by the parties hereto and by the Engineer have been placed on file with City Clerk of City, and such master set, as amended from time to time pursuant to Section 1.5 hereof, shall govern in all matters which arise with respect to the Plans.

1.5 Changes in Contract Documents. All changes in the Plans or any terms of the Contract Documents, or orders for extra work or changes by altering or adding to the Work must be approved by City and placed on file with City. Any changes in the Plans or orders for extra work, or changes by altering or adding to or eliminating any of such Work which will result in any

net construction cost increase or decrease, or will change the Project design concept, may be affected only with the prior approval of City. For purposes of this Section 1.5, the net construction cost for any such changes shall include costs and expenses of labor, materials for construction, equipment and fixtures, field engineering, sales taxes, workers' compensation insurance, social security taxes, general liability insurance and other necessary approvals, job overhead and all other expenses directly connected with the construction of such changes, but excluding kickbacks, rebates, discounts, penalties or fines received or receivable, or paid or payable, in connection with such changes, and excluding any return on or cost of Contractor's working capital. No changes, additions or alterations may be made to this Construction Contract without the prior written approval of City. No compensation will be paid to Contractor for any change in the Contract Documents unless such change is approved prior to such change being made by City.

## **ARTICLE II TIME**

2.1 Commencement of the Work and Substantial Completion. The Work shall be completed in accordance with the Contract Documents to the satisfaction of the Engineer and City within the periods set forth in the Contract Documents ("Required Completion Date"). The date by which the Work shall be completed may be extended by Change Order only with the prior approval of City. The Required Completion Date, as used herein, shall be the date that the Engineer and City determine in writing that the Work has been completed to City's satisfaction and as required by the Plans.

2.2 Guarantee, Special Guarantees, Assignment of Warranties and Latent Defect Guarantee. Contractor hereby agrees to correct any defects due to faulty materials or workmanship which exist within one (1) year from the Date of Completion at no expense to City. Notwithstanding anything contained herein to the contrary, Contractor makes the following additional special guarantees, and agrees to correct any defects in materials or workmanship in connection with the Project and Contractor shall assign to City all warranties received by Contractor on items incorporated in the Project, provided, however, that such assignment shall not release Contractor from the warranties and guarantees contained in this Section 2.2.

2.3 Responsibility for Heat, Utilities and Insurance. Contractor agrees to supply all heat, gas, electrical water and sewer services to the Project necessary to complete the Work in accordance with the Contract Documents, and to keep in effect from the inception of construction or such other time as City may require, the insurance required by Article VI of this Construction Contract.

2.4 Time of Completion of Work. The Work shall have been deemed to have been completed as of the date of the final inspection or reinspection, if, upon such inspection or reinspection, City and Engineer find in writing that the Work is completed to City's and Engineer's satisfaction, and as required by the Plans and that no further portion of the Work remains to be done at the site. It is specifically agreed that completion shall be deemed to have occurred, if, in City's and Engineer's opinions, all portions of the Work have been completed on the site to City's and Engineer's satisfaction and as required by the Plans.

### ARTICLE III CONTRACT SUM AND PAYMENTS

3.1 Total Contract Sum. Subject to the provisions of Contract Documents, City shall pay to Contractor, for the performance of the Work hereunder, a total contract sum of Eighty-eight Thousand and No/100 Dollars (\$88,000.00) (“Total Contract Sum”). Such total contract sum shall be increased or decreased by City only as provided in Section 1.5 hereof and otherwise as provided in the Contract Documents.

3.2 Application for Payment for Work. Not to exceed once each month after the commencement of the Work, Contractor shall make, on days to be reasonably designated by City, a monthly request to City for payment for Work done during the preceding month. This request will be prepared initially by the Engineer and approved by Contractor before being submitted to City. Upon written approval of City and the Engineer and compliance with the Contract Documents, Contractor shall be entitled to payment thereon in an amount equal to (a) the total value of classes of the Work acceptably completed, plus (b) the value of materials and equipment not incorporated in the Work, but delivered and suitably stored in a manner acceptable to City, less five percent ( 5%) thereof and less prior payments. Notwithstanding the above, no advances for materials stored on or off the site will be made unless Contractor shall have notified City of its intention to so store materials and shall have secured City’s permission to do so prior to the delivery of such materials. Contractor agrees that no materials or equipment required by the Plans will be purchased under a conditional sales contract or with the use of any security agreement or other vendor’s title or lien retention instrument. Contractor acknowledges and agrees that no payment will be made unless approved by City at a regular meeting thereof and that a request for payment must be made at least two weeks in advance of a regular meeting in order for it to be considered at such meeting. If payment is approved at such meeting, City will pay the amount approved to Contractor within 15 business days of such approval.

3.3 Retainage. For the purposes of this section, “substantial completion” shall mean the date when construction is sufficiently completed so that City can occupy or use the improvement for the intended purpose, consistent with Minn. Stat. §541.051, subd. 1(a).

3.3.1 Retainage Release Date. Retainage must be released no later than 60 days after substantial completion of the Work, subject to the terms of this Section 3.3. If City reduces the amount of retainage, Contractor must reduce retained for any subcontractors at the same rate.

3.3.2 Contractor must pay all remaining retainage to its subcontractors no later than ten (10) days after receiving payment of retainage from City, unless there is a dispute about the work under a subcontract. If there is a dispute about the work under a subcontract, Contractor must pay out retainage to any subcontractor whose work is not involved in the dispute and must provide a written statement detailing the amount and reason for the withholding to the affected subcontractor.



3.3.3 Upon written request of a subcontractor, City shall notify the subcontractor of a progress payment, retainage payment or final payment made to Contractor.

3.4 Allowable Withholdings. Payments may be withheld or reduced by City, if in City's determination, the work is not proceeding in accordance with the Contract Documents.

3.4.1 After substantial completion, allowable withholdings are (1) 250% of the cost to correct or complete work known at the time of substantial completion, and (2) the greater of Five Hundred and No/100 Dollars (\$500.00) or one percent (1%) of the Total Contract Sum for "final paperwork." "Final paperwork" is defined as documents required to fulfill contractual obligations including, but not limited to, operation manuals, payroll documents for projects subject to prevailing wage requirements, and the withholding exemption certificate required by Minn. Stat. § 270C.66 and any other certificates required by applicable law. If any payment is withheld for these reasons, a written statement must be promptly provided to Contractor, including the amount and basis of withholding. Withheld funds must be paid within sixty (60) days after completion of the work or submission of final paperwork.

3.5 Retainage for Warranty Work Prohibited. Withholding retainage for warranty work is prohibited. This provision does not waive any rights to warranty claims.

3.6 Final Payment. The balance due Contractor hereunder, including the five percent (5%) retainage provided by Section 3.2 hereof, shall be payable after City, by resolution of its City Council, determines Contractor shall have obtained or caused to occur the following:

3.6.1 Completion of the Work, as defined in Section 2.1 and 2.4; and

3.6.2 Inspection and approval of the Work hereunder, by the Engineer; and

3.6.3 Final resolution of all claims for damages made with respect to work performed by Contractor under this Construction Contract, and

3.6.4 Approval by City of Contractor's final application for payment.

#### **ARTICLE IV RECEIPTS AND RELEASES OF LIENS**

4.1 Contractor's Affidavit and Acknowledgement of Payment. With each application for payment for work, Contractor shall furnish the names of each subcontractor utilized in connection with such Work and of each person furnishing labor or materials therefor, and the amounts due or to become due to such subcontractors, laborers and persons for Work done and materials furnished to the date of the current application for payment, and certifying that all subcontractors, laborers and materialmen have been fully paid to the date covered by the last payment for Work done. Contractor shall attach to each request for payment acknowledgements of payment to the date of the current application for payment from all subcontractors and

materialmen performing any portion of the Work covered such request for payment and waivers of lien to the date of the Current request for payment for Work performed by such subcontractors and Contractor and for which payment is requested. Concurrently with the final application for payment, Contractor shall submit an affidavit listing all subcontractors and materialmen and certifying that there are no outstanding liens, claims or demands with respect to the Project by subcontractors, materialmen, laborers, other employees or any other third persons. Contractor also shall furnish waivers or releases of liens from Contractor and all subcontractors and materialmen for all work performed and materials furnished hereunder.

4.2 Satisfaction of Mechanics' Liens and Other Claims. If any mechanics' lien or other liens or claims shall be filed or maintained against the Project for or on account of any Work under the Contract in furtherance of the erection, construction or completion of the Work, it shall be the obligation of Contractor to make provision satisfactory to City for, the contest or satisfaction of such liens and/or claims prior to any further payment hereunder.

## **ARTICLE V REQUIREMENTS OF CONTRACTOR**

5.1 Building Permits, Tools, Notices, Compliance with Laws, Etc. Contractor shall furnish, at its own expense, all building and other permits, licenses, tools, equipment and temporary structures necessary for the construction of the Project. Contractor shall give all required notices and shall comply with all applicable codes, laws, ordinances, rules and regulations of the National Board of Fire Underwriters, wherever applicable. Contractor shall notify immediately City of the delivery of all permits, licenses, certificates of inspection, certificates of occupancy and any other such certificates and instruments required by law, regardless of to whom issued, and shall cause them to be displayed to City upon its request.

5.2 Errors in Plans. If Contractor observes that the Plans are at variance with any applicable codes, laws, ordinances, rules or regulations, or protective covenants, it shall notify promptly the Engineer and City in writing, and any necessary changes shall be made as provided in the Contract Documents for changes in the Plans. If Contractor performs any work knowing it to be contrary to such codes, laws, ordinances, rules or regulations, or protective covenants, without giving notice to the Engineer and City, Contractor shall bear all cost arising therefrom, including the cost of correcting any such work.

5.3 Maintenance of Landscaping. In addition to the warranty for grass and landscaping provided in Section 2.2 herein, Contractor shall assume full responsibility for the maintenance of all grass and landscaping required by the Plans until the Date of Completion.

5.4 Representations of Contractor. Contractor represents and warrants to City that (a) Contractor is financially solvent, able to pay its debts as they mature and is possessed of sufficient working capital to complete this Construction Contract, that it is able to furnish the tools, materials, supplies, equipment and labor and is experienced in and competent to perform the Work, and that it is qualified to do the Work and is authorized to do business in the State of Minnesota, and (b) Contractor holds all licenses, permits or other special licenses necessary to perform the services

included in this Construction Contract, as required by any applicable law. The warranties in this Contract shall not limit or exclude any other warranties, express or implied, which arise by operation of law or under any Contract Documents.

5.5 Completion Schedule. Contractor agrees that it will turn over to City, for use by City, the Project on the Date of Completion. Contractor also agrees that it will diligently complete the Project and will not unreasonably delay the completion of the Project

5.6 Examination of Documents. Contractor has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents including any “technical data”.

5.7 Site Inspection. Contractor has visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance or furnishing of the Work.

5.8 Familiar with Regulation. Contractor is familiar with and is satisfied as to all federal, state and local laws and regulations that may affect cost, progress, performance and furnishing of the Work.

5.9 Subsurface Conditions. Contractor has carefully studied all reports of explorations and tests of subsurface conditions at or contiguous to the site of the Work and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the site. Contractor acknowledges that such reports and drawings are not Contract Documents and may not be complete for Contractor’s purposes. Contractor acknowledges that City and Engineer do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Contract Documents. Contractor has obtained and carefully studied (or assumes responsibility for having done so) all such additional supplementary examinations, investigations, explorations, tests, studies and data concerning conditions at or contiguous to the site of the Work or otherwise which may affect cost, progress, performance or furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by Contractor and safety precautions and programs incident thereto. Contractor does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the performance and furnishing of the Work at the Contract Price, within the Contract Times and in accordance with the other terms and conditions of the Contract Documents.

5.10 Nature of Work Understood. Contractor is aware of the general nature of work to be performed by City and others at the site of the Work that relates to the Work as indicated in the Contract Documents.

5.11 Conflicts in Documents. Contractor has given Engineer written notice of all conflicts, errors, ambiguities or discrepancies that Contractor has discovered in the Contract Documents and the written resolution thereof by Engineer is acceptable to Contractor, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

5.12 Minnesota Contractors and Subcontractors. If a non-Minnesota Contractor or subcontractor enters into a Contract for this Project, and the total amount of the Contract for this Project is greater than \$50,000.00, the non-Minnesota Contractor or subcontractor will be required to file Form SD-E Minnesota Department of Revenue/Exemption from Surety Deposits for Non-Minnesota Contractors and provide any required surety deposit prior to executing the Contract for this Project. Contractor shall comply with the provisions of Minnesota Statutes Section 471.425 Subd. 4a. Contractor shall pay any subcontractor within ten days of Contractor's receipt of payment from City for undisputed services provided by the subcontractor. Contractor shall pay interest of 1½ percent per month or any part of a month to the subcontractor on any undisputed amount not paid on time to the subcontractor. Contractor shall pay the actual interest or \$10, whichever is greater, for an unpaid balance of \$100 or more. Contractor shall pay the subcontractor the actual interest for an unpaid balance of less than \$100.

5.13 Withholding Affidavit for Contractors. The successful bidder entering into a Contract with City will be required to file Form IC-134 with the State of Minnesota and provide City with a copy of the completed form certified by the State of Minnesota before final payment can be issued by City. Copies of completed Form IC-134 will be required from Contractor and all subcontractors supplying labor and materials for the Project.

5.14 Responsible Contractor. Contractor shall comply with the provisions of Minnesota Statutes §16C.285, commonly known as the Responsible Contractor Law.

## **ARTICLE VI INSURANCE**

Contractor shall not commence work under this contract until Contractor has obtained all the insurance required under this Section and such insurance has been approved by City, nor shall Contractor allow any subcontractor to commence work on any subcontract until the insurance required of the subcontractor has been obtained and approved.

6.1. Compensation Insurance. Contractor and each subcontractor shall procure and shall maintain during the term of the contract Worker's Compensation Insurance as required by applicable Minnesota law for all employees to be engaged in work at the site of the Project. In case any class of employees engaged in hazardous work on the Project is not protected under the Worker's Compensation Statute, Contractor shall provide and shall cause each subcontractor to provide adequate employer's liability insurance for the protection of such employees as are not otherwise protected. Contractor shall maintain "stop gap" coverage if Contractor obtains Workers' Compensation coverage from any state fund if employer's liability coverage is not available.

6.2. Contractor's Commercial general liability and Property Damage Insurance and Vehicle Liability Insurance. Contractor shall procure and shall maintain during the term of the Contract Contractor's Property Damage Insurance and Vehicle Liability Insurance and

Contractor's Commercial general liability Insurance in the amounts specified in Sections 6.7 and 6.8 below.

6.3. Subcontractor's Commercial general liability and Property Damage Insurance and Vehicle Liability Insurance. Contractor shall either (1) require each subcontractor to procure and to maintain during the life of any subcontract, subcontractor's Commercial general liability and Property Damage Insurance and Vehicle Liability Insurance of the type and in the amounts specified in Section 6.7 and 6.8 below, or (2) insure the activities of the subcontractors in Contractor's policy, specified in Section 2.2 above.

6.4. Scope of Insurance and Special Hazards. The insurance required under Section 2.2 hereof shall provide adequate protection for Contractor and the subcontractors, respectively against damage claims which may arise from operations under this contract, whether such operations be by the insured or by any one directly or indirectly employed by the insured and, also against any of the special hazards which may be encountered in the performance of this Contract as enumerated in Section 6.7 below.

6.5. Indemnification. Contractor shall indemnify and save harmless City from all claims and actions of any kind arising from, or incidental to the performance of the Contract and expenses incidental to such claims and actions, including attorneys' fees, and shall assume without expense to City, the defense of any such claims or actions. Contractor also agrees that if applicable law limits or precludes any aspect of this indemnity, then the indemnity will be considered limited only to the extent necessary to comply with that applicable law. The stated indemnity continues until all applicable statutes of limitation have run.

If a claim arises within the scope of the stated indemnity, City may require Contractor to:

6.5.1. Furnish and pay for a surety bond, satisfactory to City, guaranteeing performance of the indemnity obligation; or

6.5.2. Furnish a written acceptance of tender of defense and indemnity from Contractor's insurance company.

Contractor will take the action required by City within fifteen (15) days of receiving notice from City.

6.6. Proof of Insurance. Contractor shall furnish City with a certificate showing the type, amount, class of operations covered, effective dates and dates of expiration of policies. Such certificates shall contain substantially the following statement: "The insurance covered by this certificate will not be canceled, materially altered, or not renewed, except after thirty (30) days written notice or ten (10) days for non-payment of premium, has been received by City." City is to be named as an additional insured on such Certificate and not merely as a Certificate holder. Contractor must provide City with appropriate endorsements to its policy(ies) of insurance reflecting the status of City as an additional insured and requiring that the foregoing notice of cancellation, material alteration or non-renewal be provided to City by the insurance company providing such insurance policy(ies) to Contractor. In addition, all policies shall contain a waiver

of subrogation in favor of City. All policies shall apply on a “per project” basis. Contractor agrees to maintain all coverage required herein throughout the term of the Contract and for a minimum of two (2) years following City’s written acceptance of the Contract.

6.7. Limits of Insurance:

|  |  |                |
|--|--|----------------|
| Worker’s Compensation:   | As required by Minnesota law with an<br>“all states” endorsement |                |
| Employer’s Liability   | Per Occurrence   | \$2,000,000.00 |
| Independent Contractor’s protective<br>coverage liability:   |  |                |
| Bodily Injury:   | Per Occurrence   | \$2,000,000.00 |
| Property Damage  | Per Occurrence   | \$2,000,000.00 |
| Products and completed operations<br>coverage to be kept in place for the<br>duration of any contract guarantee<br>period: |  |                |
| Bodily Injury  | Per Occurrence   | \$2,000,000.00 |
| Property Damage  | Per Occurrence   | \$2,000,000.00 |
| Comprehensive General Liability,<br>Premises and Operations:   |  |                |
| Bodily Injury  | Per Occurrence   | \$2,000,000.00 |
| Comprehensive General Liability,<br>Property Damage and Bodily Injury:   | Per Occurrence   | \$2,000,000.00 |
| Products – Completed Operations  | Per Occurrence   | \$2,000,000.00 |
| Fire Legal Liability   | Each Occurrence  | \$100,000.00   |
| Medical Expense:   |  | \$5,000.00     |
| Contractual Liability covering<br>customary Construction Contract<br>and subcontract indemnity provisions:                 |  |                |
| Bodily Injury  | Per Occurrence   | \$2,000,000.00 |
| Contractual Liability covering<br>customary Construction Contract<br>and subcontract indemnity provisions:                 |  |                |
| Property Damage  | Per Occurrence   | \$2,000,000.00 |

|   |                |                      |
|---|----------------|----------------------|
| Comprehensive Automobile Liability  |                | \$2,000,000.00       |
| Combined single limit each accident (shall include coverage for all owned, hired and non-owned vehicles). |                |                      |
| Property Damage   | Per Occurrence | \$2,000,000.00       |
| “All Risk” Builder’s Risk Insurance   |                | Completed Value Form |

6.8. Commercial general liability Insurance. Commercial general liability Insurance written on an “occurrence” basis under Commercial general liability Form with “Broad Form” property damage liability coverage, with the XCU exclusion removed, in limits specified in Section 6.7 above. Contractor shall require such liability coverage from all subcontractors unless they are insured under Contractor’s policies. Certificates evidencing such coverage obtained by any subcontractor shall be provided to City and Engineer.

6.9. General Liability. Prior to starting the Work, Contractor shall procure, maintain and pay for such insurance as will protect against claims or loss which may arise out of operations by Contractor or by any subcontractor or by anyone employed by any of them or by anyone for whose acts any of them may be liable. Such insurance shall include, but not be limited to, minimum coverages and limits of liability specified in this Section, or required by law.

6.10. Commercial General Liability: The Commercial General Liability Policy shall be on ISO form CG 00 01 12 07 or CG 00 01 04 13, or the equivalent. Such insurance shall cover liability arising from premises, operations, independent contractors, products- completed operations, personal and advertising injury, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract). There shall be no endorsement or modification of the Commercial General Liability form arising from pollution, explosion, collapse, underground property damage or work performed by subcontractors.

6.11. Claim Form. Contractor shall obtain and provide to City, with the Certificate of Insurance, a Claim Form for use by parties with claims against Contractor arising out of the performance of work by Contractor under the Contract with City.

6.12. Primary Policies. All policies shall be primary and non-contributory.

6.13. Deductible Responsibilities. It shall be Contractor’s responsibility to pay any retention or deductible for the coverages required herein.

6.14. Insurance Company Rating. Contractor shall maintain in effective all insurance coverages required under this Section at Contractor’s sole expense and with insurance companies licensed to do business in the state of Minnesota and having a current A.M. best rating of no less than A-, unless specifically accepted by City in writing.

**ARTICLE VII**  
**ASSIGNMENTS, SUBCONTRACTS AND TERMINATION**

7.1 Contract Not Assignable. This Construction Contract shall not be assignable by Contractor without the prior written consent of City.

7.2 Subcontracts. Contractor shall not subcontract all or any portion of the Work or obtain materials or equipment without the prior written consent of City and Engineer. Contractor shall provide to City and the Engineer at the preconstruction conference a list of subcontractors, materialmen and equipment suppliers proposed to be used by Contractor in connection with the performance of the Work, along with a copy of any subcontracts between Contractor and any subcontractor, materialmen or equipment supplier. Contractor shall submit to City and Engineer the names of the subcontractors to whom Contractor proposes to subcontract any part of the Work, or who will provide materials or equipment to perform the Work, together with such information as to the qualifications and ability of such proposed subcontractors to perform the Work or supply such materials or equipment satisfactorily as City or Engineer may request. Contractor shall not subcontract any Work to a subcontractor or purchase any materials or obtain any equipment from any person with regard to which Contractor has received written notice of objection from City or Engineer provided that such notice of objection must be received by Contractor within ten (10) days of the receipt by City or Engineer of such subcontractor's, materialmen's or equipment supplier's name and qualifications. City or Engineer may object to any subcontractor, materialmen or equipment supplier with or without cause. Contractor shall provide City and Engineer with a copy of the signed, final subcontract between Contractor and approved subcontractor, materialman or equipment supplier before any work, material or equipment is supplied by such person to the Project. Contractor shall not make any substitutions for any subcontractor, materialman or equipment supplier, or person or organization who has been accepted by City and the Engineer, unless the substitution is accepted in writing by City and the Engineer. Contractor shall be as fully responsible to City for the acts and omissions of Contractor's subcontractors, materialmen and equipment suppliers as Contractor is for the acts and omissions of persons directly employed by Contractor. Contractor shall cause and require provisions to be included in all subcontracts for any part of the Work or material or equipment, binding the subcontractors, materialmen and equipment suppliers to comply with the terms of the Contract Documents insofar as applicable to the Work of such subcontractors, the material or such materialmen, or the equipment supplied by such equipment suppliers. Without limiting the generality of the foregoing, any approved subcontractor, materialmen or equipment supplier shall provide City and the Engineer the following items before performing any work on the Project:

7.2.1 A Certificate of Insurance that satisfies the requirements of this Construction Contract.

7.2.2 An insurance claim form that satisfies the requirements of this Construction Contract.

7.2.3 A certified list of the names and addresses of all laborers and materialmen who will provide labor or material to subcontractor in connection with the performance of work by the subcontractor in connection with this Project.



7.3 Subcontractors to be Obligated to City. Contractor shall cause and require to be included in all subcontracts a provision for the benefit of City binding the subcontractors, materialmen and equipment suppliers to remain bound by the subcontracts in the event Contractor is replaced by another Contractor.

7.4 Disclosure of Materialmen and Equipment Supplies. Contractor shall disclose to City, prior to the preconstruction conference and thereafter within five (5) days after request by City, the names of all persons with whom Contractor desires to contract, from time to time, with respect to materials and equipment to be furnished for the Work hereunder. The provisions of Section 7.2 are applicable to such materialmen and equipment suppliers.

7.5 Prompt Payment to Subcontractors. Contractor shall comply with the provisions of Minnesota Statutes Section 471.425 Subd. 4a. Contractor shall pay any subcontractor within ten days of Contractor's receipt of payment from City for undisputed services provided by the subcontractor. Contractor shall pay interest of 1½ percent per month or any part of a month to the subcontractor on any undisputed amount not paid on time to the subcontractor. Contractor shall pay the actual interest or Ten and No/100 Dollars (\$10.00), whichever is greater, for an unpaid balance of One Hundred and No/100 Dollars (\$100.00) or more. Contractor shall pay the subcontractor the actual interest for an unpaid balance of less than One Hundred and No/100 Dollars (\$100.00).

## **ARTICLE VIII TERMINATION OF THE CONTRACT**

In the event that:

8.1 Contractor or any subcontractor, materialman or equipment supplier is adjudged a bankrupt;

8.2 Contractor or any subcontractor, materialman or equipment supplier makes a general assignment for the benefit of his creditors;

8.3 A receiver is appointed for Contractor or any subcontractor, materialman or equipment supplier;

8.4 Contractor or any subcontractor, materialman or equipment supplier refuses or fails to supply properly skilled workmen or proper materials sufficient to perform the Work in accordance with the Contract Documents, including particularly the time and scheduling provisions thereof;

8.5 Contractor or any subcontractor, materialman or equipment supplier incorporates defective, faulty or inferior workmanship or materials into the Work;

8.6 Contractor or any subcontractor, materialman or equipment supplier fails to make prompt payment to subcontractors or for materials or labor;

8.7 Contractor or any subcontractor, materialman or equipment supplier disregards laws, ordinances, rules, regulations or orders of any public authority having jurisdiction; or

8.8 Contractor or any subcontractor, materialman, or equipment supplier otherwise violates any provisions of the Contract Documents;

then City may terminate the employment of Contractor with respect to all or any part of the Project and take possession of the portion of the Project site for which the Contract was terminated and of all materials, equipment, tools, construction equipment and machinery thereon owned by Contractor, and City may complete the Work by whatever method it may deem expedient. Any such termination of the employment of Contractor by City as aforesaid shall be without prejudice to any other right or remedy of City and shall be effective only after City shall have given Contractor three (3) days' written notice of City's intention to terminate the employment of Contractor in whole or in part.

In the event of the termination of the employment of Contractor pursuant to this Section, Contractor shall not be entitled to receive any further payment until the Work is completed. If the cost of completing the Work, including compensation for any additional services of the Engineer, exceed the unpaid balance of the Total Contract Sum, Contractor and Contractor's surety shall pay the amount of such excess cost to City.

## **ARTICLE IX DISPUTE RESOLUTION**

City Administrator, the Engineer and Contractor representation shall attempt to resolve any disagreements under this Construction Contract. If such efforts do not resolve such disagreement within thirty (30) calendar days, then City and Contractor shall enter into mediation through a mediator authorized to conduct mediation under the Minnesota Supreme Court Alternative Dispute Resolution System. If mediation does not resolve such disagreements within thirty (30) calendar days after the matter is submitted to mediation, then City and Contractor shall be entitled to take whatever action is necessary or appropriate to seek redress of any disagreements. The venue and jurisdiction for any such further proceedings shall be in the District Court for St. Louis County, Minnesota.

**ARTICLE X  
MISCELLANEOUS**

10.1 Notices. Any notice required to be given hereunder shall be deemed sufficient if delivered in writing personally, or mailed certified mail, return receipt requested, postage repaid to the following places and directed to the following persons:

|                   |  |
|-------------------|--|
| If to City        | City of Hermantown<br>Attn: John Mulder<br>5105 Maple Grove Road<br>Hermantown, MN 55811<br>Email: <i>jmulder@hermantownmn.com</i>   |
| With a copy to:   | Gunnar B. Johnson<br>Overom Law, PLLC<br>802 Garfield Avenue, Suite 101<br>Duluth, MN 55802<br>Email: <i>gjohnson@overomlaw.com</i>  |
| And a copy to:    | Braun Intertec Corporation<br>Attn: Matt Anderson<br>11001 Hampshire Avenue S<br>Minneapolis, MN 55438<br>Email: <i>MaAnderson@braunintertec.com</i>   |
| If to Contractor: | Benson Electric Company<br>Attn: Brian Kregness<br>1102 North Third Street<br>Superior, WI 54880<br>Email: <span style="background-color: yellow; display: inline-block; width: 200px; height: 1em;"></span> |

This provision does not affect or abrogate any notice that may be required to be given to the Engineer under the Contract Documents.

Any reference in this Construction Contract to “written notice” shall include notice by email, unless the context clearly requires otherwise, and any notice delivered by email shall request a receipt thereof confirmed by email or in writing by the recipient and followed by personal or mail delivery of such correspondence and any attachments as may be requested by the recipient, and the effective date of such notice shall be the date of receipt, provided such receipt has been confirmed by the recipient.

10.2 Captions. Captions to sections hereunder are included for reference convenience only and are not to be construed as affecting the meaning of any section or to have any legal effect whatsoever. Such captions are to be disregarded when interpreting this Construction Contract.

10.3 Interpretation. This Construction Contract shall be interpreted under and according to the laws of the State of Minnesota.

10.4 Government Data Practices. Contractor acknowledges that City is subject to the provisions of the Minnesota Government Data Practices Act. Contractor must comply with the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, as it applies to all data provided by City in accordance with this Construction Contract and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by Contractor in accordance with this Construction Contract. The civil remedies of Minnesota Statutes § 13.08, apply to Contractor and City. Minnesota Statutes, Chapter 13, provides that all government data are public unless otherwise classified. If Contractor receives a request to release the data referred to in this Section, Contractor must immediately notify City and consult with City as to how Contractor should respond to the request. Contractor's response shall comply with applicable law, including that the response is timely and, if Contractor denies access to the data, that Contractor's response references the statutory basis upon which Contractor relied. Contractor does not have a duty to provide public data to the public if the public data is available from City.

**[SIGNATURES APPEAR ON NEXT PAGE]**

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representative, have set their hands as of the day and year first above written.

**CITY:**

**City of Hermantown**

By: \_\_\_\_\_  
Its Mayor

By: \_\_\_\_\_  
Its City Clerk

**CONTRACTOR:**

**Benson Electric Company**

By: \_\_\_\_\_  
Its \_\_\_\_\_

**EXHIBIT A**  
**PROPOSAL OF CONTRACTOR**



**BENSON ELECTRIC COMPANY**

1102 North Third Street Superior, WI 54880 Phone 715.394.5547



COMMERCIAL-RESIDENTIAL-INDUSTRIAL-SOLAR-DATA & FIBER

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Proposal From the Desk of Brian Kregness

9/25/2023

TO: City of Hermantown Attn: Adam Schminski

RE: Administration Building Roof Heat Trace at 5105 Maple Grove Rd, Hermantown MN

[aschminski@hermantownmn.com](mailto:aschminski@hermantownmn.com)

218-729-3600

We offer the following scope of work:

- \* Supply and install roughly 2500' of Raychem ICESTOP self-regulating de-icing cable in the locations specified on the drawings we were provided
- \* Near the existing electrical panel LP3 we will supply and install (9) 3-pole contactors and near the existing electrical panel D we will supply and install (4) 3-pole contactors both sets controlled by separate temperature sensors
- \* We include lift rental for the ease of accessing the steep valleys and to cut down on foot traffic on the newly shingled roof
- \* All new wiring will be protected by GFCI circuit breakers and done in EMT conduit using copper wiring in the attic spaces and soffits if needed
- \* Our supplier has assured me that he currently has good stock on all of the de-icing material needed but coming in to the winter months he can't promise anything

|            |    |           |
|------------|----|-----------|
| Labor:     | \$ | 35,000.00 |
| Materials: | \$ | 53,000.00 |
| Total:     | \$ | 88,000.00 |

NOTES:

Work is assumed to be during normal business hours, overtime is not included.

Permit and taxes, if required, are included

50% down payment required at the time of acceptance (a 3% fee will be added for credit card payments)

Utility fees, if any, are not included

Quote is valid for 30 days, we reserve the right to re-evaluate at the time of acceptance due to market fluctuations

If you have any questions or concerns, please do not hesitate to call.

Acceptance of Proposal \_\_\_\_\_

Date: \_\_\_\_\_

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**EXHIBIT b**  
**PLANS**

September 26, 2023

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

Re: Okerstrom Rd - Sewer Improvement District No. 451

Dear John:

Attached is Pay Application #3 for the work associated with the Okerstrom Rd Project – Sewer Improvement District No. 451 from August 25, 2023 through September 22, 2023. NCE and Veit have reviewed the project progress thus far and agreed upon quantities of work completed. The amount of Pay Application #3 is **\$277,776.40**. The City will hold a 5% retainage of the completed construction through the duration of the project. This retainage amount for pay application #3 is **\$13,888.82**.

NCE has reviewed the quantities through construction inspection and discussions with Veit representatives. I recommend payment in the amount of **\$263,887.58** be authorized at the October 2, 2023 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: Chase Ernste, E.I.T., Northland Consulting Engineers  
Will Goldsworthy, Project Manager, Veit & Company Inc.



**Resolution No. 2023-145**

**Resolution Approving Pay Request Number 3 For Sewer Improvement District 451 To Veit  
In The Amount Of \$263,887.58**

WHEREAS, the City of Hermantown has contracted with Veit for Sewer Improvement District 451 (“Project”); and

WHEREAS, Veit has performed a portion of the agreed upon work in said Project; and

WHEREAS, Veit has submitted Pay Request No. 3 in the amount of \$263,887.58; and

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

WHEREAS, Northland Consulting Engineers LLP has approved such Pay Request No. 3 provided that \$13,888.82 as retainage of 5% be withheld pending final acceptance of the Project by the City of Hermantown.

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

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

1. Pay Request No. 3 is hereby approved.
2. The City is hereby authorized and directed to pay to Veit the sum of \$263,887.58 which is the amount represented on Pay Request No. 3.

Councilor Geissler introduced the foregoing resolution and moved its adoption.

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

Councilors Hjelle, LeBlanc, Geissler and Mayor Boucher, aye. Councilor Jones, absent.

and the following voted in opposition thereto:

None.

WHEREUPON, such resolution has been duly passed and adopted October 2, 2023.

**Contractor's Application for Payment**

No. 3

Application Period: August 25, 2023 through September 22, 2023

Application Date:

9/26/2023

|  |   |  |   |
|--|---|--|---|
| To (Owner): City of Hermantown                           | Project: Okerstrom Rd Sewer Impr. District #451 | From (Contractor): Veit and Company Inc. | Via (Engineer): Northland Consulting Engineers, LLP |
| Owner's Contract Number: Sewer Improvement District #451 | Contractor's Project Number:                    | Engineer Project Number: 22-8009         |   |

| Application For Payment Change Order Summary |           |            |
|--|-----------|------------|
| Approved Change Orders                       |           |            |
| Number                                       | Additions | Deductions |
| 1  |           |            |
| 2  |           |            |
| 3  |           |            |
| 4  |           |            |
| TOTAL  |           |            |
| NET CHANGE BY CHANGE ORDER:                  |           |            |

| Application For Payment Previous Pay Application Summary |          |                     |
|--|----------|---------------------|
| Approved Pay Applications                                |          |                     |
| Number   | Date     | Amount              |
| 1  | 8/7/2023 | \$ 127,244.33       |
| 2  | 9/1/2023 | \$ 265,833.66       |
| 3  |          |                     |
| 4  |          |                     |
| <b>8. TOTALS</b>   |          | <b>\$393,077.99</b> |

|  |    |                   |
|--|----|-------------------|
| 1. ORIGINAL CONTRACT PRICE.....  | \$ | <u>934,142.90</u> |
| 2. Net change by Change Orders.....                                      | \$ | <u>0.00</u>       |
| 3. Current Contract Price (Line 1 ± 2).....                              | \$ | <u>934,142.90</u> |
| 4. TOTAL COMPLETED AND STORED TO DATE                                    |    |                   |
| See attached Pay Application Summary.....                                | \$ | <u>691,542.70</u> |
| 5. RETAINAGE:  |    |                   |
| a. 5% X \$691,542.70 Work Completed.....                                 | \$ | <u>34,577.14</u>  |
| b. X Stored Material.....  | \$ |                   |
| c. Total Retainage (Line 5.a + Line 5.b).....                            | \$ | <u>34,577.14</u>  |
| 6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....                      | \$ | <u>656,965.57</u> |
| 7. LESS PREVIOUS PAYMENTS (Line 8 ).....                                 | \$ | <u>393,077.99</u> |
| 9. AMOUNT DUE THIS APPLICATION.....                                      | \$ | <u>263,887.58</u> |
| 10. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 - 4 + Line 5.c above)..... | \$ | <u>277,177.34</u> |

**Payment of:** \$ 263,887.58  
(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:<br/>           (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;<br/>           (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</p> |       |
| Contractor Signature - Veit & Company, Inc.  |       |
| By:  | Date: |

Recommended by: \_\_\_\_\_ 9/26/2023  
 David Bolf, P.E. - City Engineer (Date)

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

