

CITY OF HERMANTOWN
CITY COUNCIL MEETING
Monday, November 20, 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: Alissa Wentzlaff, City Clerk; Eric Johnson; Community Development Director; Joe Wicklund, Communications & Community Engagement Director; David Bolf, City Engineer; Gunnar Johnson, City Attorney; Steven Overom, City Attorney, Trish Crego, Utility & Infrastructure Director

VISITORS: 15

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

A. Correspondence 23-165 through 23-168 placed on file

B. 2023-168

From: Robert Doblak
To: Mayor & City Council
Re: 4858 Hermantown Rd - Water/Sewer Connection Cost

7. **PRESENTATIONS**

A. 2024 Budget Booklet Presentation

Kevin Orme, Director of Finance & Administration
(Pre-Agenda Only)

B. Schematic Design Cost Estimate

John Mulder, City Administrator
(Pre-Agenda Only)

8. **PUBLIC DISCUSSION**

9. **MOTIONS**

10. **CONSENT AGENDA**

A. **Minutes** - Approval or correction of November 6, 2023 City Council Continuation Minutes

B. **Accounts Payable** - Approve general city warrants from November 1, 2023 through November 15, 2023 in the amount of \$619,235.45

Motion to the approve the Consent Agenda. 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

11. **ORDINANCES**

12. **RESOLUTIONS**

A. **2023-157 Resolution Adopting An Assessment Against The Mercier Parcel (395-0010-02821) For Road Improvement District No. 534 ("Project 534")**

(motion, roll call)

Motion to approve 2023-157 Resolution Adopting An Assessment Against The Mercier Parcel (395-0010-02821) For Road Improvement District No. 534 ("Project 534"). 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

B. 2023-158 Resolution Adopting An Assessment Against The Jobin Parcel (395-0010-02822) For Road Improvement District No. 534 (“Project 534”)

(motion, roll call)

Motion to approve 2023-158 Resolution Adopting An Assessment Against The Jobin Parcel (395-0010-02822) For Road Improvement District No. 534 ("Project 534"). 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

C. 2023-159 Resolution Adopting An Assessment Against The Volk Parcel (395-0070-00102) For Road Improvement District No. 534 (“Project 534”)

(motion, roll call)

Motion to approve 2023-159 Resolution Adopting An Assessment Against The Volk Parcel (395-0070-00102) For Road Improvement District No. 534 ("Project 534"). 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

D. 2023-160 Resolution Adopting An Assessment Against The Olson Parcel (395-0070-00106) For Road Improvement District No. 534 (“Project 534”)

(motion, roll call)

Motion to approve 2023-160 Resolution Adopting An Assessment Against The Olson Parcel (395-0070-00106) For Road Improvement District No. 534 ("Project 534").

534"). 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

E. 2023-161 Resolution Adopting An Assessment Against The Gilbert Parcel (395-0070-00108) For Road Improvement District No. 534 (“Project 534”)

(motion, roll call)

Motion to approve 2023-161 Resolution Adopting An Assessment Against The Gilbert Parcel (395-0070-00108) For Road Improvement District No. 534 ("Project 534"). 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

F. 2023-162 Resolution Adopting An Assessment Against The Postal Parcel (395-0070-00437) For Road Improvement District No. 534 (“Project 534”)

(motion, roll call)

Motion to approve 2023-162 Resolution Adopting An Assessment Against The Postal Parcel (395-0070-00437) For Road Improvement District No. 534 ("Project 534"). 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. 2023-163 Resolution Adopting An Assessment Against The Frick Parcel (395-0070-00890) For Road Improvement District No. 534 ("Project 534")

(motion, roll call)

Motion to approve 2023-163 Resolution Adopting An Assessment Against The Frick Parcel (395-0070-00890) For Road Improvement District No. 534 ("Project 534"). 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

H. 2023-164 Resolution Adopting An Assessment Against The Schulze Parcel (395-0070-00980) For Road Improvement District No. 534 ("Project 534")

Gregory Schulze of 4161 Ugstad Road appeared before the Council to state that he does not believe that the road improvement project had a benefit to his property.

(motion, roll call)

Motion to approve 2023-164 Resolution Adopting An Assessment Against The Schulze Parcel (395-0070-00980) For Road Improvement District No. 534 ("Project 534"). 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

I. 2023-165 Resolution Not Adopting An Assessment Against The Hokanson Parcel (395-0115-00010) For Road Improvement District No. 534 (“Project 534”)

(motion, roll call)

Motion to approve 2023-165 Resolution Not Adopting An Assessment Against The Hokanson Parcel (395-0115-00010) For Road Improvement District No. 534 ("Project 534"). 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

J. 2023-166 Resolution Adopting An Assessment Against The Hanson Parcel (395-0070-00962) For Road Improvement District No. 534 (“Project 534”)

(motion, roll call)

Motion to approve 2023-166 Resolution Adopting An Assessment Against The Hanson Parcel (395-0070-00962) For Road Improvement District No. 534 ("Project 534"). 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

K.2023-167 Resolution Adopting Assessment Roll For Road Improvement District No. 534 (Ugstad Road)

(motion, roll call)

Motion to approve 2023-167 Resolution Adopting 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

L. 2023-168 Resolution Approving Application Of Assessment Roll Number 534A-27 For Deferral Of Assessment Against The Property For The Construction Of Road Improvement District No. 534 (“Hardship Deferral”)

(motion, roll call)

Motion to approve 2023-168 Resolution Approving Application Of Assessment Roll Number 534A-27 For Deferral Of Assessment Against The Property For The Construction Of Road Improvement District No. 534 ("Hardship Deferral"). This motion, made by Councilor Ellie Jones 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

M. 2023-169 Resolution Approving Application Of Assessment Roll Number 537A-44 For Deferral Of Assessment Against The Property For The Construction Of Road Improvement District No. 534 (“Hardship Deferral”)

(motion, roll call)

Motion to approve 2023-169 Resolution Approving Application Of Assessment Roll Number 537A-44 For Deferral Of Assessment Against The Property For The Construction Of Road Improvement District No. 534 ("Hardship Deferral"). 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

N. 2023-170 Resolution Approving Change Order Number 17 For Road Improvement Project 534 (Ugstad & Arrowhead Roads)

(motion, roll call)

Motion to approve 2023-170 Resolution Approving Change Order Number 17 For Road Improvement Project 534 (Ugstad & Arrowhead Roads). 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

O. 2023-171 Resolution Approving Pay Request Number 6 For Road Improvement District 534 To Ulland Brothers, Inc. In The Amount Of \$98,514.43

(motion, roll call)

Motion to approve 2023-171 Resolution Approving Pay Request Number 6 For Road Improvement District 534 To Ulland Brothers, Inc. In The Amount Of \$98,514.43. 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

P. 2023-172 Resolution Adopting Assessment Roll For Road Improvement District No. 538 (Richard Avenue And Lindgren Road)

(motion, roll call)

Motion to approve 2023-172 Resolution Adopting Assessment Roll For Road Improvement District No. 538 (Richard Avenue And Lindgren Road). 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

Q. 2023-173 Resolution Repealing \$48,000 Assessment From The Resolution Number 2020-68

(motion, roll call)

Motion to approve 2023-173 Resolution Repealing \$48,000 Assessment From The Resolution Number 2020-68. 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

R. 2023-174 Resolution Approving Pay Request Number 5 For Road Improvement District 538 To Ulland Brothers, Inc. In the Amount Of \$487,504.57

(motion, roll call)

Motion to approve 2023-174 Resolution Approving Pay Request Number 5 For Road Improvement District 538 To Ulland Brothers, Inc. In the Amount Of \$487,504.57. 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

S. 2023-175 Resolution Approving The Change Order For The Capacity Increase To Hermantown Arena Chiller

(motion, roll call)

Motion to approve 2023-175 Resolution Approving The Change Order For The Capacity Increase To Hermantown Arena Chiller. 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

T. 2023-176 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A CMAR Contract Between The City Of Hermantown And Kraus-Anderson Construction Company

Scott Wojtysiak of 4866 Hermantown Road appeared before the Council to ask them not to vote on this item yet, and suggested that the Council open this back up for bid.

Shawna Jokinen of 5119 Cedar Ridge Drive echoed Mr. Wojtysiak's point and stated that more time for fundraising would be appreciated.

Jesse Stokke of 4914 Trails End Drive stated that Kraus Anderson was selected because of their marketing agent to help in passing the referendum. He stated that if

they were to go through this process again today, Kraus Anderson would not have been selected.

(motion, roll call)

Motion to approve 2023-176 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A CMAR Contract Between The City Of Hermantown And Kraus-Anderson Construction Company. This motion, made by Councilor John Geissler and seconded by Councilor Andy Hjelle, Carried.

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

Yea: 4, Nay: 1

U. 2023-177 Resolution Authorizing The Disposal Of Surplus City Property

(motion, roll call)

Motion to approve 2023-177 Resolution Authorizing The Disposal Of Surplus City Property. 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

V. 2023-178 Resolution Approving Change Order Number 1 For Sewer Improvement District 451 To Veit In The Amount Of \$39,839.25

(motion, roll call)

Motion to approve 2023-178 Resolution Approving Change Order Number 1 For Sewer Improvement District 451 To Veit In The Amount Of \$39,839.25. 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

W. 2023-179 Resolution Approving Pay Request Number 4 For Sewer Improvement District 451 To Veit In The Amount Of \$325,314.81

(motion, roll call)

Motion to approve 2023-179 Resolution Approving Pay Request Number 4 For Sewer Improvement District 451 To Veit In The Amount Of \$325,314.81. 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

X. 2023-180 Resolution Adopting Assessment Roll For Delinquent Utility Charges For 2023

(motion, roll call)

Motion to approve 2023-180 Resolution Adopting Assessment Roll For Delinquent Utility Charges For 2023. 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

Y.2023-181 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Commercial Purchase Agreement With BMAX Inc.

(motion, roll call)

Motion to approve 2023-181 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A Commercial Purchase Agreement With BMAX Inc. 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

13. **CLOSED SESSION**

A. Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statutes § Section 13D.05 Subd. 3 (b) to consider an offer or counter offer for the sale of real property for economic development

(motion, roll call)

Motion to recess at 8:02 p.m. Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statutes § Section 13D.05 Subd. 3 (b) to consider an offer or counter offer for the sale of real property for economic development. Following this closed session, the Hermantown City Council will re-convene in open session. 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

Motion to reconvene into open sessions at 8:19 p.m. 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

14. **RECESS**

Motion to recess at 8:21 p.m. 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

Mayor

ATTEST:

City Clerk