



Hermantown City Council Meeting - Monday, December 4, 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 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, December 4, 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.

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

**City Council Meeting Monday, December 4, 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. ***Truth In Taxation Hearing:***

I. **2023-182 Resolution Approving Human Resources Generalist Job Description And Position** [6](#)

(motion, roll call)

II. **2023-183 Resolution Approving Economic Development Director Job Description And Position** [10](#)

(motion, roll call)

III. **2023-184 Resolution Adopting The Final 2023 Property Tax Levy Collectible In 2024 In The Amount Of \$8,531,684** [16](#)

(motion, roll call)

IV. **2023-185 Resolution Adopting The Final 2024 City General Fund Budget In The Amount Of \$8,418,276 And The Overall Budget Of \$22,631,263** [17](#)

(motion, roll call)

6. **COMMUNICATIONS**

A. Correspondence 23-169 through 23-173 placed on file [18](#)

7. **PRESENTATIONS**

A. **Arena Schematic Design Cost Estimate**

John Mulder, City Administrator
(Pre-Agenda Only)

B. **Fichtner Park Update**

David Bolf, City Engineer
(Pre-Agenda Only)

C. **Boards & Commissions Attendance**

John Mulder, City Administrator
(Pre-Agenda Only)

[19](#)

D. **Proposed Organization Chart**

John Mulder, City Administrator
(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 November 20, 2023 City Council
Continuation Minutes

[22](#)

B. **Accounts Payable** - Approve general city warrants from November 16, 2023
through November 30, 2023 in the amount of \$237,034.17

[36](#)

11. **ORDINANCES**

A. **2023-10 An Ordinance Amending Section 500 Of The Hermantown Zoning Code, S-1, Suburban**

[40](#)

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

B. **2023-11 An Ordinance Amending Section 700 Of The Hermantown Zoning Code, Special Use Permits**

[48](#)

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

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. **2023-186 Resolution Adopting The Final Hermantown Business Park Alternative Urban Areawide Review (AUAR) Document And Mitigation Plan** [57](#)

(motion, roll call)

- B. **2023-187 Resolution Declaring That Peyton Drive, Peyton Lane, And Teal Lane Roads And The Related Public Infrastructure Have Been Accepted And Opened By The City Of Hermantown And Authorizing The Mayor And City Clerk To Execute And Deliver An Appropriate Certificate Thereof** [61](#)

(motion, roll call)

- C. **2023-188 Resolution Approving Engineering Services By Northland Consulting Engineers For Benson Road Culverts Improvement Project No. 601** [68](#)

(motion, roll call)

- D. **2023-189 Resolution Approving Pay Request No. 1 For Stebner Park Utility Improvement District 544 To Northern Interstate Construction, Inc In The Amount Of \$238,050.69** [71](#)

(motion, roll call)

- E. **2023-190 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver a Notice to St. Louis County Giving Support for the Rice Lake Road Corridor Project** [79](#)

(motion, roll call)

- F. **2023-191 Resolution Approving The City Of Hermantown Earned Sick And Safe Leave Policy** [82](#)

(motion, roll call)

13. **CLOSED SESSION**

14. **RECESS**



CITY COUNCIL MEETING DATE: December 4, 2023

TO: Mayor & City Council

FROM: John Mulder, City Administrator

SUBJECT: Human Resource Generalist

RESOLUTION: 2023-182 **ORDINANCE:** **OTHER:**

REQUESTED ACTION

Approve job description and position of a Human Resource Generalist position.

BACKGROUND

The City’s current human resource function is scattered, de-centralized, and unorganized. Many of our current policies are outdated, and have not kept up with changes in laws, and the changing nature of the work force. The vast majority of the general fund’s expenditures are personnel related, and our employees provide the services that the City Council and residents expect. In a time of severe labor force pressures, the City needs to be more organized and strategic in providing human resources services. We will continue to face pressure in tight labor market, and the various changes to employment related law – for example employee safe and sick time, and employee leave laws enacted by the state of Minnesota. In addition, we will be taking on additional employees with the on-call fire department.

This person can assist in making sure the City is getting the best value and strategic benefits in our purchased benefits such as health, dental, life, and disability insurance.

While current employees may be able to gain the expertise in this area, there simply isn’t enough time to be pro-active and strategic in the area of human resources without a dedicated person.

This person would report directly to the Director of Finance and Administration.

SOURCE OF FUNDS (if applicable)

2024 General Fund Budget – Tax Levy

ATTACHMENTS

Job Description

Resolution No. 2023-182

Resolution Approving Human Resources Generalist Job Description And Position

WHEREAS, the City of Hermantown is a Plan “A” Statutory City; and

WHEREAS, the position of Human Resources Generalist is to perform professional work assisting the City in handling a variety of human resources functions such as: benefits administration, HR policies and compliance, safety program, employee onboarding, and workers compensation; and

WHEREAS, attached as Exhibit “A” is the Job Description for the position of Human Resources Generalist; and

WHEREAS, the City Council supports the addition of a Human Resources Generalist to perform the duties as described in the Job Description under the supervision of the Director of Finance and Administration; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Hermantown approves the following:

1. Job Description and Position of Human Resources Generalist in Grade 8 of the Management Compensation plan.

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:

WHEREUPON, such resolution was declared duly passed and adopted December 4, 2023.

**City of Hermantown
Job Description**

JOB TITLE: Human Resources Generalist

DEPARTMENT: *Finance & Administration* FLSA Status: *Non-Exempt*

General Definition of Work

Under the direction of the Director of Finance & Administration, this employee will be responsible for handling a variety of human resources functions such as: benefits administration, HR policies and compliance, safety program, employee onboarding, and workers compensation. The Human Resources (HR) Generalist plays a vital role in supporting the day-to-day operations of the City by providing a wide range of HR services to employees and management.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Administers the City’s employee benefit program by coordinating the implementation, providing information, administering the plans, maintaining awareness, coordinating benefit plan renewal process, ensure resolution of benefit plan issues.
- Oversees the development, updating and enforcement of personnel policies and ensures any changes are disseminated to all affected employees and provides training on policies as needed
- Oversees the worker’s compensation program including investigating and processing claims, reviewing claims for trends and identifies actions to reduce the number and severity of injuries
- Coordinates the City employee safety programming and assists in ensuring compliance with relevant laws, rules and regulations
- Reviews and analyzes new and existing state and federal laws, rules and regulations related to employment and labor relations to determine actions necessary for compliance and to reduce liability
- Develops and revises job descriptions, establishes minimum qualifications
- Assists the recruitment and selection process for City positions in conjunction with department heads including: advertising, screening, interviewing, testing, applicant correspondence and background investigations. Guide applicant through the entire pre-employment process until their successful onboarding into the organization
- Manages the insurance enrollment, renewal and change processes
- Establishes and maintains all permanent personnel files and approves all items entered and removed from the files
- Coordinates and directs employee wellness programs
- Assists in labor negotiations/agreements and interpreting and administering the contracts, conducts research, identifies concerns and develops proposals and responses

- Serves as internal contact for supervisors, provides advice and coaching to employees and department heads and other staff members by providing technical assistance and advice in personnel and labor relations matters and consistent interpretation and application of policies
- Oversees employee leaves of absences (FMLA, Parenting Leave, Military Leave, etc.) and advises employees on eligibility for continued benefits during the leaves and administers COBRA
- Other duties as assigned

Knowledge, Skills and Abilities

Intermediate knowledge and experience in the principles and techniques of human resources; A disposition and approach to relationships and work which is open, honest trustworthy and fair; Able to manage information with discretion and in a confidential and professional manner; Ability to manage complex projects, handle multiple tasks and meet deadlines; Professional written, verbal and interpersonal skills; Strong organizational and time management skills and attention to detail; Strong work ethic and time commitment to organizational success; Self-directed individual with initiative and flexibility

Education and Experience

Bachelor's degree in human resources, business, or a related field; Two (2) or more years of experience in human resources or any combination of education and experience to demonstrate the knowledge, skills, and abilities to perform the duties identified above; Must pass background investigation; Valid Driver's License

Physical Requirements

This work requires the occasional exertion of up to 25 pounds of force; work regularly requires using hands to finger, handle or feel and repetitive motions, frequently requires sitting and occasionally requires standing, walking, speaking or hearing, reaching with hands and arms and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, operating machines and observing general surroundings and activities; work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

Special Requirements

Ongoing training expectations:
Human Resource training as needed.



CITY COUNCIL MEETING DATE: December 4, 2023

TO: Mayor & City Council

FROM: John Mulder, City Administrator

SUBJECT: Economic Development Director

RESOLUTION: 2023-183 **ORDINANCE:** **OTHER:**

REQUESTED ACTION

Approve job description and position of Economic Development Director

BACKGROUND

In 2022, the City had an organization review completed to review staffing levels. One of the conclusions was that the City had no back up in the area of Community Development. We currently have one employee specifically assigned to Community Development that in addition to all of the planning and land use applications, is also responsible for park and trail planning which includes the Hermantown Connector trail. This person staffs the Park Board as well. This model does not provide any back up to handle all of the activities.

This position would supervise and coordinate the activities of the Community Development Director and the Building Official. Currently the Community Development Director and Building Official work together but are considered separate departments. Having them supervised by this position could provide better coordinating of community development related functions (land use – and building inspections, building assets)

One of five strategic directions from the HEDA Strategic plan that was prepared in 2021 was “creating a growth environment & tools for businesses.” One of the identified actions steps within that direction was to “determine funding, job description, and recruitment process for economic development position, ensuring staff capacity to implement comprehensive plan.”

If the City/HEDA want to take a proactive approach to appropriate economic development in our community, we need to be more involved in regional and state organizations such as Northspan, APEX, Chambers of Commerce, and economic development groups. We currently do not have the time to devote to fostering these relationships to the fullest extent. A simple example is that HEDA completed a business retention and expansion survey, but lacked the time to really adequately follow up with businesses. This person could create, build, and maintain those relationships.



In 2024, the City will be completing its Comprehensive Plan, this position could assist in proactively leading economic development to implement the plan, as opposed to simply waiting and hoping for developers to come to the City

SOURCE OF FUNDS (if applicable)

HEDA Fund 25%
General Fund 75%

ATTACHMENTS

Resolution
Proposed Job Description

Resolution No. 2023-183

Resolution Approving Economic Development Director Job Description And Position

WHEREAS, the City of Hermantown is a Plan “A” Statutory City; and

WHEREAS, the position of Economic Development Director is to perform professional work providing leadership for developing and carrying out the strategic vision and direction for the City and is responsible for establishing relationships with and among our economic development partners and building public/private partnerships, trust, and credibility throughout the business and development community; and

WHEREAS, attached as Exhibit “A” is the Job Description for the position of Economic Development Director; and

WHEREAS, the City Council supports the addition of a Economic Development Director to perform the duties as described in the Job Description under the supervision of the City Administrator; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Hermantown approves the following:

1. Job Description and Position of Economic Development Director in Grade 14 of the Management Compensation plan.

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, aye.

and the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted December 4, 2023.

City of Hermantown Job Description

JOB TITLE: Economic Development Director

DEPARTMENT *Community Development* FLSA Status: *Exempt*

General Definition of Work

The Director provides leadership for developing and carrying out the strategic vision and direction for the City and is responsible for establishing relationships with and among our economic development partners and building public/private partnerships, trust, and credibility throughout the business and development community. The Director will work under the administrative direction of the City Administrator, with broad decision-making authority and considerable latitude for independent judgment and initiative.

In addition to ensuring compliance with all state and federal regulations, the Economic Development Director will be the primary staff person along with the City Administrator for the Hermantown Economic Development Authority who's the mission is to intentionally lead economic growth, creating a vibrant and prosperous community.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Coordinate with the City's economic development partners in recruiting new or expanded business opportunities and assisting in providing location and workforce solutions and appropriate financial incentives as needed.
- Confer with developers, other City, County, and State agencies, and the community to coordinate planning, zoning, and development matters and serve as liaison to the community to interpret the objectives of the City's planning activities and to answer citizens' inquiries, requests, and complaints.
- Perform technical review work in preparation and implementation of the City's planning and community development plans; process and monitor annexation and zoning requests including researching and analyzing applications for compliance and conformity with the City's land use plan, Comprehensive Plan, development policies, and other applicable rules and regulations.
- Serve as the Director of the Hermantown Economic Development Authority (HEDA), reporting to a seven-member Board with an economic development mission closely coordinated with the City of Hermantown.

- Manage and direct the personnel and programs of Community Development Director, and Building Official
- Facilitates communication and cooperation to assure the efficient provision of development services to residents, developers, business owners, and others.
- As directed, works closely with developers, consultants, individuals, City personnel, City Council, community groups, and other agencies on development activities; negotiates site and development items and terms.
- Participate in, and lead as directed, development negotiations related to issues including site plan design, public financial assistance and other development terms as needed.
- Works with City Attorney to prepare development agreements and collect financial sureties as required.
- Works closely with other departments and the City Administrator to ensure overall coordination of City activities associated with planning, and development in accordance with City Council goals and policies.
- Actively monitor and evaluate the efficiency and effectiveness of the department's service delivery processes and procedures to ensure that the Planning and Economic Development Department is sensitive and responsive to the needs of a wide variety of stakeholders and interest groups.
- Monitor developments related to planning, building, land use, economic development, grant and bond programs, code enforcement, and redevelopment; evaluate their impact upon City operations and recommend policy and procedural modifications.

Knowledge, Skills and Abilities

Comprehensive knowledge of the principles and practices of City planning and economic and community development; comprehensive knowledge of economics and municipal finance as they apply to City planning; thorough knowledge of current literature and recent developments in the field; general knowledge of the principles and practices of civil engineering as they relate to planning and subdivision design and control; ability to operate standard office equipment and applicable software packages; ability to interpret and analyze technical and statistical information to prepare and present technical oral and written reports; ability to communicate effectively with governing bodies, the public, and developers; ability to establish and maintain professional working relationships with employees, officials, other agencies and the general public.

Education and Experience

Six or more years progressively knowledgeable and responsible professional experience in planning, business/economic development, business, or organizational management, the majority of which shall have been acquired in a managerial capacity.

Required education and work experience includes graduation from an accredited college or university with a degree in Management, Business Administration, Urban Studies, Urban & Regional Planning, Real Estate Development, Public Administration, Civil Engineering, Economic Development, or closely related field.

Physical Requirements

This work requires the occasional exertion of up to 10 pounds of force; work regularly requires sitting, frequently requires speaking or hearing and using hands to finger, handle or feel and occasionally requires standing, walking, climbing or balancing, reaching with hands and arms, lifting and repetitive motions; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, using of measuring devices, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work occasionally requires exposure to outdoor weather conditions; work is generally in a quiet location (e.g. library, private offices).

Special Requirements

Class D Minnesota Driver's license.

Last Revised:

11/29/2023

RESOLUTION NO. 2023-184

Resolution Adopting The Final 2023 Property Tax Levy Collectible In 2024 In The Amount Of \$8,531,684

BE IT RESOLVED by the City Council of the City of Hermantown, County of St. Louis, Minnesota, that the following sums of money be levied for the current year, collectible in 2024 upon the taxable property in the City of Hermantown, for the following purposes:

General Fund	\$7,834,701
General Obligation	\$ 395,134
Miscellaneous – HEDA	\$ 157,500
Other Debt	\$
Abatement – Fleet Farm	\$ 144,349
 Total Levy	 \$8,531,684

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

1. The City Clerk is hereby instructed to transmit a certified copy of this resolution to the county auditor of St. Louis County, Minnesota.

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 December 4, 2023.

Resolution 2023-185

Resolution Adopting The Final 2024 City General Fund Budget In The Amount Of \$8,418,276 And The Overall Budget Of \$22,631,263

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 December 4, 2023.

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>
11/27/2023	23-169	Eric Johnson, Comm. Dev. Dir	Planning Commission	Rainy Day Funding, LLC, SUB-A 5154 W Arrowhead Rd.	11/21/2023		
11/27/2023	23-170	Eric Johnson, Comm. Dev. Dir	Planning Commission	Robert Struck, SUB-A, 5661 St. Louis River Rd.	11/21/2023		
11/27/2023	23-171	Eric Johnson, Comm. Dev. Dir	Planning Commission	Zoning Text Amendment to Chapter 5, Section 590 - Hermantown Business Park	11/21/2023		
11/27/2023	23-172	Eric Johnson, Comm. Dev. Dir	Planning Commission	Zoning Text Amendment to Chapter 5, Section 500 - S-1, Suburban	11/21/2023		
11/27/2023	23-173	Eric Johnson, Comm. Dev. Dir	Planning Commission	Zoning Text Amendment to Chapter 7. Section Special Use Permits	11/21/2023		

2023 Park Board Meeting Attendance

	January	February	March	April	May	June	July	August	September	October	November	December
Mike Miller	X	N	X	X	X	N	X	N	X	X	X	U
Gene Shaw		O	X	X	X	O	X	O			X	P
Jim Sonneson	X		X	X	X		X		X	X		C
Dwight Morrison		M			X	M		M		X		O
Kelly Tasky	X	E	X	X		E	X	E	X	X	X	M
Jenna Warmuth	X	E		X	X	E	X	E			X	I
Jim Nelson	X	T		X		T	X	T	X		X	N
Ellie Jones		I		X	X	I	X	I	X	X		G
Andy Hjelle	X	N	X			N		N				
		G				G		G				

2023 Planning and Zoning Commission Meeting Attendance

	January	February	March	April	May	June	July	August	September	October *	November	December
Joe Peterson	X	X	X	X		X		N	X	X	X	U
Corey Kolquist	X		X	X		X	X	O	X	X		P
Buckley Simmons		X		X	X	X	X			X	X	C
Valerie Ouellette	X		X	X	X		X	M	X	X	X	O
Sam Clark	X	X		X	X	X	X	E	X	R	R	M
Beth Wentzlaff	X	X	X	X	X	X	X	E		X		I
Dante Tomassoni	X		X			X		T				N
John Geissler				X	X		X	I	X	X	X	G
								N				
								G				

R = RESIGNED

2023 Utility Commission Attendance

Meeting Dates	1/19/2023	3/16/2023	5/18/2023	7/20/2023	9/21/2023	11/16/2023
Name						
Jim Samberg	PRESENT	MEETING CANCELLED DUE TO WEATHER	PRESENT	PRESENT	PRESENT	PRESENT
William Berg	PRESENT		PRESENT	PRESENT	PRESENT	PRESENT
Doug Kerfeld	PRESENT		PRESENT	PRESENT	ABSENT	PRESENT
Rob McLachlan	ABSENT		ZOOM	ZOOM	ZOOM	PRESENT
Howard Jacobson	PRESENT		PRESENT	PRESENT	PRESENT	PRESENT
Councilor Andy Hjelle	ABSENT		ABSENT	ABSENT	PRESENT	PRESENT

Options: PRESENT, ZOOM, ABSENT

**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

CITY OF HERMANTOWN

CHECKS #70441-70470
11/16/2023 - 11/30/2023

PAYROLL CHECKS

Electronic Checks - #-67158-67196 \$83,532.08

Electronic Checks - #-67147-67152 \$3,637.37

LIABILITY CHECKS

Electronic Checks - #-67153-67157 \$63,522.73

Electronic Checks - #-67144-67146 \$750.72

Checks - #70441-70446 \$4,003.10

PAYROLL EXPENSE TOTAL \$155,446.00

ACCOUNTS PAYABLE

Checks - #70447-70470 \$58,925.95

Electronic Payments #-99089-99093 \$22,662.22

ACCOUNTS PAYABLE TOTAL \$81,588.17

TOTAL \$237,034.17

CITY OF HERMANTOWN, MN 11/16/2023-11/30/2023
 Check # is between -99093 and -99089 or Check # is between 70441 and 70470

11/20/2023

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	415300	Administration & Finance	GREATAMERICA FINANCIAL SERVICES	Copier Lease/Konica bizhubC308	96.00	-99093
605	431160	Street Lighting	MN POWER	Street Lights	354.19	-99092
101	452200	Community Building	MN POWER	Community Bldg	451.67	-99092
601	494400	Water Administration and General	MN POWER	Water	532.54	-99092
101	452100	Parks	MN POWER	Little Leagues	30.21	-99092
605	431160	Street Lighting	MN POWER	Street Lights	449.85	-99092
275	452200	Community Building	MN POWER	4289 Ugstad Rd/EWC	11,521.84	-99092
605	431160	Street Lighting	MN POWER	Street Lights	387.03	-99092
275	452200	Community Building	MN POWER	EWC Garage	21.17	-99092
602	494900	Sewer Administration and General	MN POWER	Sewer	604.37	-99092
101	431901	City Garage	MN POWER	4971 Lightning Dr	325.38	-99092
601	494400	Water Administration and General	MN POWER	4971 Lightning Dr	195.22	-99092
101	422902	Firehall #2 Morris Thomas Road	MN POWER	FH #2 MorrisThomas & Stebner	112.42	-99092
101	422903	Firehall #3 Midway Road	MN POWER	FH #3 Midway/Rose	93.82	-99092
101	431901	City Garage	MN POWER	5255 Maple Grove Rd Garage	24.22	-99092
605	431160	Street Lighting	MN POWER	Overhead St Lights	453.56	-99092
101	422901	Firehall #1 Maple Grove Road	MN POWER	City Hall/Police/Fire	1,471.82	-99092
605	431160	Street Lighting	MN POWER	Street Lights (Roundabout)	22.19	-99092
602	494900	Sewer Administration and General	MN POWER	4971 Lightning Dr	130.15	-99092
605	431160	Street Lighting	MN POWER	Street Lights	707.67	-99092
101	419901	City Hall & Police Building Maintenance	MN POWER	City Hall/Police/Fire	2,302.09	-99092
605	431160	Street Lighting	MN POWER	Traffic Lights	800.35	-99092
101	452100	Parks	MN POWER	Parks	228.18	-99092
402	431150	Street Improvements	BRAUN INTERTEC CORPORATION	Ugstad Road Project	777.50	-99091
101	452100	Parks	NORTHERN DOOR & HARDWARE INC	Padlocks	166.50	-99090
602	494500	Sewer Maintenance	NORTHERN DOOR & HARDWARE INC	Padlocks	83.25	-99090
601	494300	Water Distribution	NORTHERN DOOR & HARDWARE INC	Padlocks	83.25	-99090
101	431100	Street Department	NORTHERN STATES SUPPLY INC	Nuts/Bolts	8.90	-99089
101	431100	Street Department	NORTHERN STATES SUPPLY INC	Plow Bolts	226.88	-99089
601	494300	Water Distribution	ACME TOOLS	Straight Ladder	203.99	70447
101	431100	Street Department	ACME TOOLS	Shovels and Brush Axes for Pau	257.94	70447
101	452200	Community Building	ACP CREATIVIT, LLC	Nov 2023 Maintenance	10.05	70448
101	431100	Street Department	ACP CREATIVIT, LLC	Nov 2023 Maintenance	16.75	70448
101	419901	City Hall & Police Building Maintenance	ACP CREATIVIT, LLC	Nov 2023 Maintenance	237.85	70448
101	422901	Firehall #1 Maple Grove Road	ACP CREATIVIT, LLC	Nov 2023 Maintenance	70.35	70448
601	214000	Security Deposits Payable	ACS ASPHALT CONCRETE SOLUTIONS INC.	Hydrant Meter Deposit Refund	250.00	70449
601	214000	Security Deposits Payable	AMES CONSTRUCTION	Hydrant Meter Deposit Refund	250.00	70450
101	419100	Community Development	ARROWHEAD ABSTRACT & TITLE CO.	O&E Report O-309589	50.00	70451

CITY OF HERMANTOWN, MN 11/16/2023-11/30/2023
Check # is between -99093 and -99089 or Check # is between 70441 and 70470

11/20/2023

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Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	419100	Community Development	ARROWHEAD ABSTRACT & TITLE CO.	O&E Report O-309588	50.00	70451
101	419100	Community Development	ARROWHEAD ABSTRACT & TITLE CO.	O&E Report O-309708	90.00	70451
601	214000	Security Deposits Payable	ARROWHEAD CONCRETE	Hydrant Meter Deposit	250.00	70452
101	431901	City Garage	CAPITAL ONE TRADE CREDIT	Snow Shovels	49.98	70453
101	431901	City Garage	CINTAS CORPORATION	1st Aid Cabinets	144.02	70454
101	431100	Street Department	CINTAS CORPORATION	Uniforms	80.35	70454
101	431100	Street Department	CINTAS CORPORATION	Uniforms	23.38	70454
101	431901	City Garage	CINTAS CORPORATION	Supplies	28.51	70454
101	431100	Street Department	CINTAS CORPORATION	Uniforms	7.92	70454
101	431901	City Garage	CINTAS CORPORATION	Mats - PW	10.35	70454
101	431901	City Garage	CINTAS CORPORATION	Supplies	28.51	70454
101	431100	Street Department	CINTAS CORPORATION	Uniforms	7.92	70454
101	431901	City Garage	CINTAS CORPORATION	Mats - PW	30.03	70454
412	150000	Prepaid Items	COLDWELL BANKER REALTY TRUST ACCOUNT	Earnest Money - Res 2023-181	10,000.00	70455
101	419901	City Hall & Police Building Maintenance	DALCO	Toilet Tissue	141.45	70456
415	465200	Community Development	DSGW ARCHITECTS	Hermantown Arena	9,690.00	70457
601	494300	Water Distribution	FERGUSON WATERWORKS #2516	Water Corps	1,030.92	70458
601	494300	Water Distribution	FERGUSON WATERWORKS #2516	Valve Wrench	139.44	70458
245	452100	Parks	HEDBERG EXCAVATING, LLC	Sand Pad for Playground	8,785.00	70459
101	419100	Community Development	HERMANTOWN STAR LLC	Public Hearing Planning & Zoni	57.75	70460
245	419100	Community Development	HOISINGTON KOEGLER GROUP INC.	Comprehensive Plan Update- Oct	1,952.50	70461
101	415300	Administration & Finance	INNOVATIVE OFFICE SOLUTIONS, LLC	Protectors/Labels/Tape	160.74	70462
101	421100	Police Administration	INNOVATIVE OFFICE SOLUTIONS, LLC	Notary Stamp - A Johnson	41.00	70462
101	422100	Fire Administration	KRAEMER CONSTRUCTION, INC.	Steel for Roof Build - FH1	250.00	70463
101	419901	City Hall & Police Building Maintenance	MENARD INC	Driveway Markers/Salt/Tape	53.44	70464
101	419901	City Hall & Police Building Maintenance	MENARD INC	Light/Clamp/Bracket/Rod - PD	61.85	70464
101	431100	Street Department	MENARD INC	Brine System Parts - H1	4.58	70464
101	431100	Street Department	MENARD INC	Brine System Parts - H4	7.88	70464
245	452100	Parks	MN-WI PLAYGROUND	AS Shelter	17,270.00	70465
101	431100	Street Department	POMP'S TIRE SERVICE INC	Valve stem H2	229.00	70466
601	214500	Escrow Deposits Payable	SHORT ELLIOTT HENDRICKSON INC	HERT 22 Sprint @ Hawk Circle W	3,130.19	70467
101	421100	Police Administration	THOMSON REUTERS - WEST	Clear Subscription	165.00	70468
101	421100	Police Administration	TRAVELERS	Audit Adjustment	2,516.00	70469
101	421100	Police Administration	TROY'S BP AMOCO INC	Repairs - SQD 14	201.11	70470
101	421100	Police Administration	TROY'S BP AMOCO INC	Tires - SQD 16	816.20	70470
101	421100	Police Administration	TROY'S BP AMOCO INC	Tire Balance	74.00	70470

Totals: 74 records printed

81,588.17



CITY COUNCIL MEETING DATE: December 4, 2023

TO: Mayor & City Council

FROM: Eric Johnson, Community Development Director

SUBJECT: Zoning Text Amendment to Chapter 5 Section 500 – S-1 Suburban to allow Agritainment

RESOLUTION: **ORDINANCE:** 2023-10 **OTHER:**

REQUESTED ACTION

City Staff recommends zoning ordinance text amendments to Chapter 5 Section 500 – S-1, Suburban to allow Agritainment.

BACKGROUND

Hermantown City staff has received inquiries regarding agricultural based entertainment activities (corn mazes, wedding barns, etc.) in the past. In 2018, the City revised Sections 525 and 530 to allow for Agritainment and required a Special Use Permit be obtained for the use.

Recently, City staff have received inquiries regarding Agritainment based uses within the S-1, Suburban zoning district. City staff has concluded that Agritainment based uses are a logical extension to the S-1, Suburban zoning district as long as a Special Use Permit is obtained and conditions are set pertaining to the particular Agritainment use.

A public hearing for this proposed text change was held on November 21, 2023. There was one member of the public who spoke in favor of it. The Planning and Zoning Commission unanimously recommended the text change to the City Council for their review and approval.

City staff is proposing amendments to both Chapter 5, Section 500 S-1, Suburban and Chapter 7 Special Use Permits regarding Agritainment.

Changes to the Zoning text amendments include:

- Adding Section 500.03.12 Agritainment
- Adding Section 725.03.04 Agritainment

SOURCE OF FUNDS (if applicable)

HEDA

230-465100-319

ATTACHMENTS

- Ordinance
- Draft Chapter 5 S-1, Suburban - Agritainment – Mark-up version
- Draft Chapter 5 S-1, Suburban - Agritainment – Clean version

Ordinance No. 2023-10

The City Council of the City of Hermantown does ordain:

AN ORDINANCE AMENDING SECTION 500 OF THE HERMANTOWN ZONING CODE, S-1, SUBURBAN

Section 1. Purpose and Intent. The purpose of this Ordinance is to amend the provisions of Section 500 of the Zoning Ordinance to incorporate the policy recommendations of the City Council and Planning Commission pertaining to permitted uses and performance standards for such uses, as well as to modernize the terms of Section 500.

Section 2. Amendment. Section 500 of the Hermantown Zoning Code is amended in its entirety to read as shown on Exhibit A attached hereto.

Section 3. Added to Zoning Code. The terms and provisions of this ordinance shall be amended in the appropriate place in the Hermantown Zoning Code, after adoption and becoming effective.

Section 5. 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 and upon recording with the St. Louis County Recorder’s Office.

Dated: _____ Mayor: _____

Attest:

City Clerk

Adopted: _____

Published: _____

Effective Date: _____

Section 500 – S-1, Suburban

500.01 Purpose. To establish and protect areas of the community which are not yet urbanized, unsuitable for urban development because of drainage and terrain, or used for agricultural purposes. The district will be low density by its nature of large lot sizes and would not be slated for public water or sewer services.

500.02 Permitted Uses.

500.02.1. Accessory uses clearly incidental to principal use:

500.02.2. Agriculture, to include farm dwellings and agricultural buildings including livestock (20 acres or more lot size);

500.02.3. Churches, synagogues, convents;

500.02.4. Dwelling, seasonal or recreational;

500.02.5. Dwelling, single family;

500.02.6. Dwelling, two family;

500.02.7. Game preserve, public or private;

500.02.8. Public buildings;

500.02.9. Public parks and recreation areas; and

500.02.10. Public service utility, excepting plants.

500.02.11. State licensed Residential care facilities and housing with services establishments licensed under Minnesota Statutes chapter 144D serving six or fewer persons.

500.02.12. State licensed group family daycare facility serving 14 or fewer children.

500.02.13. State licensed adult daycare facility service 12 or fewer persons.

(Am. Ord. 2014-02, passed 3-17-2014)

500.03 Uses Allowed With a Special Use Permit Only.

500.03.1. Accessory structures in excess of 2,400 square feet.

(Am. Ord. 2014-08, passed 8-18-2014)

500.03.2. Agriculture, to include farm dwellings and agricultural buildings including livestock (less than 20 acres lot size);

500.03.3. Beach, private or public;

500.03.4. Clear cutting;

500.03.5. Country club;

500.03.6. Golf course, private or public;

500.03.7. Greenhouse, nursery; sales and production;

500.03.8. Kennel, boarding;

500.03.9. Model home;

500.03.10. Private camps and recreational areas; and

500.03.11. Public service utility plants.

500.03.12 Agritainment.

500.03.12.1 A minimum lot size of 10 acres is required.

500.03.12.2 Each proposed use and location shall be depicted on a site plan.

500.03.12.3 The City may set the length of operations by date and time.

500.04 Requirements.

<i>Dimension Type</i>	Requirement
1. Minimum lot area private water and sewer	5 acres
2. Minimum lot width	300 feet
3. Minimum depth of front yard from R.O.W.	
Principal structure	50 feet
4. Minimum side yard setbacks	
Principal structure	15 feet
Minimum depth corner side yard from R.O.W.	50 feet
5. Minimum rear yard setback	
Principal structure	50 feet
6. Maximum lot coverage principal structure	30%

7. Maximum building height	
Principal structure (highest point of roof)	35 feet

Am. Ord. 2014-08, passed 8-18-2014)

500.05 Environmental Assessment Worksheet Required.

500.05.1. Categories. An environmental assessment worksheet shall be prepared consistent with state law.

500.06 Accessory Uses. The following provisions shall apply to accessory uses:

500.06.1. Accessory structures of 2,400 square feet or less may be constructed within ten feet of the rear lot line provided that no portion of the accessory structure shall extend or overhang within seven feet of the lot line and that buildings containing livestock shall not be closer than 100 feet from any lot line and shall comply with the state and county health requirements.

500.06.2. Accessory structures shall not be utilized for any use or activity not otherwise allowed in the zone district in which such accessory building is to be located. Home occupations may not be conducted in detached accessory structures built after March 1994.

500.06.3. Maximum lot coverage including all structures shall not exceed 35 percent.

500.06.4. Dimensional requirements for accessory structures of 2,400 square feet or less:

Minimum depth of front yard from R.O.W.	50 feet
Minimum side yard setback	15 feet
Minimum depth of corner side yard from R.O.W.	50 feet
Minimum rear yard setback	10 feet
Maximum building height	50 feet
Maximum sidewall height	17 feet

500.06.5. Dimensional requirements for accessory structures in excess of 2,400 square feet.

Minimum depth of front yard from R.O.W.	Equal to or greater than the building line of the primary structure
Minimum side yard setback	Equal to the height of the accessory structure
Minimum depth of corner side yard from R.O.W.	50 feet
Minimum rear yard setback	40 feet
Minimum setback from primary	10 feet

structure	
Maximum building height	50 feet
Maximum sidewall height	17 feet

(Am. Ord. 2014-08, passed 8-18-2014)

500.06.6. Small Scale Agricultural Activities shall be permitted as an Accessory Use, subject to the following provisions:

500.06.6.1. Zoning Certificate. No person shall keep Small Farm Animals without first obtaining a Zoning Certificate pursuant to Sections 305 and 310 from the Zoning Officer. The application for Zoning Certificate shall include a site plan depicting the location for keeping Small Farm Animals. A copy of the application shall be mailed to adjacent property owners within 150 feet of the outer boundaries of the applicant's premises by the Zoning Officer at least ten days before the Zoning Certificate is issued. Comments, if received from neighbors during such ten-day period, will be considered in setting conditions for the Zoning Certificate. The applicant may alternatively provide written permission from neighbors as part of the application. Violation of the terms of the Zoning Certificate, the City Code, or the Zoning Code shall be grounds for revocation of the Zoning Certificate.

500.06.6.2. Ownership; Two or more Dwelling Unit Properties. Any person who keeps Small Farm Animals shall live in the dwelling on the property. Small Farm Animals are not allowed on properties with two or more dwelling units.

500.06.6.3. Limitation. Any person who keeps Small Farm Animals shall have at least one acre per animal or beehive, except that geese, ducks, female chickens, pigeons, and rabbits may be kept at a ratio of five animals per acre.

500.06.6.4. Prohibitions.

500.06.6.4.1. No person shall keep any Small Farm Animal in such a manner that causes a nuisance.

500.06.6.4.2. The slaughter of Small Farm Animals is prohibited.

500.06.6.4.3. The raising of Small Farm Animals for breeding purposes is prohibited.

500.06.6.4.4. Small Farm Animals shall not be kept inside a dwelling or garage.

500.06.6.5. Shelter and Enclosures. Small Farm Animals shall be property protected from the weather and predators in a shelter or enclosure.

500.06.6.5.1. Small Farm Animals, except honeybees, shall have access to the outdoors in an enclosure or fenced area.

500.06.6.5.2. The shelter and/or enclosure shall be set back a minimum of 50 feet from any adjacent property line.

500.06.6.5.3. Honeybees shall be kept outdoors in a hive structure intended for beekeeping.

(Am. Ord. 2015-08, passed 8-17-2015)

500.07 Off-Street Parking. Off-street parking spaces shall be provided in accordance with the specifications in this section whenever any new use is established or existing use is enlarged:

<i>Use</i>	Parking Spaces Required
Dwelling	2 per dwelling unit
Church, synagogue, convent	1 per 4 seats in principal assembly room
Greenhouse sales	1 for every 200 feet of floor space
Public buildings	1 for every 250 square feet of floor space
Other	To be determined on an individual basis by the City Council. Factors to be considered in such determination shall include (without limitation) size of building, type of use, number of employees, expected volume and turnover of customer traffic and expected frequency and number of delivery or service vehicles.

500.07.1. Parking spaces may be located on a lot other than that containing the principal use with the approval of the Board of Appeals and Adjustments.

500.07.2. Any off-street parking lot for more than five vehicles shall be graded for proper drainage and so as to provide a durable and dustless surface.

500.07.3. Any lighting used to illuminate any off-street parking lot shall be so arranged as to reflect the light away from adjoining premises.

500.07.4. All off-street parking areas shall have access from driveways rather than from public streets. Said driveway access shall be limited to 24 feet in width at the public street line.

500.08 Off-Street Loading. One off-street loading berth of not less than 35 feet shall be provided for every business and industrial use with a floor area of more than 10,000 square feet, with an additional berth required for each additional 25,000 square feet of floor area.

500.09 Temporary Structures. Temporary structures and trailers used in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued by the Zoning Officer for a six-month period, subject to the requirements of the Hermantown Building Code.

(Ord. 2004-18, passed 12-6-2004) (Am. Ord. 2014-02, passed 3-17-2014)



CITY COUNCIL MEETING DATE: December 4, 2023

TO: Mayor & City Council

FROM: Eric Johnson, Community Development Director

SUBJECT: Zoning Text Amendment to Chapter 7 Special Use Permit to allow Agritainment

RESOLUTION: **ORDINANCE:** 2023-11 **OTHER:**

REQUESTED ACTION

City Staff recommends zoning ordinance text amendments to Chapter 7 Special User Permits to allow Agritainment.

BACKGROUND

Hermantown City staff has received inquiries regarding agricultural based entertainment activities (corn mazes, wedding barns, etc.) in the past. In 2018, the City revised Sections 525 and 530 to allow for Agritainment and required a Special Use Permit be obtained for the use.

Recently, City staff have received inquiries regarding Agritainment based uses within the S-1, Suburban zoning district. City staff has concluded that Agritainment based uses are a logical extension to the S-1, Suburban zoning district as long as a Special Use Permit is obtained and conditions are set pertaining to the particular Agritainment use.

A public hearing for this proposed text change was held on November 21, 2023. There was one member of the public who spoke in favor of it. The Planning and Zoning Commission unanimously recommended the text change to the City Council for their review and approval.

City staff is proposing amendments to both Chapter 5, Section 500 S-1, Suburban and Chapter 7 Special Use Permits regarding Agritainment.

Changes to the Zoning text amendments include:

- Adding Section 725.03.04 Agritainment

SOURCE OF FUNDS (if applicable)

HEDA

230-465100-319

ATTACHMENTS

Ordinance

Draft Chapter 7 Special Use Permits - Agritainment – Mark-up version

Draft Chapter 7 Special Use Permits - Agritainment – Clean version

Ordinance No. 2023-11

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE AMENDING SECTION 700 OF THE HERMANTOWN
ZONING CODE, SPECIAL USE PERMITS**

Section 1. Purpose and Intent. The purpose of this Ordinance is to amend the provisions of Section 700 of the Zoning Ordinance to incorporate the policy recommendations of the City Council and Planning Commission pertaining to permitted uses and performance standards for such uses, as well as to modernize the terms of Section 700.

Section 2. Amendment. Section 700 of the Hermantown Zoning Code is amended in its entirety to read as shown on Exhibit A attached hereto.

Section 3. Added to Zoning Code. The terms and provisions of this ordinance shall be amended in the appropriate place in the Hermantown Zoning Code, after adoption and becoming effective.

Section 5. 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 and upon recording with the St. Louis County Recorder’s Office.

Dated: _____

Mayor: _____

Attest:

City Clerk

Adopted _____

Published _____

Effective Date _____

CHAPTER 7. SPECIAL USE PERMITS

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Section 700 - Application

700.01 Generally. A special use permit may be initiated by the owner, user or potential user of the subject property by making application in writing to the City Clerk on such forms as the Clerk may provide for such purposes. The application shall contain such information as may be required by the Planning and Zoning Commission to properly consider the application. The application shall be accompanied by the fee specified from time to time by resolution of the City Council. Any fee paid to the City Clerk shall be refunded if the applicant withdraws his or her permit application prior to consideration of such application by the Planning and Zoning Commission.

700.02 Floodplain District. In the case of an application for a special use permit within a General Floodplain Sub-district of the Floodplain District, see [Chapter 15](#), Floodplain Management Regulations, of these Zoning Regulations.

📖 **Section 705 – Planning and Zoning Commission Consideration**

705.01 Consideration by Commission. The Planning and Zoning Commission shall hold a public hearing on the application for a special use permit within 30 days after such application is received by the City Clerk.

📖 **Section 710 – Notice of Public Hearing**

710.01 Notice of Public Hearing. Notice of the time, place and purpose of the public hearing shall be published in the official newspaper at least ten days prior to the day of the hearing. Notice shall also be mailed at least ten days before the day of the hearing to each owner of affected property and the owners of property situated wholly or partly within 350 feet of the property affected by the variance. For purposes of giving mailed notice, owners shall be those as shown to be such on the records of the St. Louis County Auditor. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this notice provision has been made. Notice of a hearing for any special use permit affecting any property in a Shoreland or Floodplain District shall be mailed to the Commissioner of Natural Resources of the State of Minnesota at least 15 days prior to any such hearing.

📖 **Section 715 – Report to City Council**

715.01 Report. The Planning and Zoning Commission shall submit its report on such application to the City Council within 65 days after the public hearing held by it on such application; provided, that the City Council may, upon good cause, grant an extension of this period upon application by the Planning and Zoning Commission or the applicant. Such report shall include an accurate description of the proposed special use, the legal description of the property upon which the special use is sought to be located, any recommendations or proposed conditions by the Planning and Zoning Commission, the conclusions of the Planning and Zoning Commission with respect to the compatibility of the proposed use with the Hermantown Comprehensive Plan and the conclusions of the Planning and Zoning Commission with respect to the compatibility of the proposed use with the character and development of the neighborhood and the conclusions of the Planning and Zoning Commission with respect to any other criteria required is to be met before the permit for which application is made can be issued.

📖 Section 720 – City Council Consideration

720.01 Consideration of Application. The City Council shall thereafter consider such application for a special use permit and may hold such public meetings or such public hearing or hearings as it may deem appropriate to aid it in making a determination on such application. Any public hearing held by the City Council on such application shall be given as specified in Section [710](#) of this chapter. The City Council may require the applicant to submit to it whatever information it deems necessary for it properly to evaluate and pass on the application.

📖 Section 725 – Governing Criteria

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

725.01.1. 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;

725.01.2. 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;

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

725.01.4. 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; and

725.01.5. Any other criteria required to be considered by it under the provisions of this code for any special use permit.

725.02 Grading and Filling. In addition to the criteria for any special use permit a special use permit for grading and filling within a Shoreland or Wetland District shall not be issued unless the following factors are given due consideration:

725.02.1. Whether the proposed activity is primarily dependent on being located in the Shoreland or Wetland District and whether feasible alternative sites are available;

725.02.2. The smallest amount of bare ground is exposed for as short a time as possible;

- 725.02.3. Adequate methods to prevent erosion and trap sediment are employed;
- 725.02.4. Fill is stabilized to accepted engineering standards;
- 725.02.5. 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;
- 725.02.6. 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;
- 725.02.7. Adequate methods are employed for the preservation or establishment of local vegetation that provides wildlife habitat and screening; and
- 725.02.8. Any fill used will consist of suitable material free from toxic pollutants in other than trace quantities.
- 725.03 Accessory Structure.** In addition to the criteria for any special use permit, a special use permit for an accessory structure in an S-1, R-1, R-2 or R-3 Zone District shall not be issued unless positive findings are made with respect to each and every one of the following criteria:
- 725.03.1. Adequate safeguards and assurances have been provided to the City that no use or activity not otherwise allowed in the zone district in which such accessory structure is to be located will take place in the accessory structure at any time;
- 725.03.2. The accessory structure shall be aesthetically consistent with surrounding, adjoining properties. Aesthetic factors shall be considered with a view towards the highest possible use of the area in the vicinity of the proposed accessory structure. In making its determination, the City Council shall consider the size, shape, general appearance, structural materials and landscaping of the accessory structure; and
- 725.03.3. Conflicts with adjacent land uses shall be eliminated by providing, where necessary, buffer zones, dividing, screening or fencing.
- 725.04 Agritainment.** In addition to the criteria for any special use permit, a special use permit for an Agritainment type use in a C-1, C-1A or S-1 Zone District shall not be issued unless positive findings are made with respect to each and every one of the following criteria:
- 725.04.1. A Minnesota State Licensed Architect and Engineer shall draw and approve current or new structure with code analysis.

- 725.04.2. All State requirements pertaining to occupancy use and building and fire code.
- 725.04.3. All City requirements pertaining to public safety.
- 725.04.4. Provide a traffic analysis prepared by a Minnesota Licensed Traffic Engineer generating trip calculations and analyzing property/site access.

📖 **Section 730 – Decision by the City Council**

730.01 Decision and Action. The City Council shall make its decision on an application for a special use permit as soon as possible following the receipt by it of the report and recommendation of the City Council. Action on any application shall be by majority vote of the members of the City Council present and voting.

730.02 Decision to be in Writing. The decision of the City Council shall be in writing with the factual basis and reasons supporting such decision set forth in the resolution containing the decision.

730.03 Safeguards and Restrictions. The City Council may impose appropriate safeguards, conditions and restrictions, including performance bonds and a time limitation on such permit, to ensure that the spirit and intent of the Comprehensive Plan is met and to conserve and protect property and property values in the neighborhood. Further, for special use permits in a Floodplain District or a Wetland District all special use permits issued for grading or filling shall be subject to the following conditions:

730.03.1. That the smallest amount of bare ground is exposed for as short a time as feasible;

730.03.2. That temporary groundcover, such as mulch, is used, and permanent groundcover, such as sod, is planted;

730.03.3. That adequate methods to prevent erosion and trap sediment are employed;

730.03.4. That fill is stabilized to accepted engineering standards;

730.03.5. That 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;

730.03.6. That 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;

730.03.7. That adequate methods are employed for the preservation or establishment of local vegetation that provides wildlife habitat and screening; and

730.03.8. That the fill used will consist of suitable material free from toxic pollutants in other than trace quantities.

730.04 Violations. Violations of any such conditions and safeguards, when made a part of the terms under which the special use permit is granted, shall be deemed a violation of this code.

📖 **Section 735 – Finality of Decision**

735.01 When Final. A decision on a special use permit shall be final upon the adoption of the resolution containing such decision by the City Council.

735.02 Filing of Copy. After such decision is final, a certified copy of it shall be filed for record with the County Recorder or Registrar of Titles of St. Louis County. Each special use permit shall contain the legal description of the property.

735.03 Mailing of Copy; Shoreland or Wetlands. A copy of all special use permits for grading or filling in a Shoreland District or Wetland District shall be furnished by mail to the Commissioner of Natural Resources of the State of Minnesota and the St. Paul District of the U.S. Army Corps of Engineers within five days of the special use permit becoming final.

735.04 Mailing of Copy; Floodplain District. A copy of all special use permits for activity in a Flood Plain District shall be forwarded by mail to the Commissioner of Natural Resources for the State of Minnesota within ten days of such special use permit becoming final.

📖 **Section 740 – Duration of Permit**

740.01 Duration of Permit. Any permit issued by the City Council shall remain in effect so long as the conditions imposed in such permit are observed or the expiration of the time limitation imposed on such permit, whichever is earlier; provided, however, that nothing herein shall prevent the City Council from enacting or amending official controls to change the status of any special use permit.

📖 **Section 745 – Renewals**

745.01 Renewals. Upon the expiration of the time period established as a limit on any permit granted hereunder, such permit shall terminate and the use

authorized by such permit shall immediately cease; provided, however, that if the permittee shall make application for a renewal of such special use permit prior to the expiration of such time period, such permit shall continue in effect until action is taken by the City Council on such application for the renewal of such permit. Upon the City Council taking action on such application for renewal, the previous permit shall terminate and the use authorized by such permit shall immediately cease, if such application for renewal is denied, or continue under the renewal permit, if such application for renewal is granted. All such applications for renewals shall be made in accordance with the procedures set forth in this [Chapter 7](#).



CITY COUNCIL MEETING DATE: December 4, 2023

TO: Mayor & City Council

FROM: Eric Johnson, Community Development Director

SUBJECT: Acceptance of Final Alternative Urban Areawide Review (AUAR) document

RESOLUTION: 2023-186 **ORDINANCE:** **OTHER:**

REQUESTED ACTION

Accept the Draft Alternative Urban Areawide Review (AUAR) as the Final AUAR and authorize City staff to proceed with distributing the Final AUAR to the State agencies and to request adoption of the Final AUAR at the next City Council meeting.

BACKGROUND

HEDA is working with Braun Intertec to prepare an Alternate Urban Areawide Review of the properties in the proposed Hermantown Business Park at the corner of Lavaque Bypass and Hwy 53. There are several steps in this process, with two public comment periods for the two AUAR documents; AUAR Large Specific Scoping document and Draft AUAR document.

The City received one comment by the Minnesota Department of Natural Resources on October 11, 2013 (Exhibit A) regarding the existing Missing Link Snowmobile Trail 196. The AUAR will continue to provide this connection to the adjacent trail systems as development occurs within the Business Park.

Due to the nature of the comments received, no revisions were proposed to the draft AUAR, and on November 7, 2023 City staff deemed the draft AUAR as final and distributed the final AUAR to State agencies.

City staff submitted the Notice of RGU Acceptance and Distribution of Final AUAR for the Proposed Hermantown Business Park to the Environmental Quality Board Distribution List on November 22, 2023 (pursuant to Minnesota Rules 4410.3610, subpart 5).

City staff have received no objections from State agencies have during the allotted 10-day timeframe. Upon City Council approval, City staff will submit evidence of this adoption to the Minnesota Environmental Quality Board pursuant to Minnesota Rules 4410.3610 subpart 5.D.E.

SOURCE OF FUNDS (if applicable)

HEDA 230-465100-319

ATTACHMENTS

Resolution
Exhibit A

Resolution No. 2023-186

Resolution Adopting The Final Hermantown Business Park Alternative Urban Areawide Review (AUAR) Document And Mitigation Plan

WHEREAS, the Hermantown City Council desires to consider the construction of roads and utilities for the Hermantown Business Park (“Hwy 53 Business Park”) within the City of Hermantown and as shown on the attached Figure 1 and Figure 2 hereto (“Project”); and

WHEREAS, the Project is approximately 119.8 areas (Study Area); and

WHEREAS, Project proposes to construct one through street and up to 22 new buildings of variable sizes from 7,800 to 299,000 square feet, totaling up to 942,000 square feet of new and existing buildings. The proposed uses of the newly constructed buildings would be light industrial, warehousing, and commercial uses including offices and retail; and

WHEREAS, there are no specific end users or specific projects planned within the Study Area and the AUAR will be used as a planning and environmental review document for future project specific individual plans and uses within the Study Area; and

WHEREAS, the City, as the Responsible Governmental Unit (hereinafter referred as the “RGU”), had ordered that an Alternative Urban Areawide Review (hereinafter referred to as the “AUAR”) is required for the Project per Minnesota Rules 4410.3610; and

WHEREAS, the City Council has received the AUAR Large Specific Project Scoping document (hereinafter reviewed as “Scoping AUAR”), for the Hermantown Business Park (Project); and

WHEREAS, the Scoping AUAR was submitted to the Minnesota Environmental Quality Board’s EQB Monitor on/before May 9, 2023 for public review and comment as part of the AUAR process as described in Minnesota Rules 4410.3610, Subp. 5.A.; and

WHEREAS, at the conclusion of the 30 day public comment period on June 15, 2023 the RGU had not received any public or government agency comments, and

WHEREAS, pursuant to Minnesota Rules 4410.3610, subpart 5.a (D), the RGU must adopt a Final Order for Review for the preparation of a Draft AUAR and mitigation plan (based on the development scenario presented in the Scoping AUAR document) to analyze the individual and cumulative potential effects from the largest building footprints possible and lot configurations with consideration given to existing natural resources, planning and zoning requirements, market trends, and infrastructure needs, and

WHEREAS, HEDA directed City staff to proceed with the preparation of the draft AUAR and mitigation plan for the development scenario; and

WHEREAS, pursuant Hermantown City Council authorized the preparation of the draft AUAR document on July 5, 2023 (Resolution No. 2023-91), and

WHEREAS, the draft AUAR and mitigation plan for the development scenario was prepared and public noticed from September 12, 2023 through October 12, 2023, and

WHEREAS, one public comment was received by the Minnesota Department of Natural Resources on October 11, 2013 (refer to attached Exhibit A); and

WHEREAS, the City of Hermantown acknowledges the existing Missing Link Snowmobile Trail 196, and will continue to provide this connection to the adjacent trail systems as development occurs within the Project area; and

WHEREAS, due to the nature of the comments received, no revisions are proposed to the draft AUAR, and

WHEREAS, on November 7, 2023 City staff deemed the draft AUAR as final and distributed the final AUAR to State agencies and proceed to adopt the final AUAR at a future City Council meeting.

WHEREAS, City staff submitted the Notice of RGU Acceptance and Distribution of Final AUAR for the Proposed Hermantown Business Park to the Environmental Quality Board Distribution List on November 22, 2023 (pursuant to Minnesota Rules 4410.3610, subpart 5).

WHEREAS, State agencies have 10 days from receipt of the final AUAR to file an objection (4410.3610 subpart 5), and no objection was filed within the allotted timeframe,

NOW, THEREFORE, BE IT RESOLVED that the City of Hermantown hereby approves and adopts the Final AUAR and directs city staff to submit evidence of this adoption to the Minnesota Environmental Quality Board pursuant to Minnesota Rules 4410.3610 subpart 5.D.E.

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 December 4, 2023.

**Minnesota Department of Natural Resources
Northeast Regional Headquarters
1201 East Highway 2, Grand Rapids, MN 55744**

October 11, 2023

Eric Johnson
City of Hermantown- Community Development Director
5105 Maple Grove Road
Hermantown, MN 55811
Phone: 218-729-3618
Email: eric.johnson@hermantownmn.com

RE: Hermantown Business Park Alternative Urban Areawide Review (AUAR)

Dear Mr. Johnson,

The Minnesota Department of Natural Resources (MNDNR) has conducted a review of the **Hermantown Business Park Alternative Urban Areawide Review (AUAR)**. We appreciate the opportunity to review this project and encourage project proposers to continue their coordination with MN DNR and other agencies to protect natural resources and recreational opportunities.

The Hermantown Missing Link Snowmobile Trail 196 runs north/south through the project area. MNDNR is interested in ensuring that this trail continue to provide connection to the adjacent trail systems into the future. Please contact MNDNR Parks and Trails Supervisor Kevin Johnson (Kevin.Johnson@state.mn.us) to discuss the potential for purchase of a permanent easement.

Thank you for the opportunity to review the **Hermantown Business Park Alternative Urban Areawide Review (AUAR)**. Please contact our MN DNR Northeast Regional Environmental Assessment Ecologist, Jessica Parson, with any additional questions. Jessica can be reached at (218) 328-8826 or via email at: jessica.parson@state.mn.us.

Sincerely,

Shelly Patten

Digitally signed by Shelly
Patten
Date: 2023.10.11
09:56:22 -05'00'

Shelly Patten
NE Regional Director, MN DNR

CC:
*Jill Townley
Lisa Joyal
Darrell Schindler
Greg Root
Jessica Parson*



CITY COUNCIL MEETING DATE: December 4, 2023

TO: Mayor & City Council

FROM: John Mulder, City Administrator

SUBJECT: Resolution declaring that Peyton Drive, Peyton Lane, and Teal Lane Roads and the related public infrastructure have been accepted and opened

RESOLUTION: 2023-187 **ORDINANCE:** **OTHER:**

REQUESTED ACTION

Declaring that Peyton Drive, Peyton Lane, and Teal Lane Roads have been accepted and opened.

BACKGROUND

The City Council adopted Resolution 2021-96 and 2020-102 approving the Development Agreements with JLG Enterprises of Hermantown, LLP for Phases 1A and 1B of Peyton Acres Development which required JLG Enterprises to construct Peyton Drive, Peyton Lane, And Teal Lane Roads and the related public infrastructure. That work was completed, but has not ever be formally accepted by the City. The attached resolution formally accepts Peyton Drive, Peyton Lane, And Teal Lane Roads and the related public infrastructure.

A punch list was created at the end of 2023, and those last items shall be completed by spring or 2024, including receiving the record drawings for the infrastructure.

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

Plat Map
Certificate of Completion

Resolution No. 2023-187

Resolution Declaring That Peyton Drive, Peyton Lane, And Teal Lane Roads And The Related Public Infrastructure Have Been Accepted And Opened By The City Of Hermantown And Authorizing The Mayor And City Clerk To Execute And Deliver An Appropriate Certificate Thereof

WHEREAS, by Ordinance No. 87-02 the City Council of the City of Hermantown determined that no road or street within the City of Hermantown shall be accepted or opened until a resolution has been approved declaring that such road or street has been accepted and opened by the City Council; and

WHEREAS, the location of the Peyton Drive, Peyton Lane, Teal Lane Roads and the related public infrastructure that are being accepted and opened hereinafter Peyton Drive, Peyton Lane, and Teal Lane” is shown on Exhibit A attached hereto; and

WHEREAS, Northland Consulting Engineering, Inc. has inspected Peyton Drive, Peyton Lane, Teal Lane and the related public infrastructure and has recommended that the City accept Peyton Drive, Peyton Lane, and Teal Lane; and

WHEREAS, the City Council of the City of Hermantown hereby determines that the acceptance and opening of Peyton Drive, Peyton Lane, Teal Lane and the related public infrastructure is in the best interests of the City of Hermantown; and

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

1. Peyton Drive, Peyton Lane, and Teal Lane and the related public infrastructure is hereby accepted and opened by the City of Hermantown.
2. The date that Peyton Drive, Peyton Lane, and Teal Lane and the related public infrastructure shall be determined to be opened and accepted shall be the date the Mayor and City Clerk execute a Certificate to that effect.
3. The City Clerk shall make an appropriate notation in the City records as to the date a certificate is executed and delivered by the Mayor and City Clerk pursuant hereto and indicate that such date is the date that Peyton Drive, Peyton Lane, and Teal Lane became opened and accepted by the City of Hermantown.

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 is declared duly passed and adopted December 4,2023.

1425258

PEYTON ACRES

LOCATED IN PART OF THE N $\frac{1}{2}$ OF THE SW $\frac{1}{4}$ OF SEC. 24, TWP. 50,
RGE. 15
ST. LOUIS COUNTY MINNESOTA

KNOW ALL PERSONS BY THESE PRESENTS:

That JLG Enterprises of Hermantown, LLP, a Minnesota Limited liability Partnership, is the owner of the following described property situated in the City of Hermantown, County of St. Louis, State of Minnesota to wit.

The Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$), Section Twenty-four (24), Township Fifty (50) North, Range Fifteen (15), West of the Fourth Principal Meridian, Except the Northerly 160.00 feet of the Southerly 965.00 feet thereof.

AND The Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$) of Section Twenty-four (24), Township Fifty (50) North, Range Fifteen (15), according to the Government Survey thereof, St. Louis County, Minnesota

Has caused the same to be surveyed and platted as PEYTON ACRES and does hereby dedicate to the public for public use the public ways as created by this plat.

In witness whereof said JLG Enterprises of Hermantown, LLP, a Minnesota Limited Liability Partnership has caused these presents to be signed by its proper officers this 9th Day of August, 2021

JLG Enterprises

By: Gary M. Gilbert
Gary M. Gilbert, Partner

By: Jeffery L. Gilbert
Jeffery L. Gilbert, Partner

STATE OF MINNESOTA
COUNTY OF ST. LOUIS

The following instrument was acknowledged before me this 9th day of August, 2021, by Gary M. Gilbert, Partner of JLG Enterprises of Hermantown, LLP, a Minnesota Partnership, on behalf of the partnership.

Mary A. Melde
Notary Public - Minnesota
My Commission Expires Jan. 31, 2025

Mary A. Melde
Notary Public, St. Louis County, Minnesota
My Commission Expires 1/31/2025

The following instrument was acknowledged before me this 9th day of August, 2021, by Jeffery L. Gilbert, Partner of JLG Enterprises of Hermantown, LLP, a Minnesota Partnership, on behalf of the partnership.

Mary A. Melde
Notary Public - Minnesota
My Commission Expires Jan. 31, 2025

Mary A. Melde
Notary Public, St. Louis County, Minnesota
My Commission Expires 1/31/2025

I Ronald L. Krueger do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data, dimensions, labels and symbols are correctly designated on this plat; that all monuments depicted on this plat have been or will be correctly set within one year; that all water boundaries and wetlands as defined in Minnesota Statutes, Section 505.021, as of the date of this certificate are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this 9th day of August, 2021

Ronald L. Krueger
Ronald L. Krueger, Licensed Land Surveyor
Minnesota License No. 14374

This instrument was acknowledged before me this 9th day of August, 2021 by Ronald L. Krueger, MN License No. 14374

Christie Clark
Notary Public, St. Louis County, MN.
My Commission Expires 1/31/2022

CITY OF HERMANTOWN CITY COUNCIL

Approved by the City Council of the City of Hermantown, St. Louis County, Minnesota at a regular meeting thereof, on the 2nd day of August, 2021.

Wesley Perdue
Mayor

Bonnie Engseth
Clerk

ST. LOUIS COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, 505.021, Subd. 11, this plat has been reviewed and approved this 9th day of August, 2021

By Nick C. Stewart,
County Surveyor

Nick C. Stewart
Deputy

ST. LOUIS COUNTY AUDITOR

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, and to Minnesota Statutes, Section 272.12, taxes payable in the year 2021 on the land hereinbefore described have been paid; there are no delinquent taxes and transfer entered this 21st day of September, 2021

Nancy Nilsen
County Auditor

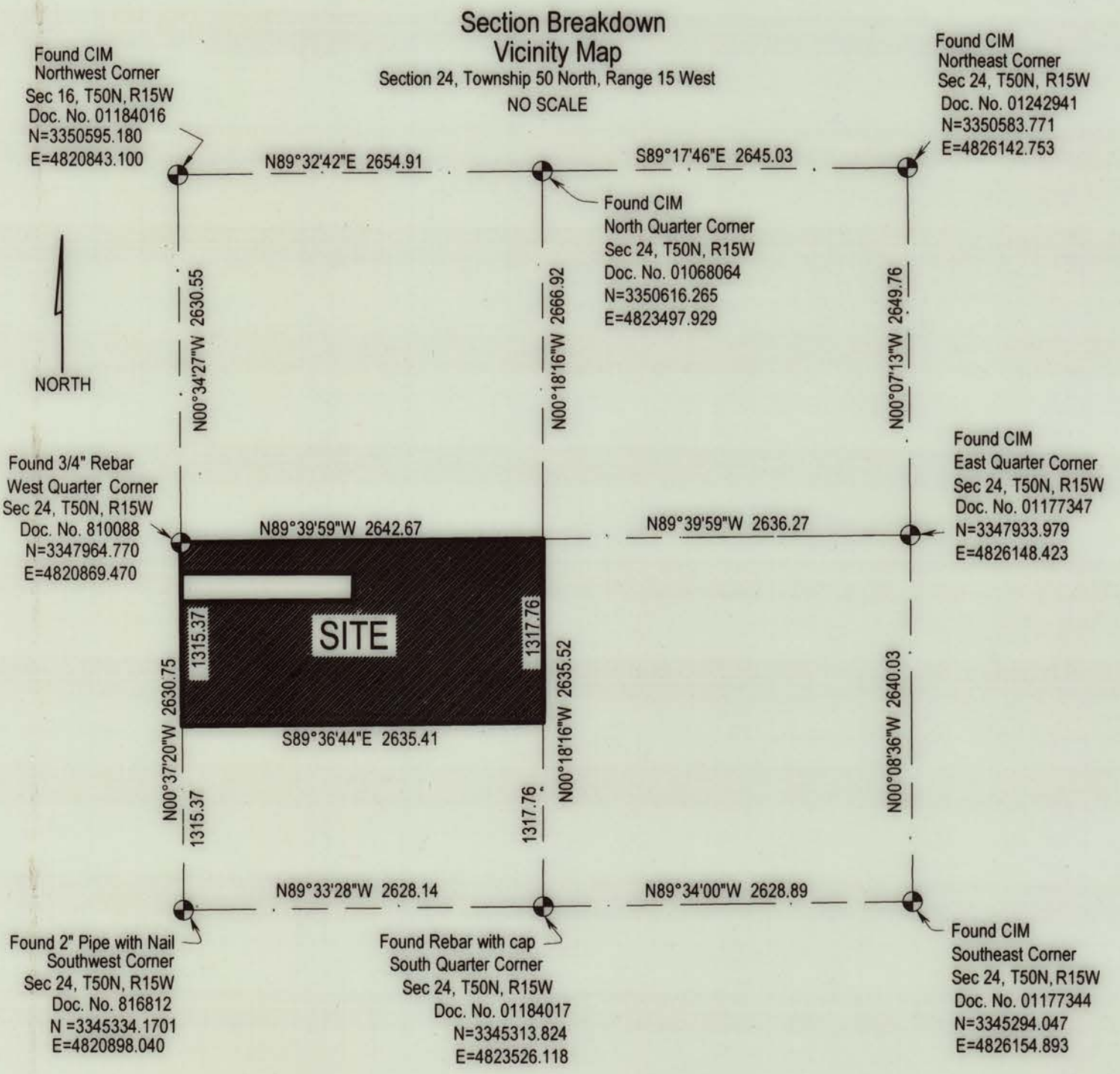
Nancy Nilsen
Deputy

ST. LOUIS COUNTY RECORDER

I hereby certify that this plat of PEYTON ACRES was filed in this office of the County Recorder for public record on this 22nd day of September, 2021 at 11:29 o'clock A.M. as Document No. 1425258

Wendy Levitt
County Recorder

Wendy Levitt
Deputy



NOTE

Bearings, Distances, and Coordinates are based on the SLCTM96 Coordinate System Assigned SLCTM96 NAD83 NSRS 2007 bearing for the West line of the SW 1/4 is N00°37'20"W

LEGEND

- PLAT BOUNDARY
- LOT BOUNDARY
- EXISTING PLAT LINE
- PLSS LINE
- WET LAND
- FOUND REBAR W/ CAP NO. 14374
- SET 1/2 INCH REBAR W/ CAP NO. 14374
- (MEAS) MEASURED DIMENSION
- (PLAT) PLAT DIMENSION

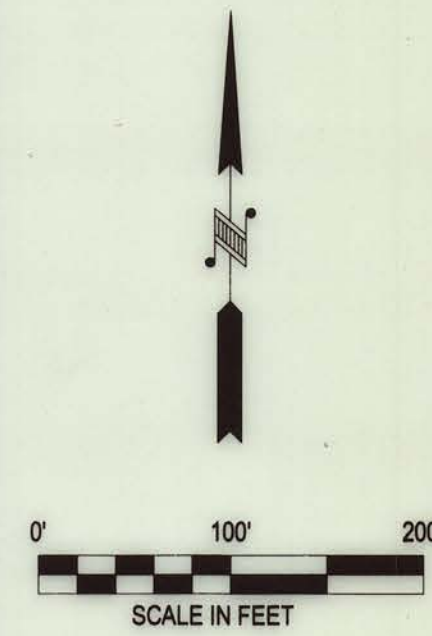
PEYTON ACRES

1425258

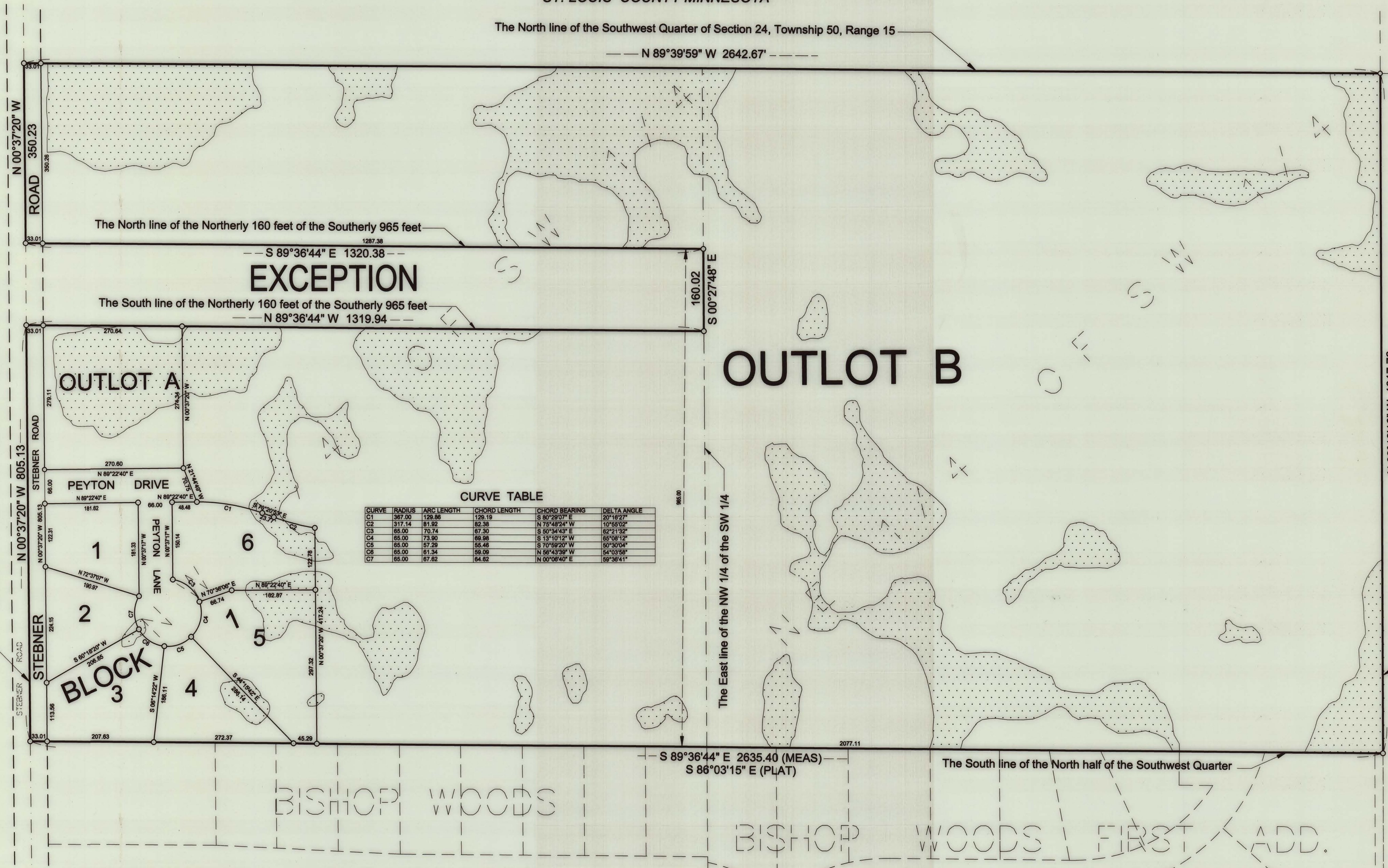
LOCATED IN PART THE N 1/2 OF THE SW 1/4 OF SEC. 24, TWP. 50,
RGE. 15
ST. LOUIS COUNTY MINNESOTA

The North line of the Southwest Quarter of Section 24, Township 50, Range 15

N 89°39'59" W 2642.67'



The West line of the Southwest Quarter of Section 24, Township 50, Range 15



The North line of the Northerly 160 feet of the Southerly 965 feet

S 89°36'44" E 1320.38

EXCEPTION

The South line of the Northerly 160 feet of the Southerly 965 feet

N 89°36'44" W 1319.94

OUTLOT A

OUTLOT B

BLOCK 3

BISHOP WOODS

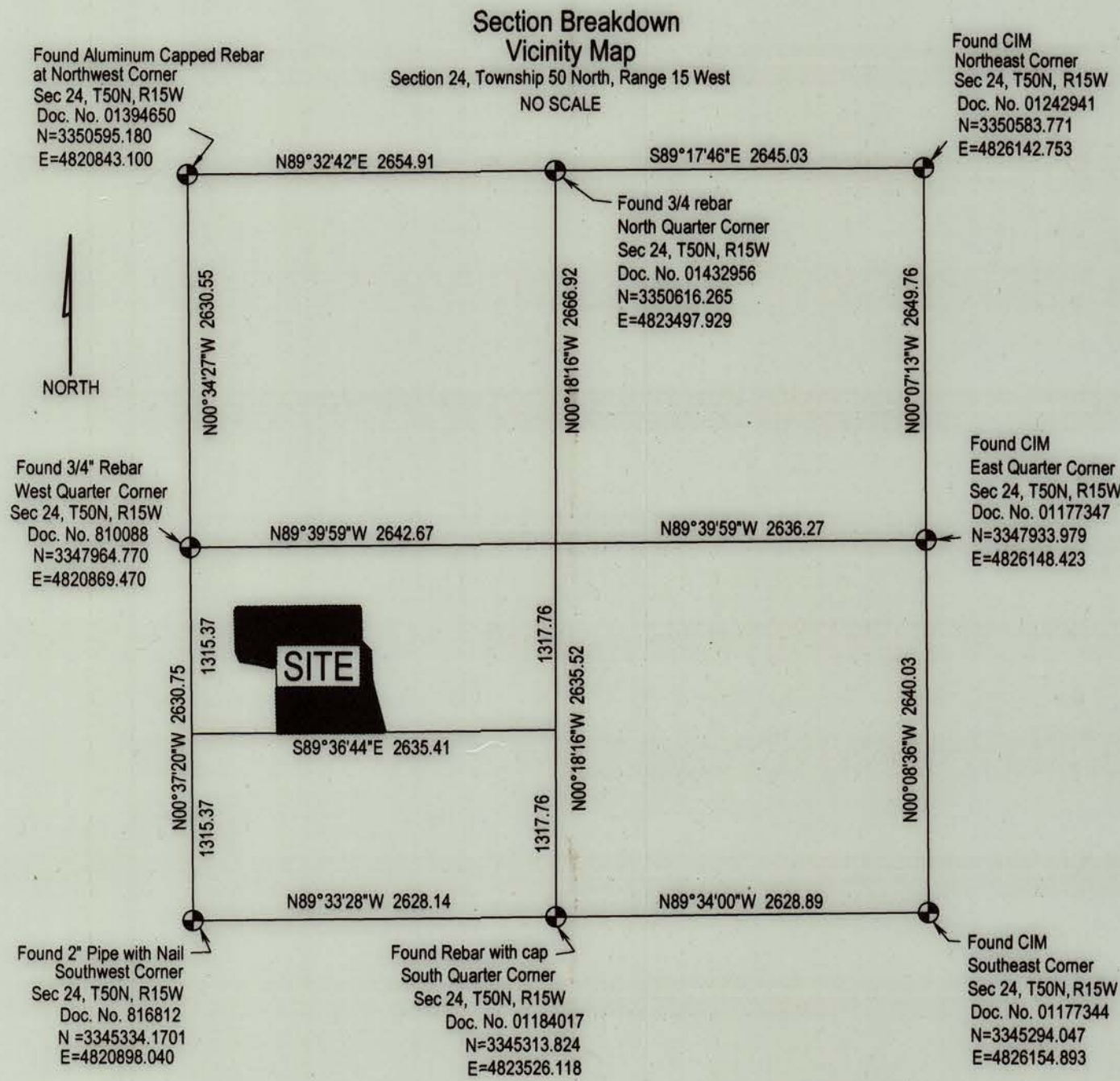
BISHOP WOODS FIRST ADD.

CURVE TABLE

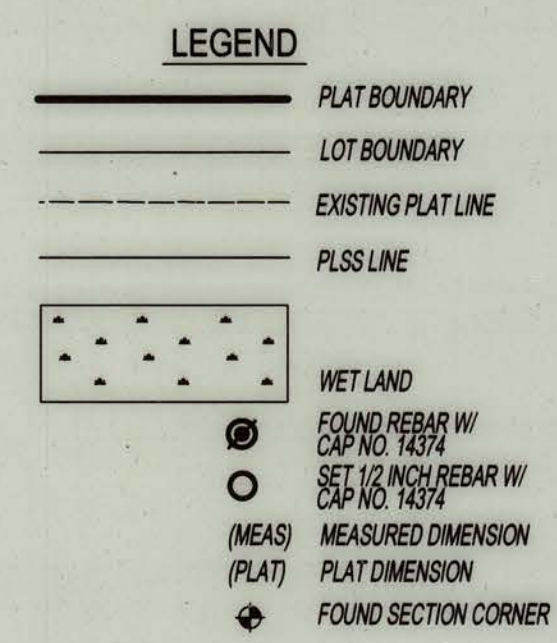
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	367.00	129.86	129.19	S 90°29'07" E	20°16'27"
C2	317.14	81.92	82.38	N 75°48'24" W	10°55'02"
C3	65.00	70.74	67.30	S 50°34'43" E	62°21'32"
C4	65.00	73.90	69.98	S 13°10'12" W	65°08'12"
C5	65.00	57.29	55.46	S 70°59'20" W	50°30'04"
C6	65.00	61.34	59.09	N 56°43'39" W	54°03'58"
C7	65.00	67.62	64.62	N 00°06'40" E	59°38'41"

PEYTON ACRES PHASE 1B

LOCATED IN PART OF OUTLOT B OF PEYTON ACRES,
SECTION 24, TOWNSHIP 50 NORTH, RANGE 15 WEST,
ST. LOUIS COUNTY, MINNESOTA



NOTE
Bearings, Distances, and Coordinates are based on the SLCTM96 Coordinate System Assigned SLCTM96 NAD83 NSRS 2007 bearing for the West line of the SW 1/4 is N00°37'20"W



KNOW ALL PERSONS BY THESE PRESENTS:

That JLG Enterprises of Hermantown, LLP, a Minnesota Limited Liability Partnership, is the owner, and Park State Bank, a Minnesota Corporation, Mortgagee, of the following described property situated in the City of Hermantown, County of St. Louis, State of Minnesota to wit:

That part of Outlot B, PEYTON ACRES described as follows:

Commencing at the Northwest corner of Outlot A, PEYTON ACRES; thence on a bearing of South 89 degrees 36 minutes 44 seconds East along the North line of said Outlot A, a distance of 270.64 feet to the Northeast corner of said Outlot A, the point of beginning of the land to be described; thence South 89 degrees 36 minutes 44 seconds East a distance of 846.55 feet; thence South 00 degrees 37 minutes 20 seconds East a distance of 197.81 feet; thence South 32 degrees 29 minutes 25 seconds West a distance of 93.25 feet; thence South 12 degrees 27 minutes 27 seconds East a distance of 300.00 feet; thence South 01 degrees 53 minutes 45 seconds West a distance of 235.82 feet to the South line of Outlot B, PEYTON ACRES; thence North 89 degrees 36 minutes 44 seconds West along the South line of said Outlot B, a distance of 592.16 feet to the Southeast corner of Lot 5, Block 1, PEYTON ACRES; thence North 00 degrees 37 minutes 20 seconds West along the East line of Lots 5 and 6, Block 1, PEYTON ACRES a distance of 417.24 feet to the Northeast corner of Lot 6, Block 1, PEYTON ACRES; thence Northwesterly a distance of 82.50 feet along a curve concave to the Northeast having a radius of 433.00 feet, a central angle of 10 degrees 55 minutes 02 seconds and a chord bearing of North 75 degrees 48 minutes 24 seconds West; thence North 70 degrees 20 minutes 30 seconds West a distance of 23.77 feet; thence Westerly a distance of 129.86 feet along a tangential curve concave to the South having a radius of 367.00 feet, a central angle of 20 degrees 16 minutes 27 seconds and a chord bearing of North 80 degrees 29 minutes 07 seconds West; thence North 21 degrees 44 minutes 49 seconds West a distance of 70.75 feet to the Southeast corner of Outlot A, PEYTON ACRES; thence North 00 degrees 37 minutes 20 seconds West along the East line of said Outlot A, a distance of 274.34 feet to the Northeast corner of said Outlot A, the point of beginning.

Has caused the same to be surveyed and platted as PEYTON ACRES PHASE 1B and does hereby dedicate to the public for public use the public ways as created by this plat.

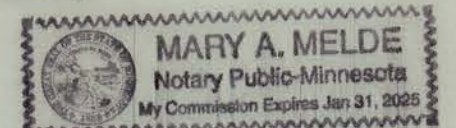
In witness whereof said JLG Enterprises of Hermantown, LLP, a Minnesota Limited Liability Partnership has caused these presents to be signed by its proper officers this 10th Day of November, 2022

By: Gary M. Gilbert
Gary M. Gilbert, Partner

By: Jeffery L. Gilbert
Jeffery L. Gilbert, Partner

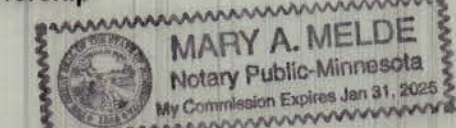
STATE OF MINNESOTA
COUNTY OF ST. LOUIS

The following instrument was acknowledged before me this 10th day of November, 2022, by Gary M. Gilbert, Partner of JLG Enterprises of Hermantown, LLP, a Minnesota Limited Liability Partnership, on behalf of the partnership.



Mary A. Melde
Notary Public, St. Louis County, Minnesota
My Commission Expires 1/31/2025

The following instrument was acknowledged before me this 10th day of November, 2022, by Jeffery L. Gilbert, Partner of JLG Enterprises of Hermantown, LLP, a Minnesota Limited Liability Partnership, on behalf of the partnership.



Mary A. Melde
Notary Public, St. Louis County, Minnesota
My Commission Expires 1/31/2025

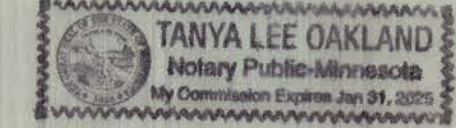
In witness whereof, Park State Bank, a Minnesota Corporation has caused these presents to be signed by its proper officer this 9 day of Nov, 2022

PARK STATE BANK

By: B. Baker its Market President

State of Minnesota
County of St. Louis

The following instrument was acknowledged before me this 9th day of Nov, 2022, by Bud Baker of Park State Bank, a Minnesota Corporation, on behalf of the Corporation.



Tanya Lee Oakland
Notary Public, St. Louis County, Minnesota
My Commission Expires Jan 31, 2025

I Ronald L. Krueger do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data, dimensions, labels and symbols are correctly designated on this plat; that all monuments depicted on this plat have been or will be correctly set within one year; that all water boundaries and wetlands as defined in Minnesota Statutes, Section 505.021, as of the date of this certificate are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this 9th day of NOVEMBER, 2022

Ronald L. Krueger
Ronald L. Krueger, Licensed Land Surveyor
Minnesota License No. 14374

State of Minnesota
County of St. Louis

This instrument was acknowledged before me this 9th day of NOVEMBER, 2022 by Ronald L. Krueger, MN License No. 14374

Cherie Clark
Notary Public, St. Louis County, MN
My Commission Expires 1/31/2027

CITY OF HERMANTOWN CITY COUNCIL

Approved by the City Council of the City of Hermantown, St. Louis County, Minnesota at a regular meeting thereof, on the 10th day of Nov, 2022

By: Wayne Bauer
Mayor

Jackie M. Bauer
Clerk

ST. LOUIS COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, 505.021, Subd. 11, this plat has been reviewed and approved this 9th day of November, 2022

By Nick C. Stewart,
County Surveyor

Nick C. Stewart
Deputy

ST. LOUIS COUNTY AUDITOR

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, and to Minnesota Statutes, Section 272.12, taxes payable in the year 2022 on the land hereinbefore described have been paid; there are no delinquent taxes and transfer entered this 14th day of November, 2022

Nancy Nilsen
County Auditor

Nancy Nilsen
Deputy

ST. LOUIS COUNTY RECORDER

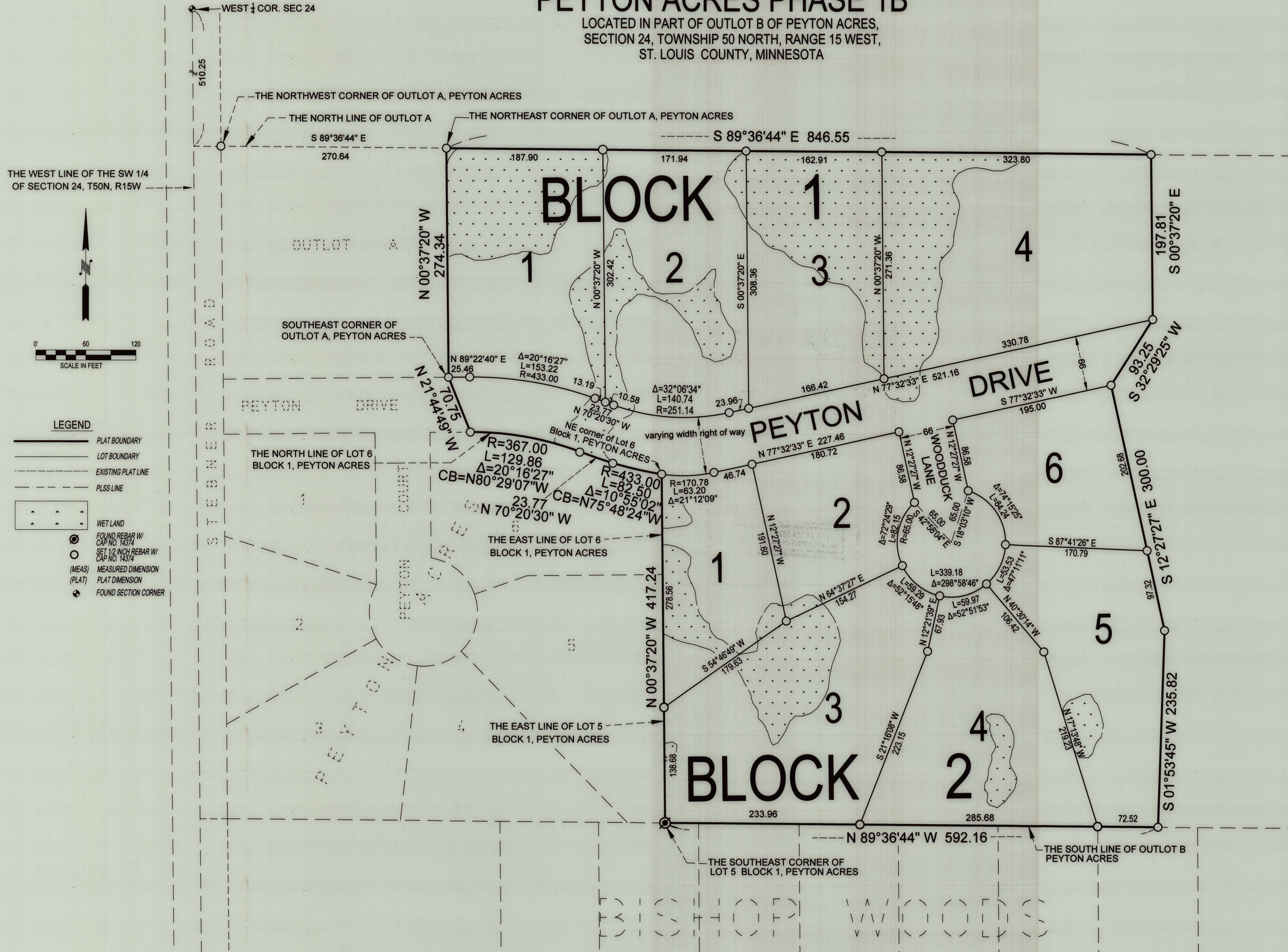
I hereby certify that this plat of PEYTON ACRES PHASE 1B was filed in this office of the County Recorder for public record on this 17th day of NOVEMBER, 2022, at 10 O'clock A.M. as Document No. 01456680

Wendy Levitt
County Recorder

Wendy Levitt
Deputy

PEYTON ACRES PHASE 1B

LOCATED IN PART OF OUTLOT B OF PEYTON ACRES,
SECTION 24, TOWNSHIP 50 NORTH, RANGE 15 WEST,
ST. LOUIS COUNTY, MINNESOTA



THE WEST LINE OF THE SW 1/4
OF SECTION 24, T50N, R15W

ROAD
PEYTON DRIVE
WOODDUCK LANE
PEYTON COURT

- LEGEND**
- PLAT BOUNDARY
 - LOT BOUNDARY
 - - - EXISTING PLAT LINE
 - - - PLSS LINE
 - WET LAND
 - FOUND REBAR W/ CAP NO. 14374
 - SET 1/2 INCH REBAR W/ CAP NO. 14374
 - (MEAS) MEASURED DIMENSION
 - (PLAT) PLAT DIMENSION
 - ⊕ FOUND SECTION CORNER



CITY COUNCIL MEETING DATE: December 4, 2023

TO: Mayor & City Council

FROM: John Mulder, City Administrator

SUBJECT: Benson Road Culvert Project No. 601

RESOLUTION: 2023-188 **ORDINANCE:** **OTHER:**

REQUESTED ACTION

Authorize Engineering Service for the design and layout to replace (4) existing culverts with 1 new larger culvert and rebuild a section of Benson Road. Engineering Service are estimated cost of \$ 49,060.00.

BACKGROUND

Earlier this year, the Public Works department detected that several culverts on Benson Road that were failing. The City Engineer then inspected the culverts to determine the extent and severity of the problem. It was determined that 4 culverts were failing in different capacities.

The permanent repair would be to replace the existing 4 existing metal pipe culverts with a large box culvert. It involves getting additional easements from two landowners. However, no permits from the DNR nor MNDOT approval of the plans will be needed. Completing the design this winter would allow for the ordering of the culvert with a enough lead time.

These culverts are in severe failure and therefore we plan completed the replacement in the spring of 2024.

SOURCE OF FUNDS (if applicable)

Storm Water Enterprise Fund – 603-441100-530 601
General Fund – 101-441100-530 601

ATTACHMENTS

Resolution
Engineers Estimate

Resolution No. 2023-188

Resolution Approving Engineering Services By Northland Consulting Engineers For Benson Road Culverts Improvement Project No. 601

WHEREAS, the City of Hermantown has a contract with Northland Consulting Engineers for engineering services for Benson Road Culverts Improvement Project No. 601 (“Project”) and

WHEREAS, Northland Consulting Engineers provided the design and construction engineering for the “Project”, and

WHEREAS, staff met with representatives from Northland Consulting Engineers to discuss the fee and find a mutual satisfactory resolution of the request; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Hermantown accept the proposal from Northland Consulting Engineers for additional design and construction engineering in the amount of \$49,060.00.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby directed and authorized to sign a contract for the services in the amount of \$49,060.00.

Councilor _____ introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolutions 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 December 4, 2023.

Civil Engineering Fee Proposal



Date: 11/27/23

Proposal #: P1127

Project Title: Benson Road Box Culvert
Project Location: Hermantown, MN
Company: City of Hermantown
Client Contact: John Mulder
Full Address: 5105 Maple Grove Road, Hermantown, MN 55811

Client Email: jmulder@hermantownmn.com
Office Phone: 218-729-3600
Cell Phone:

Project Description

Northland Consulting Engineer's understands the City of Hermantown's desire to replace (4) existing culverts with 1 new larger culvert and rebuild a section of Benson Road.

Scope of Civil Engineering Services

1. Meetings and Communications.
2. Site and Grading Plan
3. Storm Water Management Plan
4. Cost Estimating

Proposed Fee Calculation Table	Estimated Hours / Hourly Rates					Extended Cost
	Principal	PE	Tech.	Clerical	Other	
Design Engineering	\$185.00	\$145.00	\$85.00	\$60.00		
Communications with City, MNDNR and MPCA	8	8				\$ 2,640.00
Roadway Grading Plan	4	8	24			\$ 3,940.00
Storm Water Management Plan	2	8	8			\$ 2,210.00
Culvert Sizing and Design	4	40	24			\$ 8,580.00
Bidding Documents and Specifications	4	8				\$ 1,900.00
Permits and Easement Exhibits and Wetland Exhibits	2	8	8			\$ 2,210.00
					Subtotal	\$ 21,480.00
Construction Engineering	\$185.00	\$145.00	\$85.00	\$60.00		
Project Management and Coordination	20	40				\$ 9,500.00
Preconstruction Conference and Award Bid	4	8				\$ 1,900.00
Weekly Construction Meetings and Summaries	4	8				\$ 1,900.00
Construction Inspection (Based on 20 hours per week for 4 weeks)			80			\$ 6,800.00
Record Drawing Preparation		2	4			\$ 630.00
					Subtotal	\$ 20,730.00
Sub-Consultant - Alta Land Survey Company						
Topographic Survey			LUMP SUM			\$ 2,850.00
Easement Descriptions and Exhibits			LUMP SUM			\$ 1,500.00
Construction Staking			LUMP SUM			\$ 2,500.00
					Subtotal	\$ 6,850.00
Total NCE Engineering Fees						\$ 49,060.00

Assumptions

1. Compensation for services described above will be performed on a Lump-Sum-Fee basis based on the overall project description and scope of services listed above.
2. Additional Services may be required. Additional services will be performed only upon written approval by the client and billed on an hourly rate basis in accordance with NCE current rate schedule.
3. If acceptable, this proposal along with the attached terms and conditions sheet will serve as our contract for the project.

We understand that this proposal including the attached terms and conditions will serve as our contract for this project.

Submitted By

 11/27/23

Signature _____ Date _____

David Bolf, P.E.
 Principle Partner - Civil Department Manager
 Northland Consulting Engineers LLP

Accepted By

Signature _____ Date _____

Printed Name _____
 Title _____
 Representing _____

November 28th, 2023

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

Re: Stebner Park - Utility Improvement District No. 544

Dear John:

Attached is Pay Application #1 for the work associated with the Stebner Park Project – Utility Improvement District No. 544 from November 6, 2023 through November 25, 2023. NCE and Northern Interstate Construction, Inc. have reviewed the project progress thus far and agreed upon quantities of work completed. The amount of Pay Application #1 is **\$238,050.69**. The City will hold a 5% retainage of the completed construction through the duration of the project. This retainage amount for pay application #1 is **\$9,248.70**.

NCE has reviewed the quantities through construction inspection and discussions with Northern Interstate Construction, Inc. representatives. I recommend payment in the amount of **\$238,050.69** be authorized at the December 4, 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

CC: Kellen McCoshen, Northern Interstate Construction, Inc.
Trygve Lodin, Northland Consulting Engineers
Trish Crego, City of Hermantown

Resolution No. 2023-189

Resolution Approving Pay Request No. 1 For Stebner Park Utility Improvement District 544 To Northern Interstate Construction, Inc In The Amount Of \$238,050.69

WHEREAS, the City of Hermantown has contracted with Northern Interstate Construction, Inc for Utility Improvement District 544 (“Project”); and

WHEREAS, Northern Interstate Construction, Inc has performed a portion of the agreed upon work in said Project; and

WHEREAS, Northern Interstate Construction, Inc has submitted Pay Request No. 1 in the amount of \$238,050.69; 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. 1 provided that \$9,248.70 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. 1 is hereby approved.
2. The City is hereby authorized and directed to pay to Northern Interstate Construction, Inc the sum of \$238,050.69 which is the amount represented on Pay Request No. 1.

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 has been duly passed and adopted December 4, 2023.

Contractor's Application for Payment

No. 1

Application Period:	November 6, 2023 through November 25, 2023	Application Date:	11/28/2023
To (Owner):	City of Hermantown	From (Contractor):	Northern Interstate Construction, Inc.
Project:	Stebner Park Utility Impr. District #544	Via (Engineer):	Northland Consulting Engineers, LLP
Owner's Contract Number:	Utility Improvement District #544	Contractor's Project Number:	230412
		Engineer Project Number:	23-8013


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		
2		
3		
4		
8. TOTALS		

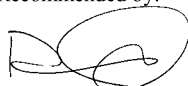

1. ORIGINAL CONTRACT PRICE.....	\$	<u>344,140.00</u>
2. Net change by Change Orders.....	\$	<u>0.00</u>
3. Current Contract Price (Line 1 + 2).....	\$	<u>344,140.00</u>
4. TOTAL COMPLETED AND STORED TO DATE		
a. See attached Pay Application Summary.....	\$	<u>184,974.03</u>
b. Materials on Hand (See Attached Invoice).....	\$	<u>62,325.36</u>
c. (4a+4b).....	\$	<u>247,299.39</u>
5. RETAINAGE:		
a. 5% X \$184,974.03 Work Completed.....	\$	<u>9,248.70</u>
b. 0% X \$62,325.36 Stored Material.....	\$	
c. Total Retainage (Line 5.a + Line 5.b).....	\$	<u>9,248.70</u>
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	<u>238,050.69</u>
7. LESS PREVIOUS PAYMENTS (Line 8).....	\$	
9. AMOUNT DUE THIS APPLICATION.....	\$	<u>238,050.69</u>
10. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 - 4 + Line 5.c above).....	\$	<u>106,089.31</u>

Payment of: \$ 238,050.69

(Line 9 or other - attach explanation of the other amount)

Contractor's Certification	
<p>The undersigned Contractor certifies, to the best of its knowledge, the following:</p> <p>(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;</p> <p>(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or</p>	
<p>Contractor Signature - Northern Interstate Construction, Inc.</p>	
By: 	Date: 11/27/2023

Recommended by:

  11/28/2023

David Bolf, P.E. - City Engineer (Date)

Approved by:

John Mulder, City Administrator (Date)



Pay Application #1 - November 28th, 2023
City of Hermantown
Stebner Park
Utility Improvement District #544

Item No.	Spec. Number	Item Description	Unit of Measure	Contract Total Quantities	Northern Interstate Unit Price	Total Project	
						Completed Quantities	Completed Cost
BASE BID							
1	2021.501	MOBILIZATION	LS	1	\$ 31,247.03	1	\$31,247.03
2	2101.505	CLEARING	ACRE	0.02	\$ 60,000.00	0.02	\$1,200.00
3	2101.505	GRUBBING	ACRE	0.02	\$ 60,000.00	0.02	\$1,200.00
4	2104.502	REMOVE LIFT STATION	EACH	1	\$ 2,000.00	1	\$2,000.00
5	2104.502	SALVAGE AND REINSTALL SIGN & POST	EACH	3	\$ 800.00	0	\$0.00
6	2104.502	SALVAGE HYDRANT	EACH	1	\$ 1,100.00	0	\$0.00
7	2104.503	SALVAGE AND REINSTALL METAL CULVERTS	LF	25	\$ 106.40	25	\$2,660.00
8	2104.503	REMOVE FENCE	LF	99	\$ 14.00	50	\$700.00
9	2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LF	317	\$ 6.00	0	\$0.00
10	2104.504	REMOVE BITUMINOUS PAVEMENT	SY	369	\$ 11.25	0	\$0.00
11	2104.518	REMOVE CONCRETE SIDEWALK	SF	98	\$ 6.00	0	\$0.00
12	2211.507	AGGREGATE BASE (CV) CLASS 5	CY	200	\$ 47.60	0	\$0.00
13	2503.503	8" PVC PIPE SEWER (SDR 35)	L F	1600	\$ 61.50	1600	\$98,400.00
14	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	2	\$ 2,240.00	2	\$4,480.00
15	2503.602	8"x4" PVC WYE	EACH	1	\$ 350.00	1	\$350.00
16	2503.602	SEWER TRACER BOX	EACH	1	\$ 250.00	1	\$250.00
17	2503.603	4" PVC SANITARY SERVICE PIPE (SCHD 40)	LF	58	\$ 94.60	45	\$4,257.00
18	2504.602	8"x8" WET TAP	EACH	1	\$ 3,500.00	0	\$0.00
19	2504.602	HYDRANT ASSEMBLY	EACH	1	\$ 11,535.03	0	\$0.00
20	2504.602	6" GATE VALVE AND BOX	EACH	2	\$ 4,134.00	0	\$0.00
21	2504.602	8" GATE VALVE AND BOX	EACH	1	\$ 4,932.82	0	\$0.00
22	2504.602	WATER TRACER BOX	EACH	2	\$ 150.00	0	\$0.00
23	2504.603	6" WATERMAIN HDPE	LF	4	\$ 100.00	0	\$0.00
24	2504.603	8" DIPS HDPE WATER MAIN SDR 11	L F	1138	\$ 81.64	0	\$0.00
25	2506.502	CASTING ASSEMBLY	EACH	4	\$ 700.00	0	\$0.00
26	2506.503	CONSTRUCT DRAINAGE STRUCTURE DESIGN 4007	LF	50	\$ 640.00	52	\$33,280.00
27	2506.602	SEAL MANHOLE	EACH	4	\$ 460.00	0	\$0.00
28	2563.601	TRAFFIC CONTROL	LS	1	\$ 1,100.00	1	\$1,100.00
29	2573.502	STABILIZED CONSTRUCTION EXIT	LS	1	\$ 2,500.00	0	\$0.00
30	2573.503	SILT FENCE; TYPE HI	L F	1553	\$ 2.75	1400	\$3,850.00
31	2573.502	STORM DRAIN INLET PROTECTION	EACH	2	\$ 250.00	0	\$0.00
32	2574.508	FERTILIZER TYPE 1	POUNDS	125	\$ 10.00	0	\$0.00
33	2575.504	ROLLED EROSION PREVENTION CATEGORY 20	S Y	3030	\$ 2.00	0	\$0.00
34	2575.508	SEED MIXTURE 25-131	POUNDS	138	\$ 12.00	0	\$0.00
TOTAL AMOUNT EARNED						\$184,974.03	



DUPLICATE
INVOICE

1830 Craig Park Court
St. Louis, MO 63146

Invoice # T781951
Invoice Date 11/07/23
Account # 225249
Sales Rep MITCH ENTZMINGER
Phone # 763-428-7473
Branch #243 St Michael, MN
Total Amount Due \$62,325.36

Remit To:
CORE & MAIN LP
PO BOX 28330
ST LOUIS, MO 63146

NORTHERN INTERSTATE CONST INC
PO BOX 57
SOUTH RANGE WI 54874 0057

Shipped To:
4860 Maple Grove Rd
KELLEN:218-590-3359
HERMANTOWN, MN

CUSTOMER JOB- STEBNER STEBNER PARK U

Thank you for the opportunity to serve you! We appreciate your prompt payment.

Date Ordered 10/16/23 Date Shipped 11/06/23 Customer PO # STEBNER RD Job Name STEBNER PARK U Job # STEBNER Bill of Lading Shipped Via BLACKDOG & CARD Invoice# T781951

Product Code	Description	Quantity		B/O	Price	UM	Extended Price
		Ordered	Shipped				
0504040B10	4 PVC SCH40 PIPE SWB 10'	60	60		4.21000 FT		252.60
04083514	8 PVC SDR35 SWR PIPE (G) 14' BID SEQ# 20	1610	1610		11.03000 FT		17,758.30
9612DBWIREG	12GA HS DIRECT BURY WIRE-GREEN 500' PE30 JACKET BID SEQ# 30	2000	2000		.26000 FT		520.00
27044HSDWV	4 PVC SCH40 DWV 45 HXSP BID SEQ# 40	1	1		11.57000 EA		11.57
27044HHDWV	4 PVC SCH40 DWV 45 HXH BID SEQ# 50	3	3		9.54000 EA		28.62
2708PS	8 PVC SDR35 SWR SPIGOT PLUG BID SEQ# 60	1	1		37.23000 EA		37.23
2708W04GG26HDWV	8X4 HW SDR26 X SCH40 WYE GXH GXGXH BID SEQ# 70	1	1		106.79000 EA		106.79
96GRANO12	ANO-12 COPPERHEAD ANODE 12GA BID SEQ# 80	4	4		87.67000 EA		350.68
96TWBOXSLITDUTY	SNAKE PIT LITE DUTY BOX- SEWER BID SEQ# 90	2	2		32.66000 EA		65.32
60WB67102B2Y	8'6" WB67 DDP HYD YELLOW SS 16" B/O	1	1		4955.55000 EA		4,955.55
65HYDRAFINDER	5FT HYDRAFINDER FLAG/HYD MARKR BID SEQ# 190	1	1		26.53000 EA		26.53
51062506A	2506AA AFC 6 ALPHA RW GV O/L DI BODY 6.60-7.00 OD	2	2		1621.09000 EA		3,242.18



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Product Code	Description	Quantity		B/O	Price	UM	Extended Price
		Ordered	Shipped				
51082508A	2508AA AFC 8 ALPHA RW GV OL DI BODY 8.60-9.10 OD	1	1		2378.39000	EA	2,378.39
5106GVADPTN	6 ADAPTER RW GATE VALVE BID SEQ# 220	2	2		107.69000	EA	215.38
5108GVADPTN	8 ADAPTER RW GATE VALVE BID SEQ# 230	2	2		109.19000	EA	218.38
59VBGAW	"G" VALVE BOX WATER ASSY DOM BID SEQ# 240	4	4		490.00000	EA	1,960.00
21T06S112T	6 MJ L/P SLV C153 USA BID SEQ# 300	1	1		163.11000	EA	163.11
21T06T060M	6 MJ TEE C153 USA BID SEQ# 310	1	1		267.07000	EA	267.07
21T08R06M	8X6 MJ RED C153 USA BID SEQ# 320	2	2		177.41000	EA	354.82
0940M0811T	8" 4000 SDR11 DIPS PE TEE MLD	2	2		238.44000	EA	476.88
0940M080611R	8X6 4000 SDR11 DIPS PE RED	2	2		N/C	EA	
0940M0611AMJPE	6 4000SDR11 PE DIPS MJXPE ADPT BID SEQ# 340	7	7		80.24000	EA	561.68
0940M0811PM	8" SDR11 DIPS PEXMJ ADAPT BID SEQ# 350	3	3		100.88000	EA	302.64
0940M081145	8" 4000 SDR11 DIPS 45 BEND MOLDED 6912032 BID SEQ# 360	4	4		141.56000	EA	566.24
0940M0811CAP	8" 4000 SDR11 DIPS PE CAP BID SEQ# 370	1	1		275.30000	EA	275.30



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Product Code	Description	Quantity		B/O	Price	UM	Extended Price
		Ordered	Shipped				
96A12	12 LB ZINC ANODE W/LEAD WIRE BID SEQ# 380	10	10		156.20000	EA	1,562.00
96T2RFLPKG58	COBRA HYD FLG PKG 5/8 BORE RED T2-R-FLPKG-5/8 BID SEQ# 390	1	1		35.74000	EA	35.74
96TWBOXLITEDUTY	SNAKE PIT LITE DUTY BOX WATER BID SEQ# 400	2	2		32.66000	EA	65.32
9612DBWIREB	12GA HS DIRECT BURY WIRE-BLUE 500' PE30 JACKET BID SEQ# 420	500	500		.26000	FT	130.00
21AMG106	6 MJ REGULAR GASKET F/DI BID SEQ# 430	14	14		5.76000	EA	80.64
21AMG108	8 MJ REGULAR GASKET F/DI BID SEQ# 440	5	5		6.24000	EA	31.20
21TAMF106	6 MJ FOLLOWER GLAND F/DIP USA BID SEQ# 450	7	7		16.09000	EA	112.63
21TAMF108	8 MJ FOLLOWER GLAND F/DIP USA BID SEQ# 460	5	5		19.66000	EA	98.30
21AMF8061106	6 EBAA MEGALUG MJ DI 1106 RSTR F/DI PIPE BLACK BID SEQ# 470	7	7		36.97000	EA	258.79
21AMB10740CTB	3/4X4 T-HEAD B&N COR BLUE	42	42		5.31000	EA	223.02
21AMB10750CTB	3/4X5 T-HEAD B&N COR BLUE	72	72		5.94000	EA	427.68
9607LZACDOM	3/4 LARGE ZINC ANODE CAP USA PART NO. 364-1010 BID SEQ# 500	114	114		6.87000	EA	783.18



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Product Code	Description	Quantity		B/O	Price	UM	Extended Price
		Ordered	Shipped				
74ALPHAA700	ALPHA-A-7.00 6 CPLG 6.60-7.00 OD	1	1		677.66000	EA	677.66
96HTH05	5# BOTTLE HTH CHLORINE GRAN BID SEQ# 570	1	1		32.59000	EA	32.59
29APPQMEK	PVC PRIMER/CLEANER PURPLE-QT BID SEQ# 580	1	1		25.39000	EA	25.39
29APCHQ	PVC CEMENT HEAVY - QUART BID SEQ# 590	2	2		32.22000	EA	64.44
65GR3WHL3	ISOPROPYL ALCOHOL 99% 16OZ	1	1		14.35000	EA	14.35
29APLQ	LUBE 1 QT F/WATER/SWR PIPE	6	6		N/C	EA	
0940P0811B	8 DIPS DR11 HDPE PIPE BLU BLUE STRIPE	1200	1200		14.50000	FT	17,400.00
0940P0611B	6 DIPS DR11 HDPE PIPE BLU BLUE STRIPE	40	40		9.77000	FT	390.80

Freight Delivery Handling Restock Misc

Terms: NET 30
Ordered By: KELLEN

78

Subtotal: 57,508.99
Other: .00
Tax: 4,816.37

Invoice Total: \$62,325.36

This transaction is governed by and subject to Core & Main's standard terms and conditions, which are incorporated by reference and accepted.
To review these terms and conditions, please visit: <http://tandc.coreandmain.com/>



CITY COUNCIL MEETING DATE: December 4, 2023

TO: Mayor & City Council

FROM: John Mulder, City Administrator

SUBJECT: Informing St Louis County of City of Hermantown’s Support for the Rice Lake Road Corridor Project

RESOLUTION: 2023-190 **ORDINANCE:** **OTHER:**

REQUESTED ACTION

Resolution in support of St. Louis County’s vision for the Rice Lake Road Corridor Project.

BACKGROUND

Rice Lake Road, also known as County State Aid Highway No. 4, is a significant regional route that serves the Twin Ports metropolitan area which includes the cities of Duluth, Hermantown, Rice Lake and Proctor and the townships of Midway, Solway, Grand Lake, Canosia, Lakewood and Duluth. St. Louis County is working on the development of the Rice Lake Road Corridor Project, located within the cities of Duluth and Rice Lake.

St. Louis County is seeking funding for the Rice Lake Road Corridor Project through the RAISE Grant (Rebuilding American Infrastructure with Sustainability and Equity) which is grant program included in the Infrastructure Investment and Jobs Act (IIJA).

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

Resolution
Letter of Support

Resolution No. 2023-190

Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver a Notice to St. Louis County Giving Support for the Rice Lake Road Corridor Project

WHEREAS, St. Louis County is working on the development of the Rice Lake Road Corridor Project, located within the cities of Duluth and Rice Lake; and

WHEREAS, the goals of this project are to improve traffic operations and traffic safety while supporting future residential and business development along the Rice Lake Road corridor; and

WHEREAS, Rice Lake Road, also known as County State Aid Highway No. 4, is a significant regional route that serves the Twin Ports metropolitan area which includes the cities of Duluth, Hermantown, Rice Lake and Proctor and the townships of Midway, Solway, Grand Lake, Canosia, Lakewood and Duluth; and

WHEREAS, the future success of Rice Lake Road is expected to benefit the residents and businesses located within the Twin Ports metropolitan area; and

WHEREAS, St. Louis County is seeking funding for the Rice Lake Road Corridor Project through the RAISE Grant (Rebuilding American Infrastructure with Sustainability and Equity) which is grant program included in the Infrastructure Investment and Jobs Act (IIJA).

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

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

Councilor _____ introduced the foregoing resolution and moved its adoption.

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

Councilors _____, and Mayor Boucher, aye.

and the following voted in opposition thereto:

None.

WHEREUPON, such resolution was declared duly passed and adopted December 4, 2023.



EXHIBIT A

December 5, 2023

Mr. Victor Lund, PE

VIA EMAIL

Traffic Engineer

lundv@stlouiscountymn.gov

St. Louis County, MN

RE: CSAH 4 (Rice Lake Road) Support for the Rice Lake Road Corridor Project

Dear Mr. Lund:

I am writing to support St. Louis County's Project. on Rice Lake Road, also known as County State Aid Highway No. 4, it is a significant regional route that serves the Twin Ports metropolitan area. The County's goals of this project to improve traffic operations and traffic safety while supporting future residential and business development along the Rice Lake Road corridor align with the City of Hermantown's comprehensive plans and will serve several municipalities.

The City appreciates the partnership between the City and St. Louis County. Please call, if you have an additional questions or concerns.

Sincerely,

Wayne Boucher, Mayor
City of Hermantown

Working together to serve and build our community.

5105 Maple Grove Road, Hermantown, MN 55811
218-729-3600 hermantownmn.com



CITY COUNCIL MEETING DATE: December 4, 2023

TO: Mayor & City Council

FROM: John Mulder, City Administrator

SUBJECT: Employee Sick and Safe Leave

RESOLUTION: 2023-191 **ORDINANCE:** **OTHER:**

REQUESTED ACTION

Approve policy on Employee Sick and Safe Leave.

BACKGROUND

In 2023, the Minnesota Legislature passed an Earned Sick and Safe Leave law (“ESSL”) which becomes effective on January 1, 2024. ESSL requires all employers with one or more employees to provide paid leave benefits (“Earned Sick and Safe Leave”). The attached proposed policy is how the City of Hermantown would comply with this new law.

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

Resolution
Proposed ESSL Policy

Resolution No. 2023-191

Resolution Approving The City Of Hermantown Earned Sick And Safe Leave Policy

WHEREAS, the Minnesota legislature passed an Earned Sick and Safe Leave law (“ESSL”) which requires all employers with one or more employees to provide paid leave benefits (“Earned Sick and Safe Leave”) to all employees performing work for at least eighty (80) hours in a calendar year for an employer.

WHEREAS, the City of Hermantown (“City”) implement the Earned Sick and Safe Leave through an addition of a policy to the City’s Personnel Handbook to better assist its employees and their families as they navigate their health and safety challenges they are facing; and

WHEREAS, City staff have prepared a proposed Earned Sick and Safe Leave Policy attached hereto as Exhibit A; and

WHEREAS, the City Council of the City of Hermantown has duly considered the Earned Sick and Safe Leave Policy and believes it is in the best interests of the City of Hermantown to approve the Earned Sick and Safe Leave Policy.

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

1. The Earned Sick and Safe Leave Policy is hereby approved effective January 1, 2024.
2. The City Clerk is hereby authorized and directed to insert the Earned Sick and Safe Leave Policy in the appropriate location of the City’s Personnel Management section of the Handbook for the City of Hermantown.

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:

And the following voted in opposition thereto:

WHEREUPON, such resolution was declared duly passed and adopted on December 4, 2023

EXHIBIT A

