



Hermantown City Council Meeting - Tuesday, January 16, 2024

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 Tuesday, January 16, 2024 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 Tuesday, January 16, 2024 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 Tuesday, January 16, 2024 at 4:30 p.m.
Council Chambers, City Hall - Hermantown Governmental Services Building**

**City Council Meeting Tuesday, January 16, 2024 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.

6. **COMMUNICATIONS**

A. Correspondence 24-01 through 24-04 placed on file

[6](#)

7. **PRESENTATIONS**

A. **CLOSED SESSION** - Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statutes § Section 13D.05 Subd. 3 (b) to consider confidential information related to labor negotiations strategy. Following this closed session, the Hermantown City Council will re-convene in an open session. Discussion on Compensation Plan.

B. **2023 Archery Deer Season - Report**

Jim Crace, Director of Public Safety

(Pre-Agenda Only)

[7](#)

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**

A. Motion to approve/deny Massage Establishment License Renewal Applications for the following effective January 17, 2024 through December 31, 2024 contingent upon complete applications being received, successful background checks and license fees paid in full:

Cookie Killian Manual Therapy & Massage, LLC 4891 Miller Trunk Highway #106

- B. Motion to approve/deny Massage Therapist License Renewal Applications for the following effective January 17, 2024 through December 31, 2024 contingent upon complete applications being received, successful background checks and license fees paid in full:

Cookie Killian Cookie Killian Manual Therapy and Massage, LLC
 Carly Twinning The Well Co.
 Kieona Wilford The Well Co.

- C. Motion to approve/deny the following Tobacco License Renewal Applications effective January 17, 2024 through December 31, 2024, contingent upon complete applications being received, successful background checks and license fees being paid in full:

Northern Tier Retail, LLC dba Speedway #4602 5601 Miller Trunk Hwy

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 January 2, 2024 City Council Continuation Minutes [10](#)
- B. **Accounts Payable** - Approve general city warrants from January 1, 2024 through January 15, 2024 in the amount of \$1,176,992.19 [18](#)
- C. **Motions**
 - I. Appointment of the following for a three-year term:
 - Planning & Zoning Commission**
 - Beth Wentzlaff

 - Utility Commission**
 - Rob McLachlan

 - HEDA**
 - Karen Pionk

11. **ORDINANCES**

- A. **2024-01 An Ordinance Amending Title 2 Of The Hermantown City Code By Amending The Official Zoning Map Of Parcels 395-0133-00020 And 395-0133-00040** [24](#)

(second reading)
(motion, roll call)
- B. **2024-02 An Ordinance Amending Chapter 5 Of The Hermantown Zoning Regulations By Adding Section 590 - HBP, Hermantown Business Park** [29](#)

(second reading)

(motion, roll call)

- C. **2024-03 An Ordinance Amending The Regulations Under Hermantown City Code Chapters 3 And 6 Pertaining To The Restraint Of Animals In Parks** [32](#)

(first reading)

12. **RESOLUTIONS**

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

- A. **2024-10 Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Northland Consulting Engineers, LLP (City Engineering Services)** [36](#)

(motion, roll call)

- B. **2024-11 Resolution Approving Wage Rates For Part Time Employees In 2024** [54](#)

(motion, roll call)

- C. **2024-12 Resolution Authorizing The City Of Hermantown To Sponsor A Grant Funding Request Associated With The Construction Of Hermantown Community Connector Trail From Stebner Road To Ugstad Road Trail Segments** [55](#)

(motion, roll call)

- D. **2024-13 Resolution Approving Final Pay Request For Sewer Improvement District 451 To Veit In The Amount Of \$51,698.97** [59](#)

(motion, roll call)

- E. **2024-14 Resolution Establishing An Absentee Ballot Board For 2024** [72](#)

(motion, roll call)

- F. **2024-15 Resolution Approving Application For New License For Charitable Gambling By Hermantown Amateur Hockey Association For Hermantown Arena** [74](#)

(motion, roll call)

13. **CLOSED SESSION**

14. **RECESS**

2024 CORRESPONDENCE

<u>DATE</u>	<u>LOG #</u>	<u>FROM</u>	<u>TO</u>	<u>REGARDING</u>	<u>FILED</u>	<u>FILE</u>	To City Council
1/2/2024	24-01	Jim Rich, Building Official	City Officials	2023 Building Permits	1/2/2024		
1/2/2024	24-02	Jim Rich, Building Official	City Officials	2023 Building Permit Comparison, 2021-2023	1/2/2024		
1/5/2024	24-03	Gunner Johnson, Overom Law	John Mulder, City Administrator	HVFD Closing Documents	1/4/2024		
1/9/2024	24-04	Derek Strom, 5853 Highway 194	City of Hermantown	Utility Acct. No. 2622	1/8/2024		

Memo



To: Hermantown City Council & Mayor Boucher
 From: Jim Crace, Chief of Police
 CC: City Administrator – John Mulder
 Date: 01/02/2024
 Re: 2023 Archery Deer Season – Report

Per Hermantown Ordinance 740.04, *“the Chief of Police shall provide a yearly report to the City Council with respect to the operation and effect of the past archery deer season.”*

In 2023, there were 141 archery permits issued for the Hermantown Archery Deer Hunt. This is an increase from the 2022 hunt, when 125 permits were issued. Of the 141 permits issued in 2023, one was issued as a "Youth Permit." These are issued free of charge to hunters under the age of 14 that are hunting with a permitted adult. *(See attached chart for historical statistics on the number of permits issued per year).*

In 2023, 19 deer were reported to the Hermantown Police Department as being harvested. This is a decrease from the 2022 hunt, when 20 deer were reported. Of the 19 deer harvested, 6 of them were does or antlerless males, which is a 45% decrease from the 2022 hunt. 13 of the total deer taken were bucks, which is an increase of 44%. The total number of hunters taking a deer in the 2023 hunt was 15. *(See attached chart for historical statistics on the number of deer harvested per year).*

The following charts illustrate deer taken information for the 2021 archery season.

DEER TAKEN BY TIME (HOUR PERIODS)	
0600	1
0700	3
0800	3
0900	1
1000	1
1100	2
1200	
1300	
1400	
1500	2
1600	
1700	1
1800	
1900	
Unknown	

DEER TAKEN WEIGHTS	
Lowest	50
Highest	230
Average	164

DEER TAKEN BY MONTH	
September	0
October	4
November	9
December	6

The following chart will indicate the deer taken by city section and within subdivisions.

SECTION	DEER TAKEN	Taken in Subdivision
1		
2		
3		
4		
5		
6		
7		
8		
9		
10	2	2
11		
12		
13		
14		
15	1	
16		
17		
18		
19	1	
20		
21	3	
22	2	
23		
24		
25	4	
26	2	
27		
28		
29		
30		
31		
32	2	
33		
34		
35		
36	2	
Unknown		
TOTALS	19	2

For the 2022 archery season, the City eliminated the requirement that hunters harvest a doe or antlerless deer before taking a buck.

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Permits Issued	41	39	45	41	37	46	54	71	82	122	129	132	158	168	186	182	193	188	209	193	174	142	125	124	134	113	125	141
Deer Taken	0	3	8	5	3	5	9	17	13	40	35	39	87	99	110	76	84	70	91	73	56	41	41	26	44	32	20	19
Female									7	21	24	18	74	88	100	64	70	65	79	63	50	38	33	24	36	29	11	6
Male									6	19	11	21	13	11	10	12	14	5	12	10	6	3	8	2	8	3	9	13
Car/deer accidents																	33	22	30	42	29	39	27	36	19	29	20	35

CITY OF HERMANTOWN
CITY COUNCIL MEETING
Tuesday, January 2, 2024
6:30 PM Central

MEETING CONDUCTED IN PERSON & VIA ZOOM

CITY STAFF: John Mulder, City Administrator; Alissa Wentzlaff, City Clerk; Eric Johnson; Community Development Director; Joe Wicklund, Communications & Community Engagement Director; Trish Crego, Utility & Infrastructure Director; David Bolf, City Engineer; Gunnar Johnson, City Attorney

VISITORS: 15

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **ANNOUNCEMENTS**

Mayor Boucher congratulated the Fire Department on their transition from a volunteer department to a paid on-call department.

5. **PUBLIC HEARING**
6. **COMMUNICATIONS**

A. Correspondence 23-176 through 23-186 placed on file

7. **PRESENTATIONS**

A. **CLOSED SESSION** - Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statutes § Section 13D.05 Subd. 3 (b) to consider confidential information related to labor negotiations strategy. Following this closed session, the Hermantown City Council will re-convene in an open session.
Discussion on Compensation Plan.

Motion to recess at 5:30 p.m. Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statutes § Section 13D.05 Subd. 3 (b) to consider confidential information related to labor negotiations strategy. Following this closed session, the Hermantown City Council will re-convene in open session. This motion, made by Councilor 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

Motion to reconvene into open sessions at 5:30 p.m. This motion, made by Councilor Brian LeBlanc and seconded by Councilor Andy Hjelle, Carried.

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

Yea: 5, Nay: 0

B. Ice Arena Schematic Design - at approx. 5:15 p.m.
John Mulder, City Administrator
(*Pre-Agenda Only*)

8. **PUBLIC DISCUSSION**

9. **MOTIONS**

A. Motion to approve/deny the following Tobacco License Renewal Applications effective January 3, 2024 through December 31, 2024, contingent upon complete applications being received, successful background checks and license fees being paid in full:

Kareem, Inc. 4221 Haines Road

Motion to approve the following Tobacco License Renewal Applications effective January 3, 2024 through December 31, 2024. 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

B. Motion to approve/deny Massage Therapist License Renewal Applications for the following effective January 3, 2024 through December 31, 2024 contingent upon complete applications being received, successful background checks and license fees paid in full:

The Well Co.

Rockenback, Amanda

Motion to approve Massage Therapist License Renewal Applications for the following effective January 3, 2024 through December 31, 2024. This motion, made by Councilor Ellie Jones and seconded by Councilor Andy Hjelle, Carried.

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

Yea: 5, Nay: 0

10. **CONSENT AGENDA**

A. **Minutes** - Approval or correction of December 12, 2023 Work Session minutes and the December 18, 2023 City Council Continuation Minutes

B. **Accounts Payable** - Approve general city warrants from December 16, 2023 through December 31, 2023 in the amount of \$604,487.55

C. **Motions**

I. Appointment of Official Newspaper - Hermantown Star

II. Appointment of Depositories - Multi Bank Securities; Wells Fargo Securities, RBC Dain Rauscher; US Bank; PMA Financial Network, Inc.; Bell Bank; National Bank of Commerce; 4-M Fund; TD Ameritrade Institutional (Custodian)/Ehlers Investment Partners (Advisor)

III. Appointment of Mayor Boucher as the City's designated representative to the Hermantown Area Chamber of Commerce

IV. Appointment of Mayor Boucher as City Representative on the Metropolitan Interstate Council with David Bolf, City Engineer on the Transportation Advisory Committee, with Trish Crego, City Utility and Infrastructure Director as alternate

V. Appointment of the following for a three-year term:

Planning & Zoning Commission

- Joe Peterson

Park Board

- Gene Shaw

Utility Commission

HEDA

Board of Appeals & Adjustments

D. Resolutions

I. **2023-01 Resolution Appointing Councilor John Geissler As Acting Mayor**

II. **2024-02 Resolution Appointing Ex Officio Members To Various Boards Commissions, And Other Appointments For 2024**

III. **2024-03 Resolution Authorizing And Directing Mayor Wayne Boucher And City Administrator John Mulder To Sign Checks And Drafts For The City Of Hermantown With Alternates Acting Mayor John Geissler And Director Of Finance & Administration, Kevin Orme**

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

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

Yea: 5, Nay: 0

11. ORDINANCES

A. 2023-12 An Ordinance Amending Hermantown Code Of Ordinances By Amending Section 850.5, Particular Speed Limits Designated

(second reading)

(motion, roll call)

Motion to approve 2023-12 An Ordinance Amending Hermantown Code Of Ordinances By Amending Section 850.5, Particular Speed Limits Designated. 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. 2024-01 An Ordinance Amending Title 2 Of The Hermantown City Code By Amending The Official Zoning Map Of Parcels 395-0133-00020 And 395-0133-00040

(first reading)

C. 2023-02 An Ordinance Amending Chapter 5 Of The Hermantown Zoning Regulations By Adding Section 590 - HBP, Hermantown Business Park

(first reading)

12. **RESOLUTIONS**

A. 2024-04 Resolution Establishing Procedures Relating To Compliance With Reimbursement Bond Regulations Under The Internal Revenue Code

(motion, roll call)

Motion to approve 2024-04 Resolution Establishing Procedures Relating To Compliance With Reimbursement Bond Regulations Under The Internal Revenue Code. This motion, made by Councilor John Geissler and seconded by Councilor Ellie Jones, Carried.

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

Yea: 5, Nay: 0

B. 2024-05 Resolution Authorizing DSGW To Provide Design Development Based On Funding For The Arena Project

(motion, roll call)

Motion to approve 2024-05 Resolution Authorizing DSGW To Provide Design Development Based On Funding For The Arena Project. This motion, made by Councilor Brian LeBlanc and seconded by Councilor Andy Hjelle, Carried.

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

Yea: 5, Nay: 0

C. 2024-06 Resolution Approving The Employment Of Brandon Holmes As The Certified Building Official

(motion, roll call)

Motion to approve 2024-06 Resolution Approving The Employment Of Brandon Holmes As The Certified Building Official. 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

D. 2024-07 Resolution Approving An Extension Of The Preliminary Planned Unit Development Plan For The Arbors At Maple Grove Development

(motion, roll call)

Motion to approve 2024-07 Resolution Approving An Extension Of The Preliminary Planned Unit Development Plan For The Arbors At Maple Grove Development.

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

E. 2024-08 Resolution Approving Pay Request No. 2 For Stebner Park Utility Improvement District 544 To Northern Interstate Construction, Inc In The Amount Of \$127,368.83

(motion, roll call)

Motion to approve 2024-08 Resolution Approving Pay Request No. 2 For Stebner Park Utility Improvement District 544 To Northern Interstate Construction, Inc In The Amount Of \$127,368.83. 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

F. 2024-09 Resolution Approving Modifications To Section 621 Of The Handbook For The City Of Hermantown Policy And Procedures Regarding Deferral Of Assessments

(motion, roll call)

Motion to approve 2024-09 Resolution Approving Modifications To Section 621 Of The Handbook For The City Of Hermantown Policy And Procedures Regarding Deferral Of Assessments. 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**

14. **RECESS**

Motion to recess at 6:51 p.m. 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

Mayor

ATTEST:

City Clerk

CITY OF HERMANTOWN

CHECKS #70565-70614
01/01/2024 - 01/15/2024

PAYROLL CHECKS

Electronic Checks - #-66859-66945 \$229,315.51

LIABILITY CHECKS

Electronic Checks - #-66946-66947 \$83,686.64

Electronic Checks - #-66853-66857 \$155,570.39

Checks - #70612-70613 \$2,329.35

PAYROLL EXPENSE TOTAL \$470,901.89

ACCOUNTS PAYABLE

Checks - #70565-70611 \$523,012.08

Checks - #70614 \$70.42

Electronic Payments #-99016-99039 \$183,007.80

ACCOUNTS PAYABLE TOTAL \$706,090.30

TOTAL \$1,176,992.19

1/12/2024

Page 1

Fun d	Account	Department	Vendor Name	Description	Amount	Check #
275	452200	Community Building	MN ENERGY RESOURCES CORP	Natural Gas EWC - Oct 23	5,575.36	-99039
101	452200	Community Building	MN ENERGY RESOURCES CORP	Natural Gas Old CH	678.53	-99039
601	494400	Water Administration and General	MN ENERGY RESOURCES CORP	Natural Gas Lightning Dr - Oct	268.05	-99039
101	419901	City Hall & Police Building Maintenance	MN ENERGY RESOURCES CORP	Natural Gas - CH/PD	863.78	-99039
602	494900	Sewer Administration and General	MN ENERGY RESOURCES CORP	Natural Gas Lightning Dr - Oct	167.53	-99039
101	431901	City Garage	MN ENERGY RESOURCES CORP	Natural Gas Old CH	75.39	-99039
101	431901	City Garage	MN ENERGY RESOURCES CORP	Natural Gas Lightning Dr - Oct	234.54	-99039
101	419901	City Hall & Police Building Maintenance	MN ENERGY RESOURCES CORP	Natural Gas CH/PD	897.78	-99039
101	422901	Firehall #1 Maple Grove Road	MN ENERGY RESOURCES CORP	Natural Gas - FH #1	1,055.73	-99039
101	431901	City Garage	MN ENERGY RESOURCES CORP	Natural Gas Comm Building - Oc	130.21	-99039
601	494400	Water Administration and General	AT&T MOBILITY	Cell Phones/Tablets-PW/CH	310.70	-99038
101	421100	Police Administration	AT&T MOBILITY	Cell Phones PD	1,354.65	-99038
101	431100	Street Department	AT&T MOBILITY	Cell Phones/Tablets-PW/CH	157.28	-99038
101	419901	City Hall & Police Building Maintenance	AT&T MOBILITY	Cell Phones/Tablets-PW/CH	46.02	-99038
101	415300	Administration & Finance	AT&T MOBILITY	Cell Phones/Tablets-PW/CH	149.42	-99038
602	494900	Sewer Administration and General	AT&T MOBILITY	Cell Phones/Tablets-PW/CH	182.02	-99038
101	415300	Administration & Finance	GREATAMERICA FINANCIAL SERVICES	Copier Lease/Konica C458 -Jan	117.87	-99037
101	421100	Police Administration	GREATAMERICA FINANCIAL SERVICES	Copier Lease/Konica C300&C3320	119.58	-99037
230	465100	HEDA	WEX HEALTH INC	1st QTR VEBA 2024	187.75	-99036
101	421100	Police Administration	WEX HEALTH INC	1st QTR VEBA 2024	18,350.00	-99036
260	456101	Cable	WEX HEALTH INC	1st QTR VEBA 2024	37.50	-99036
603	441100	Storm Water	WEX HEALTH INC	1st QTR VEBA 2024	1,883.75	-99036
101	422100	Fire Administration	WEX HEALTH INC	1st QTR VEBA 2024	2,500.00	-99036
601	494400	Water Administration and General	WEX HEALTH INC	1st QTR VEBA 2024	1,462.50	-99036
101	415300	Administration & Finance	WEX HEALTH INC	1st QTR VEBA 2024	3,768.25	-99036
101	431100	Street Department	WEX HEALTH INC	1st QTR VEBA 2024	3,787.50	-99036
601	494300	Water Distribution	WEX HEALTH INC	1st QTR VEBA 2024	2,250.00	-99036
602	494500	Sewer Maintenance	WEX HEALTH INC	1st QTR VEBA 2024	1,312.50	-99036
101	419100	Community Development	WEX HEALTH INC	1st QTR VEBA 2024	1,547.50	-99036
101	452100	Parks	WEX HEALTH INC	1st QTR VEBA 2024	250.00	-99036
101	490100	Cemetery	WEX HEALTH INC	1st QTR VEBA 2024	25.00	-99036
602	494900	Sewer Administration and General	WEX HEALTH INC	1st QTR VEBA 2024	1,050.00	-99036
101	419901	City Hall & Police Building Maintenance	WEX HEALTH INC	1st QTR VEBA 2024	812.50	-99036
101	414100	Elections	WEX HEALTH INC	1st QTR VEBA 2024	12.75	-99036
101	424100	Building Inspection	WEX HEALTH INC	1st QTR VEBA 2024	187.50	-99036
101	431901	City Garage	WEX HEALTH INC	1st QTR VEBA 2024	250.00	-99036
101	452200	Community Building	WEX HEALTH INC	1st QTR VEBA 2024	125.00	-99036
101	422901	Firehall #1 Maple Grove Road	WEX HEALTH INC	1st QTR VEBA 2024	250.00	-99036

1/12/2024

Page 2

Fun d	Account	Department	Vendor Name	Description	Amount	Check #
601	494400	Water Administration and General	GOPHER STATE ONE-CALL INC	Dec 23 Locates	27.54	-99035
602	494900	Sewer Administration and General	GOPHER STATE ONE-CALL INC	Dec 23 Locates	18.36	-99035
101	431100	Street Department	H & L MESABI	Curb Runners - Plow Edges	1,100.00	-99034
101	431901	City Garage	HARTEL'S/DBJ DISPOSAL CO LLC	Yard Trash Disposal Dec 2023 -	184.86	-99033
101	419901	City Hall & Police Building Maintenance	HARTEL'S/DBJ DISPOSAL CO LLC	Garbage Recycling Dec 2023 -12	338.95	-99033
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	1,360.50	-99032
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	469.83	-99032
101	431100	Street Department	INTER CITY OIL CO INC	Fuel	747.42	-99032
603	441100	Storm Water	LHB INC	Design - Hermantown Rocky Run	2,710.50	-99031
402	431150	Street Improvements	MSA PROFESSIONAL SERVICES, INC.	Ugstad Road Reconditioning - C	6,642.31	-99030
101	421100	Police Administration	FAUL PSYCHOLOGICAL PLLC	Evaluation - Hedin	650.00	-99029
101	421100	Police Administration	BRAY & REED LTD.	Prosecution Services Dec 2023	4,500.00	-99028
101	431901	City Garage	NORTHERN STATES SUPPLY INC	Washers	14.92	-99027
101	431100	Street Department	NORTHERN STATES SUPPLY INC	Pins	9.71	-99027
101	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	Evergreen Lawn Review	652.50	-99026
402	431150	Street Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	Ugstad Rd - SP 202-101-014	360.00	-99026
475	431150	Street Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	TIP Meeting/LRIP Grant App	540.00	-99026
101	431130	City Engineer	NORTHLAND CONSULTING ENGINEERS L.L.P.	Preagenda/City Council/Four Sq	1,620.00	-99026
101	431130	City Engineer	NORTHLAND CONSULTING ENGINEERS L.L.P.	TAC Meeting	450.00	-99026
475	431150	Street Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	Hermantown Rd & Old Midway Rd	15,150.00	-99026
240	433500	Water Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	Stebner Park Utilities	19,272.50	-99026
475	431150	Street Improvements	NORTHLAND CONSULTING ENGINEERS L.L.P.	Richard Lindgren - SAP 202-080	3,190.00	-99026
240	432510	Trunk Sewer Construction	NORTHLAND CONSULTING ENGINEERS L.L.P.	Oak Ridge Dr. Sanitary Sewer E	560.00	-99026
101	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2364 Kolar Hyundai	435.00	-99026
101	214500	Escrow Deposits Payable	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2311 Jenny Farms	360.00	-99026
603	441100	Storm Water	NORTHLAND CONSULTING ENGINEERS L.L.P.	Benson Rd Meeting	180.00	-99026
412	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	Hermantown Trail Project	1,250.00	-99026
101	419100	Community Development	NORTHLAND CONSULTING ENGINEERS L.L.P.	PO 2374 Hage Storage	580.00	-99026
416	452100	Parks	NORTHLAND CONSULTING ENGINEERS L.L.P.	Fichtner Park Improvements	8,285.00	-99026
101	421100	Police Administration	PER MAR SECURITY SERVICES INC	CCTV 01/01/2024 - 03/31/2024	95.58	-99025
601	494400	Water Administration and General	PITNEY BOWES INC	E-Z Seal Pint Bottles	18.67	-99024
101	415300	Administration & Finance	PITNEY BOWES INC	E-Z Seal Pint Bottles	37.35	-99024
602	494900	Sewer Administration and General	PITNEY BOWES INC	E-Z Seal Pint Bottles	18.67	-99024
101	422100	Fire Administration	VC3	Replacement Printer - FH	681.00	-99023
602	494500	Sewer Maintenance	WLSSD	Wastewater Charges	46,170.00	-99022
402	431150	Street Improvements	BRAUN INTERTEC CORPORATION 20	Ugstad Road Project	640.00	-99021
603	441100	Storm Water	CLEARGOV INC.	Digital Budget Book	775.00	-99020
601	494400	Water Administration and General	CLEARGOV INC.	Digital Budget Book	1,550.00	-99020

1/12/2024

Page 3

Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	415300	Administration & Finance	CLEARGOV INC.	Digital Budget Book	3,875.00	-99020
602	494900	Sewer Administration and General	CLEARGOV INC.	Digital Budget Book	1,550.00	-99020
230	465100	HEDA	CREATIVE ARCADE	Website Monthly Maintenance	250.03	-99019
101	421100	Police Administration	INFOBUREAU SERVICES, INC.	Credit Check - Kleive	15.00	-99018
101	419100	Community Development	VC3	HPE Tech Care Essentials	100.40	-99017
101	424100	Building Inspection	VC3	HPE Tech Care Essentials	33.47	-99017
601	494400	Water Administration and General	VC3	HPE Tech Care Essentials	133.87	-99017
101	413100	Mayor	VC3	HPE Tech Care Essentials	33.47	-99017
101	415300	Administration & Finance	VC3	HPE Tech Care Essentials	200.81	-99017
602	494900	Sewer Administration and General	VC3	HPE Tech Care Essentials	100.40	-99017
101	421100	Police Administration	VC3	HPE Tech Care Essentials	635.90	-99017
101	422100	Fire Administration	VC3	HPE Tech Care Essentials	200.81	-99017
101	431100	Street Department	VC3	HPE Tech Care Essentials	133.87	-99017
101	421100	Police Administration	NORTHEAST SERVICE COOPERATIVE	Health Ins Dec Inactives	1,497.74	-99016
101	134000	Retiree Insurance/Telephone Reimb.	NORTHEAST SERVICE COOPERATIVE	Health Ins Dec Inactives	166.42	-99016
101	422100	Fire Administration	ASPEN MILLS	FD Class B Uniforms - Graves	360.03	70565
101	422100	Fire Administration	ASPEN MILLS	FD Class B Uniforms - Johnson	402.23	70565
101	422100	Fire Administration	ASPEN MILLS	FD Class A Uniforms - Graves	1,042.84	70565
101	422100	Fire Administration	ASPEN MILLS	FD Class A Uniforms - Johnson	1,041.54	70565
602	494500	Sewer Maintenance	ADVANCED SERVICES, INC.	Emergency Pump - Roosevelt/Ugs	400.00	70566
101	422100	Fire Administration	ARROWHEAD EMS ASSOCIATION, INC.	Annual Dues 01/01/24-12/31/24	75.00	70567
602	494500	Sewer Maintenance	CENTRAL PENSION FUND	Training Per Contract	57.48	70568
601	494300	Water Distribution	CENTRAL PENSION FUND	Training Per Contract	57.48	70568
101	431100	Street Department	CENTRAL PENSION FUND	Training Per Contract	57.49	70568
101	422903	Firehall #3 Midway Road	CENTURYLINK	Internet FH #3 12/22/23-1/21/2	79.98	70569
101	431901	City Garage	CINTAS CORPORATION	Supplies	28.51	70570
101	431901	City Garage	CINTAS CORPORATION	Mats - PW	10.35	70570
101	431100	Street Department	CINTAS CORPORATION	Uniforms	23.38	70570
101	431100	Street Department	CINTAS CORPORATION	Uniforms	7.92	70570
101	431901	City Garage	CINTAS CORPORATION	Supplies	34.40	70570
101	431901	City Garage	CINTAS CORPORATION	Mats - PW	30.03	70570
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at CH	8.88	70570
101	431901	City Garage	CINTAS CORPORATION	1st Aid Cabinets	111.39	70570
101	431100	Street Department	CINTAS CORPORATION	Uniforms	7.92	70570
101	431100	Street Department	CINTAS CORPORATION	Uniforms	23.38	70570
101	419901	City Hall & Police Building Maintenance	CINTAS CORPORATION	Mats at FD/PD	30.72	70570
101	431901	City Garage	CINTAS CORPORATION	Supplies	28.51	70570
101	421100	Police Administration	CITY OF DULUTH	Annual Subscription-RMS System	21,372.34	70571

1/12/2024

Page 4

Fun d	Account	Department	Vendor Name	Description	Amount	Check #
101	411100	Council	COALITION OF GREATER MN CITIES	2024 CGMC General Dues Assessm	13,612.00	70572
601	494300	Water Distribution	CORE & MAIN LP	Water Meters	4,014.64	70573
245	465100	HEDA	COSTIN GROUP MN	City Lobbyist	1,500.00	70574
101	419901	City Hall & Police Building Maintenance	DALCO	TP/Kleenex/Scraper/Gloves/Urin	512.57	70575
401	431100	Street Department	DEERE CREDIT INC	2024 Motor Grader Lease	60,969.50	70576
101	431100	Street Department	DIAMOND MOWERS LLC	ROW Mower Bolts	801.67	70577
101	431100	Street Department	DSC COMMUNICATIONS	Radio - H1	1,626.99	70578
101	415300	Administration & Finance	DULUTH AREA CHAMBER OF COMMERCE	St. Louis Cty at Capital Spons	4,000.00	70579
101	431100	Street Department	DVS RENEWAL	19 Towmaster Monroe	20.25	70580
230	465100	HEDA	EDAM	2024 EDAM Membership Dues- E J	545.00	70581
601	494300	Water Distribution	FERGUSON WATERWORKS #2516	Hydrant Parts	1,104.00	70582
101	419100	Community Development	GREATER MINNESOTA PARKS & TRAILS	Membership Dues 2024	250.00	70583
230	465100	HEDA	HERMANTOWN AREA CHAMBER OF COMMERCE	Annual Membership	500.00	70584
101	411300	Ordinance, Public Notice and Proceedings	HERMANTOWN STAR LLC	City Council Minutes	99.00	70585
101	419100	Community Development	HERMANTOWN STAR LLC	Public Hearing P&Z	82.50	70585
101	421100	Police Administration	HOLIDAY COMPANIES	Car Washes - Dec 2023	25.00	70586
101	415300	Administration & Finance	INNOVATIVE OFFICE SOLUTIONS, LLC	Flag/Index/Paper/Glue	50.68	70587
101	431100	Street Department	INTERSTATE ALL BATTERY CENTER	Batteries for H-8	311.90	70588
101	419100	Community Development	JOHNSON, ERIC	Phone Reimbursement Jul-Dec 23	150.00	70589
101	421100	Police Administration	LEAGUE OF MINNESOTA CITIES	Peace Officer Accredited Train	1,500.00	70590
101	431100	Street Department	LINDE GAS & EQUIPMENT INC.	CylDrRntSfEnvFee11/20-12/20/23	72.20	70591
603	441100	Storm Water	MECA	Membership Fee	60.00	70592
603	441100	Storm Water	MECA	MSF Workshop	150.00	70592
601	494300	Water Distribution	MENARD INC	Connection Screws for Water Me	58.31	70593
601	494300	Water Distribution	MENARD INC	Drive Bit for Water Meter Inst	27.97	70593
101	431100	Street Department	MENARD INC	Screws	6.57	70593
101	421100	Police Administration	MN CHIEFS OF POLICE ASSN	2024 Membership Renewal - Voti	477.00	70594
601	220110	Water Test Fee Payable	MN DEPARTMENT OF HEALTH	Water Supply Serv Connect fee	5,729.94	70595
101	421100	Police Administration	MN POLICE & PEACE OFFICERS ASSN	MPPOA Membership Dues-Crace/Gu	140.00	70596
101	422100	Fire Administration	MN STATE FIRE DEPARTMENT ASSOCIATION	MSFDA Membership Dues 2024	290.00	70597
101	422901	Firehall #1 Maple Grove Road	MN TELECOMMUNICATIONS	Jan 2024 Internet	90.00	70598
101	419901	City Hall & Police Building Maintenance	MN TELECOMMUNICATIONS	Jan 2024 Internet	360.00	70598
101	419901	City Hall & Police Building Maintenance	MOTION INDUSTRIES INC	AHU 1&2	82.94	70599
101	431100	Street Department	NAPA AUTO PARTS	Hydraulic Fluid	146.91	70600
101	419901	City Hall & Police Building Maintenance	NAPA AUTO PARTS	FHP Belt - City Hall John Deer	23.77	70600
101	431100	Street Department	NAPA AUTO PARTS	Hydraulic Fluid	587.64	70600
101	431100	Street Department	NAPA AUTO PARTS	Grease	248.80	70600
240	432510	Trunk Sewer Construction	NORTHERN INTERSTATE CONSTRUCTION, INC.	Stebner Park Utility Improveme	127,368.83	70601

Fun d	Account	Department	Vendor Name	Description	Amount	Check #
601	494300	Water Distribution	NORTHLAND CONSTRUCTORS OF DULUTH, LLC	Arrowhead & Haines Road Repair	42,096.61	70602
101	215000	Performance Bond Deposits Payable	PILLARS OF HERMANTOWN, LLC	Stormwater Escrow Refund	220,000.00	70603
101	422100	Fire Administration	SAFE KIDS WORLDWIDE	CMS Renewal Testing Course Reg	95.00	70604
101	421100	Police Administration	SHEL/DON GROUP INC	Letterhead - PD	222.89	70605
101	424100	Building Inspection	SHEL/DON GROUP INC	Delivery Fee for Copies for Cu	5.00	70605
101	415300	Administration & Finance	ST LOUIS COUNTY AUDITOR	2024 TINT	797.24	70606
101	419901	City Hall & Police Building Maintenance	STACK BROS MECHANICAL, INC.	Replace Pump - CH	2,347.00	70607
101	422903	Firehall #3 Midway Road	SUPERIOR FUEL COMPANY	Propane FH #3	838.11	70608
101	422902	Firehall #2 Morris Thomas Road	SUPERIOR FUEL COMPANY	Propane FH #2	766.54	70608
101	421100	Police Administration	THOMSON REUTERS - WEST	Clear Subscription Nov	165.00	70609
101	421100	Police Administration	TROY'S BP AMOCO INC	Oil & Filter - SQD 22	83.57	70610
101	421100	Police Administration	TROY'S BP AMOCO INC	Tires - SQD 19	1,911.41	70610
101	421100	Police Administration	TROY'S BP AMOCO INC	Oil & Filter - SQD 19	42.47	70610
101	421100	Police Administration	TROY'S BP AMOCO INC	Tires - SQD 17	659.68	70610
101	431100	Street Department	ZIEGLER INC	Filter	93.18	70611
101	134000	Retiree Insurance/Telephone Reimb.	MN LIFE	Jan Inactive - Volk	45.16	70614
101	134000	Retiree Insurance/Telephone Reimb.	MN LIFE	Jan Inactive - Rich	25.26	70614

Totals: 169 records printed

706,090.30



CITY COUNCIL MEETING DATE: January 16, 2024

TO: Mayor & City Council

FROM: Eric Johnson, Community Development Director

SUBJECT: Zoning Map Amendment from C, Commercial to C-1 Office/Light Industrial

RESOLUTION: **ORDINANCE:** 2024-01 **OTHER:**

REQUESTED ACTION

Conduct a second reading on the proposed amendment to the Hermantown Zoning Map by rezoning the 8.0 acres associated with parcels 395-0133-00020 and 395-0133-00040 from C, Commercial to C-1, Office/Light Industrial.

DESCRIPTION OF REQUEST:

The applicant (Vermillion Homes) is requesting a rezoning of Parcels of 395-0133-00020 and 395-0133-0040 from C, Commercial to C-1, Office/Light Industrial.

SITE INFORMATION:

- Parcel Size:** 8 acres
- Legal Access:** Norway Pines Place
- Wetlands:** None per the National Wetland Inventory. Will need to be verified prior to development
- Existing Zoning:** C, Commercial
- Airport Overlay:** Zone 3
- Shoreland Overlay:** N/A
- Comprehensive Plan:** Commercial

BACKGROUND:

The applicant, who owns the property, has been marketing parcel 395-0133-00040 for a number of years. Parcel 395-0133-00020 is currently developed with an office use that is leased by the applicant to Benedictine Health System. The applicant is currently in negotiations with a landscape contracting company who is interested in parcel 395-0133-0040 in order to locate a landscape contracting business on the parcel. Contractor yards are not allowed in the C, Commercial zoning district but are in the C-1. The existing office building associated with parcel 395-0133-00020 is an allowed use in the C-1 zoning district.

In 2019, the City rezoned parcels 395-0091-00140 and 395-0091-00030 from C, Commercial to C-1 in order for ATK Storage to be able to build a mini storage facility on the property. At that time, it was envisioned that additional adjoining parcels would also be rezoned from C, Commercial to C-1 at a future date. The proposed rezoning of parcels 395-0133-00020 and 395-0133-00040 is in keeping with that vision from 2019.

A public hearing for this proposed text change was held on December 19, 2023. There were no members of the public present. The Planning and Zoning Commission unanimously recommended the text change to the City Council for their review and approval.

C-1, Office and Light Industrial Zoning Analysis

The lots’ meet the dimensional standards of the C-1 zone. C-1 zoning would allow some of the same uses that are also allowed in the C zoning district (offices, auto sales, and limited specialty retail) as well as industrial uses including warehouses, manufacturing, and mini-storage units. Table 1 shows allowed uses in the C-1 zone.

<p>Permitted Uses.</p> <p>Business, sales and professional offices. Public buildings and public service facilities. Research and development laboratories. Gasoline service stations with convenience store. Automobile and truck sales, service and repair. Equipment sales, service and repair. Customary accessory uses and structures.</p>
<p>Special Use Permit.</p> <p>Agritainment (A minimum lot size of 10 acres is required.) Each proposed use and location shall be depicted on a site plan. Contractor’s shop and storage yard. Mini storage warehouse. Manufacturing, assembly, packaging or fabrication. Warehouse, distribution center, fulfillment center. Restaurant. Adult Use, Accessory. Veterinary Clinics. Wholesale businesses. Building material supplies. Lawn and garden material supplies. Pawnbrokers. Massage Establishment Medical Cannabis Dispensary.</p>

Airport Overlay C Zone

The properties are located in the Duluth International Airport Overlay Zone 3. Additional regulations on the height of structures, lighting, and communication equipment are in effect in Zone 3. Structures in Zone 3 cannot exceed 1580 feet above sea level. Ground level elevation on the site ranges from 1450 feet to 1490 feet above sea level. Development can take place on the property and remain in compliance with the Zone 3 standards. Current City zoning regulations impose a maximum building height of 45 feet mitigating the likelihood of approaching the Zone 3 elevation limit.

Comprehensive Plan

The 2001 Comprehensive Plan and the Western Miller Trunk Highway Study support commercial and light industrial use of this property which is allowed in the requested C-1 Zone District.

The property is located in Comprehensive Plan Concept Area 3 which calls for Development of New Compatible Commercial with Adequate Public Utilities and Facilities, Development of Frontage/Backage Road System, Preserve Wetlands and Natural Features.



The Western Miller Trunk Highway Study identified preferred uses for the area as Office, Industry, or Multi-residential. Redevelopment criteria included:

- Access should be off Norway Pines.
- Possibility to be combined with redevelopment of parcels fronting Miller Trunk Highway.
- Land use should not require highway visibility.

The land is currently zoned C, Commercial. The Commercial Zone District is intended to provide suitable areas within the community for the grouping and establishment of general retail sales, offices, professional buildings and service businesses. It is intended to provide convenient retail facilities for the residents of Hermantown and the surrounding area.

The C-1, Office/Light Industrial Zone District is intended for low-density office, light industrial, limited commercial services, and public service developments.

The property does not have frontage or visibility from Miller Trunk Highway so it is not a primary site for retail or high traffic service businesses. The site had been considered for a multi-residential development in the past but the noise generated by proximity to the airport runway limits its potential for residential or high value office space.

Development Permitting

The applicant is currently in negotiations with a landscape contracting company who is interested in parcel 395-0133-0040 in order to locate a landscape contracting business on the parcel. Contractor yards are not allowed in the C, Commercial zoning district but are in the C-1.

A decision on rezoning property is independent of any decision on permitting development of a property. Rezoning does not imply approval of future development. Any future development will have to meet all City regulations including zoning, stormwater management, wetland processes, and others and is required to have an approved Commercial Industrial Development Permit.

RECOMMENDATIONS AND FINDINGS:

A review of the existing and potential land uses of the property, and of the surrounding area, support rezoning the property to C-1, Office/Light Industrial. Staff recommends approval of the rezoning based on the following findings:

1. The proposed rezoning meets the criteria of the Comprehensive Plan and the overall goals and policies of the Zoning Ordinance, is suitable for the proposed zoning, and is compatible with surrounding zoning and land uses.

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

- Ordinance
- Existing Zoning Map
- Proposed Zoning Map

Ordinance No. 2024-01

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE AMENDING TITLE 2 OF THE HERMANTOWN CITY CODE
BY AMENDING THE OFFICIAL ZONING MAP OF PARCELS 395-0133-00020 and
395-0133-00040**

Section 1. Amendment to Official Zoning Map. The Official Zoning Map of the City of Hermantown is hereby amended so that Parcels 395-0133-00020 and 395-0133-00040 is zoned C-1, Office/Light Industrial. See Exhibit A for Legal Description.

Section 2. Purpose and Intent. The purpose of this amendment is to rezone Parcels 395-0133-00020 and 395-0133-00040 to C-1, Office/Light Industrial with the following Findings of Fact:

Findings of Fact.

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

2. A rezoning to C-1, Office/Light Industrial is compatible with the surrounding uses as it mirrors the existing development patterns of the surrounding/abutting parcels.

3. A rezoning to C-1, Office/Light Industrial allows for the maximization of existing water and sanitary sewer infrastructure thus allowing for development opportunities that cannot be conducted under the C, Commercial zoning district.

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

5. The property is included in development concept area (Area 3) of the Comprehensive Plan within which is the goal to develop New Compatible Commercial with Adequate Public Utilities and Facilities, Develop Frontage/Backage Road System, Preserve Wetlands and Natural Features.

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

Dated: _____ Mayor _____

Attest:

City Clerk

Adopted: _____

Published: _____

Effective Date: _____

Exhibit A – Legal Descriptions

Lot 1, Block 2, EXCEPT that part of Lot 1, Block 2, described as follows: Beginning at the Southwest corner of Outlot A of the recorded plat of MAPLE HILL; thence Westerly, along the Westerly extension of the south line of said Outlot A, a distance of 41.37 feet to the southwesterly line of said Lot 1; thence Southeasterly, along last described southwesterly line, a distance of 135.37 feet to the Southeasterly corner of said Lot 1; thence Northerly, along the east line of said Lot 1, a distance of 127.27 feet to said Point of Beginning. Section 3 Township 50 Range 15

Parcel 395-0133-00020

Outlot B Matthew Addition, Section 3 Township 50 Range 15

Parcel 395-0133-00040



CITY COUNCIL MEETING DATE: January 16, 2024

TO: Mayor & City Council

FROM: Eric Johnson, Community Development Director

SUBJECT: Zoning Map Amendment from C, Commercial to C-1 Office/Light Industrial

RESOLUTION: **ORDINANCE:** 2024-02 **OTHER:**

REQUESTED ACTION

Conduct a second reading on the proposed zoning ordinance text amendments to Chapter 5, Section 590 – HBP - Hermantown Business Park.

DESCRIPTION OF REQUEST:

The City has been working with the property owners along Highway 53, Lavaque Bypass and Abrahamson Road on the creation of a 120-acre business park. To date, the City has engaged Braun Intertec to facilitate a concept master plan and environment scoping documents. The next stage for this is the creation of a Hermantown Business Park zoning district.

The Hermantown Business Park zoning district is intended as a transition between more industrial uses and business uses. This district is appropriate for manufacturing, warehousing, and similar industrial uses because of access to thoroughfares, the full complement of urban services such as sewer and water, and distance from residential districts. These areas are intended to encourage the development of industrial uses which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants. These industries shall be compatible with each other and with surrounding land uses.

The 120-acre land area is currently comprised of three different zoning districts: C, Commercial; C-1, Office/Light Industrial and C-1A, Office/Light Industrial/Adult Uses. In addition, there are the Airport Safety Zones 2 and 3 associated with this 120-acre area.

Once specific zoning code language is adopted, City staff will continue work with the property owners to determine the extent of the 120 acres that the new zone district will encompass.

The Hermantown Planning and Zoning Commission discussed this proposed zoning district at multiple meetings and on December 19, 2023 recommended that the City Council approve the ordinance.

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

- Ordinance
- Section 590 Hermantown Business Park draft ordinance

Ordinance No. 2024-02

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE AMENDING CHAPTER 5 OF THE HERMANTOWN ZONING REGULATIONS BY
ADDING SECTION 590 – HBP, HERMANTOWN BUSINESS PARK**

Section 1. Amendment of Chapter 5. Land Use Regulations. Chapter 5 of the Hermantown Zoning regulations is hereby amended to read as follows on Exhibit A attached hereto.

Section 2. Amendments to be inserted in Zoning Regulations. After the amendments made by this ordinance become effective they shall be inserted in the appropriate place in the Hermantown Zoning Regulations.

Section 3. Effective Date. The provisions of this Ordinance shall be effective after adoption and immediately upon publication once in the official newspaper of the City of Hermantown.

Dated: _____ Mayor _____

Attest:

City Clerk

Adopted: _____

Published: _____

Effective Date: _____

Exhibit A – Legal Descriptions



CITY COUNCIL MEETING DATE: January 16, 2024

TO: Mayor & City Council

FROM: John Mulder, City Administrator

SUBJECT: Restraint of animals in parks and trails.

RESOLUTION: **ORDINANCE:** 2023-03 **OTHER:**

REQUESTED ACTION

Hold the first reading of a “leash law”

BACKGROUND

There has been some discussion about requiring leashes in City Parks and along the Hermantown Connector Trail. The attached proposed ordinance would require animals to be on leashes in City Parks and on the trails, but does not include road right of ways or private property.

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

Ordinance

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE AMENDING THE REGULATIONS UNDER
HERMANTOWN CITY CODE CHAPTERS 3 AND 6
PERTAINING TO THE RESTRAINT OF ANIMALS IN PARKS**

Section 1. **Purpose and Intent.** The purpose and intent of this amendment is to modify the regulations pertaining to the use of leashes on animals in public spaces in an effort to keep spaces used by residents and visitors alike with their pets in the City of Hermantown safe and welcoming for everyone.

Section 2. **Amendment to Section 330.07.2.** Section 330.07.2, Horseback Riding and Domestic Animals, is hereby amended and restated to read as follows:

“330.07.2 Horseback Riding. No person shall ride a horse or other animal except on designated trails or paths in a public park.

330.07.3 Domestic Animals.

330.07.3.1 Restraint of Animals. No person shall allow any animal unattended or without physical restraint in a public park, unless otherwise designated as an off leash dog area pursuant to Section 330.10 hereof. No domestic animals of any description shall be allowed within a recreational area unless on an adequate leash of suitable strength and not exceeding six feet in length. If a leash is greater than six feet shall retract the leash length so it shall not exceed six feet in length when being approached or approaching within ten feet of other persons and/or other animals. The reliance on an e-collar or remote collar is expressly prohibited when used as the sole device to control an animal.

330.07.3.2 Right-of-way of Other Users. Any person using a pathway with an animal shall at all times yield the right-of-way to other pathway users and shall not interfere or allow the animal to interfere with other pathway users.

330.07.3.3 Animal Litter. Animal litter in a park or other public area must be removed from the ground or surface of any park and any park facilities and disposed of in a sanitary manner, which may include depositing in a designated waste receptacle in the park, and further in accordance with Section 630.08 of this Code. Any park user with an animal is required to have the tools or equipment in their possession suitable for the removal of animal litter and

promptly and effectively remove all fecal material deposited by the domestic animal under their control or care.

330.07.4 Right to Prohibit Certain Animals. The City may prohibit any animal and its owner from a park for violating the rules and regulations of this Section or state law and such owner may be subject to further enforcement pursuant to Section 330.11 hereof.”

Section 3. **Addition to Code.** A new Section 330.10, Off Leash Dog Areas, is hereby added to read as follows and the remaining numbers of such Section renumbered.

“330.10. Off Leash Dog Areas.

330.10.1 Dogs may be unrestrained by chain or leash in areas designated for off leash activities by the City of Hermantown. No person shall use a designated off leash area without first having obtained a license under Section 610 of this Code for each dog using such an area from the City of Hermantown.

330.10.2 Any dog declared potentially dangerous or dangerous pursuant to this Section or pursuant to Minn. Statute § 347.50 shall not be permitted to use off leash areas. A license may be revoked for failure of the applicant, or any person who takes the dog into an off leash recreation area, to abide by these rules, or for violation of any of the provisions of this Code that occurs within an off leash area. The owner or custodian of the dog must have such animal restrained when entering or leaving an off leash area. If directed by a law enforcement officer or animal control officer, persons using an off leash area must immediately restrain their dogs and remove them from the off leash area.”

Section 4. **Amendment to Section 640.04.2.** Section 640.04.2, Leashes, is hereby amended to read as follows:

“640.04.2. Leashes. Leashes must not exceed six feet in length, unless the leash is of the kind that can be easily retracted to six feet in length and may not exceed four pounds in total weight. The reliance on an e-collar or remote collar is expressly prohibited when used as the sole device to control an animal.”

Deleted language is struck out and added language is underlined.

Section 5. **Amendment to Section 630.06.** Section 630.06, Running at Large Prohibited, is hereby amended to read as follows:

“630.06.1 No person shall suffer or permit any animal owned or controlled by that person to run at large within the city. An animal shall be considered to be

running at large if the animal departs from the private property of the owner or other person caring for that animal and is not under physical control of the owner, a member of the immediate family or other responsible person caring for that animal. Any animal in a park, including any space designated or intended for active or passive recreation, as defined in Section 330.02.1. and other than those designated as an off leash dog park under Section 330.10 of this Code, must be controlled by a leash pursuant to Section 330.07.3 of this Code. If the animal is under control by a leash, the leash must be of suitable strength not exceeding six feet in length. Persons controlling animals with leash devices capable of extending leash lengths greater than six feet shall retract the leash length so it shall not exceed six feet in length when being approached or approaching within ten feet of other persons and/or other animals. The reliance on an e-collar or remote collar is expressly prohibited when used as the sole device to control an animal.”

Deleted language is struck out and added language is underlined.

Section 6. **Amendment to be Inserted in Code.** After this ordinance becomes effective, the changes made by this Ordinance shall be made in the appropriate place in the Hermantown City Code. This ordinance shall be published in the official newspaper of the City.

Section 7. **Effective Date.** The provisions of this Ordinance shall be effective after adoption and immediately upon publication once in the official newspaper of the City of Hermantown.

Dated: _____

Mayor

Attest:

City Clerk

Adopted: _____

Published: _____

Effective Date: _____



CITY COUNCIL MEETING DATE: Jan 16, 2024

TO: Mayor & City Council

FROM: John Mulder, City Administrator

SUBJECT: 2024 Engineering Services

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

REQUESTED ACTION

Approve the City Engineer Contract for 2024.

BACKGROUND

David Bolf of Northland Consulting Engineers has been the City Engineer since 2015. The contract remains unchanged except for the new hourly rates. This is a contract that is approved by the City Council on an annual basis.

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

Resolution
Contract

Resolution No. 2024-10

Resolution Authorizing And Directing Mayor And City Clerk To Execute And Deliver Agreement For Professional Services With Northland Consulting Engineers, LLP (City Engineering Services)

WHEREAS, the City is in need of engineering services during 2024; and

WHEREAS, an Agreement for Professional Services between the City of Hermantown and Northland Consulting Engineers, LLP with respect to such services is attached hereto; and

WHEREAS, the City Council has duly considered the attached Agreement for Professional Services and believes that it is in the best interests of the City of Hermantown for it to enter into such Agreement with Northland Consulting Engineers, LLP

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hermantown that the Mayor and City Clerk are hereby authorized and directed to execute and deliver on behalf of the City of Hermantown the Agreement for Professional Services attached hereto between the City of Hermantown and Northland Consulting Engineers, LLP.

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 January 16, 2024.

AGREEMENT FOR PROFESSIONAL SERVICES
CITY OF HERMANTOWN
(CITY ENGINEER SERVICES - INDEPENDENT CONTRACTOR)

Dated: January _____, 2024

THIS AGREEMENT is by and between the CITY OF HERMANTOWN, MINNESOTA, a statutory city under the laws of the State of Minnesota, hereinafter referred to as "City", and NORTHLAND CONSULTING ENGINEERS, LLP, hereinafter referred to as "City Engineer" in response to the following situation:

- A. Engineering services will from time to time be needed by the City.
- B. The City desires that City Engineer provide such engineering services to it as its City Engineer.
- C. City Engineer is willing to provide such engineering services to the City as its City Engineer.

NOW, THEREFORE, the City and the City Engineer do mutually agree as follows:

1. Services to be Performed.

1.1 The engineering services to be performed shall be the responsibility of David Bolf.

1.2 City Engineer shall provide engineering services to the City as its City Engineer including the services described in Exhibit A attached hereto.

1.3 City Engineer will prepare preliminary engineering reports for projects for which City intends to utilize the provisions of Chapter 429 of the Minnesota Statutes ("429 Projects"). City Engineer acknowledges that there are statutory required special rules that must be followed with respect to 429 Projects and agrees to follow such rules which are described on Exhibit B attached hereto.

1.4 The City Administrator shall be responsible for the day-to-day administration of this contract. City Engineer will perform services described on Exhibit A upon receipt of an email or other written communication from the City Administrator authorizing and requesting that the engineering services be performed. City will not be obligated to pay for engineering services performed by the City Engineer that are not authorized and requested by the City Administrator.

2. Personnel.

City Engineer will secure, at its own expense, all personnel required to perform the engineering services under this contract, and such personnel shall not be the employees of, nor have a contractual relationship with, the City.

3. Assignability.

City Engineer shall not assign any interest in this contract and shall not transfer any interest in the same without the prior written approval of the City.

4. Contract Period.

This Agreement shall be effective as of January 1, 2024 and shall continue until December 31, 2024 unless sooner terminated as provided in paragraph 5 hereof.

5. Termination of Contract.

Either the City Engineer or the City may, by giving written notice specifying the effective date which shall not be less than thirty (30) days from the date such notice is given, terminate this contract in whole or in part. In the event of termination, all property and finished or unfinished documents and other writings prepared by the City Engineer under this contract shall be delivered to the City and City Engineer shall be entitled to compensation for time expended to the date of termination and expenses incurred.

6. Independent Contractor.

The relationship between the City Engineer and the City shall be that of an independent contractor. Nothing herein shall in any way make or create any employer-employee relationship between the City and City Engineer.

7. Standard of Performance and Insurance.

All services to be performed by the City Engineer hereunder shall be performed in a skilled, professional and non-negligent manner. City Engineer shall obtain and maintain at their cost and expense:

7.1 Comprehensive general liability insurance that covers the City Engineer services performed by City Engineer for City with a combined single limit of liability of at least One Million Dollars (\$1,000,000.00).

7.2 Errors and omissions or equivalent insurance that covers the City Engineer services performed by City Engineer for City with a combined single limit of liability of at least One Million Dollars (\$1,000,000.00).

7.3 Worker's compensation insurance covering City Engineer (if an individual) all of City Engineer's employees with overages and limits of coverage required by law.

City Engineer shall indemnify and hold harmless City from and against all errors, omissions and/or negligent acts causing claims, damages, liabilities, and damages arising out of the performance of his/her/its services hereunder.

City Engineer certifies that City Engineer is in compliance with all applicable worker's compensation laws, rules and regulations. Neither City Engineer (if an individual) nor City Engineer's employees and agents will be considered City employees. Any claims that may arise under any worker's compensation laws on behalf of any employee of City Engineer and any claim made by any third party as a consequence of any act or omission on the part of City Engineer or any employee of City Engineer are in no way City's obligation or responsibility. By signing this Agreement, City Engineer certifies that City Engineer is in compliance with these laws and regulations.

City Engineer shall deliver to City, concurrent with the execution of this Agreement, one or more certificate(s) of insurance evidencing that City Engineer has the insurance required by this Agreement in full force and effect. City shall be named as additional insured under the policy(ies) described in Section 7.1 above. The insurer of all policies will provide at least thirty (30) days prior written notice to City, without fail, of any cancellation, non-renewal, or modification of any policy(ies) or coverage evidenced by said certificate(s) for any cause, except for nonpayment of premium. The insurer of all policies will provide at least ten (10) days prior written notice to City, without fail, of any cancellation of any of the policy(ies) or coverage evidenced by said certificate(s) for nonpayment of premium. City Engineer shall provide City with appropriate endorsements to its policy(ies) reflecting the status of City as an additional insured and requiring that the foregoing required notice of cancellation, material alteration or non-renewal be provided City by the insurance company providing such insurance policy(ies).

City Engineer shall require any subcontractor permitted by City under Section 3 hereof to perform work for City to have in full force and effect the insurance coverage required of the City Engineer under this Agreement before any subcontractor(s) begin(s) work for the City Engineer or City. City Engineer shall require any such subcontractor to provide City Engineer and City a Certificate of Insurance evidencing that such subcontractor has the insurance required by this Agreement in full force and effect. City Engineer and City shall be named as additional insured under such policies described in Section 7.1. The insurer of all policies will provide a thirty (30) written notice to City and City Engineer, without fail, of any cancellation, non-renewal, or modification of the policy(ies) or coverage evidenced by said certificate(s) for any cause, except for nonpayment of premium. The insurer of all policies will provide at least ten (10) days prior written notice to City and City Engineer, without fail, of any cancellation of any of the policy(ies) or coverage evidenced by said certificate(s) for nonpayment of premium. City and City Engineer shall also be provided with appropriate endorsements to its

policy(ies) reflecting the status of City and City Engineer as an additional insured and requiring that the foregoing required notice of cancellation material alteration or non-renewal be provided to City and City Engineer by the insurance company providing such insurance policy(ies).

8. Special Projects.

City Engineer and City may, by separate agreement, identify special projects for which the services of the City Engineer are desired and that are outside the scope of this Agreement. Such separate agreement shall specify the work to be performed on such separate projects and the fees to be paid to the City Engineer in connection with such special projects.

9. Compensation.

City Engineer shall be compensated for the services to be performed hereunder as set forth in Exhibit C. Engineer shall submit to the City itemized statements of services rendered during each month setting forth the date such services were rendered, a description of the services rendered, the person performing such services and the amount of time expended in performing such services.

10. Confidentiality.

City Engineer agrees that, at all times, both during the term of this Agreement and after the termination of this contract, it will be faithful to City by not divulging, disclosing or communicating to any person, firm or corporation, in any manner whatsoever, except in furtherance of the business of City or as required by an applicable law, rule, regulation or ordinance of City or any other governmental authority, any information of any kind, nature or description concerning any matters affecting or relating to the business, employees, agents, customers of City, or parties contracting with City.

11. Intellectual Property Rights.

For the purposes of this contract, Project Materials means copyrights and all works developed in the performance of this contract, including, but not limited to, the finished product and any deliverables, including any software or data whether in written or electronic format.

Project materials do not include any materials that City Engineer developed, acquired or otherwise owned or had a license to use prior to the date of this contract.

All Project Materials are agreed by City Engineer to be “works made for hire” as defined under 17 U.S.C. §101, for which City has the sole and exclusive right, title and interest, including all rights to ownership and copyright and/or patent. In addition, City

Engineer hereby assigns all right, title and interest, including rights of ownership and copyright in the Project Materials to City no matter what their status might be under federal law.

City Engineer shall provide City with copies of all Project Materials.

Upon request by City Engineer, City may authorize City Engineer to use specified Project Materials to evidence City Engineer's progress and capability. In all such uses of Project Materials by City Engineer, reference shall be made to City and the Project and that the Project Materials are owned by City.

City Engineer also acknowledges and agrees that all names and logos provided to City Engineer by City for use in connection with the Project are and shall remain the sole and exclusive property of City.

12. Notices.

Any notice required to be given under this contract shall be deemed sufficient if in writing, sent by mail to the last known office address of City Engineer, or to City at 5105 Maple Grove Road, Hermantown, MN 55811.

13. Miscellaneous.

This contract constitutes the sole and complete agreement relating to the subject matter of this contract between the parties, superseding any and all other agreements between the parties and no verbal or other statements, inducements or representations have been made or relied upon by either party. No modifications hereof shall be binding upon either party unless in writing and properly executed.

14. No Contractual Authority.

City Engineer shall have no authority to enter into any contracts or agreements binding upon City or to create any obligations on the part of City.

15. Data Practices Act.

City Engineer acknowledges that City is subject to the provisions of the Minnesota Government Data Practices Act.

City Engineer must comply with the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, as it applies to all data provided by City in accordance with this contract and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by City Engineer in accordance with this contract. The civil remedies of Minnesota Statutes § 13.08, apply to City Engineer and City.

Minnesota Statutes, Chapter 13, provides that all government data are public unless otherwise classified. If City Engineer receives a request to release the data referred to in this Section, City Engineer must immediately notify City and consult with City as to how City Engineer should respond to the request. City's response shall comply with applicable law, including that the response is timely and, if City Engineer denies access to the data, that City Engineer's response references the statutory basis upon which City Engineer relied. City Engineer does not have a duty to provide public data to the public if the public data is available from City.

16. Choice of Law and Venue.

All matters relating to the validity, construction, performance, or enforcement of this Agreement shall be determined in accordance with the laws of the State of Minnesota. All legal actions initiated with respect to or arising from any provision contained in this Agreement shall be initiated, filed and venued in the State of Minnesota District Court located in the City of Duluth, County of St. Louis, State of Minnesota.

17. Counterparts.

This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be an original, but such counterparts shall together constitute one and the same instrument.

18. Work For Others

City Engineer agrees to comply with the provisions of Rule 1805.0300 of the Minnesota Code of Agency Rules. A copy of such rule is attached hereto as Exhibit D.

City Engineer shall advise the Hermantown City Council in writing prior to accepting any work within the City of Hermantown and obtain the permission of the City Council prior to accepting any such work. If the City Council believes that the provisions of Rule 1805.0300 are applicable with respect to such proposed work, then City Engineer shall not accept the proposed work.

The following work has been identified as work that would violate the foregoing prohibitions and accordingly the City Engineer is prohibited from accepting such work within the City of Hermantown:

18.1 Any plat for another party within the City of Hermantown.

18.2 Any work for another party within the City of Hermantown that involves any road, waterline or sewerline that will be dedicated to the City of Hermantown.

18.3 Any civil engineering work for another party that is done in satisfaction of any conditions imposed on any permit issued the City of Hermantown.

18.4 Any civil engineering work for another party where such work is subject to inspection by the City of Hermantown.

18.5 Any civil engineering work for other clients within City if the City Engineer would be required to review the work performed for the other client.

19. Limitations on Work within the City

City Engineer will not be permitted to be the design or construction civil engineer for projects for the City with estimated costs that exceed \$500,000 unless specifically authorized in advance by the City Council. The City Engineer will assist the City in soliciting engineering proposals for the design and construction of projects that have estimated costs exceeding \$500,000.

20. Recordkeeping.

City Engineer hereby agrees:

20.1 To maintain all books, documents, papers, accounting records and other evidence pertaining to the fees and expenses for which it seeks payment or reimbursement hereunder and appropriate records with respect to the services performed by him under this Agreement.

20.2 To make such materials available at its office at all reasonable times during the contract period and for three (3) years from the date of final payment under this Agreement for inspection by the City and copies thereof shall be furnished to City upon request by City.

20.3 That no employee, officer or agent of the City, any member of the family of any such person, any partner of any such person or any organization which employs or is about to employ any of the above has a financial or other interest in the business of City Engineer.

[SIGNATURES APPEAR ON NEXT PAGE]

IN WITNESS WHEREOF, the City and the City Engineer have executed this contract as of the date first above written.

CITY OF HERMANTOWN, MINNESOTA

NORTHLAND CONSULTING
ENGINEERS, LLP

By _____
Its Mayor

By _____
Its _____

ATTEST:

Date: _____

By _____
Its City Clerk

EXHIBIT A

AGREEMENT FOR PROFESSIONAL SERVICES
between
NORTHLAND CONSULTING ENGINEERS, LLP
and
CITY OF HERMANTOWN

The Services to be provided by City Engineer are as follows:

1. City Engineer shall be responsible for the implementation of the Minnesota State Aid program within the City of Hermantown. This will include the following:
 - 1.1 Update the needs reports each year.
 - 1.2 Make the required changes in the status maps.
 - 1.3 Make the annual bridge survey and send in the required reports.
 - 1.4 Keep up the "Highway" manuals and keep a proper file on all memos from Minnesota Department of Transportation St. Paul and Duluth.
 - 1.5 Review all mail from State Aid programs received by the City making the proper reply to those needing an answer. Copies of all response shall be provided to the City Clerk and Mayor.
 - 1.6 Attend all the meetings required to be attended by a City Engineer and the necessary meetings of the T.A.C. and the M.I.C., etc. that are held for the metropolitan area.
2. City Engineer shall prepare "minor" plans, which will include necessary overlays. It shall also supervise the construction and make up the partial and final estimates on these projects.
3. City Engineer shall review all proposed subdivision plats and write up its recommendations for any changes needed to protect the interests of the City. It will be expected to check the specifications for streets and utilities in proposed subdivisions inspect the work that is done in accordance with such specifications and make up a final acceptance report for the City Council.
4. City Engineer will be directly responsible to the Mayor and City Council and will act promptly to any reasonable requests made by them.
5. City Engineer will work with the City and other consultants for the City and provide and develop legal descriptions, plat plans and maps and other information as may from time to time be needed by the City.
6. City Engineer will attend City Council Meetings as directed by the Council.

7. City Engineer will provide the following general engineering services:
 - 7.1 Assist in planning, coordinating, supervising and evaluating programs, plans, services, equipment, infrastructure, assist with funding solutions.
 - 7.2 Assist in development and implementation of CIPs (capital improvement plans).
 - 7.3 Manage infrastructure issues for the City through proactive planning, monitoring, and operations and maintenance management.
 - 7.4 Develop and recommend policies and procedures for effective operation of the City consistent with city policies and relevant regulations, including recommendations for ordinance modifications, as directed.
 - 7.5 Formulate short- and long-range plans for design and constructing public works improvements, including streets, water, sanitary, storm sewer, parks, and buildings.
 - 7.6 Assist in implementing all water resource functions.
 - 7.7 Review land use applications and construction plans for private developments for consistency with current development best practices, engineering specifications, city policies and relevant laws, rules and regulations. Responsible for ensuring City Council actions are implemented according to approved specifications
 - 7.8 Update City street and utility maps and records
 - 7.9 Obtain proper approval and documentation from local, state, and federal authorities prior to implementing projects.
 - 7.10 Provide engineering services on projects and oversees project management for constructing municipal public works projects.
 - 7.11 Assist in planning, layout and design of City parks, trails and other recreational amenities.
 - 7.12 Provide professional engineering services in connection with the administration of the state and local stormwater laws, rules, ordinances and regulations
 - 7.13 Act as representation of the City on the MIC/TAC board if designated by the City
 - 7.14 Administer, manage and provide planning services with respect to the City's involvement in the Minnesota Stat Aid street program
 - 7.15 Provide legal descriptions for easements and other rights in land as needed from time to time by the City
 - 7.16 Perform such other services as the City may from time to time request

8. City Engineer will provide the following design and bidding services:
 - 8.1 Prepare plans and specifications for all public works projects as requested with the input of City staff. Present plans and specifications to the City Council for approval.
 - 8.2 Consults with state and federal agencies having jurisdictional authority over the project as warranted.
 - 8.3 Prepare and send Advertisements for Bids to the legal newspaper and the Construction Bulletin for solicitation of bids.
 - 8.4 Reproduce Contract Documents for bidding purposes.
 - 8.5 Review the bids and prepare bid tabulation.

8.6 Evaluate bids, assist staff in preparing a recommendation to the City Council and assemble and award contracts.

9. City Engineer will provide the following project management/construction services:

- 9.1 Convene a pre-construction conference with staff, contractor, utility company representatives, etc.
- 9.2 Perform construction staking and surveying.
- 9.3 Provide construction observation during construction.
- 9.4 Prepare and maintain necessary documentation, including photographs and/or video if warranted, and a log of the contractor's progress.
- 9.5 Convene regular construction progress meetings, as required.
- 9.6 Prepare, review and recommend action for proposed change orders.
- 9.7 Review and recommend final acceptance by the City. Assist the City in ensuring that contractors have been paid and lien waivers have been acquired.
- 9.8 Provide as-built drawings upon conclusion of projects to the City.

10. City Engineer will provide the following engineering reports and technical correspondence:

10.1 Determine the need for preliminary studies, review all preliminary studies for compliance with ordinances, comprehensive plans, engineering standards and financial guidelines including:

- 10.1.1 Feasibility reports
- 10.1.2 Prepare preliminary (and final) assessment rolls.
- 10.1.3 Plat review
- 10.1.4 Utility studies
- 10.1.5 Surface water system analysis and design
- 10.1.6 Capital Improvement Program studies
- 10.1.7 Prepare comments regarding reports, plans and studies of other agencies
- 10.1.8 Presents feasibility studies at public meetings.

10.2 City Engineer shall establish and maintain a library of the following records:

- 10.2.1 Permits and applications
- 10.2.2 Contract documents
- 10.2.3 Addenda
- 10.2.4 Copies of referenced standard specification
- 10.2.5 Project schedules
- 10.2.6 Shop drawings and submittals
- 10.2.7 Applicable correspondence
- 10.2.8 Records of pertinent telephone conversations

- 10.2.9 File memoranda, directives and change orders
- 10.2.10 Requests and recommendations for payment
- 10.2.11 Project budget and cost information
- 10.2.12 Diaries and logs
- 10.2.13 Records of noncompliance
- 10.2.14 Field test results
- 10.2.15 Materials testing reports
- 10.2.16 Record drawings
- 10.2.17 Project photographs
- 10.2.18 Project studies and reports
- 10.2.19 Project progress and meeting minutes
- 10.2.20 Other information as necessary or required

11. Participate in City meetings, including:

11.1 Internal and external meetings with City or other engineering firms involving engineering questions and issues.

11.2 Meet with developers and members of the public on proposed development projects in order to relate the processes and procedures involved with engineering and infrastructure development. Reviews development proposals for conformance with City Standards.

11.3 City Council meetings and work sessions, Planning & Zoning Commission meetings as requested, Utility Commission meetings as requested, and monthly Fast Track meetings with City Staff and consultants, other City meetings as needed.

EXHIBIT B

RULES FOR 429 PROJECTS

1. Services to be Performed. City Engineer agrees that it will provide City with a Preliminary Engineering Report that advises City in a preliminary way as to whether the proposed 429 Project is necessary, cost effective and feasible and as to whether it should best be made as proposed or in connection with some other improvement. The report must also include the estimated cost of the improvement as recommended.

2. Fees. City agreement to compensate City Engineer for the services referred to in paragraph 1 above for fees and expenses for as set forth in Exhibit B-1 attached hereto.

The compensation to the City Engineer for the preparation of requested Preliminary Engineering Reports is and will be based on the following facts.

- 2.1 The time and labor required.
- 2.2 The experience and knowledge of the preparer.
- 2.3 The complexity and novelty of the problems involved.
- 2.4 The extent of the responsibility assumed.

The compensation to the City Engineer for Preliminary Engineering Reports will not and is not based on percentage of the estimated cost of the improvements.

3. Content of Preliminary Engineering Report. No Preliminary Engineering Report is to be prepared except pursuant to a Resolution approved by the Hermantown City Council calling for the preparation of a preliminary engineering report. Pursuant to Minnesota Statutes Section 429.031

The Preliminary Engineering Report must state that it was prepared in accordance with Minnesota Statutes Section 429.031. Specifically the report must advise the City Council, in a preliminary way, as to whether the proposed improvement is necessary, cost-effective and feasible and as to whether it should be best made as proposed or in connection with some other improvement.

The report must also include the estimated cost of the improvement as recommended.

EXHIBIT B-1

429 PROJECTS PRELIMINARY ENGINEERING REPORTS

Hourly rates are as follows:

Position	2023 Rates	2024 Rates
Professional Engineer	\$180.00	\$190.00
Project Engineer	\$145.00	\$150.00
Engineer, EIT	\$130.00	\$130.00
Surveyor	\$105.00	\$105.00
Technician/Inspector	\$85.00	\$85.00
Clerical/Office Manager	\$50.00	\$50.00

EXHIBIT C

FEE SCHEDULE

Position	2023 Rate	2024 Rate
Professional Engineer	\$180.00	\$190.00
Project Engineer	\$145.00	\$150.00
Engineer, EIT	\$130.00	\$130.00
Surveyor	\$105.00	\$105.00
Technician/Inspector	\$80.00	\$85.00
Clerical/Office Manager	\$50.00	\$50.00

The hourly rate for the City Engineer will be \$190.00 for hours spent in meetings which will include: City Council Meetings, Staff Meetings, Utility Commission meetings, MIC/TAC Meetings and other meetings.

EXHIBIT D

1805.300 **CONFLICT OF INTEREST.**

Subp. 1. **Employment.** A licensee shall avoid accepting a commission where duty to the client or the public would conflict with the personal interest of the licensee or the interest of another client. Prior to accepting such employment the licensee shall disclose to a prospective client such facts as may give rise to a conflict of interest.

Subp. 2. **Compensation.** A licensee shall not accept compensations for services relating or pertaining to the same project from more than one party unless there is a unity of interest between or among the parties to the project and unless the licensee makes full disclosure and obtains the express consent of all parties from whom compensation will be received.

Subp. 3. **Gifts.** A licensee shall not, directly or indirectly, solicit or accept any compensation, gratuity, or item of value from contractors, their agents, or other persons dealing with the client or employer in connection with the work for which the licensee has been retained without the knowledge and approval of the client or the employer.

Resolution No. 2024-11

Resolution Approving Wage Rates For Part Time Employees In 2024

WHEREAS, the City of Hermantown has several part-time employees; and

WHEREAS, these employees are not covered by a labor agreement; and

WHEREAS, the City Administrator recommends a pay increase of 3.25% consistent with the wage increase of other non-represented employees; and

WHEREAS, the wage rates listed below are effective January 1, 2024 through December 31, 2024.

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

	Position	Hours	Schedule	2023 Rate	2024 Rate
Custodian	1	520+	Avg. 15 hrs/wk	\$17.80	\$18.38
PW Seasonal Help	2	500	Varies	\$13.19	\$13.62
PW Seasonal Help	2	500	Varies	\$15.41	\$15.91
If previously employed by the City of Hermantown for more than 5 years	1	500	Varies	\$17.08	\$17.64

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 of:

Councilors _____, and Mayor Boucher, aye.

and the following voted in opposition thereto:

None.

WHEREUPON, such resolution was declared duly passed and adopted January 16, 2024.



CITY COUNCIL MEETING DATE: January 16, 2024

TO: Mayor & City Council

FROM: Trish Crego, Utility and Infrastructure Director

SUBJECT: Transportation Alternatives Solicitation Grant

RESOLUTION: 2024-12 **ORDINANCE:** **OTHER:**

REQUESTED ACTION

Approve a grant application for a Transportation Alternatives Solicitation Grant for the Hermantown Marketplace

BACKGROUND

The City applying for the TA funding available through this solicitation is for project construction in fiscal year 2028. TA funding requires a 20 percent local match. Only projects located outside of the seven-county metropolitan area are eligible for TA funding. Maximum funding awards are set by each Area Transportation Partnership. These trail segments are for planned 2027/2028 work on segments 1 and 2 will be 2.83-miles of the City of Her Hermantown Commuter Trail from the new side walk system at Lavaque Junction/Ugstad Road intersection to the Stebner Rd./Maple Grove intersection.

SOURCE OF FUNDS (if applicable)

ATTACHMENTS

Resolution
Grant Agreement
Segment Maps

Resolution No. 2024-12

Resolution Authorizing The City Of Hermantown To Sponsor A Grant Funding Request Associated With The Construction Of Hermantown Community Connector Trail From Stebner Road To Ugstad Road Trail Segments

BE IT RESOLVED by the city council of the City of Hermantown, Minnesota, as follows:

WHEREAS, the City of Hermantown has the legal authority to sponsor a grant funding request to Minnesota Department of Transportation for a Northeast Minnesota Transportation Alternatives Grant (STATE) for the Accessible Trail Project (PROJECT), in order to provide an accessible trail surface from Stebner Road to Ugstad Road Trail Segments as Part of The Community Connector Trail System; and

WHEREAS, the City is fully aware of the information provided in the funding request, including any non-state match and any other long-term commitments as defined in the funding request as submitted; and

WHEREAS, that, if selected for funding by the STATE, the City shall act as a legal sponsor for the PROJECT as funded by the MN Department of Transportation and that the Community Development Director is hereby authorized to apply to the STATE for funding of this project on behalf of the City; and

WHEREAS, the City of Hermantown has not incurred any development costs; and

WHEREAS, that upon approval of its application by the STATE, the City may enter into an agreement with the STATE for the above referenced project, and that the City certifies that it will comply with all applicable laws and regulations as stated in the grant contract

NOW, THEREFORE BE IT RESOLVED that the City Administrator is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the City of Hermantown.

Councilor _____ introduced the foregoing resolution and moved its adoption.

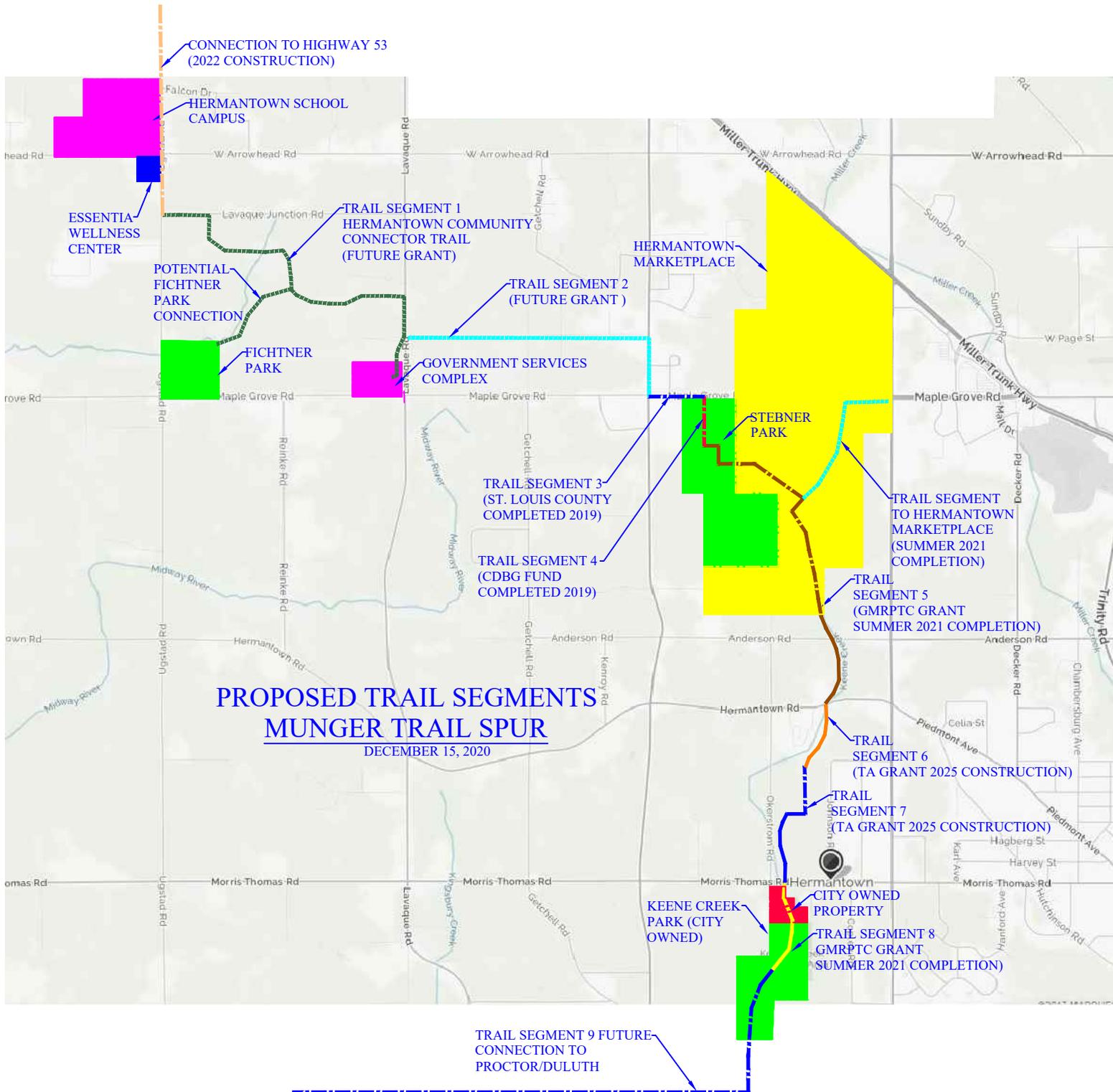
The motion for the adoption of such resolution was seconded by Councilor _____ and, upon a vote being taken thereon, the following voted in favor thereof:

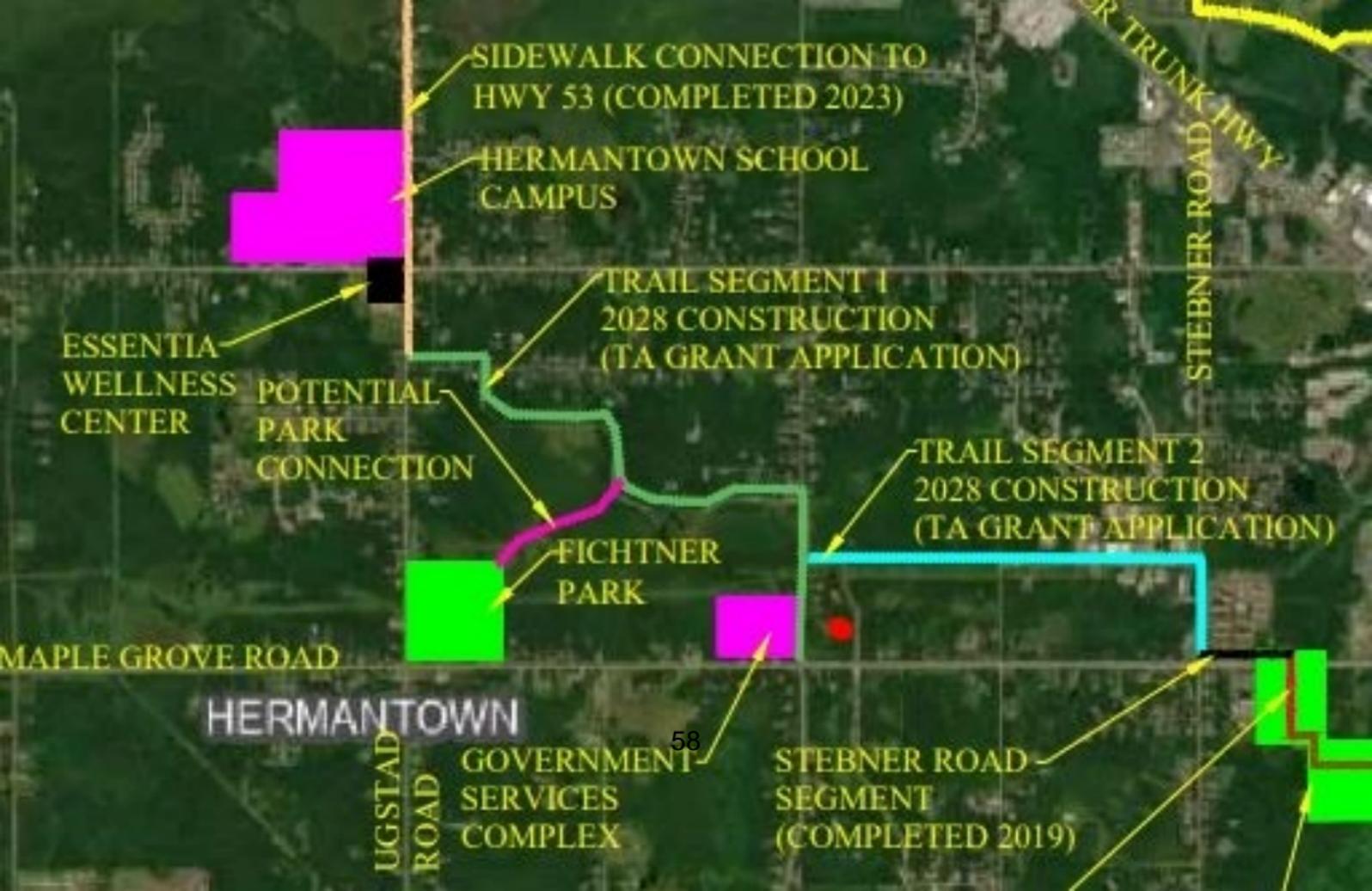
Councilors _____, and Mayor Boucher, aye.

and the following voted in opposition thereto:

None.

WHEREUPON, such resolution was declared duly passed and adopted January 16, 2024.





SIDEWALK CONNECTION TO HWY 53 (COMPLETED 2023)

HERMANTOWN SCHOOL CAMPUS

ESSENTIA WELLNESS CENTER

POTENTIAL PARK CONNECTION

TRAIL SEGMENT 1 2028 CONSTRUCTION (TA GRANT APPLICATION)

FICHTNER PARK

TRAIL SEGMENT 2 2028 CONSTRUCTION (TA GRANT APPLICATION)

MAPLE GROVE ROAD

HERMANTOWN

UGSTAD ROAD

GOVERNMENT SERVICES COMPLEX

58

STEBNER ROAD SEGMENT (COMPLETED 2019)

TRUNK HWY

STEBNER ROAD HWY

January 10, 2024

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

Re: Okerstrom Rd - Sewer Improvement District No. 451

Dear John:

Attached is the Final Pay Application for the work associated with the Okerstrom Rd Project – Sewer Improvement District No. 451 from November 11, 2023 through January 10, 2024. NCE has inspected the work completed by Veit and found it to be in compliance with plans & specifications. I hereby am recommending final acceptance for the project by City Council. The final pay application removes the 5% retainage. Attached are the IC-134 forms.

I recommend the final payment of **\$51,698.97** be authorized at the January 16th, 2024 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: Chase Ernste, E.I.T., Northland Consulting Engineers
Will Goldsworthy, Project Manager, Veit & Company Inc.

Resolution No. 2024-13

Resolution Approving Final Pay Request For Sewer Improvement District 451 To Veit In the Amount Of \$51,698.97

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

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

WHEREAS, Veit has submitted Final Pay Request No. 5 in the amount of \$51,698.97; 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 Final Pay Request No. 5 and all IC 134’s and paper work for the Project were submitted to the City of Hermantown.

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

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

1. Final Pay Request No. 5 is hereby approved.
2. The City is hereby authorized and directed to pay to Veit the sum of \$325,314.81 which is the amount represented on Final Pay Request No. 5.

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 January 16, 2024.

Contractor's Application for Payment

FINAL

Application Period:	November 15, 2023 through January 10, 2024	Application Date:	1/10/2024
To (Owner):	City of Hermantown	From (Contractor):	Veit and Company Inc.
Owner's Contract Number:	Sewer Improvement District #451	Contractor's Project Number:	22-8009
Project:	Okerstrom Rd Sewer Impr. District #451	Engineer Project Number:	
		Via (Engineer):	Northland Consulting Engineers, LLP

Application For Payment Change Order Summary		
Approved Change Orders		
Number	Additions	Deductions
1	\$ 39,839.25	
2	\$ 59,997.20	
3		
4		
TOTAL	\$ 99,836.45	
NET CHANGE BY CHANGE ORDER:		\$99,836.45

Application For Payment Previous Pay Application Summary		
Approved Pay Applications		
Number	Date	Amount
1	8/7/2023	\$ 127,244.33
2	9/1/2023	\$ 265,833.66
3	9/26/2023	\$ 263,887.58
4	11/15/2023	\$ 325,314.81
8. TOTALS		\$982,280.38

1. ORIGINAL CONTRACT PRICE.....	\$	934,142.90
2. Net change by Change Orders.....	\$	99,836.45
3. Final Contract Price (Line 1 ± 2).....	\$	1,033,979.35
4. TOTAL COMPLETED AND STORED TO DATE		
See attached Pay Application Summary.....	\$	1,033,979.35
5. RETAINAGE:		
a. X \$1,033,979.35 Work Completed.....	\$	
b. X Stored Material.....	\$	
c. Total Retainage (Line 5.a + Line 5.b).....	\$	
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	1,033,979.35
7. LESS PREVIOUS PAYMENTS (Line 8).....	\$	982,280.38
9. AMOUNT DUE THIS APPLICATION.....	\$	51,698.97

Payment of: \$ **51,698.97**

(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</p>	
Contractor Signature - Veit & Company, Inc.	
By:	Date:

Recommended by:

 David Bolf, P.E. - City Engineer (Date) 1/10/2024

Approved by:

 John Mulder, City Administrator (Date)

Date of Issuance: 1/10/2023

Effective Date:

Owner: City of Hermantown

Owner's Contract No.: 22-8009

Contractor: Veit & Company, Inc.

Contractor's Project No.:

Engineer: Northland Consulting Engineers

Engineer's Project No.: 22-8009

Project: Oak Ridge Dr Sanitary Sewer Extension

SSID:

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

Description: This change order covers the release of retainage.

Refer to Compensating Summary & EJCDC C-620 Payment Application.

Total = \$59,997.20

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ 934,142.90	
Increase from previously approved Change Orders: \$ 39,839.25	
Contract Price prior to this Change Order: \$ 973,982.15	
Increase of this Change Order: \$ 59,997.20	
Contract Price incorporating this Change Order: \$ 1,033,979.35	

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By:  Engineer	By: _____ Owner	By: _____ Contractor
Title: City Engineer	Title: _____	Title: _____
Date: 1/10/2024	Date: _____	Date: _____



Final Pay Application - January 10, 2024
City of Hermantown
Okerstrom Rd
Sewer Improvement District #451

Item No.	Spec. Number	Item Description	Unit of Measure	Contract Total Quantities	Veit Unit Price	Total Project	
						Completed Quantities	Completed Cost
BASE BID							
1	2021.501	MOBILIZATION	LS	1	\$ 54,000.00	1	\$54,000.00
2	2101.505	CLEARING	ACRE	0.71	\$ 6,700.00	0.71	\$4,757.00
3	2101.505	GRUBBING	ACRE	0.71	\$ 6,700.00	0.71	\$4,757.00
4	2104.502	REMOVE LIFT STATION	EACH	1	\$ 5,600.00	1	\$5,600.00
5	2104.502	SALVAGE SIGN TYPE C	EACH	1	\$ 45.00	1	\$45.00
6	2104.502	REMOVE MANHOLE	EACH	1	\$ 520.00	1	\$520.00
7	2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LF	243	\$ 2.30	243	\$558.90
8	2104.503	REMOVE WATER SERVICE PIPE	LF	230	\$ 21.10	1267	\$26,733.70
9	2104.503	REMOVE WATER MAIN	LF	825	\$ 16.00	0	\$0.00
10	2104.503	REMOVE PIPE CULVERTS	LF	122	\$ 16.00	122	\$1,952.00
11	2105.607	SELECT GRANULAR BORROW MOD 7% (CV)	CY	1875	\$ 27.00	1875	\$50,625.00
12	2106.507	EXCAVATION - COMMON	CY	3374	\$ 13.00	3374	\$43,862.00
13	2106.507	EXCAVATION - MUCK	CY	665	\$ 13.00	1883	\$24,479.00
14	2106.507	GRANULAR EMBANKMENT (CV)	CY	665	\$ 26.00	1883	\$48,958.00
15	2108.504	GEOTEXTILE FABRIC TYPE 5 (WOVEN)	SY	3550	\$ 1.10	3550	\$3,905.00
16	2211.507	AGGREGATE BASE (CV) CLASS 5	CY	1230	\$ 32.00	1230	\$39,360.00
17	2211.507	AGGREGATE BASE (CV) CLASS 5 (DRIVEWAYS)	CY	70	\$ 39.00	70	\$2,730.00
18	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3;C)	TON	265	\$ 116.00	274	\$31,784.00
19	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3;C) (DRIVEWAYS)	TON	7.5	\$ 151.00	7.5	\$1,132.50
20	2360.509	TYPE SP 12.5 NON WEARING COURSE MIXTURE (3;C)	TON	265	\$ 113.00	217	\$24,521.00
21	2411.507	GRANULAR BACKFILL (CV)	CY	290	\$ 22.50	190	\$4,275.00
22	2501.502	18" GS PIPE APRON	EACH	4	\$ 590.00	4	\$2,360.00
23	2501.502	24" GS PIPE APRON	EACH	2	\$ 690.00	2	\$1,380.00
24	2501.502	12" RC PIPE APRON	EACH	2	\$ 1,600.00	2	\$3,200.00
25	2501.502	18" RC PIPE APRON	EACH	2	\$ 1,750.00	2	\$3,500.00
26	2501.502	24" RC PIPE APRON	EACH	2	\$ 1,960.00	2	\$3,920.00
27	2501.503	12" RC PIPE CULVERT	LF	32	\$ 96.00	32	\$3,072.00
28	2501.503	12" CAS PIPE CULVERT	LF	68	\$ 59.00	102	\$6,018.00
29	2501.503	18" CAS PIPE CULVERT	LF	71	\$ 76.00	71	\$5,396.00
30	2501.503	24" CAS PIPE CULVERT	LF	35	\$ 89.00	35	\$3,115.00
31	2502.503	4" PERF PVC PIPE DRAIN	LF	1520	\$ 11.50	1520	\$17,480.00
32	2503.503	12" RC PIPE SEWER CLASS III	LF	283	\$ 72.00	283	\$20,376.00
33	2503.503	18" RC PIPE SEWER CLASS III	LF	56	\$ 94.00	56	\$5,264.00
34	2503.503	24" RC PIPE SEWER CLASS III	LF	64	\$ 115.00	64	\$7,360.00
35	2503.503	8" PVC PIPE SEWER (SDR 35)	LF	1405	\$ 80.00	1405	\$112,400.00
36	2503.602	RECONNECT SANITARY SEWER SERVICE	EACH	1	\$ 1,400.00	1	\$1,400.00
37	2503.602	8"X4" PVC WYE	EACH	6	\$ 340.00	8	\$2,720.00
38	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	2	\$ 1,100.00	3	\$3,300.00
39	2503.602	SEWER TRACER BOX	EACH	6	\$ 200.00	6	\$1,200.00
40	2503.602	4" PIPE PLUG	EACH	1	\$ 195.00	7	\$1,365.00
41	2503.603	4" PVC SANITARY SERVICE PIPE (SCHEDULE 40)	LF	282	\$ 50.00	282	\$14,100.00
42	2504.601	TEMPORARY WATER SERVICE	LS	1	\$ 7,700.00	1	\$7,700.00
43	2504.602	CONNECT TO EXISTING WATER MAIN (WET TAP)	EACH	2	\$ 5,500.00	2	\$11,000.00
44	2504.602	HYDRANT ASSEMBLY	EACH	1	\$ 11,800.00	1	\$11,800.00
45	2504.602	8" GATE VALVE AND BOX	EACH	2	\$ 4,400.00	2	\$8,800.00
46	2504.602	8" X 1" TAPPING TEE W/ ELECTROFUSION SADDLE	EACH	6	\$ 750.00	6	\$4,500.00
47	2504.602	RECONNECT WATER SERVICE	EACH	6	\$ 520.00	6	\$3,120.00
48	2504.602	WATER TRACER BOX	EACH	6	\$ 200.00	6	\$1,200.00
49	2504.602	1" CURB STOP AND BOX	EACH	6	\$ 846.00	6	\$5,076.00
50	2504.603	1" HDPE SDR 11 SERVICE PIPE	LF	285	\$ 39.00	285	\$11,115.00
51	2504.603	8" DIPS HDPE WATER MAIN SDR 11	LF	1330	\$ 66.00	1330	\$87,780.00
52	2504.604	3" POLYSTYRENE INSULATION	SY	8	\$ 36.00	21	\$756.00
53	2506.502	CASTING ASSEMBLY	EACH	10	\$ 720.00	10	\$7,200.00
54	2506.502	CONST DRAINAGE STRUCTURE DES 48-4020	LF	7	\$ 1,500.00	7	\$10,500.00
55	2506.503	CONST DRAINAGE STRUCTURE DESIGN F	LF	75.5	\$ 540.00	75.5	\$40,770.00
56	2506.503	CONST DRAINAGE STRUCTURE DESIGN G	LF	6	\$ 1,830.00	6	\$10,980.00
57	2506.602	SEAL MANHOLE	EACH	6	\$ 300.00	6	\$1,800.00
58	2506.603	CONSTRUCT 8" INSIDE DROP	LF	4.5	\$ 380.00	4.5	\$1,710.00
59	2511.511	RANDOM RIPRAP CLASS III	CY	40	\$ 100.00	20	\$2,000.00
60	2521.518	4" CONCRETE WALK	SF	2860	\$ 12.70	2860	\$36,322.00
61	2531.503	CONCRETE CURB AND GUTTER DESIGN B624	LF	1510	\$ 45.50	1510	\$68,705.00
62	2531.504	7" CONCRETE DRIVEWAY PAVEMENT	SY	72	\$ 133.00	97	\$12,901.00
63	2531.618	TRUNCATED DOMES	SF	12	\$ 91.00	12	\$1,092.00
64	2540.602	MAIL BOX	EACH	3	\$ 168.00	3	\$504.00
65	2557.502	VEHICULAR GATE-SINGLE	EACH	1	\$ 7,610.00	1	\$7,610.00
66	2563.601	TRAFFIC CONTROL	LS	1	\$ 1,680.00	1	\$1,680.00
67	2564.502	INSTALL SIGN TYPE C	EACH	9	\$ 220.00	9	\$1,980.00
68	2564.518	SIGN PANELS TYPE C	SF	16	\$ 42.00	16	\$672.00
69	2573.502	STABILIZED CONSTRUCTION EXIT	LS	1	\$ 3,300.00	1	\$3,300.00
70	2573.503	SILT FENCE; TYPE HI	LF	3900	\$ 4.80	614	\$2,947.20
71	2573.502	STORM DRAIN INLET PROTECTION	EACH	4	\$ 250.00	4	\$1,000.00
72	2573.503	SEDIMENT CONTROL LOG TYPE WOOD FIBER	LF	90	\$ 5.60	1623	\$9,088.80
73	2574.508	FERTILIZER TYPE 1	POUNDS	155	\$ 1.70	475	\$807.50
74	2575.504	ROLLED EROSION PREVENTION CEGATORY 20	SY	5100	\$ 2.30	8600	\$19,780.00
75	2575.508	SEED MIXTURE 25-131	POUNDS	60	\$ 9.50	171	\$1,624.50
76	2575.508	SEED MIXTURE 34-171	POUNDS	5	\$ 95.00	18	\$1,710.00
77	2582.503	24" SOLID LINE MULTI COMP GR IN (WR)	LF	12	\$ 94.00	12	\$1,128.00
78		CHANGE ORDER #1	LS	1	\$ 39,839.25	1	\$39,839.25
FINAL AMOUNT EARNED						\$1,033,979.35	



**Final Compensating Summary
City of Hermantown
Okerstrom Rd
Sewer Improvement District #451**

Item No.	Spec. Number	Item Description	Unit of Measure	Contract Total Quantities	Veit Unit Price	Total Project		
						Completed Quantities	Compensating	
							Quantities	Cost
BASE BID								
1	2021.501	MOBILIZATION	LS	1	\$ 54,000.00	1	0	\$ -
2	2101.505	CLEARING	ACRE	0.71	\$ 6,700.00	0.71	0	\$ -
3	2101.505	GRUBBING	ACRE	0.71	\$ 6,700.00	0.71	0	\$ -
4	2104.502	REMOVE LIFT STATION	EACH	1	\$ 5,600.00	1	0	\$ -
5	2104.502	SALVAGE SIGN TYPE C	EACH	1	\$ 45.00	1	0	\$ -
6	2104.502	REMOVE MANHOLE	EACH	1	\$ 520.00	1	0	\$ -
7	2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	L F	243	\$ 2.30	243	0	\$ -
8	2104.503	REMOVE WATER SERVICE PIPE	L F	230	\$ 21.10	1267	1037	\$ 21,880.70
9	2104.503	REMOVE WATER MAIN	L F	825	\$ 16.00	0	-825	\$ (13,200.00)
10	2104.503	REMOVE PIPE CULVERTS	LF	122	\$ 16.00	122	0	\$ -
11	2105.607	SELECT GRANULAR BORROW MOD 7% (CV)	CY	1875	\$ 27.00	1875	0	\$ -
12	2106.507	EXCAVATION - COMMON	CY	3374	\$ 13.00	3374	0	\$ -
13	2106.507	EXCAVATION - MUCK	CY	665	\$ 13.00	1883	1218	\$ 15,834.00
14	2106.507	GRANULAR EMBANKMENT (CV)	CY	665	\$ 26.00	1883	1218	\$ 31,668.00
15	2108.504	GEOTEXTILE FABRIC TYPE 5 (WOVEN)	S Y	3550	\$ 1.10	3550	0	\$ -
16	2211.507	AGGREGATE BASE (CV) CLASS 5	CY	1230	\$ 32.00	1230	0	\$ -
17	2211.507	AGGREGATE BASE (CV) CLASS 5 (DRIVEWAYS)	CY	70	\$ 39.00	70	0	\$ -
18	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3;C)	TON	265	\$ 116.00	274	9	\$ 1,044.00
19	2360.509	TYPE SP 9.5 WEARING COURSE MIXTURE (3;C) (DRIVEWAYS)	TON	7.5	\$ 151.00	7.5	0	\$ -
20	2360.509	TYPE SP 12.5 NON WEARING COURSE MIXTURE (3;C)	TON	265	\$ 113.00	217	-48	\$ (5,424.00)
21	2411.507	GRANULAR BACKFILL (CV)	CY	290	\$ 22.50	190	-100	\$ (2,250.00)
22	2501.502	18" GS PIPE APRON	EACH	4	\$ 590.00	4	0	\$ -
23	2501.502	24" GS PIPE APRON	EACH	2	\$ 690.00	2	0	\$ -
24	2501.502	12" RC PIPE APRON	EACH	2	\$ 1,600.00	2	0	\$ -
25	2501.502	18" RC PIPE APRON	EACH	2	\$ 1,750.00	2	0	\$ -
26	2501.502	24" RC PIPE APRON	EACH	2	\$ 1,960.00	2	0	\$ -
27	2501.503	12" RC PIPE CULVERT	LF	32	\$ 96.00	32	0	\$ -
28	2501.503	12" CAS PIPE CULVERT	L F	68	\$ 59.00	102	34	\$ 2,006.00
29	2501.503	18" CAS PIPE CULVERT	L F	71	\$ 76.00	71	0	\$ -
30	2501.503	24" CAS PIPE CULVERT	L F	35	\$ 89.00	35	0	\$ -
31	2502.503	4" PERF PVC PIPE DRAIN	L F	1520	\$ 11.50	1520	0	\$ -
32	2503.503	12" RC PIPE SEWER CLASS III	L F	283	\$ 72.00	283	0	\$ -
33	2503.503	18" RC PIPE SEWER CLASS III	L F	56	\$ 94.00	56	0	\$ -
34	2503.503	24" RC PIPE SEWER CLASS III	L F	64	\$ 115.00	64	0	\$ -
35	2503.503	8" PVC PIPE SEWER (SDR 35)	L F	1405	\$ 80.00	1405	0	\$ -
36	2503.602	RECONNECT SANITARY SEWER SERVICE	EACH	1	\$ 1,400.00	1	0	\$ -
37	2503.602	8"X4" PVC WYE	EACH	6	\$ 340.00	8	2	\$ 680.00
38	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	2	\$ 1,100.00	3	1	\$ 1,100.00
39	2503.602	SEWER TRACER BOX	EACH	6	\$ 200.00	6	0	\$ -
40	2503.602	4" PIPE PLUG	EACH	1	\$ 195.00	7	6	\$ 1,170.00
41	2503.603	4" PVC SANITARY SERVICE PIPE (SCHEDULE 40)	L F	282	\$ 50.00	282	0	\$ -
42	2504.601	TEMPORARY WATER SERVICE	LS	1	\$ 7,700.00	1	0	\$ -
43	2504.602	CONNECT TO EXISTING WATER MAIN (WET TAP)	EACH	2	\$ 5,500.00	2	0	\$ -
44	2504.602	HYDRANT ASSEMBLY	EACH	1	\$ 11,800.00	1	0	\$ -
45	2504.602	8" GATE VALVE AND BOX	EACH	2	\$ 4,400.00	2	0	\$ -
46	2504.602	8" X 1" TAPPING TEE W/ ELECTROFUSION SADDLE	EACH	6	\$ 750.00	6	0	\$ -
47	2504.602	RECONNECT WATER SERVICE	EACH	6	\$ 520.00	6	0	\$ -
48	2504.602	WATER TRACER BOX	EACH	6	\$ 200.00	6	0	\$ -
49	2504.602	1" CURB STOP AND BOX	EACH	6	\$ 846.00	6	0	\$ -
50	2504.603	1" HDPE SDR 11 SERVICE PIPE	L F	285	\$ 39.00	285	0	\$ -
51	2504.603	8" DIPS HDPE WATER MAIN SDR 11	L F	1330	\$ 66.00	1330	0	\$ -
52	2504.604	3" POLYSTYRENE INSULATION	S Y	8	\$ 36.00	21	13	\$ 468.00
53	2506.502	CASTING ASSEMBLY	EACH	10	\$ 720.00	10	0	\$ -
54	2506.502	CONST DRAINAGE STRUCTURE DES 48-4020	L F	7	\$ 1,500.00	7	0	\$ -
55	2506.503	CONST DRAINAGE STRUCTURE DESIGN F	L F	75.5	\$ 540.00	75.5	0	\$ -
56	2506.503	CONST DRAINAGE STRUCTURE DESIGN G	L F	6	\$ 1,830.00	6	0	\$ -
57	2506.602	SEAL MANHOLE	EACH	6	\$ 300.00	6	0	\$ -
58	2506.603	CONSTRUCT 8" INSIDE DROP	L F	4.5	\$ 380.00	4.5	0	\$ -
59	2511.511	RANDOM RIPRAP CLASS III	CY	40	\$ 100.00	20	-20	\$ (2,000.00)
60	2521.518	4" CONCRETE WALK	S F	2860	\$ 12.70	2860	0	\$ -
61	2531.503	CONCRETE CURB AND GUTTER DESIGN B624	L F	1510	\$ 45.50	1510	0	\$ -
62	2531.504	7" CONCRETE DRIVEWAY PAVEMENT	S Y	72	\$ 133.00	97	25	\$ 3,325.00
63	2531.618	TRUNCATED DOMES	S F	12	\$ 91.00	12	0	\$ -
64	2540.602	MAIL BOX	EACH	3	\$ 168.00	3	0	\$ -
65	2557.502	VEHICULAR GATE-SINGLE	EACH	1	\$ 7,610.00	1	0	\$ -
66	2563.601	TRAFFIC CONTROL	LS	1	\$ 1,680.00	1	0	\$ -
67	2564.502	INSTALL SIGN TYPE C	EACH	9	\$ 220.00	9	0	\$ -
68	2564.518	SIGN PANELS TYPE C	SF	16	\$ 42.00	16	0	\$ -
69	2573.502	STABILIZED CONSTRUCTION EXIT	LS	1	\$ 3,300.00	1	0	\$ -
70	2573.503	SILT FENCE; TYPE HI	L F	3900	\$ 4.80	614	-3286	\$ (15,772.80)
71	2573.502	STORM DRAIN INLET PROTECTION	EACH	4	\$ 250.00	4	0	\$ -
72	2573.503	SEDIMENT CONTROL LOG TYPE WOOD FIBER	L F	90	\$ 5.60	1623	1533	\$ 8,584.80
73	2574.508	FERTILIZER TYPE 1	POUNDS	155	\$ 1.70	475	320	\$ 544.00
74	2575.504	ROLLED EROSION PREVENTION CETEGORY 20	S Y	5100	\$ 2.30	8600	3500	\$ 8,050.00
75	2575.508	SEED MIXTURE 25-131	POUNDS	60	\$ 9.50	171	111	\$ 1,054.50
76	2575.508	SEED MIXTURE 34-171	POUNDS	5	\$ 95.00	18	13	\$ 1,235.00
77	2582.503	24" SOLID LINE MULTI COMP GR IN (WR)	L F	12	\$ 94.00	12	0	\$ -
78		CHANGE ORDER #1	LS	CHANGE ORDER	\$ 39,839.25	1		\$

FINAL COMPENSATING AMOUNT \$ 59,997.20



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-986-406-752
Submitted Date and Time:	3-Jan-2024 8:52:44 AM
Legal Name:	VEIT & COMPANY INC
Federal Employer ID:	41-0840260
User Who Submitted:	tthoreson1
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	672354304
Minnesota ID:	9003428
Project Owner:	CITY OF HERMANTOWN
Project Number:	22-8009 / VEIT #230233
Project Begin Date:	12-Jul-2023
Project End Date:	25-Nov-2023
Project Location:	OKERSTROM RD HERMANTOWN, MN
Project Amount:	\$1,033,979.35

Subcontractor Summary

Name	ID	Affidavit Number
DAIRYLAND FENCE COMPANY, INC	7714325	874336256
HOVLAND, INC.	3994770	1048268800
NORTHWOODS SODDING, INC.	2765011	254857216
SIR LINES-A-LOT, INC.	3509324	141250560
ULLAND BROTHERS, INC.	9603565	1214992384
WARNING LITES OF MINNESOTA, INC.	3086922	817451008

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-848-852-064
Submitted Date and Time:	26-Oct-2023 10:01:50 AM
Legal Name:	DAIRYLAND FENCE COMPANY INC.
Federal Employer ID:	39-1821952
User Who Submitted:	4dairyland
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	874336256
Minnesota ID:	7714325
Project Owner:	CITY OF HERMANTOWN
Project Number:	230233
Project Begin Date:	16-Oct-2023
Project End Date:	17-Oct-2023
Project Location:	HERMANTOWN MN
Project Amount:	\$8,800.00
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-862-814-048
Submitted Date and Time:	2-Jan-2024 4:45:27 PM
Legal Name:	HOVLAND INC
Federal Employer ID:	41-1589809
User Who Submitted:	3994770
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1048268800
Minnesota ID:	3994770
Project Owner:	CITY OF HERMANTOWN
Project Number:	22-8009
Project Begin Date:	04-Oct-2023
Project End Date:	13-Nov-2023
Project Location:	OKERSTROM RD, HERMANTOWN, MN
Project Amount:	\$103,299.21
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-950-560-608
Submitted Date and Time:	11-Dec-2023 11:20:21 AM
Legal Name:	NORTHWOODS SODDING INC
Federal Employer ID:	41-1843871
User Who Submitted:	sodding
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	254857216
Minnesota ID:	2765011
Project Owner:	CITY OF HERMANTOWN
Project Number:	VEIT 230233/22-8009
Project Begin Date:	22-Jun-2023
Project End Date:	28-Oct-2023
Project Location:	OKERSTROM RD HERMANTOWN
Project Amount:	\$33,867.35
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-485-103-456
Submitted Date and Time:	22-Nov-2023 10:54:22 AM
Legal Name:	SIR LINES-A-LOT INC
Federal Employer ID:	46-5427787
User Who Submitted:	linesalot
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	141250560
Minnesota ID:	3509324
Project Owner:	CITY OF HERMANTOWN
Project Number:	VEIT #230233/ 22-8009
Project Begin Date:	22-Jun-2023
Project End Date:	28-Oct-2023
Project Location:	OKERSTROM RD HERMANTOWN, MN
Project Amount:	\$5,208.00
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	0-908-398-944
Submitted Date and Time:	22-Nov-2023 11:15:03 AM
Legal Name:	ULLAND BROTHERS INC
Federal Employer ID:	41-0741712
User Who Submitted:	Dberge
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1214992384
Minnesota ID:	9603565
Project Owner:	CITY OF HERMANTOWN
Project Number:	VEIT 230233/ 22-8009
Project Begin Date:	22-Jun-2023
Project End Date:	28-Oct-2023
Project Location:	OKERSTROM RD HERMANTOWN MN
Project Amount:	\$55,609.89
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	1-803-608-416
Submitted Date and Time:	27-Nov-2023 10:04:12 AM
Legal Name:	WARNING LITES OF MINNESOTA INC
Federal Employer ID:	36-4762529
User Who Submitted:	jjjewels
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	817451008
Minnesota ID:	3086922
Project Owner:	CITY OF HERMANTOWN
Project Number:	22-8009
Project Begin Date:	22-Jun-2023
Project End Date:	28-Oct-2023
Project Location:	OKERSTROM ROAD
Project Amount:	\$3,948.00
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.



CITY COUNCIL MEETING DATE: January 16, 2024

TO: Mayor & City Council

FROM: Alissa Wentzlaff, City Clerk

SUBJECT: Appointment of Absentee Ballot Board for 2024

RESOLUTION: 2023-14 **ORDINANCE:** **OTHER:**

REQUESTED ACTION

Approve the Absentee Ballot Board for the 2024 Election Cycle.

BACKGROUND

The City of Hermantown is required by Minnesota Statute 203B.121, Subd. 1 to establish an Absentee Ballot Board to process the acceptance and rejection of returned absentee ballots.

SOURCE OF FUNDS (if applicable)

101-414100-105

ATTACHMENTS

Resolution

Resolution No. 2024-14

Resolution Establishing An Absentee Ballot Board For 2024

WHEREAS, the City of Hermantown is required by Minnesota Statutes 203B.121, Subd. 1 to establish an Absentee Ballot Board effective January 19, 2024; and

WHEREAS, this board will bring uniformity in the processing of accepting or rejecting returned absentee ballots in the City of Hermantown, Saint Louis County; and

WHEREAS, the Absentee Ballot Board would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy county auditors trained in the processing and counting of absentee ballots; and

WHEREAS, the City Clerk is hereby authorized and directed to appoint the members of the ballot board, including substitutions as necessary. The clerk shall establish, maintain and update a roster of members appoint to and currently serving on the ballot board with the following as the ballot board:

Liz Shannon	Beverly Allison	Marie Chapinski	Joe Wicklund
Patricia Shogren	Alissa Wentzlaff	Mary Melde	Lindsay Townsend

THEREFORE, BE IT RESOLVED THAT, the City of Hermantown City Council hereby establishes an Absentee Ballot Board that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy auditors to perform the task.

BE IT FURTHER RESOLVED THAT the City of Hermantown City Council hereby authorized any member of the ballot board to be compensated as required by Minnesota Statutes Section 203B.121, when said member performs any required duty of the ballot board.

Councilor _____ introduced the foregoing resolution and moved its adoption.

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

Councilors _____, and Mayor Boucher, aye.

and the following voted in opposition thereto:

None.

WHEREUPON, such resolution was declared duly passed and adopted on January 16, 2024.



CITY COUNCIL MEETING DATE: January 16, 2024

TO: Mayor & City Council

FROM: Joe Wicklund, Communications Director

SUBJECT: HAHA Charitable Gambling

RESOLUTION: 2024-15 **ORDINANCE:** **OTHER:**

REQUESTED ACTION

This action would be the City’s support of Hermantown Area Hockey Association (HAHA) and their application for a new charitable gambling license with the state. This would allow HAHA to hold an annual raffle of automobiles generously donated by NorthStar Ford. The expected funding HAHA will return from these raffles is committed back to the City for construction of the new arena. HAHA has committed, via a recent board resolution, \$114,000 annually to enhance the funding for construction of the new arena. Additionally, the donation of these automobiles and subsequent raffle have also made it possible for the Arena Board to commit an additional \$76,000 annually to the City for construction of the new arena. The donations from HAHA and the Arena Board, when combined with naming rights, leave a gap that the fundraising group – Arena Legacy Fund – feels they can close over time.

BACKGROUND

Under state statute, permits for charitable gambling are issued to applicants if the City Council adopts by resolution the issuance of the permit. This type of gambling – a raffle – can be performed by HAHA under Hermantown’s Code of Ordinances.

SOURCE OF FUNDS (if applicable)

N/A

ATTACHMENTS

- Resolution
- HAHA’s application for the charitable gambling license

Resolution No. 2024-15

**Resolution Approving Application For New License For Charitable Gambling By
Hermantown Amateur Hockey Association For Hermantown Arena**

WHEREAS, the Hermantown Amateur Hockey Association has made application for a new charitable gambling license for the conduct by it of lawful gambling on the premises of the Hermantown Arena with the Minnesota Charitable Gambling Control Board; and

WHEREAS, under Minnesota Statute 349.213, Subdivision 2, provides that an initial premises permit will be issued to an applicant if the City Council were to adopt a resolution approving the issuance of the initial premises permit; and

WHEREAS, the gambling to be conducted by the Hermantown Amateur Hockey Association pursuant to such applications is permitted under the Hermantown Code of Ordinances, Section 430, Gambling; and

WHEREAS, the Hermantown Amateur Hockey Association has provided a certification and description of the expenditures made by it from the profits of its gambling activities during the preceding two (2) calendar years, as required by Section 430.07, 430.07.01 and 430.07.2 of the Hermantown Code of Ordinances; and

WHEREAS, the City Council of the City of Hermantown has carefully considered this matter and has determined that it does not have a basis for disapproving the licenses that are applied for by the Hermantown Amateur Hockey Association.

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

1. The City Council of the City of Hermantown hereby approves the application for new charitable gambling licenses made by the Hermantown Amateur Hockey Association for the conduct by it of lawful gambling on the premises of the Hermantown Arena.
2. Nothing in this resolution shall be deemed to cause the City of Hermantown to be responsible for any actions conducted by the Hermantown Amateur Hockey Association pursuant to the license to be issued by the Minnesota Charitable Gambling Control Board pursuant to its application.

Councilor _____ introduced the foregoing resolution and moved its adoption.

The motion for the adoption of the foregoing 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 January 16, 2024.

MINNESOTA LAWFUL GAMBLING
LG230 Application to Conduct Off-Site Gambling

No Fee

ORGANIZATION INFORMATION

Organization Name: Hermantown Amateur Hockey Assoc License Number: 02165
Address: 4309 Ugstad Rd City: Hermantown, MN Zip: MN 55811
Chief Executive Officer (CEO) Name: Marty Olson Daytime Phone: 218-591-4735
Gambling Manager Name: Robert Schmidt Daytime Phone: 218-590-7911

GAMBLING ACTIVITY

Twelve off-site events are allowed each calendar year not to exceed a total of 36 days.

From 2/10/24 to 2/10/24

Check the type of games that will be conducted:

Raffle Pull-Tabs Bingo Tipboards Paddlewheel

GAMBLING PREMISES

Name of location where gambling activity will be conducted: Hermantown Arena

Street address and City (or township): 4309 Ugstad Rd, Hermantown, MN Zip: 55811 County: St. Louis

- Do not use a post office box.
- If no street address, write in road designations (example: 3 miles east of Hwy. 63 on County Road 42).

Does your organization own the gambling premises?

Yes If yes, a lease is not required.
 No If no, the lease agreement below must be completed, and signed by the lessor.

LEASE AGREEMENT FOR OFF-SITE ACTIVITY (a lease agreement is not required for raffles)

Rent to be paid for the leased area: \$ 0 (if none, write "0")

All obligations and agreements between the organization and the lessor are listed below or attached.

- Any attachments must be dated and signed by both the lessor and lessee.
- This lease and any attachments is the total and only agreement between the lessor and the organization conducting lawful gambling activities.
- Other terms, if any:

This is A raffle - No Lease Agreement Required
The Drawing to Be held During the last home hockey game

Lessor's Signature: _____ Date: _____

Print Lessor's Name: _____

CONTINUE TO PAGE 2

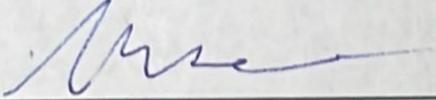
Acknowledgment by Local Unit of Government: Approval by Resolution

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
City Name: _____ Date Approved by City Council: _____ Resolution Number: _____ (If none, attach meeting minutes.) Signature of City Personnel: _____ Title: _____ Date Signed: _____ <div style="border: 1px solid black; padding: 10px; text-align: center; margin-top: 20px;"> Local unit of government must sign. </div>	 County Name: _____ Date Approved by County Board: _____ Resolution Number: _____ (If none, attach meeting minutes.) Signature of County Personnel: _____ Title: _____ Date Signed: _____ TOWNSHIP NAME: _____ Complete below only if required by the county. On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application per Minnesota Statutes 349.213, Subd. 2.) Print Township Name: _____ Signature of Township Officer: _____ Title: _____ Date Signed: _____

CHIEF EXECUTIVE OFFICER (CEO) ACKNOWLEDGMENT

The person signing this application must be your organization's CEO and have their name on file with the Gambling Control Board. If the CEO has changed and the current CEO has not filed a LG200B Organization Officers Affidavit with the Gambling Control Board, he or she must do so at this time.

I have read this application, and all information is true, accurate, and complete and, if applicable, agree to the lease terms as stated in this application.


12/20/2023

Signature of CEO (must be CEO's signature; designee may not sign) _____ Date _____

Mail or fax to:

Minnesota Gambling Control Board
 Suite 300 South
 1711 West County Road B
 Roseville, MN 55113
Fax: 651-639-4032

No attachments required.

Questions? Contact a Licensing Specialist at 651-539-1900.

This publication will be made available in alternative format (i.e. large print, braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application.

Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public.

If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public.

Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor; national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.