

CITY OF HERMANTOWN

City Council Meeting

Monday, October 7, 2024

6:30 PM Central

MEETING CONDUCTED IN PERSON & VIA ZOOM

Mayor Wayne Boucher: Present

Councilor John Geissler: Present

Councilor Andy Hjelle: Present

Councilor Ellie Jones: Absent

Councilor Brian LeBlanc: Present

CITY STAFF:

John Mulder, City Administrator; Alissa Wentzlaff, City Clerk; Eric Johnson; Community Development Director; Joe Wicklund, Assistant City Administrator; Paul Senst, Public Works Director; Kevin Orme, Director of Finance & Administration; Brandon Holmes, Building Official; Jim Crace, Director of Public Safety; Zach Graves, Fire Chief; Trish Crego, Utility & Infrastructure Director; David Bolf, City Engineer; Gunnar Johnson, City Attorney

VISITORS:

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **ANNOUNCEMENTS**
5. **PUBLIC HEARING**
 - A. Public Hearing on Infrastructure Improvements In The Bill & Irv's Properties, Inc.
 - B. Public Hearing on Infrastructure Improvements In The Hawklane Business Park
6. **COMMUNICATIONS**
 - A. Correspondence 24-108 through 24-110 placed on file
7. **PRESENTATIONS**

- A. **2025 Preliminary Debt Service Budgets**
Kevin Orme, Director of Finance & Administration
(Pre-Agenda Only)

8. **PUBLIC DISCUSSION**

9. **MOTIONS**

10. **CONSENT AGENDA**

- A. **Minutes** - Approval or correction of September 16, 2024 City Council Continuation Minutes
- B. **Accounts Payable** - Approve general city warrants from September 16, 2024 through September 30, 2024 in the amount of \$2,163,303.52

Motion to the approve the Consent Agenda. 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: Absent
- Councilor John Geissler: Yea
- Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

11. **ORDINANCES**

- A. **2024-09 An Ordinance Amending Hermantown Code Of Ordinances Section 270 - Fee Schedule**

(first reading)

- B. **2024-10 An Ordinance Of The City Of Hermantown Amending And Restated Section 405, Sale Of Tetrahydrocannabinol Products, To Regulate Cannabis Businesses**

(first reading)

- C. **2024-11 An Ordinance Amending Section 200 - Definitions And Chapter 5. Land Use Regulations To Regulate Cannabis Businesses**

(first reading)

D. **2024-12 An Ordinance Of The City Of Hermantown, Minnesota, Amending The City Code, Section 210, Council, To Increase The Salaries Of The Mayor And Council Members**

(first reading)

12. **RESOLUTIONS**

A. **2024-192 Resolution Authorizing And Directing The City Administrator And The Assistant City Administrator To Execute And Deliver A Business Development Infrastructure Application**

(motion, roll call)

Motion to approve 2024-192 Resolution Authorizing And Directing The City Administrator And The Assistant City Administrator To Execute And Deliver A Business Development Infrastructure Application. This motion, made by Councilor Brian LeBlanc and seconded by Councilor John Geissler, Carried.

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

Yea: 4, Nay: 0, Absent: 1

B. **2024-193 Resolution Appointing Election Judges For The Statewide General Election Of November 5, 2024**

(motion, roll call)

Motion to approve 2024-193 Resolution Appointing Election Judges For The Statewide General Election Of November 5, 2024. This motion, made by Councilor John Geissler and seconded by Councilor Andy Hjelle, Carried.

Councilor Andy Hjelle: Yea
Councilor Brian LeBlanc: Yea
Councilor Ellie Jones: Absent

Councilor John Geissler: Yea

Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

C. **2024-194 Resolution Authorizing The Disposal Of Surplus City Property**

(motion, roll call)

Motion to approve 2024-194 Resolution Authorizing The Disposal Of Surplus City Property. This motion, made by Councilor Andy Hjelle and seconded by Councilor Brian LeBlanc, Carried.

Councilor Andy Hjelle: Yea

Councilor Brian LeBlanc: Yea

Councilor Ellie Jones: Absent

Councilor John Geissler: Yea

Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

D. **2024-195 Resolution Authorizing and Directing Mayor and City Clerk To Execute and Deliver Tower and Ground Lease Amendment To Agreement Between The City and American Towers, LLC For The Cameron Road Cell Tower**

(motion, roll call)

Motion to approve 2024-195 Resolution Authorizing and Directing Mayor and City Clerk To Execute and Deliver Tower and Ground Lease Amendment To Agreement Between The City and American Towers, LLC For The Cameron Road Cell Tower. This motion, made by Councilor John Geissler and seconded by Councilor Andy Hjelle, Carried.

Councilor Andy Hjelle: Yea

Councilor Brian LeBlanc: Yea

Councilor Ellie Jones: Absent

Councilor John Geissler: Yea

Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

E. **2024-196 Resolution Receiving Preliminary Engineering Report And Placing It On File For Mary Lane Road Improvements And Sanitary Extension**

(motion, roll call)

Motion to approve 2024-196 Resolution Receiving Preliminary Engineering Report And Placing It On File For Mary Lane Road Improvements And Sanitary Extension. This motion, made by Councilor Brian LeBlanc and seconded by Councilor John Geissler, Carried.

Councilor Andy Hjelle: Yea

Councilor Brian LeBlanc: Yea

Councilor Ellie Jones: Absent

Councilor John Geissler: Yea

Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

F. **2024-197 Resolution Approving Change Order Number 3 For The NorthStar Ford Arena To Paul Bunyan Communications In The Amount Of \$67,850.34**

(motion, roll call)

Motion to approve 2024-197 Resolution Approving Change Order Number 3 For The NorthStar Ford Arena To Paul Bunyan Communications In The Amount Of \$67,850.34. 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: Absent

Councilor John Geissler: Yea

Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

G. 2024-198 Resolution Approving Change Order Number 4, 5, & 6 (KA Change Order #1) For The NorthStar Ford Arena In The Amount Of \$70,187.44

(motion, roll call)

2024-198 Resolution Approving Change Order Number 4, 5, & 6 (KA Change Order #1) For The NorthStar Ford Arena In The Amount Of \$70,187.44. This motion, made by Councilor John Geissler and seconded by Councilor Andy Hjelle, Carried.

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

Yea: 4, Nay: 0, Absent: 1

H. 2024-199 Resolution Approving Pay Request Number 4 For The NorthStar Arena To Kraus-Anderson Construction Company In The Amount Of \$399,787.50

(motion, roll call)

Motion to approve 2024-199 Resolution Approving Pay Request Number 4 For The NorthStar Arena To Kraus-Anderson Construction Company In The Amount Of \$399,787.50. This motion, made by Councilor Brian LeBlanc and seconded by Councilor John Geissler, Carried.

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

Yea: 4, Nay: 0, Absent: 1

I. 2024-200 Resolution Approving Final Pay Request For Road Improvement District 538 To Ulland Brothers, Inc. In the Amount Of \$10,000

(motion, roll call)

Motion to approve 2024-200 Resolution Approving Final Pay Request For Road Improvement District 538 To Ulland Brothers, Inc. In the Amount Of \$10,000. This motion, made by Councilor Andy Hjelle and seconded by Councilor Brian LeBlanc, Carried.

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

Yea: 4, Nay: 0, Absent: 1

J. **2024-201 Resolution Approving Final Pay Request For Benson Road Improvement Project District 601 To JMF Construction, Inc In The Amount Of \$89,527.86**

(motion, roll call)

Motion to approve 2024-201 Resolution Approving Final Pay Request For Benson Road Improvement Project District 601 To JMF Construction, Inc In The Amount Of \$89,527.86. This motion, made by Councilor John Geissler and seconded by Councilor Andy Hjelle, Carried.

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

Yea: 4, Nay: 0, Absent: 1

K. **2024-202 Resolution Approving Pay Request Number 5 For Road Improvement District 541 And 542 To Northland Constructors In The Amount Of \$756,689.43**

(motion, roll call)

Motion to approve 2024-202 Resolution Approving Pay Request Number 5 For Road Improvement District 541 And 542 To Northland Constructors In The Amount Of \$756,689.43. This motion, made by Councilor Brian LeBlanc and seconded by Councilor John Geissler, Carried.

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

Yea: 4, Nay: 0, Absent: 1

L. **2024-203 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver Utility Service Agreement With RB Holdings**

(motion, roll call)

Motion to approve 2024-203 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver Utility Service Agreement With RB Holdings. This motion, made by Councilor Andy Hjelle and seconded by Councilor Brian LeBlanc, Carried.

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

Yea: 4, Nay: 0, Absent: 1

M. **2024-204 Resolution Receiving Bids And Awarding Contract To Veit & Company, Inc For The Watermain Replacement Project Along TH53 Between Airport Rd And Cirrus Dr In The Amount Of \$143,500.00**

(motion, roll call)

Motion to approve 2024-204 Resolution Receiving Bids And Awarding Contract To Veit & Company, Inc For The Watermain Replacement Project Along TH53 Between Airport Rd And Cirrus Dr. In The Amount Of \$143,500.00. This motion, made by Councilor John Geissler and seconded by Councilor Andy Hjelle, Carried.

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

Yea: 4, Nay: 0, Absent: 1

N. **2024-205 Resolution Approving Change Order Numbers 7 & 8 For Fichtner Park Improvements To Kaski, Inc. In The Amount Of \$143,171.40**

(motion, roll call)

Motion to approve 2024-205 Resolution Approving Change Order Numbers 7 & 8 For Fichtner Park Improvements To Kaski, Inc. In The Amount Of \$143,171.40. 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: Absent
- Councilor John Geissler: Yea
- Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

13. **CLOSED SESSION**

- A. Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statutes § Section 13D.05 Subd. 3 (b) per the attorney-client privilege for discussions with the City Attorney to consider threatened litigation on assessments. Following this closed session, the Hermantown City Council will re-convene in an open session.

(motion, roll call)

Motion to recess at 7:10 p.m. Motion to close the meeting of the Hermantown City Council pursuant to Minnesota Statutes § Section 13D.05 Subd. 3 (b) per the attorney-client privilege for discussions with the City Attorney to consider threatened litigation on assessments. Following this closed session, the Hermantown City Council will re-convene in an open session. This motion, made by Councilor Brian LeBlanc and seconded by Councilor John Geissler, Carried.

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

Yea: 4, Nay: 0, Absent: 1

Motion to reconvene into open sessions at 7:44 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: Absent
Councilor John Geissler: Yea
Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

14. **RECESS**

Motion to recess at 7:44 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: Absent

Councilor John Geissler: Yea

Mayor Wayne Boucher: Yea

Yea: 4, Nay: 0, Absent: 1

ATTEST:

Mayor

City Clerk