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November 14, 2022

Regular meeting of the City Council of the City of Two Harbors, Minnesota, held on Monday, November 14, 2022, at 6:00 p.m.

The meeting was called to order by President Redden.

Members present, Councilors: Woodruff, Glaser, Rennwald, Passe, Erickson, Redden. 6.

Others present: Interim Administrator, Dhein
Finance Director, Pietila
City Clerk, Nordean
City Attorney, Costley.

Clerk Nordean requested the removal of Consent Agenda Item 18, Awarding the position of Assistant Public Works Director and Consent Agenda Item 19, Awarding the position of Public Works Specialist II and amending New Business 1 to reduce the assessments for the 2022 Sidewalk Project for two parcels as follows: PID 23760012013 to \$600 and PID 23760001795 to \$1,350. Motion by Erickson and Woodruff approving the agenda with the amendments proposed by the Clerk. Carried.

Motion by Wooduff and Glaser Adjourning the regular meeting and calling to order a public hearing for the purpose of receiving public input regarding the proposed assessments for the 2022 Sidewalk Improvement Project which includes improvements to sidewalks on Eighth Street from Fourth Avenue to Second Avenue, the 600 Block on Fifth Avenue, the 600 Block on Fourth Avenue and the 700 Block on Second Avenue pursuant to Minn. Stat. 429.011 to 429.111.

Appearances:

Miranda Pietila, Finance Director, was present and addressed the Council providing the project background and a review of the project including project costs, financing, assessments, property owner rights, the right to appeal and payment of the assessment.

Adrian and Donna Ranta, 202 Eighth Street, were present and addressed the Council expressing concerns regarding the work done on the project reporting that there was no straw or seed put down in an area about 25 feet in length. They also reported gravel and sod in the boulevard. They indicated that they were told that they were going to deduct ten squares from their assessment and asked why Third Avenue was skipped in this project.

Alecia Halum, 201 Eighth Street, was present and addressed the Council expressing concerns regarding the sidewalk assessment given the fact that the sidewalk had been torn up by the City.

Councilors explained that there would be some reduction in the assessment for a certain portion of the sidewalk that was disturbed by an underground electric project.

Communications:

Clerk Nordean reported that there were no communications received with regard to the project, however, a communication was presented at the meeting from Alisha Hallam, providing a written appeal to the assessment against parcel 23-7600-01795.

Motion by Passe and Rennwald Adjourning public hearing and reconvening regular City Council meeting. Carried.

Planning Commission:

Vice-President, Glaser, reported that at their most recent meeting, the Planning Commission reviewed a variance and conditional use permit request.

Utilities Committee:

Vice-President Glaser reported on internal changes and 30-day notices.

HRA:

Vice-President Glaser reported on a joint meeting with the City and County HRA's.

Motion by Woodruff and Passe that the following consent agenda items:

1. Approving minutes from the October 28, 2022 Regular City Council meeting.
2. **RESOLUTION NO. 11-296-22 ALLOWING CLAIMS AGAINST THE CITY OF TWO HARBORS, IN THE AMOUNT OF \$5,250,715.50.**
3. Approving payroll for the second half of October, 2022, in the amount of \$235,893.24.
4. **RESOLUTION NO. 11-297-22 ACCEPTING THE PROPOSAL OF QUADIENT INC. FOR THE PURCHASE OF A FOLDER/INSERTER THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT OF \$26,305.00.**
5. **RESOLUTION NO. 11-298-22 AUTHORIZING THE PURCHASE OF PARTS TO REPLACE THE FUEL INJECTORS ON THE PUBLIC WORKS DEPARTMENT'S TOOLCAT FROM BOBCAT OF DULUTH, FOR AN AMOUNT OF \$5034.96 PLUS SHIPPING.**
6. **RESOLUTION NO. 11-299-22 AUTHORIZING THE PURCHASE OF A 2022 INTERNATIONAL CV515 FOR THE PUBLIC WORKS DEPARTMENT FROM MID-STATE TRUCK SERVICE THROUGH THE STATE COOPERATIVE**

PURCHASING PROGRAM FOR AN AMOUNT OF \$87,113 AS PART OF THE 2023 CIP.

7. **RESOLUTION NO. 11-300-22 AUTHORIZING THE PURCHASE OF A NEW BOBCAT TOOLCAT THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT OF \$75,142 AS PART OF THE 2023 CIP.**
8. **RESOLUTION NO. 11-301-22 AUTHORIZING THE PURCHASE OF A HIGH-PRESSURE FUEL PUMP AND FUEL RAIL FOR THE TOOLCAT FOR THE PUBLIC WORKS DEPARTMENT FOR AN AMOUNT OF \$5,000.**
9. Authorizing a letter of intent for Greater Minnesota Transportation Alternatives Solicitation for funding years 2025, 2026 and 2027 for the Highway 61 Corridor Multi-Modal Enhancements in the amount of \$600,000.
10. **RESOLUTION NO. 11-302-22 ACCEPTING THE RECOMMENDATION OF BOLTON & MENK TO AUTHORIZE PAYMENT TO WSB FOR CONSTRUCTION MATERIALS TESTING IN THE AMOUNT OF \$2,315.00 FOR THE WASTEWATER TREATMENT IMPROVEMENT PROJECT.**
11. **RESOLUTION NO. 11-303-22 ACCEPTING THE RECOMMENDATION OF BOLTON & MENK TO AUTHORIZE PAYMENT TO LAKEHEAD CONSTRUCTORS, INC. IN THE AMOUNT OF \$1,276,826.79 FOR PAY APPLICATION NO. 12 FOR THE WASTEWATER TREATMENT IMPROVEMENT PROJECT.**
12. **RESOLUTION NO. 11-304-22 AUTHORIZING PAYMENT OF ANNUAL MEMBERSHIP FOR THE NORTH SHORE MANAGEMENT BOARD IN THE AMOUNT OF \$750.**
13. **RESOLUTION NO. 11-305-22 APPROVING A BLANDIN FOUNDATION GRANT AGREEMENT FOR A GRANT IN THE AMOUNT OF \$100,000 FOR A PROJECT TO IMPROVE ACCESSIBILITY IN THE RESTROOMS AT THE PUBLIC LIBRARY AND AUTHORIZING THE ACTING MAYOR AND CITY CLERK TO EXECUTE DOCUMENTS NECESSARY FOR THE ACCEPTANCE OF THE GRANT.**
14. **RESOLUTION NO. 11-306-22 APPROVING THE REQUEST OF SARAH COX, AGATE BAY CRAFTERS, FOR RELIEF OF COMMUNITY BUILDING RENTAL FEES DUE TO INCONVENIENCES CAUSED BY A WINDOW REPLACEMENT PROJECT AT THE FACILITY.**
15. Approving the request of Blake Prince to attend the 2022 MMUA T & O Conference in St. Cloud.
16. Accepting, with regret, notices of resignation from Ryan Murphy and Matt Ferrari, from their positions on the City's Airport Commission and authorizing letters of appreciation for their service.

17. Declaring first reading of an ordinance Enacting and Adopting a Supplement to the Code of Ordinances for the City of Two Harbors.
20. **RESOLUTION NO. 11-307-22 CERTIFYING CERTAIN UNPAID UTILITY CHARGES AGAINST CERTAIN PROPERTY WITHIN THE CITY TO THE LAKE COUNTY ASSESSOR'S OFFICE.**
21. **RESOLUTION NO. 11-308-22 APPROVING THE APPLICATION OF THE TIPSYPY MOSQUITO LLC FOR ON-SALE AND SUNDAY ON-SALE INTOXICATING LIQUOR LICENSE AT 623 FIRST AVENUE #2 FROM JANUARY 1, THROUGH SEPTEMBER 30, 2023, PENDING THE APPROVAL OF THE CHIEF OF POLICE, THE STATE OF MINNESOTA AND LAKE COUNTY HEALTH DEPARTMENT.**
22. **RESOLUTION NO. 11-309-22 ACCEPTING THE RECOMMENDATION OF THE PUBLIC AFFAIRS COMMITTEE TO CHANGE THE RATE FOR DRY CAMPING AT BURLINGTON BAY CAMPGROUND TO \$30 PER NIGHT.**
23. **RESOLUTION NO. 11-310-22 AUTHORIZING PAYMENT TO PRIMETIME CONCRETE LLC IN THE AMOUNT OF \$149,625 FOR THE 2022 SIDEWALK IMPROVEMENT PROJECT AND WITHHOLDING A 5 PERCENT RETAINAGE AND ASKING PUBLIC WORKS TO COME UP WITH A PUNCH LIST FOR THE PROJECT.**

Be adopted as read. Carried by a unanimous vote of all members present on roll call.

Communications:

1. A letter from Mark Veness, 7th Avenue Auto Services, 431 Seventh Avenue, expressing concerns with the proposed Highway 61 Project.
2. A Memorandum from Jennifer Selchow, Bolton & Menk providing a progress update on the Wastewater Treatment Improvement Project.

New Business:

Motion by Woodruff and Erickson that **RESOLUTION NO. 11-311-22 ADOPTING ASSESSMENT ROLL FOR THE 2022 SIDEWALK PROJECT, CORRIDORS ALONG EIGHTH STREET, FROM FOURTH AVENUE TO SECOND AVENUE, THE 600 BLOCK ON FIFTH AVENUE, THE 600 BLOCK ON FOURTH AVENUE AND 700 BLOCK ON SECOND AVENUE AND REDUCING THE ASSESSMENT FOR PARCEL 23760012013 TO \$600.00 AND 23760001795 TO \$1,350** be adopted as read. Carried by a unanimous yeas vote of all members present on roll call.

Motion by Woodruff and Glaser that **RESOLUTION NO. 11-312-22 AUTHORIZING EXPENSES FOR COUNCILORS TO ATTEND THE RANGE ASSOCIATION OF MUNICIPALITIES AND SCHOOLS ANNUAL DINNER ON DECEMBER 15, 2022 IN VIRGINIA** be adopted as read. Carried by a unanimous yeas vote of all members present on roll call.

Motion by Glaser and Erickson that **RESOLUTION NO. 11-313-22 DECLARING THE OFFICIAL INTENT OF THE CITY OF TWO HARBORS TO REIMBURSE CERTAIN EXPENDITURES PAID FROM THE STREET IMPROVEMENT FUND FOR THE 2023 – 2024 STREET IMPROVEMENT PROJECT FROM THE PROCEEDS OF BONDS TO BE USED BY THE CITY** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Glaser and Passe that **RESOLUTION NO. 11-314-22 ADOPTING FINDINGS OF FACT AND DENYING VARIANCE APPLICATION OF NICK CHRISTENSEN** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Glaser and Passe that **RESOLUTION NO. 11-314-22 APPROVING CONDITIONAL USE PERMIT FOR NICK CHRISTENSEN TO ALLOW THE EXPANSION OF AN ADDITIONAL UNIT AT 322 FIRST AVENUE AND IMPOSING CONDITIONS THEREON** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Erickson and Glaser that **RESOLUTION NO. 11-315-22 APPOINTING PAM CARLSON AS A MEMBER OF THE RECREATION BOARD FOR A TERM ENDING MARCH 1, 2025** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Erickson and Glaser that **RESOLUTION NO. 11-316-22 APPOINTING WILLIAM ANDERSON AS A MEMBER OF THE RECREATION BOARD FOR TERM ENDING IN MARCH OF 2025** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Rennwald and Erickson that **RESOLUTION NO. 11-317-22 APPOINTING PAUL IVERSEN AS A MEMBER OF THE CHARTER COMMISSION FOR A TERM ENDING IN MARCH OF 2026** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Redden and Glaser that **RESOLUTION NO. 11-318-22 APPOINTING DEBORAH ANDERSON AS A MEMBER OF THE CHARTER COMMISSION FOR A TERM ENDING IN MARCH OF 2023** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Redden and Glaser that **RESOLUTION NO. 11-319-22 APPOINTING TOM KOEHLER AS A MEMBER OF THE CHARTER COMMISSION FOR A TERM ENDING IN MARCH OF 2023** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Glaser and Passe that **RESOLUTION NO. 11-320-22 APPOINTING JAMIE SISSON AS A MEMBER OF THE LIBRARY BOARD FOR A TERM ENDING IN**

MARCH OF 2025 be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Redden and Woodruff that **RESOLUTION NO. 11-321-22 APPOINTING DAN CRUIKSHANK AS A MEMBER TREES & TRAILS COMMISSION FOR A TERM ENDING IN MARCH OF 2024** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Glaser and Woodruff that **RESOLUTION NO. 11-322-22 APPOINTING JUDY SAUSEN AS A MEMBER OF THE TREES & TRAILS COMMISSION FOR A TERM ENDING IN MARCH OF 2024** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Glaser and Passe that **RESOLUTION NO. 11-323-22 APPOINTING TODD REDMANN AS A MEMBER OF THE PLANNING COMMISSION FOR A TERM EXPIRING IN MARCH OF 2024** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Woodruff and Erickson that **RESOLUTION NO. 11-324-22 APPOINTING KRISTA BUSSE AND ADAM BAUMANN AS MEMBERS OF THE CITY HRA FOR TERMS EXPIRING IN MARCH OF 2025** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Redden and Woodruff that **RESOLUTION NO. 11-325-22 APPOINTING KRISTA BUSSE AND SUSAN ROSETTE AS MEMBERS OF THEDA WITH TERMS TO EXPIRE IN MARCH OF 2025** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Erickson and Glaser that **RESOLUTION NO. 11-326-22 APPOINTING BEN REDDEN AS A MEMBER OF THE CHARTER COMMISSION FOR A THREE-YEAR TERM** be adopted as read. Carried by the following vote: Yeas: Woodruff, Glaser, Rennwald, Passe, Erickson. 5. Abstain: Redden. 1.

Announcements:

Motion by Glaser and Woodruff that the meeting adjourn. Carried.

Ben Redden, President, City Council

Patricia D. Nordean, City Clerk