

**CITY OF TWO HARBORS**  
**COMMITTEE OF THE WHOLE/AGENDA MEETING**

September 11, 2023

5:00 P.M.      Call to order:

                    Appearances:

                    Administrator Updates

                    Attorney Updates-Via Zoom

                    Finance Director Updates

                    City Planner Updates

                    City Engineer Updates-Via Zoom

                    Other agenda questions or additions

## TWO HARBORS CITY COUNCIL

### AGENDA

September 11, 2023

6:00 P.M. Call to order regular meeting of the City Council of the City of Two Harbors.

Roll call:

Pledge of Allegiance:

Additions or Changes to the Agenda:

[M] Approval of the Agenda.

*Items may be added to the agenda prior to approval of the agenda. Items brought forth once the agenda has been approved shall be referred to administration and/or committee.*

**Appearances:** 1. Mel Henrich- Member of Convention of States Project Minnesota.

#### **Administrative Reports:**

#### **Committee Reports:**

Housing Committee

Planning Commission:

Finance/Budget:

Other.

#### **[R] Approving the Consent Agenda Items:**

*Items listed on the Consent Agenda are routine in nature and typically do not require discussion. If there is an item on the consent agenda that a councilmember feels warrants discussion, it should be removed from the consent agenda and dealt with individually.*

1. Approving minutes from the August 28, 2023, Regular City Council Meeting.
2. Allowing claims against the City of Two Harbors to be paid on September 12, 2023.
3. Approving payroll for the second half of August 2023.
4. Authorizing payment to WSB in the amount of \$1,100 for materials testing services for the Wastewater Treatment Plant Project.

5. Authorizing payment to Lakehead Constructors in the amount of \$1,075,812.49 for Pay Application 22 for the Wastewater Treatment Plant Project.
6. Authorizing payment to Lakehead Constructors in the amount of \$290,395.31 for Pay Application No. 2 for the Water Treatment Plant Chlorine Tank and Building Repairs Project.
7. Accepting the proposal of Two Harbors Towing LLC for the purchase and installation of a snowplow for the Public Works Department in the amount of \$9,118.12.
8. Accepting the proposal of Two Harbors Towing LLC for the purchase and installation of a snowplow for the Public Works Department in the amount of \$11,787.18.
9. Approving a request for Will Ruekert to attend the MRWA training and exam refresher course in St Cloud, MN October 10-12, 2023. Cost for the conference, lodging, meal reimbursement is \$532.52 and milage reimbursement.
10. Authorizing an ad for bids for the purchase of certain fire department equipment.
11. Authorizing the membership to MN Small Cities with membership dues of \$1,633.95 for the 2023-2024 membership year.
12. Consider referring to Planning Commission a request by the Overland Group to Annex Parcel 29-5310-31795 and rezone the parcel for intended commercial use.
13. Declaring first reading of an ordinance amending Section 11.31, Subdivision 6 Outdoor Seating, of the Two Harbors City Code. (Parklets)
14. Approving the request of Amy Carlson, Lounge Manager for the American Legion, to be open on Sunday, October 29, 2023.

**Communications:**

1. A memo from Jennifer Selchow, Bolton & Menk, providing an update on the Wastewater Treatment Plant Project.
2. A memo from Joe Rhein & Brian Guldán, Bolton & Menk, providing engineering project updates.

**Unfinished Business:**

**New Business:**

1. [R] Approving a hunt plan and authorizing a semi-annual Goose Hunt on Airport property as determined necessary by the Airport Manager.
2. [M] Consider allowing the 106 Group to access City Property to conduct field survey for the TH 61 Archeologic Project.

3. [M] Accepting the recommendation of the Finance Committee to ask the City Attorney to draft additional language for the agreement between the City of Two Harbors and the Two Harbors HRA for the release of \$40,000 in funding to be used for what is currently known as the “High School” project, and requiring that any remaining funds from this \$40,000 and the first \$40,000 from the sale of the first house constructed by this project (or the remaining funds and the first proceeds from the sale of the first house in a combined amount of \$40,000) being used to leverage additional funds through the Minnesota Housing Trust Fund.
4. [R] Approving the agreement between the City of Two Harbors and Teamsters Local 346 for January 1 – December 31, 2023.

Adjourn.

## Why are we doing this?

Congress will never impose restrictions on itself; nor will it voluntarily exercise fiscal restraints with taxpayer dollars. The Judicial branch must stop legislating from the bench. Structural changes are needed in Washington. Replacing representatives has never been, nor will it ever be, the answer. The issues are much bigger than any one person or group.

Many people today, including many state legislators, believe that an Article V Convention of States is the only viable way to affect the necessary, long-term structural changes at the federal level.

## Convention of States by the numbers

### Nationally:

-Over 5 million Supporters!

### Minnesota:

-Volunteers -- We are always looking to grow our team!

-Petition Signers -- Over 37,000

**fifteen states have already joined the call for a Convention of States:**

Alabama  
Alaska  
Arizona  
Arkansas  
Florida  
Georgia  
Indiana  
Louisiana  
Mississippi  
Missouri  
North Dakota  
Oklahoma  
Tennessee  
Texas  
Utah

## Research: Voters Favor Convention of States

After the 2018 Midterm Election, the Convention of States authorized outside pollsters to survey likely voters regarding an Article V Convention of States initiative. Minnesota was one of the twelve states selected. Support in all states was high, with the lowest being 62% who supported a Convention of States in their state.

Minnesota was at the top of the pack though, with 76% (+/- 5%) of Minnesotans supporting the Article V Convention of States initiative! Overall support for a Convention of States was even above 50% across the entire spectrum of political opinion: 75% of Republicans, 56% of Democrats, and 63% of "Other" showed support.

## How you can help!

### As a Minnesota Resident:

1. Go to: [ConventionOfStates.com](http://ConventionOfStates.com)  
Please sign our petition on the Home Page, and take some time to look around using the links there.
2. Become a Convention of States -- Minnesota volunteer; we welcome your help!
3. Please contact our Senior State Grassroots Coordinator, Mary Jo Baarsch at [mary.baarsch@cosaction.com](mailto:mary.baarsch@cosaction.com) if you have questions.

Scan To Sign The Petition or to Volunteer!



5

# THE CONVENTION OF STATES PROJECT

# Minnesota

# COS

CONVENTION of STATES ACTION

We are a national grassroots movement with organizations in each state urging state legislatures to use their powers under Article V of the U.S.

Constitution to propose amendments restoring limits on the power of all three branches of the federal government (including the increasingly independent national bureaucracies)



## Background - What, How & Why

Article V of the U.S. Constitution provides two ways to propose amendments to our nation's most important document of freedom:

**) By Congress**

**) By a Convention of the States**

To date, Congress has proposed 33 amendments; 27 being adopted by at least 38 3/4ths) states. The importance of Article V cannot be overstated. Without it, the U. S. Constitution would no longer be relevant.

Today, all 50 states have Convention of states teams organized by state legislature districts. Volunteer district captains recruit, organize and educate fellow citizens about the Convention of States Resolution, thereby enabling them to seek support from their state representatives.

In order to trigger a convention of the states, 14 states (2/3rds) must each pass substantially identical resolutions in both chambers of their legislatures. Since August 2013, 15 states have achieved that step for the Convention of States Resolution (passed states, see page 4).

Our Motivation -- Federal government overreach is excessive and undeniable, so it is time for "We the People" to bypass Washington and use an Article V Convention of States to rein in unaccountable federal officials by returning power back to the States. A Convention of the States can only propose amendments to our Constitution. The topics which may be addressed in those amendments are limited to the subjects outlined in the Convention of States Resolution.

For a proposed amendment to be adopted, it must be ratified by at least 38 state legislatures or by ratifying conventions in 38 states.

# Convention of States Resolution

**The resolution consists of three major topics:**

## I. Fiscal Restraints

We want amendments to address the unsustainable deficit spending and massive growth of national debt.

## II. Restricting the Power, Scope & Jurisdiction of the Federal Government

We want amendments to return power to the states and restore the balance of power between the states and the federal government as established by our Constitution. We want to restore "Federalism."

With the use of federal mandates and executive orders, the federal government has usurped many of the legitimate roles of the states. Our Founding Fathers believed, as stated in the tenth amendment, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

### III. Term Limits for Federal Officials

We want the convention to consider term limits for members of Congress, appointed federal judges (including Supreme Court Justices) and for the more than 400 federal agency managers.

**NOTE:** These three topics are the only ones that can be addressed at the Convention. See HF2140 or SF2464 ([www.leg.mn.gov/leg/legis](http://www.leg.mn.gov/leg/legis)) for express limitations to Convention powers.

## The Legislative Process

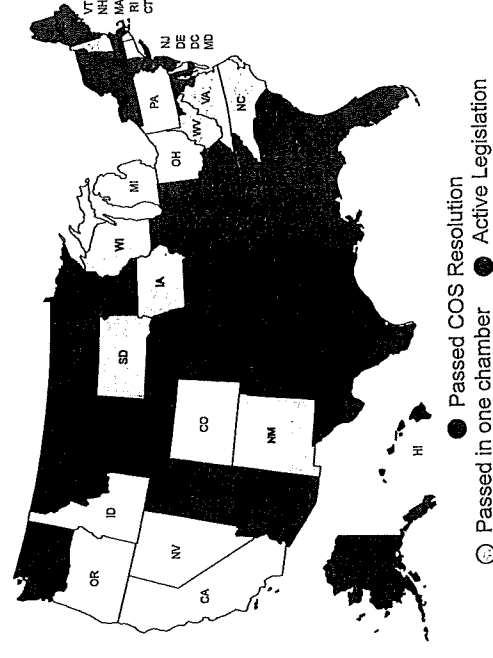
The process begins with legislators introducing the Convention of States Resolution in their respective chambers, i.e., the Minnesota Senate\* and the Minnesota House of Representatives.\*\*

In step two, the resolution is assigned to a specific committee in each chamber for hearings and a vote. If the committee votes in favor of the resolution, it is presented to chamber membership for a "floor vote."

This process is the same in both chambers of a state legislature. A simple majority is required to pass the resolution in assigned committees and in all floor votes. As a resolution, the state Governor has no role in this process.

\*Currently filed in Minnesota Senate. Go to [www.leg.mn.gov/leg/legis](http://www.leg.mn.gov/leg/legis) to read SF 2464

**\*\*Currently filed in Minnesota House of Representatives. Go to [www.leg.mn.gov/leg/legis](http://www.leg.mn.gov/leg/legis) to read HF 2140**



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August 28, 2023

Regular meeting of the City Council of the City of Two Harbors, Minnesota, held on Monday, August 28, 2023, at 6:00 p.m.

The meeting was called to order by President Redden.

Members present, Councilors: Hefter, Glaser, Kasell, Conner, Passe, Redden. 6.

Members absent, Councilor: Erickson 1.

Others present: Finance Director, Pietila  
Deputy Clerk, Maki  
Attorney Costley

Pledge of Allegiance:

Additions or Changes to the Agenda:

Finance Director Pietila requested Moving Consent Agenda Item #13, continued support of the Goose Hunt at the Airport pending insurance coverage and pending approval from MNDOT, FFA, and DNR moving it to New Business #3. Adding Consent Agenda Item #17 to authorize Bolton & Menk to reaffirm their budgeted dollars for the underpass and create a subcommittee to work with both Trees and Trails and Bolton & Menk. Adding New Business #4, accepting the application to the Library Board, Amber Koenig to fill the vacant position on the board.

Motion by Passe and Hefter approving the agenda with the changes recommended by the Finance Director. Carried

**Administrative Reports:** Finance Director Pietila reported on behalf of Administrator Nordean for the dates of August 15-28, 2023. Administrator Nordean met with Jay Belcastro, Lake Superior School District, and Natalie Hoff, regarding the proposed vacation of a portion of Fifth Avenue in the 700 Block. The school district has some work to do in securing property or permission for the proposed vacation. She met with the owners of the former Falk's Pharmacy building, regarding concerns over parking restrictions. Attended the Housing Committee, Personnel, Public Affairs and a portion of the Trees and Trails Committee meetings. She also met with Flaherty and Hood to work on the compensation and classification study. She participated in a mediation session with the representatives of Teamsters Local 346, and came to a tentative agreement, which will be voted

CA .1 9/11/23

on by the membership and would hope to bring forth an agreement at our next meeting. She was contacted by Phil Leversedge of the DNR, offering to share with us the results of the study done on the removal of the old docks along the waterfront. He shared that the DNR was not able to finance the project. The city has received a claim for damages due to a residential fire, which has been referred to our insurance carrier. Lastly, we received a proposal for the purchase of a certain property along CSAH 26 and in the area of Antonich Field. The offer did not include any proposal for development of the property and appears to be a random property investment request. No action recommended.

### **Committee Reports:**

Personnel: Councilor Glaser reported that the committee reviewed the open positions within the city. The city is continuing to advertise and recruit staff to fill the patrol officer position for the Police department. The new EDP Tech will be starting on September 7<sup>th</sup> and there was a tentative offer made to fill the position at the Wastewater Treatment Plant. Administration is going to review how the 10-hour workdays worked for the summer trial period, look to see what works best for the company to whether that could continue into the fall, that decision was left up to administration. Planning to move regular meetings of the committee from 5:30pm to 4:00pm.

Trees and Trails: Councilor Passe reported that the committee met on August 17<sup>th</sup> and had a lengthy discussion pertaining to the Highway 61 project. Trees and Trails Supports the tunnels but would like to investigate the possibility of changing the underpasses to 8 feet instead of 10 feet to save money on the project, and to not have the City of Two Harbors paying for it and looking for alternative funding. They reviewed and discussed the bike route map and discussed alternatives. Discussed bike racks were discussed and represented as they were tonight Trees and Trails were in support of bike racks that represented the City well at the higher cost. Discussed the DNR Tree Grant to control the Emerald Ash Borer and were in favor of it.

Edna G.: Councilor Passe reported that the Edna G. Committee met on August 16<sup>th</sup> and were joined by the Friends of the Edna G. and had a very productive meeting. They discussed that Friends of the Edna G would like to continue with the management of the Edna G. but do not want to take on the project of removal of the tug from the water. Edna G. commission recommend that council looks into getting bids and the feasibility of the removal of the tug and integrated into the Veteran's memorial that the Waterfront committee is also working on. The Friends of the Edna G. are hoping to grow their organization in hopes of taking over all management of The Edna G., but at this point in time are unable to do so.

Public Affairs: Councilor Glaser reported that discussed the Veteran's Memorial and feel that is something the City should move forward with. Also discussed the public use of cannabis and the plan to follow the City of Two Harbors public smoking laws, Administrator Nordean will be looking into and gathering more information, and it will be reviewed at the next Public Affairs meeting. Mayor Conner added that is was discussed that the council needs to set up a council member to stay in contact with The Veteran Memorial group and Friends of the Edna G.



Housing Committee: Mayor Conner reported that the committee met on August 15<sup>th</sup> and had a good working meeting. They have put together a Housing Planning Portfolio Worksheet to identify all the categories and tasks that need to be accomplished with three different areas: items that need immediate attention in 2-3 weeks, those in the near-term tasks meaning in 1-2 months and long-term tasks meaning 2-4 months. The committee is meeting every two weeks. Phil Arnold came and gave a THRA update, and Matthew Johnson came from LCHRA, they both plan to continue to attend. The committee has also divided tasks up among members to help with the organizing process.

Motion by Glaser and Conner that the following consent agenda items:

1. Approving minutes from the August 14, 2023, Regular City Council Meeting.
2. **RESOLUTION NO. 8-282-23 ALLOWING CLAIMS AGAINST THE CITY OF TWO HARBORS TO BE PAID. AUGUST 28, 2023.**
3. Approving payroll for the first half of August 2023.
4. **RESOLUTION NO. 8-283-23 APPROVING PAYMENT TO BOLTON & MENK FOR PROFESSIONAL SERVICES FOR THE MNDOT RECONSTRUCTION PROJECT FOR \$1,622.**
5. **RESOLUTION NO. 8-284-23 APPROVING PAYMENT TO BOLTON & MENK FOR PROFESSIONAL SERVICES FOR THE LIQUOR STORE PROJECT FOR \$3,052.50.**
6. **RESOLUTION NO. 8-285-23 APPROVING PAYMENT TO BOLTON & MENK FOR PROFESSIONAL SERVICES FOR THE 2023 & 2024 STREET IMPROVEMENT PROJECT FOR \$21,567.50.**
7. **RESOLUTION NO. 8-286-23 APPROVING PAYMENT TO BOLTON & MENK FOR PROFESSIONAL SERVICES FOR THE 2021 & 2022 STREET IMPROVEMENT PROJECT FOR \$565.00.**
8. **RESOLUTION NO. 8-287-23 APPROVING PAYMENT TO BOLTON & MENK FOR PROFESSIONAL SERVICES FOR THE 2018 STREET IMPROVEMENT PROJECT FOR \$1,005.00**
9. **RESOLUTION NO. 8-288-23 APPROVING PAYMENT TO BOLTON & MENK FOR GENERAL ENGINEERING SERVICES FOR \$3,258.00**
10. **RESOLUTION NO. 8-289-23 APPROVING THE SERVICE AGREEMENT BETWEEN THE CITY OF TWO HARBORS AND KINECT ENERGY FOR GAS SERVICES.**

11. **RESOLUTION NO. 8-290-23 APPROVING THE MASTER AGREEMENT FOR ENERGY MANAGEMENT SERVICES BETWEEN THE CITY OF TWO HARBORS AND KINECT ENERGY FOR GAS SERVICES.**
12. **RESOLUTION NO. 8-291-23 APPROVING THE PURCHASE OF A RIDING MOWER FOR THE CAMPGROUND. TO REPAIR THE EXISTING MOWER IS \$2752.44 AND THE COST TO REPLACE IS \$4699.99.**
13. **RESOLUTION NO. 8-292-23 APPROVING BOLTON & MENK TO PROVIDE PROFESSIONAL SERVICES FOR THE AIRFIELD MAINTENANCE AT THE TWO HARBORS AIRPORT FOR \$40,000 AND AUTHORIZE ADMINISTRATION TO START THE GRANT INITIATION FOR THE AIRFIELD PAVEMENT MAINTENANCE.**
14. **RESOLUTION NO. 8-293-23 ACCEPTING WITH REGRET THE RESIGNATION OF JILLIAN HOOPER FROM THE TWO HARBORS FIRE DEPARTMENT EFFECTIVE AUGUST 15, 2023, AND AUTHORIZING A LETTER OF RECOGNITION FOR HER SERVICE.**
15. **RESOLUTION NO. 8-294-23 AUTHORIZING ADVERTISEMENT FOR VOLUNTEER FIRE FIGHTERS FOR THE PURPOSE OF CREATING A HIRING POOL.**

**Communications:**

1. A letter from the Two Harbors Supervisory Employees Association Membership requesting to start the process of "Working Agreement" negotiations with the City starting this coming September.
2. A letter from Steve Yoon of Northern Heights Land regarding purchasing vacant land within the city.
3. A memorandum from City Engineer Joe Rhein updating on Liquor Store Project Site Archeological Review.

**New Business:**

1. Motion by Glaser/Hefter **RESOLUTION NO. 8-295-23 APPROVING THE FOLLOWING LIQUOR LICENSE RENEWAL APPLICATIONS CONTINGENT ON APPROVAL OF THE CHIEF OF POLICE AND COMPLETED APPLICATION PACKETS.** Carried by the following vote: Yea, Conner, Passe, Redden, Glaser, Hefter 5. Abstain Kasell 1. Councilor Kasell chose to abstain due to owning two businesses on the list.

**Club Licenses**

1. Moose Lodge #1463
2. American Legion Post 109

**Liquor and Sunday On- Sale**

1. Vanilla Bean
2. North Shore Landing
3. Blackwoods
4. McQuade's Pub
5. Two Harbors Golf Association
6. Topsy Mosquito
7. Harbor Rail Pub and Event Center

**Wine Licenses**

1. Madeira
2. SpokeNGear/Cedar Coffee
3. Do North Pizzeria
4. Judy's Café

**On-Sale 3.2 Licenses**

1. Madeira
2. SpokeNGear/Cedar Coffee
3. Do North Pizzeria
4. Judy's Café

**Off-Sale 3.2 Licenses**

1. Miner's Superone
2. Holiday Companies
3. Kwik Trip
4. Krist Oil

**Brewer Off-Sale**

Castle Danger Brewing

**Brewer Tap Room**

Castle Danger Brewing

2. Motion by Glaser and Hefter Approving bike routes and rack purchase/installations presented by Justin Otsea, City Planner and LaReesa Sandretsky, Lake County Community Health Educator/SHIP Coordinator. Carried.
3. Motion by Passe and Hefter Approving continued support of the Goose Hunt at the Airport pending proper insurance and approval from MNDOT, DNR and the FFA. Carried.
4. Motion by Passe and Hefter Accepting Application of Amber Koenig for the vacant position on the Two Harbor Library Committee. Carried.

**Adjourn:** Motion by Conner and Passe that the meeting Adjourns. Carried .

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Ben Redden, President, City Council

ATTEST: \_\_\_\_\_

Patricia D. Nordean, City Administrator



**CITY OF TWO HARBORS  
CITY COUNCIL**

**AGENDA ITEM  
COVER SHEET**

<b>Originating Staff:</b> Miranda Pietila	<b>Department:</b> Wastewater Plant	<b>Date:</b> 09/11/2023
<b>Agenda Item Subject:</b> Consider approving invoice to WSB for the material testing for the WWTP in the amount of \$1,110.00, total contract is \$22,695.	<b>Fiscal Impact:</b> State Appropriations, PSIG Grant, WIF Grant, Sewer & Electric Fund reserves with the remaining balance to be covered from a low interest rate PFA loan.	
<b>BACKGROUND:</b> The City has a contract with WSB for the WWTP project, this is for services provided June 1, 2023 to June 30, 2023. Total contract is \$22,695, remaining contract is \$302.50.		
<b>COUNCIL ACTION REQUESTED:</b> Approve invoice for \$1,110.00 to WSB.		
<b>RECOMMENDATION:</b> Approve invoice for \$1,110.00 to WSB.		
<b>ATTACHMENTS:</b> Invoice from WSB		

701 XENIA AVENUE S  
SUITE 300  
MINNEAPOLIS, MN  
55416



City of Two Harbors  
Attn: Miranda Pietila  
522 First Avenue  
Two Harbors, MN 55616

August 7, 2023  
Project/Invoice: R-019334-000 - 17  
Reviewed by: Chad DeMenge  
Project Manager: Chad DeMenge

Two Harbors Wastewater Treatment Facility Upgrades  
**Professional Services from June 1, 2023 to June 30, 2023**

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Phase CMT Construction Materials Testing  
Concrete Field Testing

**Unit Billing**

CMT Engineering Technician II

6/1/2023	3.0 Hours @ 60.00	180.00	
6/2/2023	1.5 Hours @ 60.00	90.00	
6/6/2023	1.5 Hours @ 60.00	90.00	
6/8/2023	1.5 Hours @ 60.00	90.00	
6/14/2023	1.5 Hours @ 60.00	90.00	
6/15/2023	1.5 Hours @ 60.00	90.00	
6/22/2023	1.5 Hours @ 60.00	90.00	
6/29/2023	1.5 Hours @ 60.00	90.00	
<b>Total Units</b>		<b>810.00</b>	<b>810.00</b>
	<b>Total this Task</b>		<b>\$810.00</b>

Soils Field Testing

**Unit Billing**

CMT Engineering Technician II

6/19/2023	2.0 Hours @ 60.00	120.00	
<b>Total Units</b>		<b>120.00</b>	<b>120.00</b>
	<b>Total this Task</b>		<b>\$120.00</b>

Materials Lab Testing

**Unit Billing**

Compressive Strength - Cylinder

6/1/2023	23-1292	4.0 Cylinders @ 5.00	20.00	
6/2/2023	23-1349	8.0 Cylinders @ 5.00	40.00	
6/6/2023	23-1497	4.0 Cylinders @ 5.00	20.00	
6/8/2023	23-1561	8.0 Cylinders @ 5.00	40.00	
6/14/2023	23-1768	4.0 Cylinders @ 5.00	20.00	
6/15/2023	23-1771	4.0 Cylinders @ 5.00	20.00	
6/22/2023	23-2028	4.0 Cylinders @ 5.00	20.00	
<b>Total Units</b>			<b>180.00</b>	<b>180.00</b>
	<b>Total this Task</b>			<b>\$180.00</b>

Project	R-019334-000	TWOH - Two Harbors Wastewater Treatment	Invoice	17
Total this Phase			\$1,110.00	
<b>Billing Limits</b>	<b>Current</b>	<b>Prior</b>	<b>To-Date</b>	
Total Billings	1,110.00	21,282.50	22,392.50	
Limit			22,695.00	
Remaining			302.50	
Total this Invoice			<u><u>\$1,110.00</u></u>	



**CITY OF TWO HARBORS  
CITY COUNCIL**

**AGENDA ITEM  
COVER SHEET**

<b>Originating Staff:</b> Miranda Pietila	<b>Department:</b> Wastewater Plant	<b>Date:</b> 09/11/2023
<b>Agenda Item Subject:</b> Consider approving Pay App #22 to Lakehead Constructors for the Wastewater Treatment Plant Project for \$1,075,812.49.	<b>Fiscal Impact:</b> State Appropriations, PSIG Grant, WIF Grant, Sewer & Electric Fund reserves with the remaining balance to be covered from a low interest rate PFA loan.	
<b>BACKGROUND:</b> See attached communication from Bolton & Menk.		
<b>COUNCIL ACTION REQUESTED:</b> Approve Pay App #22 to Lakehead Constructors for \$1,21075,812.49.		
<b>RECOMMENDATION:</b> Approve Pay App #22 to Lakehead Constructors for \$1,21075,812.49.		
<b>ATTACHMENTS:</b> Communication and Pay App		



**BOLTON  
& MENK**

Real People. Real Solutions.

7533 Sunwood Drive NW  
Suite 206  
Ramsey, MN 55303-5119

Ph: (763) 433-2851  
Fax: (763) 427-0833  
Bolton-Menk.com

VIA EMAIL

September 5, 2023

Patty Nordean, City Administrator  
City of Two Harbors  
522 1<sup>st</sup> Ave.  
Two Harbors, MN 55616

RE: Two Harbors Wastewater Treatment Facility Improvements  
Pay Application No. 22  
BMI Project Number: M24.117177

Dear Patty,

Enclosed is a copy of Pay Application No. 22 from Lakehead Constructors, Inc. for \$1,075,812.49. I have reviewed this request and recommend payment to the contractor. The work reflected on this application represents 70.3% of the work to be completed under this contract. Please process this request for payment.

Please contact me if you have any questions.

Sincerely,  
**Bolton & Menk, Inc.**

**Jennifer Selchow, P.E.**  
Environmental Project Engineer

Enclosures

cc: Joe Rhein, Bolton and Menk, Inc.  
Brian Guldán, Bolton and Menk, Inc.  
Randy Hedin, City of Two Harbors  
Miranda Pietila, City of Two Harbors  
File



### Contractor's Application for Payment No. \_\_\_\_\_

		Application Period: 7/26/23 - 8/25/23	Application Date: 8/25/2023
		Invoice No. 22	
To (Owner): City of Two Harbors, MN	From (Contractor): Lakehead Constructors, Inc.	Via (Engineer): Bolton & Menk	
Project: Wastewater Treatment Facility Improvements	Contract: Wastewater Improvements		
Owner's Contract No.:	Contractor's Project No.: 7834	Engineer's Project No.: M24.117177	

#### Application For Payment Change Order Summary

Approved Change Orders			
Number	Additions	Deductions	
			1. ORIGINAL CONTRACT PRICE..... \$ 29,297,715.00
			2. Net change by Change Orders..... \$
			3. Current Contract Price (Line 1 ± 2)..... \$ 29,297,715.00
			4. TOTAL COMPLETED AND STORED TO DATE
			(Column F on Progress Estimate)..... \$ 21,695,025.34
			5. RETAINAGE:
			a. 5% X \$20,646,677.42 Work Completed..... \$ 1,032,333.87
			b. 5% X \$1,048,347.92 Stored Material..... \$ 52,417.40
			c. Total Retainage (Line 5a + Line 5b)..... \$ 1,084,751.27
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... \$ 20,610,274.07
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 19,534,461.58
			8. AMOUNT DUE THIS APPLICATION..... \$ 1,075,812.49
			9. BALANCE TO FINISH, PLUS RETAINAGE
			(Column G on Progress Estimate + Line 5 above)..... \$ 8,697,440.93
TOTALS			
NET CHANGE BY			
CHANGE ORDERS			

<p><b>Contractor's Certification</b></p> <p>The undersigned Contractor certifies that to the best of its knowledge: (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 Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise furnished by covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.</p> <div style="text-align: center; margin-top: 20px;"> </div> <p>By: Chris Clements      Date: 8/25/2023</p>	<p>Payment of: \$ 1,075,812.49 (Line 8 or other - attach explanation of the other amount)</p> <p style="text-align: center;">         (Engineer)      9/5/2023        (Date)     </p> <p>Payment of: \$ 1,075,812.49 (Line 8 or other - attach explanation of the other amount)</p> <p>is approved by: _____ (Owner)      (Date)</p> <p>Approved by: _____ Funding Agency (if applicable)      (Date)</p>
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Endorsed by the Construction Specifications Institute.

# Progress Estimate

# Contractor's Application

Project: Wastewater Treatment Facility Improvements				Application Number: 21			
Application Period: 6/24/23 - 7/25/23				Invoice Number: 8250021			
A		B	Work Completed		E	F	G
Item	Description	Scheduled Value	C	D	Materials Presently Stored (not in C or D)	Total Completed and Stored to Date (C + D + E)	% (D + F) / B
Specification Section No			From Previous Application (C+D)	This Period			
1000	General Condition	\$2,603,945.00	\$2,400,000.00	\$5,000.00		\$2,405,000.00	92.4%
1001	Bonds & Insurance	\$790,000.00	\$790,000.00			\$790,000.00	100.0%
1020	General Construction Allowance	\$475,000.00	\$145,998.47			\$145,998.47	30.7%
1020	Chemical Feed Pump & Mtd. Allowance	\$75,000.00					
1020	Raw Water Wetwell Mixer Allowance	\$5,000.00					
1020	Laboratory Equipment Allowance	\$55,000.00	\$19,938.33			\$19,938.33	36.3%
1020	Furniture Allowance	\$35,000.00					
1020	Computer Allowance	\$30,000.00					
1020	Security System Allowance	\$40,000.00					
1020	Utility System Construction Allowance	\$35,000.00					
2100	Barbwork General Condition	\$219,500.00	\$219,500.00			\$219,500.00	100.0%
2101	Site Preparation	\$43,310.00	\$43,310.00			\$43,310.00	100.0%
2101	Demolition	\$182,000.00	\$133,512.04			\$133,512.04	73.4%
2102	Finish Grading	\$6,470.00					
2103	Excavation & Backfill	\$493,800.00	\$493,800.00			\$493,800.00	100.0%
2104	Reinforce Pavement & Misc. Structures	\$22,600.00	\$13,000.00			\$13,000.00	57.5%
2105	Rock & Gravel in S/Ditch	\$425,000.00	\$37,970.00			\$37,970.00	8.9%
2106	Excavation & Embankment	\$102,700.00	\$102,700.00			\$102,700.00	100.0%
2107	Erosion & Sediment Control	\$33,150.00	\$33,150.00			\$33,150.00	100.0%
2108	Site Utilities	\$968,700.00	\$968,700.00			\$968,700.00	100.0%
2109	Roads, Walks & Curb	\$262,900.00					
2110	Turf Restoration & Plantings	\$51,150.00	\$15,000.00	\$10,000.00		\$35,000.00	69.8%
2111	Barbwork for Decorative Wall	\$750,000.00					
3100	Cast In Place Concrete - below includes rebar						
3100	Classroom Concrete	\$1,345,000.00	\$1,345,000.00			\$1,345,000.00	100.0%
3100	Garage	\$670,000.00					
3100	Aeration Basins	\$2,375,000.00	\$2,375,000.00			\$2,375,000.00	100.0%
3100	Operation	\$475,000.00	\$475,000.00			\$475,000.00	100.0%
3100	Bioreactors	\$815,000.00	\$492,500.00	\$200,000.00		\$692,500.00	85.0%
3100	Chlorine Contact	\$475,000.00					
3110	Concrete Decorative Walls	\$1,311,260.00					
3410	All Precast	\$335,000.00	\$434,600.00	\$100,400.00		\$535,000.00	100.0%
4100	Unit Masonry Assemblies	\$40,000.00	\$72,518.93	\$80,550.00		\$203,131.93	95.0%
5100	Mech.	\$695,000.00	\$672,718.00		\$7,920.00	\$680,638.00	98.1%
6100	Rough Carpentry	\$35,000.00	\$32,000.00	\$4,500.00		\$40,500.00	73.0%
7150	Dampproofing	\$68,000.00	\$45,000.00			\$45,000.00	66.2%
7190	Viper Barrier	\$35,000.00	\$45,000.00			\$45,000.00	60.0%
7335	Fully Aligned Membrane Roof System	\$675,000.00	\$344,104.00	\$44,557.45		\$388,661.45	57.6%
7900	Caulking & Sealants	\$85,000.00	\$34,330.00			\$34,330.00	40.4%
8110	Doors & Frames	\$130,000.00	\$65,000.00		\$47,326.31	\$112,326.31	86.4%
8360	O.H. Doors	\$60,000.00	\$30,000.00		\$40,000.00	\$70,000.00	100.0%
8501	Windows	\$300,000.00	\$18,266.00			\$18,266.00	6.1%
9000	Painting	\$610,000.00	\$313,454.00			\$313,454.00	51.5%
10000	Division 10	\$28,000.00		\$5,291.50	\$4,487.61	\$9,779.11	34.9%
11240	Chemical Feed	\$131,208.00			\$33,437.00	\$33,437.00	25.5%
11280	Hydraulic Gates	\$10,000.00	\$39,725.00	\$40,335.00		\$80,000.00	100.0%
11310	Centrifugal Wastewater Pumps	\$100,000.00	\$206,400.00		\$49,600.00	\$256,000.00	83.3%
11315	Rotary Lobe Pump	\$125,000.00	\$41,696.00			\$41,696.00	33.3%
11318	Screw Impeller Centrifugal Pumps	\$440,000.00			\$376,950.00	\$376,950.00	85.7%
11320	Grit Removal	\$90,925.00	\$90,925.00			\$90,925.00	100.0%
11330	Fine Screen	\$192,000.00	\$192,000.00			\$192,000.00	100.0%
11335	Jet & Back Aeration System	\$178,000.00	\$178,000.00			\$178,000.00	100.0%
11352	Chuffler Equipment	\$540,000.00	\$540,000.00			\$540,000.00	100.0%
11374	Fine Process Membrane Aeration Equipment	\$60,000.00		\$60,000.00		\$60,000.00	100.0%
11376	High Efficiency Blower System	\$750,000.00	\$450,916.00	\$289,084.00		\$739,000.00	98.7%
11384	Rotary Drum Thickener	\$135,000.00	\$148,808.00			\$148,808.00	96.0%
11386	Rigid Mixers	\$48,000.00			\$48,000.00	\$48,000.00	100.0%
11387	Submersible Mixers	\$25,000.00		\$25,000.00		\$25,000.00	100.0%
11630	Automatic Sampler	\$17,000.00			\$17,000.00	\$17,000.00	100.0%
12346	Casework	\$55,000.00	\$26,993.00			\$26,993.00	49.1%
13126	Circular Tank Covers	\$211,000.00	\$211,000.00			\$211,000.00	100.0%
13216	Prestressed Concrete Water Tanks	\$1,500,000.00	\$1,500,000.00			\$1,500,000.00	100.0%
13900	RR Buffles & Weirs	\$60,000.00	\$60,000.00			\$60,000.00	100.0%
14300	Hobas	\$25,000.00		\$25,000.00		\$25,000.00	100.0%
15000	Mechanical						
15001	Mobile & General Condition	\$168,565.00	\$133,673.78	\$4,578.25		\$138,252.03	82.0%
15002	Barial Process Pipe	\$175,000.00	\$175,000.00			\$175,000.00	100.0%
15003	Flanged Process Pipe	\$514,000.00	\$192,485.39	\$74,395.00		\$266,880.39	52.0%
15004	Process Flanged Fittings	\$186,000.00	\$186,000.00			\$186,000.00	100.0%
15005	Process Valves	\$305,000.00	\$238,118.94			\$238,118.94	78.1%
15006	Process Pipe Labor	\$125,000.00	\$107,500.00	\$43,000.00		\$150,500.00	120.4%
15007	Stainless Pipe Material	\$34,000.00	\$30,000.00	\$4,000.00		\$34,000.00	100.0%
15008	Stainless Pipe Labor	\$16,000.00	\$11,000.00			\$11,000.00	68.8%
15009	Gas Piping	\$15,000.00					
15010	Aeration Piping Install	\$78,000.00	\$5,000.00	\$5,000.00		\$10,000.00	12.8%
15011	Pipe Supports & Hangers	\$34,000.00		\$10,000.00		\$10,000.00	29.4%
15012	Sampler Piping	\$3,100.00					
15013	Pipe Dams	\$32,000.00					
15014	Chem Feed Material	\$16,000.00					
15015	Chem Feed Labor	\$17,600.00					
15016	Mechanical Equipment Install	\$24,000.00	\$4,000.00			\$4,000.00	16.7%
15017	Fabricated Ductwork	\$21,625.00	\$22,137.50	\$6,325.00		\$28,462.50	90.0%
15018	Duct Field Material	\$72,000.00	\$15,400.00	\$4,400.00		\$19,800.00	27.5%
15019	Plumbing Material	\$121,000.00	\$96,800.00			\$96,800.00	79.9%
15020	Insulation Material	\$170,500.00	\$12,787.50			\$12,787.50	7.5%
15021	Ventilation Material	\$85,217.00	\$85,217.00			\$85,217.00	100.0%
15022	Plumbing Labor	\$175,406.00	\$140,334.00			\$140,334.00	80.0%
15023	Insulation Labor	\$28,985.00	\$21,729.75			\$21,729.75	75.0%
15024	Ventilation Equipment	\$171,760.00	\$171,760.00			\$171,760.00	100.0%
15025	Plumbing Fixture Equipment	\$93,170.00	\$93,170.00			\$93,170.00	100.0%
15026	Refrigeration Piping/Start-up	\$15,750.00	\$7,665.00			\$7,665.00	48.7%
15027	T&B	\$9,456.00					
15028	Temp Control Sub	\$137,006.00	\$74,744.72			\$74,744.72	54.6%
16000	Electrical						
16001	Permit	\$2,500.00	\$2,500.00			\$2,500.00	100.0%
16002	Mobilization	\$50,000.00	\$50,000.00			\$50,000.00	100.0%
16003	Temp Power/Lighting	\$25,000.00	\$16,000.00			\$16,000.00	64.0%
16004	Site Electrical	\$401,319.00	\$177,000.00	\$42,000.00		\$219,000.00	54.6%
16005	Site Lighting	\$58,116.00					
16006	Final Classifier	\$47,814.00	\$30,000.00			\$30,000.00	62.9%
16007	Aeration Basins	\$37,476.00	\$21,500.00			\$21,500.00	57.4%
16008	Operations Building	\$194,340.00	\$107,500.00	\$15,500.00		\$123,000.00	63.6%
16009	Storage Garage	\$40,873.00					
16010	Bioreactor Building	\$214,073.00	\$34,000.00	\$48,000.00		\$82,000.00	38.3%
16011	Pretreatment	\$5,000.00	\$5,000.00			\$5,000.00	100.0%
16012	Existing Pretreatment	\$18,943.00	\$74,000.00			\$74,000.00	392.5%
16013	Existing Filter Building	\$142,976.00	\$72,000.00	\$7,800.00		\$79,800.00	55.9%
16014	Wall Lighting	\$45,837.00					
16015	Equipment	\$14,018.00	\$2,600.00			\$2,600.00	18.6%
16016	Service	\$105,937.00	\$41,500.00	\$65,000.00		\$106,500.00	100.5%
16017	Lighting Fixture Material	\$234,200.00	\$234,200.00			\$234,200.00	100.0%
16018	Door	\$204,721.00	\$30,000.00	\$55,000.00	\$91,258.00	\$176,258.00	86.1%
16019	Cabinet Unit Hangers	\$34,320.00				\$34,320.00	100.0%
16020	Generator	\$228,377.00		\$228,377.00		\$228,377.00	100.0%
16021	Integrator	\$136,810.00	\$133,000.00			\$133,000.00	97.2%
16022	Integrator Materials	\$418,834.00	\$115,000.00		\$207,687.00	\$322,687.00	77.0%
16023	Integrator Hardware	\$139,611.00			\$41,358.00	\$41,358.00	29.6%
16024	Integrator Start-up	\$178,109.00					
Totals		\$19,397,715.00	\$18,945,616.33	\$1,701,061.39	\$1,048,147.91	\$21,695,825.34	87.0%



**CITY OF TWO HARBORS  
CITY COUNCIL**

**AGENDA ITEM  
COVER SHEET**

<b>Originating Staff:</b> Miranda Pietila	<b>Department:</b> Water Fund	<b>Date:</b> 09/11/2023
<b>Agenda Item Subject:</b> Consider approving Pay App #2 to Lakehead Constructors for the Chlorine Tank & Bldg Repairs Project for \$290,395.31.	<b>Fiscal Impact:</b> WIF Grant, with the remaining balance to be covered from a low interest rate PFA loan.	
<b>BACKGROUND:</b> See attached communication from Bolton & Menk.		
<b>COUNCIL ACTION REQUESTED:</b> Approve Pay App #2 to Lakehead Constructors for \$290,395.31.		
<b>RECOMMENDATION:</b> Approve Pay App #2 to Lakehead Constructors for \$290,395.31.		
<b>ATTACHMENTS:</b> Communication and Pay App		



**BOLTON  
& MENK**

Real People. Real Solutions.

7533 Sunwood Drive NW  
Suite 206  
Ramsey, MN 55303-5119

Ph: (763) 433-2851  
Fax: (763) 427-0833  
Bolton-Menk.com

VIA EMAIL

September 5, 2023

Patty Nordean, City Administrator  
City of Two Harbors  
522 1<sup>st</sup> Ave.  
Two Harbors, MN 55616

RE: Two Harbors Water Treatment Facility Improvements  
Pay Application No. 2  
BMI Project Number: M24.119641

Dear Patty,

Enclosed is a copy of Pay Application No. 2 from Lakehead Constructors, Inc. for \$290,395.31. I have reviewed this request and recommend payment to the contractor. The work reflected on this application represents 11.6% of the work to be completed under this contract. Please process this request for payment.

Please contact me if you have any questions.

Sincerely,  
**Bolton & Menk, Inc.**

**Jennifer Selchow, P.E.**  
Environmental Project Engineer

Enclosures

cc: Joe Rhein, Bolton and Menk, Inc.  
Brian Guldán, Bolton and Menk, Inc.  
Randy Hedin, City of Two Harbors  
Miranda Pietila, City of Two Harbors  
File

Contractor's Application for Payment No. _____		
	Application Period: 7/26/23 - 8/25/23	Application Date: 8/25/2023 Invoice No. 2
To (Owner): City of Two Harbors, MN	From (Contractor): Lakehead Constructors, Inc.	Via (Engineer): Belton & Menk
Project: Water Treatment Facility Improvements	Contract: WTP Improvements	
Owner's Contract No.:	Contractor's Project No.: 8049	Engineer's Project No.: M24.119641

Change Order Summary		
Approved Change Orders		
Number	Additions	Deductions
TOTALS		
NET CHANGE BY CHANGE ORDERS		

1. ORIGINAL CONTRACT PRICE.....	\$	\$7,340,209.12
2. Net change by Change Orders.....	\$	
3. Current Contract Price (Line 1 ± 2).....	\$	\$7,340,209.12
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate).....	\$	\$894,628.08
5. RETAINAGE:		
a. 5%   X       \$816,444.70 Work Completed.....	\$	\$40,822.24
b. 5%   X       \$78,183.38 Stored Material.....	\$	\$3,909.17
c. Total Retainage (Line 5a + Line 5b).....	\$	\$44,731.40
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c).....	\$	\$849,896.68
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	\$559,501.37
8. AMOUNT DUE THIS APPLICATION.....	\$	\$290,395.31
9. BALANCE TO FINISH, PLUS RETAINAGE		
(Column G on Progress Estimate + Line 5 above).....	\$	\$6,486,403.28

The undersigned Contractor certifies that to the best of its knowledge: (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 Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) the Application for Payment covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Date: 8/25/2023

(Line 8 or other - attach explanation of the other amount)

(Engineer)

(Line 8 or other - attach explanation of the other amount)

(Owner)

Funding Agency (if applicable)

Page 1 of 2

# Progress Estimate

# Contractor's Application

Project: WTP-Improvements-City of Two Harbors			Application Number: 2					
Application Period: 7/26/23 - 8/23/23			Invoice Number					
			Application Date: 8/25/2023					
A		B	Work Completed		E	F		G
Item		Scheduled Value	C	D	Materials Presently Stored (not in C or D)	Total Completed and Stored to Date (C + D + E)	% (F) B	Balance to Finish (B - F)
Specification Section No.	Description		From Previous Application (C+D)	This Period				
1	Base Scope							
006113	Payment and Performance Bonds	\$115,000.00	\$115,000.00			\$115,000.00	100.0%	
006113	Builders Risk	\$14,500.00	\$14,500.00			\$14,500.00	100.0%	
011100	General Conditions	\$1,452,351.84	\$10,000.00	\$30,000.00		\$60,000.00	4.1%	\$1,392,351.84
014500	Leak Testing	\$17,600.00						\$17,600.00
024100	Demo on 5.09	\$8,990.00						\$8,990.00
031100	Concrete Forming	\$427,765.00		\$20,000.00		\$20,000.00	4.7%	\$407,765.00
032000	Concrete Reinforcing	\$333,593.00		\$34,354.70	\$70,033.38	\$104,408.08	31.3%	\$229,184.92
033000	Layout	\$15,800.00		\$1,500.00		\$1,500.00	9.5%	\$14,300.00
033000	Purchase and Place Concrete	\$265,436.00		\$6,500.00		\$6,500.00	2.4%	\$258,936.00
033000	Concrete Finishing	\$27,890.00						\$27,890.00
042000	Masonry - Door Infill Existing Plant	\$5,000.00						\$5,000.00
055000	Metal Railings	\$186,929.50						\$186,929.50
055000	Hatches	\$22,428.00						\$22,428.00
061000	Wood Blocking	\$17,672.00						\$17,672.00
072100	Insulation	\$30,134.50						\$30,134.50
072700	Vapor Barrier	\$49,629.00						\$49,629.00
074243	Composite Wall Panels	\$183,360.00						\$183,360.00
074619	Steel Siding	\$28,322.00						\$28,322.00
073301	Membrane Roofing	\$134,454.00						\$134,454.00
079000	Caulking	\$20,000.00						\$20,000.00
081000	Doors and Frames	\$35,139.00						\$35,139.00
088100	Glass	\$5,000.00						\$5,000.00
096500	Resilient Flooring	\$15,600.00						\$15,600.00
099100	Painting and Coating	\$110,000.00						\$110,000.00
101400	Signage	\$3,780.00						\$3,780.00
220120	Plumbing	\$36,764.00						\$36,764.00
220120	HVAC	\$53,170.00						\$53,170.00
330000	Process Pipe - Labor	\$60,038.00						\$60,038.00
330000	Process Pipe - Materials	\$92,896.00						\$92,896.00
400560	Valves	\$43,550.00						\$43,550.00
260000	Electrical	\$381,077.00						\$381,077.00
312219	Fine Grading	\$7,800.00						\$7,800.00
310000	Site Improvements	\$937,558.00	\$363,900.00	\$80,000.00		\$443,900.00	47.3%	\$493,658.00
463111	Chlorination Equipment	\$8,130.00			\$8,130.00	\$8,130.00	100.0%	
PRV #1								
011100	General Conditions	\$7,675.30						\$7,675.30
099100	Painting and Coating	\$4,400.00						\$4,400.00
330000	Process Pipe - Labor	\$21,890.00						\$21,890.00
330000	Process Pipe - Materials	\$26,878.00						\$26,878.00
400560	Valves	\$47,159.00						\$47,159.00
260000	Electrical	\$40,223.00						\$40,223.00
310000	Site Improvements	\$33,960.00						\$33,960.00
PRV #2								
011100	General Conditions	\$51,010.69						\$51,010.69
033000	Purchase and Place Concrete	\$17,600.00						\$17,600.00
032000	Concrete Reinforcing - Materials	\$5,165.00						\$5,165.00
	Precast Concrete Planks	\$10,536.00						\$10,536.00
042000	Masonry	\$53,933.00						\$53,933.00
074243	Wall Panels	\$21,540.00						\$21,540.00
75301	Membrane Roofing	\$7,179.00						\$7,179.00
079000	Caulking	\$1,500.00						\$1,500.00
081000	Hollow Metal Door	\$4,701.00						\$4,701.00
099100	Painting and Coating	\$11,650.00						\$11,650.00
	Fire Extinguisher	\$280.00						\$280.00
221005	Plumbing	\$9,540.00						\$9,540.00
	HVAC	\$4,900.00						\$4,900.00
330000	Process Pipe - Labor	\$20,935.00						\$20,935.00
330000	Process Pipe - Materials	\$36,339.00						\$36,339.00
400560	Valves	\$46,275.00						\$46,275.00
260000	Electrical	\$52,747.00						\$52,747.00
310000	Site Improvements	\$167,831.00						\$167,831.00
PRV #3								
011100	General Conditions	\$43,535.29						\$43,535.29
033000	Purchase and Place Concrete	\$17,600.00						\$17,600.00
032000	Concrete Reinforcing - Materials	\$5,165.00						\$5,165.00
	Precast Concrete Planks	\$10,536.00						\$10,536.00
042000	Masonry	\$53,933.00						\$53,933.00
074243	Wall Panels	\$20,578.00						\$20,578.00
75301	Membrane Roofing	\$6,966.00						\$6,966.00
079000	Caulking	\$1,500.00						\$1,500.00
081000	Hollow Metal Door	\$4,701.00						\$4,701.00
099100	Painting and Coating	\$11,650.00						\$11,650.00
	Fire Extinguisher	\$280.00						\$280.00
221005	Plumbing	\$9,820.00						\$9,820.00
	HVAC	\$4,900.00						\$4,900.00
330000	Process Pipe - Labor	\$21,985.00						\$21,985.00
330000	Process Pipe - Materials	\$47,209.00						\$47,209.00
400560	Valves	\$41,145.00						\$41,145.00
260000	Electrical	\$52,747.00						\$52,747.00
310000	Site Improvements	\$152,027.00						\$152,027.00
Rock Excavation								
312316	Rock Excavation @ \$270/CY	\$405,000.00		\$120,600.00		\$120,600.00	29.8%	\$284,310.00
012100 Allowances								
	General Construction Allowance	\$300,000.00						\$300,000.00
463303	Fluoride Equipment Allowance	\$40,000.00						\$40,000.00
	Furnishings Allowance	\$10,000.00						\$10,000.00
	Computer and Security Camera Allowance	\$100,000.00						\$100,000.00
Parking Lot								
31002	Parking Lot	\$125,708.00						\$125,708.00
Totals		\$7,340,209.12	\$503,400.00	\$313,044.70	\$78,183.38	\$894,628.08		\$6,445,581.04



**CITY OF TWO HARBORS  
CITY COUNCIL**

**AGENDA ITEM  
COVER SHEET**

Originating Staff: <b>P. Nordean</b>	Department: <b>Administration</b>	Date: <b>9/8/23</b>
Agenda Item Subject: <b>Snowplow Purchase</b>	Fiscal Impact: <b>\$9,118.12</b>	
<b>BACKGROUND:</b> The Public Works Director has obtained a quote off the State Bid for the purchase of a snow plow for the Public Works Department.		
<b>COUNCIL ACTION REQUESTED:</b> Authorize the purchase of a snowplow from Two Harbors Towing for \$9,118.12		
<b>RECOMMENDATION:</b> Staff recommends the council action requested.		
<b>ATTACHMENTS:</b>		

**TWO HARBORS TOWING LLC**

1554 GUN CLUB RD

Two Harbors, MN 55616-0000

Shop Phone: (218) 834-3844

Email: thtowing@hotmail.com

Estimate

12063

Estimate Ref #12,063

Date Printed: 08/30/2023

Printed Time: 9:40 am

Hat/Ref:

Time Promised:

**City Of Two Harbors**

522 1st Ave

Two Harbors, MN 55616

Home: (218) 834-8812

Cell: (218) 391-4479 Dick Email: jgilbert@twoharborsmn.gov

2018 DODGE RAM 3500 4WD V8

VIN:

License:

Unit #:

Mileage In: 0

Mileage Out: 0

DOM:

Date Written: 11/10/2022

Written By: Travis

Save Old Parts: No

Job Name	Description	Technician	Qty	List	Extended
<b>Job #1</b>	<b>Labor for snow deflector installation</b>				
Part Boss Plow Steel	9'2" Boss VXT Steel		1.00	7,655.00	7,655.00
Part	Snow Deflector		1.00	324.12	324.12
Part	Headlight adaptor		1.00	189.00	189.00
Labor Rate 1	Work Requested - Labor for snow deflector installation		1.00	110.00	110.00
Labor Rate 1	Work Requested - Labor to assemble plow and install on vehicle		1.00	840.00	840.00

**ESTIMATE ONLY**

Payment Date	Type	Method	Amount
Payment Totals:			

Parts: \$8,168.12

Labor: \$950.00

Sublet: \$0.00

Misc: \$0.00

Hazmat: \$0.00

Supplies: \$0.00

Tax Total: \$0.00

**Estimate Total: \$9,118.12**

I hereby authorize the above repair work to be done along with the necessary material and hereby grant you and/or your employees permission to operate the car or truck herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above car or truck to secure the amount of repairs thereto.

Authorized By \_\_\_\_\_

Date \_\_\_\_\_

Time \_\_\_\_\_





**CITY OF TWO HARBORS  
CITY COUNCIL**

**AGENDA ITEM  
COVER SHEET**

Originating Staff: <b>P. Nordean</b>	Department: <b>Administration</b>	Date: <b>9/8/23</b>
Agenda Item Subject: <b>Snowplow Purchase</b>	Fiscal Impact: <b>\$11,787.18</b>	
<b>BACKGROUND:</b> The Public Works Director has obtained a quote off the State Bid for the purchase of a snow plow for the Public Works Department.		
<b>COUNCIL ACTION REQUESTED:</b> Authorize the purchase of a snowplow from Two Harbors Towing for \$11,787.18.		
<b>RECOMMENDATION:</b> Staff recommends the council action requested.		
<b>ATTACHMENTS:</b>		

**TWO HARBORS TOWING LLC**

1554 GUN CLUB RD

Two Harbors, MN 55616-0000

Shop Phone: (218) 834-3844

Email: thtowing@hotmail.com

Estimate

12458

Estimate Ref #12,458

Date Printed: 08/30/2023

Printed Time: 10:40 am

Hat/Ref:

Time Promised:

<b>City Of Two Harbors</b>	2023 INTERNATIONAL CV515 DURAMAX		
522 1st Ave	VIN:		
Two Harbors, MN 55616	License:	Mileage In: 0	Date Written: 08/30/2023
Home: (218) 834-8812	Unit #:	Mileage Out: 0	Written By: Travis
Cell: (218) 391-4479 Dick	Email: jgilbert@twoharborsmn.gov	DOM:	Save Old Parts: No

Job Name	Description	Technician	Qty	List	Extended
Job #1	Install Plow				
Part 10' DXT	10' Boss DXT Plow		1.00	9,860.00	9,860.00
Labor Rate 1	Work Requested - Install Plow		1.00	1,200.00	1,200.00

THANK YOU! WE APPRECIATE YOUR BUSINESS

Terms: Payable Upon Receipt

**ESTIMATE ONLY**

Payment Date	Type	Method	Amount
Payment Totals:			

Parts: \$9,860.00

Labor: \$1,200.00

Sublet: \$0.00

Misc: \$0.00

Hazmat: \$0.00

Supplies: \$0.00

Tax Total: \$727.18

**Estimate Total: \$11,787.18**

I hereby authorize the above repair work to be done along with the necessary material and hereby grant you and/or your employees permission to operate the car or truck herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above car or truck to secure the amount of repairs thereto.

Authorized By \_\_\_\_\_

Date \_\_\_\_\_

Time \_\_\_\_\_

# TWO HARBORS CITY COUNCIL



## AGENDA ITEM SUMMARY

**AGENDA ITEM SUBJECT:** *Allow travel for Will Rueckert to attend the MRWA training and exam refresher course in St Cloud, MN. Dates are from October 10-12, 2023.*

**ORIGINATING SOURCE/DEPARTMENT:** *Water Treatment*

**FUNDING SOURCE:** *Budgeted 2023 Travel and Training*

**BACKGROUND:** *Will will attend the Water training/refresher and will test for his MDH Class B license. Expenses will be \$255 for Will to attend the training; \$32 for Will to take his Class B exam; \$236.52 for hotel room; and per diem for meals.*

**ESTIMATED DATE OF COMPLETION:** *10/12/2023*

**COMMITTEE/COMMISSION RECOMMENDATION:** *N/A.*

**ADMINISTRATION/STAFF RECOMMENDED COUNCIL ACTION:**  
*Approve Will to attend the training/refresher and testing.*

Agenda Item # CA. 9 Meeting Date: 9/11/23

# TWO HARBORS CITY COUNCIL

## AGENDA ITEM SUMMARY

**AGENDA ITEM SUBJECT:** Authorizing an ad for bids for certain Fire Department equipment.

**ORIGINATING SOURCE/DEPARTMENT:** Fire Department

**FUNDING SOURCE:** 2022 AFG award (95%) local match shared by Two Harbors, Silver Bay, and Finland (5%)

**BACKGROUND:** The fire department is requesting the following to be advertised for sealed bids to be opened September 25, 2023, for the following equipment:

**Quantity 3:** complete RIT packs with 4500psi/60 min cylinder, dual line RIT hose, mask, LDV and RIT bag.

**Quantity 50:** 4500psi/45min complete SCBA with buddy breather, mask/facepiece with HUD, and two cylinders with fire dept. ID on each cylinder.

**Quantity 50:** quick connect adapters for spare cylinders.

**Quantity 8:** fill station adapters for quick connect cylinders.

**Quantity 10:** additional masks/facepieces with HUD.

**ESTIMATED DATE OF COMPLETION:** September 2023

**COMMITTEE/COMMISSION RECOMMENDATION:**

**ADMINISTRATION/STAFF RECOMMENDED COUNCIL ACTION:**

Agenda Item # CA. 10 Meeting Date: 9/11/23

# TWO HARBORS CITY COUNCIL

## AGENDA ITEM SUMMARY

**AGENDA ITEM SUBJECT:** Authorizing the membership to MN Small Cities. Membership dues of \$1,633.95 for 2023-2024.

**ORIGINATING SOURCE/DEPARTMENT:** Administration

**FUNDING SOURCE:**

**BACKGROUND:**

**ESTIMATED DATE OF COMPLETION:**

**COMMITTEE/COMMISSION RECOMMENDATION:**

**ADMINISTRATION/STAFF RECOMMENDED COUNCIL ACTION:**

Agenda Item # CA#11 Meeting Date: 9/11/23

**July 2023 - June 2024**  
Minnesota Association of Small Cities  
**Membership Form / Invoice**



2023 was a record-breaking legislative session, with \$70+ million dedicated directly to small cities! This was only possible due to the ongoing support of small cities like yours. We look forward to your '23-'24 membership and to our continued partnership. Thank You!

<b>City of: Two Harbors</b>  MAOSC Region #R02  <b>Population: # 3,631</b>  <b>BASE Fee: \$200.00</b>  <b>+ .45 cents x pop: \$1,633.95</b>  <b>= \$1,833.95 TOTAL 2023-2024 Dues</b>	<b>Dues are calculated using a <u>two-part</u> population formula, as follows:</b>  <b>Base</b> pop. 1-1,000 = \$120 pop. 1,001-2,000 = \$150 pop. 2,001-5,000 = \$200  <b><u>PLUS/+ City Pop. x 0.45 cents</u></b>  <b>= Total Membership Dues</b>
---	--

Please complete the following form and mail it, along with a check in the amount of **\$1,833.95** to:  
**MN Association of Small Cities, 145 University Ave W, Saint Paul, MN 55103**

**Contact Information for our records (please print or type):**

Mayor - Name: \_\_\_\_\_

Mayor Direct Phone #: \_\_\_\_\_

Mayor Direct Email: \_\_\_\_\_

City Clerk/Administrator Name: \_\_\_\_\_

Staff Title/Position: \_\_\_\_\_

Staff Phone #: \_\_\_\_\_

Staff Email: \_\_\_\_\_

City Hall Address: \_\_\_\_\_

Mailing Address (if different from above): \_\_\_\_\_

**Please contact Lynda Barry with any questions: [lynda@maosc.org](mailto:lynda@maosc.org) / 612-701-9194**

Minnesota Association of Small Cities | [maosc.org](http://maosc.org)  
145 University Avenue West | Saint Paul, MN 55103



# TWO HARBORS CITY COUNCIL

## AGENDA ITEM SUMMARY

**AGENDA ITEM SUBJECT:** Consider referring to Planning Commission a request by the Overland Group to Annex Parcel 29-5310-31795 and rezone the parcel for intended commercial use.

**ORIGINATING SOURCE/DEPARTMENT:** Administration

**FUNDING SOURCE:**

**BACKGROUND:**

**ESTIMATED DATE OF COMPLETION:**

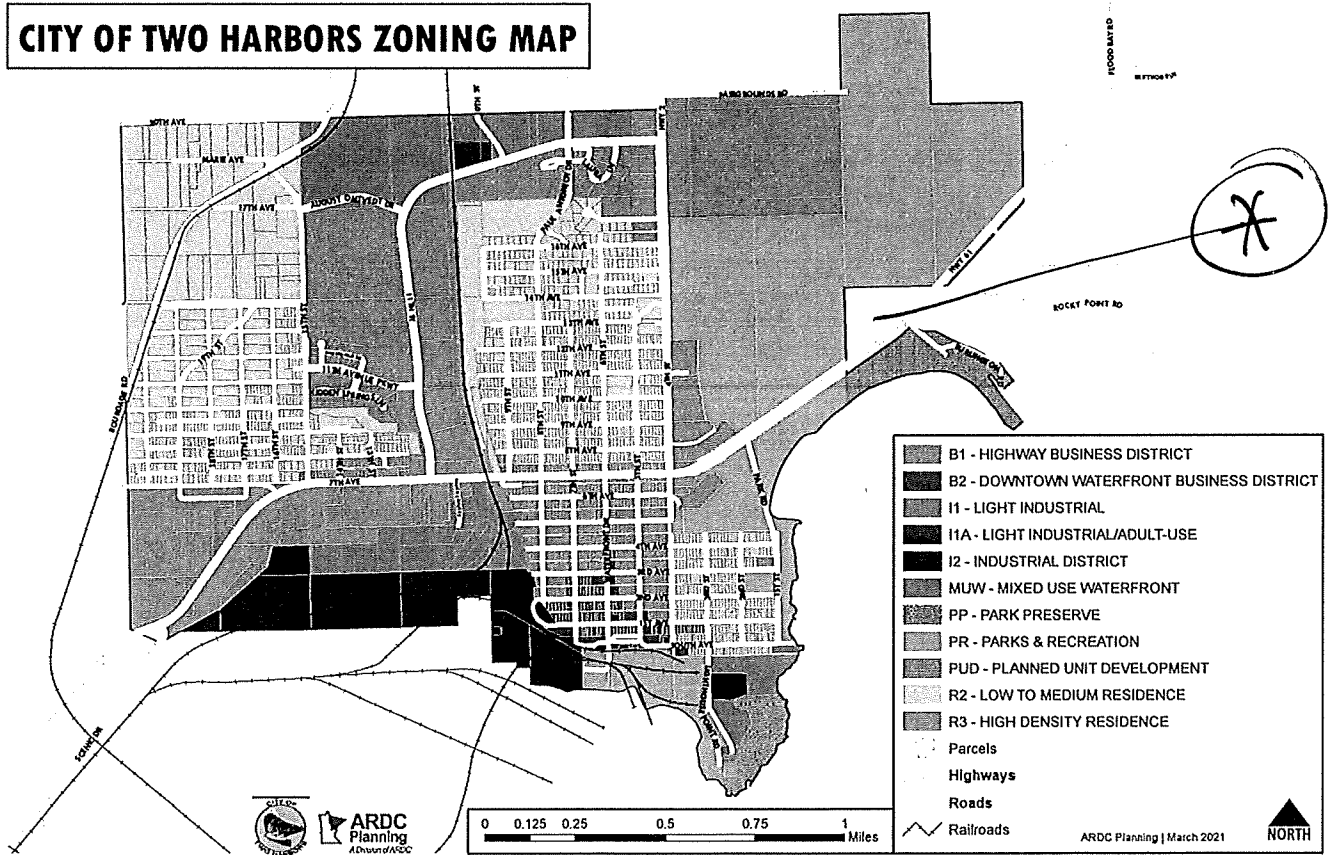
**COMMITTEE/COMMISSION RECOMMENDATION:**

**ADMINISTRATION/STAFF RECOMMENDED COUNCIL ACTION:**

Agenda Item # CA#12 Meeting Date: 9/11/23



## CITY OF TWO HARBORS ZONING MAP





# TWO HARBORS CITY COUNCIL

## AGENDA ITEM SUMMARY

**AGENDA ITEM SUBJECT:** Authorizing an amendment or revising Section 11.31, Subdivision 6 Outdoor Seating of the Two Harbors City Code. (Parklets)

**ORIGINATING SOURCE/DEPARTMENT:** Administration/City Attorney

**FUNDING SOURCE:**

**BACKGROUND:**

**ESTIMATED DATE OF COMPLETION:**

**COMMITTEE/COMMISSION RECOMMENDATION:**

**ADMINISTRATION/STAFF RECOMMENDED COUNCIL ACTION:**

Agenda Item # CA #13 Meeting Date: 9/11/23

## **Patty Nordean**

---

**From:** Tim Costley <tac@costleylaw.com>  
**Sent:** Thursday, August 31, 2023 2:44 PM  
**To:** Patty Nordean; Justin Otsea  
**Subject:** Parklet permits  
**Attachments:** Parklet Ordinance 8-30-23.pdf; Parklet Permit Application (8-30-23).pdf

Patty and Justin,

Attached is my proposed revision to the Code and the prior application with slight revisions. Please note the application is for both outdoor sales and parklets.

I believe this will work and will not create conflicts in other parts of the Code.

Let me know your thoughts or desired changes.

Thank you,  
Tim

Timothy A. Costley  
Costley & Morris, P.C.  
609 First Avenue, P.O. Box 340  
Two Harbors, MN 55616  
Phone: (218) 834-2194  
Fax: (218) 834-5004  
Email: [tac@costleylaw.com](mailto:tac@costleylaw.com)

This email message was sent by a law firm and may contain information that is privileged or confidential. If you are not the addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this transmission in error, please destroy it and notify us immediately at our telephone number (218) 834-2194.

**ORDINANCE NO. \_\_\_\_\_**  
**AN ORDINANCE REVISING SECTION 11.31, SUBDIVISION 6, OUTDOOR SEATING,**  
**OF THE TWO HARBORS CITY CODE**

THE CITY COUNCIL OF THE CITY OF TWO HARBORS ORDAINS:

Section 11.31, Subdivision 6. Outdoor Seating, of the Two Harbors City Code shall be amended to read as follows:

**Subd. 6. Outdoor Seating.** An outdoor seating area may be established in conjunction with a permitted eating and drinking establishment, micro-alcohol-production facility, or entertainment venue, provided:

**A.** Parking requirements continue to be met.

**B.** Outdoor seating areas of five hundred (500) square feet or less or fifteen percent (15%) of the gross floor area of the principal use, whichever is less, shall not require additional parking. Seating areas more than five hundred (500) square feet or fifteen percent (15%) of the gross floor area shall be required to provide additional parking at the standard parking rate for the principal use.

**C.** Alcoholic beverages may be consumed within an outdoor seating area in conjunction with a restaurant, provided the primary restaurant operation is licensed to serve alcoholic beverages.

**D.** Outdoor seating areas shall comply with setback requirements and shall not impede a public right-of-way or pedestrian or vehicle access, unless otherwise allowed by a Parklet permit obtained in subsection E. below.

**E.** Parklets are permitted only in the B-2, Downtown Waterfront Business District, and are subject to the standards and requirements set forth in the permit application available at City Hall. Parklets may include seating, tables, artwork, bike parking, landscaping and other amenities. Application shall be made to the City Administrator for approval by the Council.

**Effective Date.** Upon passage, this ordinance shall be in full force and effect 30 days after publication.

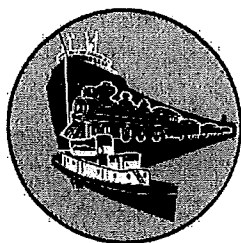
ADOPTED by the City Council of Two Harbors, Minnesota this 11<sup>th</sup> day of September, 2023.

---

Lew Connor  
Mayor

---

Patricia Nordean  
City Administrator



522 First Avenue, Two Harbors,  
MN 55616  
218-834-5631  
[www.twoharborsmn.gov](http://www.twoharborsmn.gov)

**APPLICATION FOR PERMIT  
TO TEMPORARILY CONDUCT OUTDOOR BUSINESS SALES**

**AND**

**APPLICATION FOR PERMIT OF DOWNTOWN BUSINESS (B2 Zone)  
FOR PARKLETS [USE OF ON-STREET PARKING SPACES]**

**PART I - General Information**

**City Code requires a permit for outdoor sales areas and expansions of outdoor sales areas to include the use of on-street parking spaces (parklets). These permits authorize a temporary use within the City requiring administrative and Council approval. Applications for permits must be submitted and approved annually.**

**Applicant:**

Name: \_\_\_\_\_

Position/Title: \_\_\_\_\_ Email: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Location Address: \_\_\_\_\_ Two Harbors, MN 55616

**Type of business to be conducted in outdoor sales area:**

- ☐ General retail  
☐ Food and/or beverage sales; no alcohol  
☐ Food and/or beverage sales; including alcohol sales

Date you wish to begin outdoor sales: \_\_\_\_\_

Days of Operation: \_\_\_\_\_

Hours of Operation: \_\_\_\_\_

**Permit application submission** - Please complete and submit the application form to City Administrator Patricia Nordean at [pnordean@twoharborsmn.gov](mailto:pnordean@twoharborsmn.gov)

## PART II – Requirements for Downtown properties

Applicant initial	Requirements
	Temporary outdoor sales areas will only be located on private property or “parklets”. A parklet is defined for this temporary permit as an on-street parking space that is approved by the City for conversion to an outdoor sales area. Parklets are only allowed on City streets, not on roadways under Lake County or State of Minnesota jurisdiction.
	Temporary outdoor sales areas will have no live entertainment or sound amplification system.
	No portion of outdoor sales areas will obstruct public or private sidewalks. Nor will it impede ADA accessibility to the subject business or to any surrounding properties.
	Outdoor sales area will be kept in a clean and orderly manner. If outdoor sales include food or beverages, then outdoor storage of food, beverages, flatware, dishes, etc. will not occur without the appropriate permission from the Lake County Health Department.
	No food or beverages will be served outside of approved outdoor sales areas, nor will merchandise be displayed nor sold outside of approved outdoor sales areas.
	Any approved temporary lighting shall only illuminate outdoor sales areas.
	Outdoor sales area will conform to all fire and building codes related to the number and types of exits that are required.
	The business owner understands that all temporary outdoor sales areas must be removed and no longer operate after November 1, 2021.
	<p>If proposed outdoor sales areas are within a parklet, then each of the following items will be satisfied:</p> <ol style="list-style-type: none"> <li>1. The parklet will be located in one of the areas indicated as “allowed” in the attached map.</li> <li>2. Overall length of outdoor sales areas will not exceed the street frontage length of the business it is associated with. Furthermore, it will be located directly in front of business.</li> <li>3. It will be located at least one parking space from an intersection street corner.</li> <li>4. It will only be located along the curbline of streets where on-street parking is allowed.</li> <li>5. It will not be located where existing handicap parking, or loading zones exist.</li> <li>6. It will only be located where the street grade is less than five percent.</li> <li>7. It will not be located in front of fire hydrants, or over any utility or manhole cover or catch basin.</li> <li>8. It will have vertical elements that make them visible to traffic, such as flexible posts or bollards with reflective materials.</li> <li>9. If the parklet is replacing a parallel parking stall, it will have a width of no more than six feet from curb face and a four foot buffer on each end. If in a perpendicular parking stall, the parklet shall be 16 feet from the edge of curb and have two foot buffer on each side.</li> </ol>
	<ol style="list-style-type: none"> <li>10. If parklet is a structure, it will have a flush transition at the sidewalk and curb to permit easy access and avoid tripping hazards.</li> <li>11. If parklet is a structure, its floor load-bearing weight will be a minimum</li> </ol>

### **PART III – Requirements for alcohol service in outdoors sales area**

<b>Applicant initial</b>	<b>Requirements</b>
	The City Council has approved the amended liquor license for the temporary outdoor sales area.
	Temporary outdoor sales areas will be completely enclosed by a fence or similar barrier approved by the City Clerk.
	The applicant certifies that all federal, state and City alcohol regulations will apply to the temporary outdoor sales areas and compliance shall be met
	Alcohol license holders must submit: 1) A certificate of liquor liability insurance indicating coverage is extended to temporary outdoor sales areas 2) A site plan indicating where the fencing for temporary outdoor sales areas will be located and how ingress/egress will be provided
	Signage will be posted that prohibits the consumption of alcohol outside of outdoor sales areas.

## PART IV – Required documents

Please attach the following documents to this application form:

1. Site plan/floor plan showing dimensions and indicating number of persons intended to occupy the outdoor sales area. If the outdoor sales area is intended for service of food and/or alcoholic beverages, then the site plan must be scaled and show the exact number of chairs and tables as well as details about the required liquor license fencing or appropriate barriers.
2. If the outdoor sales area is to be a parklet, then the site plan should also include:
  - a. Location of existing street fixtures (hydrants, lights, signs, storm drains, etc)
  - b. North Arrow
  - c. Parklet Dimensions
  - d. Width of adjacent sidewalk
  - e. Location of business associated with the parklet
  - f. Width of business's storefront
  - g. Distance from intersection.
  - h. Construction materials, if any

## PART VI – Signatures

**Applicant signature:** By signing below, I hereby certify the following:

1. I will comply with all building code and fire code regulations and understand that violations of such codes may be grounds for revocation of my ability to install temporary outdoor sales areas.
2. I have read and acknowledge the City standards (outlined in Parts II-III) regarding temporary outdoor sales areas.
3. I have read and understand that temporary outdoor sales areas shall cease to operate after November 1<sup>st</sup>.
4. I understand the City may inspect the outdoor sales areas any time to enforce compliance with the above provisions. Additionally, the City may require the temporary outdoor sales areas to be closed if there it is detrimental to the health, safety and welfare of the general public.
5. (For alcohol license holders) I understand that prior to serving any alcoholic beverages in the outdoor sales areas I must receive approval of an amended liquor license from the City Council and State of Minnesota. Any violations of Federal, State or City regulations in the temporary outdoors sales area may result in civil or criminal penalties against me or my license. I further understand that liquor liability insurance must be in-effect for the temporary outdoor sales area.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

**City signature:** When signed below by an authorized City official, this form becomes the permit to operate outdoor sales areas according to the details identified above.

Signature of City Official: \_\_\_\_\_ Date: \_\_\_\_\_

Title of City Official: \_\_\_\_\_



**CITY OF TWO HARBORS  
CITY COUNCIL**

**AGENDA ITEM  
COVER SHEET**

Originating Staff: <b>P. Nordean</b>	Department: <b>Administration</b>	Date: <b>9/8/23</b>
Agenda Item Subject: <b>Legion Sunday Opening</b>	Fiscal Impact: <b>n/a</b>	
<b>BACKGROUND:</b> The American Legion has requested to be open on Sunday, October 29. This is the last Sunday remaining this year of those allowed by their Club License.		
<b>COUNCIL ACTION REQUESTED:</b> Authorize the Legion to be open on Sunday, October 29, 2023		
<b>RECOMMENDATION:</b> Staff recommends the council action requested.		
<b>ATTACHMENTS:</b>		



August 24, 2023

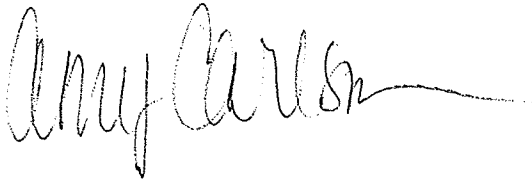
City Council/Patricia Nordean

The American Legion would like to be open the following additional Sunday in 2023:

October 29

This would leave us with 1 Sunday option left in 2023. Thank you for your consideration.

Amy Carlson

A handwritten signature in cursive script that reads "Amy Carlson". The signature is fluid and includes a long horizontal flourish at the end.

Lounge Manager

CA.14

9/11/23



**BOLTON  
& MENK**

Real People. Real Solutions.

4960 Miller Trunk Highway  
Suite 350  
Duluth, MN 55811

Ph: (218) 729-5939  
Bolton-Menk.com

## MEMORANDUM

**Date:** September 5, 2023  
**To:** Mayor and City Council  
**From:** Jennifer Selchow, P.E., Bolton & Menk, Inc.  
**Subject:** Two Harbors WWTF Improvements  
Project No.: M24.117177

Since the last progress update and pay request, the contractor has poured the biosolids floor, completed precast at the biosolids building, set the generator, set the rotary drum thickener, hydrotested the WAS tank, replaced the pretreatment roof, installed the biosolids roof, set blowers in biosolids building, continued to install brick façade at biosolids building, and continued to paint the operations building.

The contractor plans to install pultruded grating, continue installing process piping in the pump room, and apply floor coatings in the operations building. They also plan to install process tanks, process piping, set pumps, start pulling wire, and start painting in the biosolids building. They also plan to install site piping to truck loadout.

The following section provides an update on completed work for the various components of the project. Construction photos have also been included at the end of this memorandum for your information and reference.

### Biosolids Building

The following work has occurred over the last month for the biosolids building.

- Poured the floor.
- Completed precast installation.
- Installed the roof.
- Set blowers.
- Continued to install brick façade.

### Operations Building

The following work has occurred over the last month for the operations building.

- Continued to paint operations building.

### Miscellaneous Site Work

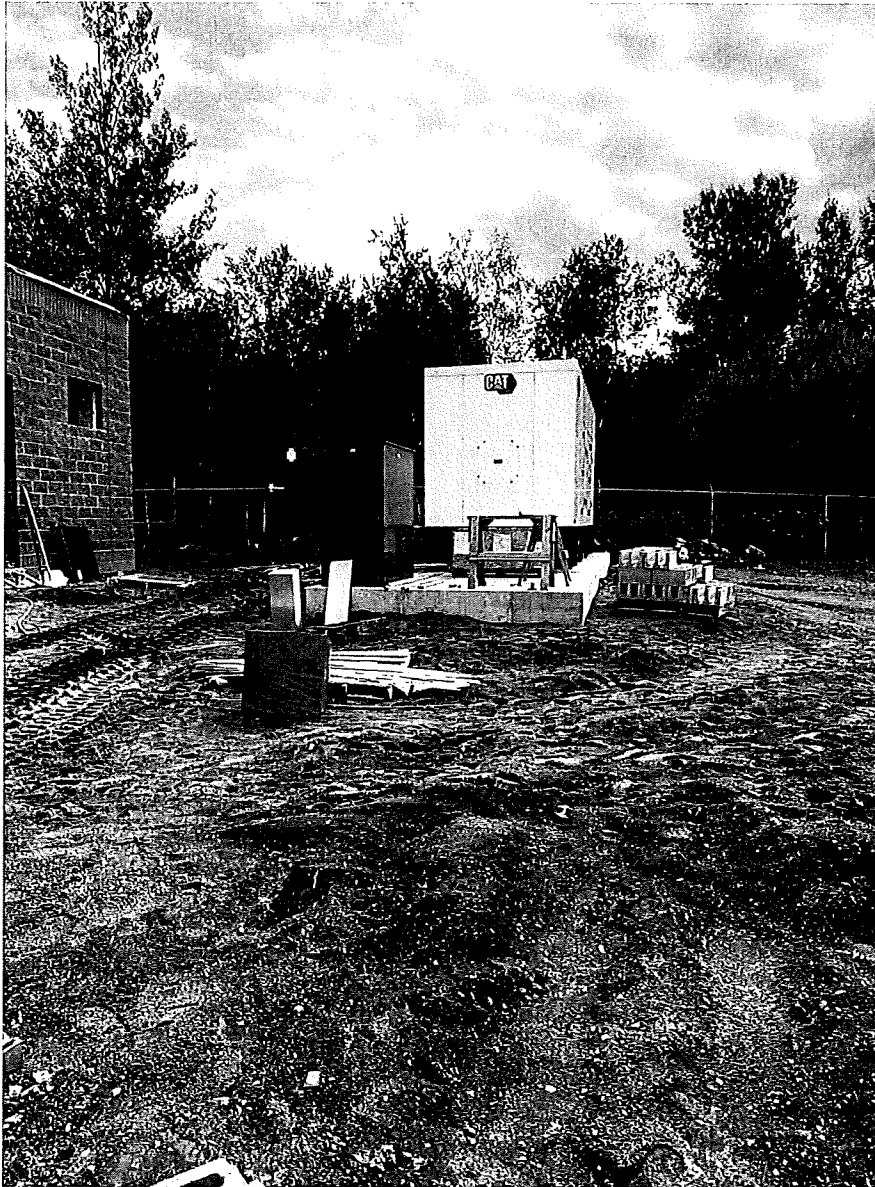
The following work has occurred over the last month onsite.

- Set site generator.
- Hydrotested WAS tank.
- Replaced Pretreatment Roof.
- Set Rotary Drum Thickener.

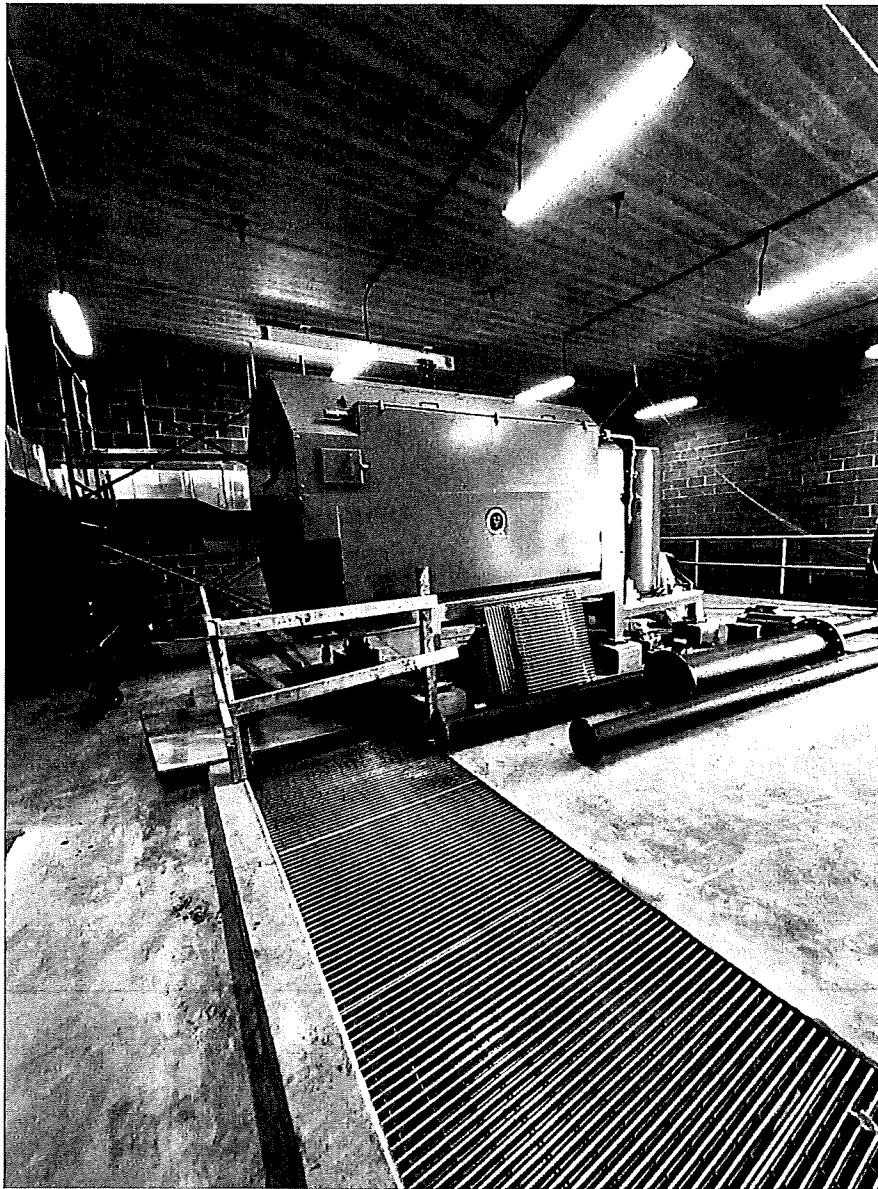
### Biosolids Building Exterior



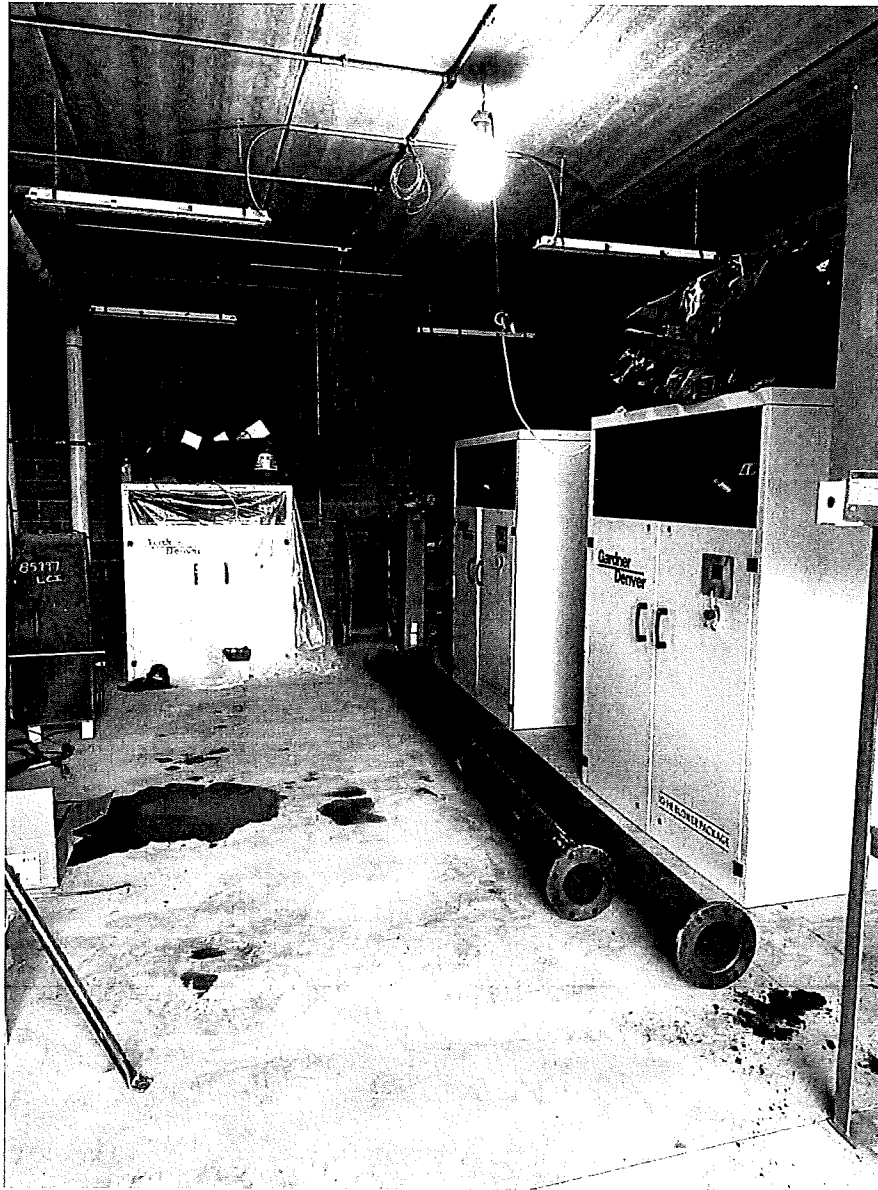
## Generator Installation



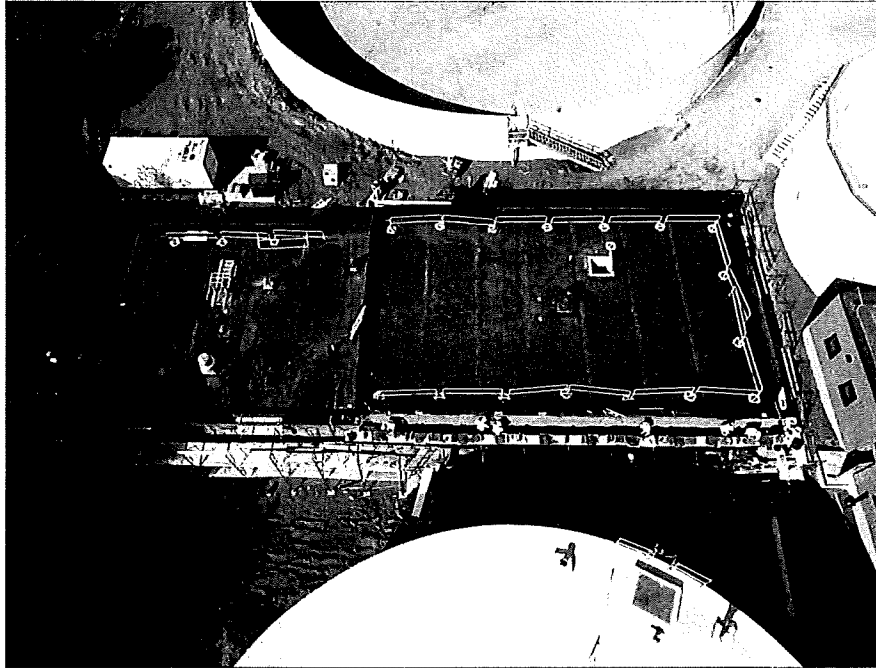
### Rotary Drum Thickener



## Biosolids Blowers



## Biosolids Roof





**BOLTON  
& MENK**

Real People. Real Solutions.

4960 Miller Trunk Highway  
Suite 350  
Duluth, MN 55811

Ph: (218) 729-5939  
Bolton-Menk.com

## MEMORANDUM

**Date:** September 11, 2023  
**To:** Patricia Nordean, City Administrator  
Miranda Pietila, Finance Director  
**From:** Joe Rhein, PE  
Brian Guldán, PE  
**Subject:** Engineering Project Updates  
City of Two Harbors

---

Bolton & Menk appreciates the opportunity to serve the City of Two Harbors. This memo provides an update on the current engineering projects we are working on with the City. Each project is discussed separately below. Information that is new since the most recent update, August 14<sup>th</sup>, is shown in *italicized text*.

**1. Lake County – 8<sup>th</sup> Street and 4<sup>th</sup> Avenue Reconstruction (No change)**

- Construction is substantially complete.
- Project website: <https://clients.bolton-menk.com/lakecountycsah30/>
- Final construction cost and allocation between County and City to be determined.
- Project contract is still open (retainage \$31,281).

**2. 2021 – 2022 Street Project (No change)**

- Construction was substantially complete in August 2022.
- Project website: [https://www.twoharborsmn.gov/2021-2022\\_street\\_project/index.php](https://www.twoharborsmn.gov/2021-2022_street_project/index.php)
- Assessment hearing was held November 28, 2022.
- A few punch list items remain to be addressed, primarily 5<sup>th</sup> Avenue turf.
- Project contract will remain open until all items resolved.

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- Project includes the following:
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- Two potential grants being pursued: WIF through PFA; SCDP through DEED.
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  - SCDP funding is good for 3-years.

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  - WIF was not funded with previous cycles.
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  - *If receive WIF in fall 2023: finalize plans, bid in winter 2023, construct in 2024.*
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- MnDOT Construction on Highway 61 scheduled for 2027.

#### 9. MnDOT TH61 (7<sup>th</sup> Avenue) Improvements

- MnDOT project for reconstruction of TH61 from Scenic Drive to Park Road.
- Project links: website: <https://www.dot.state.mn.us/d1/projects/two-harbors/index.html>
- Project overview video: <https://www.youtube.com/watch?v=2tt2Y1LcKKw>
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- \$11M funding awarded by MN State Legislature in 2023 for project.
  - Should allow MnDOT to return to original plan for full corridor.
- MnDOT presented project items to City Council at special meeting July 31<sup>st</sup>.
- August 30<sup>th</sup> MnDOT Utility Meeting.
  - *Anticipate staff level utility design workshops with MnDOT in fall 2023.*
- Underpass:
  - *City Council authorized further investigation on August 28<sup>th</sup>.*
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- Overview Schedule:

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- City is considering extension of sanitary sewer and water utilities west of Culvers.
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- *Intent to bring draft report to next Utilities Committee meeting.*

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- Project will be done in conjunction with Lake County 2023 project on 8<sup>th</sup> Street.
- Project has \$100,000 DSACF grant for the trail.
  - Expiration date for this grant has been extended to December 31, 2024.

- Options for project costs and funding :
  - Reviewed with Trees & Trails on April 26<sup>th</sup>.
  - Reviewed with City Council on May 8<sup>th</sup>.
  - Recommendation to eliminate portion along 13<sup>th</sup> Avenue to reduce cost.
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**12. Parcel 23-7600-06600 (No Change)**

- City Council authorized preliminary research/data collection activities on August 26<sup>th</sup>.
- Wetland Delineations are complete and approved.
- Topographic survey field work is complete.
- Phase I Environmental Assessment is complete.
- No other activities are currently being performed.
- Consideration is being given for potential next steps and funding availability.

**13. Municipal Liquor Store**

- Design team is DSGW Architects; Bolton & Menk civil engineer.
- Presentation of the preliminary design was made at January 23<sup>rd</sup> Council meeting.
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  - Preferred option has been identified.
- Tree removal on the site has been completed.
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- *Bid Opening Scheduled for September 19<sup>th</sup>.*
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  - *Both literature review and on-site field work are complete.*
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Hopefully, this information provides an adequate summary of the current engineering projects Bolton & Menk is working on with the City. We value our relationship with Two Harbors and look forward to it continuing through the completion of these projects and beyond. If you have questions regarding this update or need further information on any of the projects listed, we would be happy to discuss. Please feel free to contact either Brian or Joe at your convenience.



Real People. Real Solutions.

4960 Miller Trunk Highway  
Suite 350  
Duluth, MN 55811

Ph: (218) 729-5939  
Bolton-Menk.com

## MEMORANDUM

**Date:** September 11, 2023  
**To:** Patricia Nordean, City Administrator  
Miranda Pietila, Finance Director  
**From:** Joe Rhein, PE  
Brian Guldan, PE  
**Subject:** Engineering Project Updates  
City of Two Harbors

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Bolton & Menk appreciates the opportunity to serve the City of Two Harbors. This memo provides an update on the current engineering projects we are working on with the City. Each project is discussed separately below. Information that is new since the most recent update, August 14<sup>th</sup>, is shown in *italicized text*.

**1. Lake County – 8<sup>th</sup> Street and 4<sup>th</sup> Avenue Reconstruction (No change)**

- Construction is substantially complete.
- Project website: <https://clients.bolton-menk.com/lakecountycsah30/>
- Final construction cost and allocation between County and City to be determined.
- Project contract is still open (retainage \$31,281).

**2. 2021 – 2022 Street Project (No change)**

- Construction was substantially complete in August 2022.
- Project website: [https://www.twoharborsmn.gov/2021-2022\\_street\\_project/index.php](https://www.twoharborsmn.gov/2021-2022_street_project/index.php)
- Assessment hearing was held November 28, 2022.
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# TWO HARBORS CITY COUNCIL

## AGENDA ITEM SUMMARY

**AGENDA ITEM SUBJECT:** Approving a hunt plan and authorizing a semi-annual Goose Hunt on Airport property as determined necessary by the Airport Manager.

**ORIGINATING SOURCE/DEPARTMENT:** Administration/City Attorney

**FUNDING SOURCE:**

**BACKGROUND:**

**ESTIMATED DATE OF COMPLETION:** September 2023

**COMMITTEE/COMMISSION RECOMMENDATION:**

**ADMINISTRATION/STAFF RECOMMENDED COUNCIL ACTION:**

Agenda Item # NB#1 Meeting Date: 9/11/23



**From:** Tim Costley <[tac@costleylaw.com](mailto:tac@costleylaw.com)>  
**Sent:** Thursday, August 31, 2023 10:25 AM  
**To:** casey th-aero.com <[casey@th-aero.com](mailto:casey@th-aero.com)>; Patty Nordean <[pnordean@twoharborsmn.gov](mailto:pnordean@twoharborsmn.gov)>  
**Subject:** RE: [EXTERNAL SENDER] Fw: Airport Hunt

To summarize:

We are good with the insurance.  
We are good with MNDOT/FAA.  
Don Murray should have a hunting plan to me by the end of the day.

We need to get this on the agenda for September 11, 2023, with the plan. If approved, a notice of the hunt date(s) and deadline to apply would go in the paper. I am assuming the first day will be the only good day as the geese will wise up, but there is no reason that successive days could occur. Let's see what Don comes up with.

Timothy A. Costley  
Costley & Morris, P.C.  
609 First Avenue, P.O. Box 340  
Two Harbors, MN 55616  
Phone: (218) 834-2194  
Fax: (218) 834-5004  
Email: [tac@costleylaw.com](mailto:tac@costleylaw.com)

This email message was sent by a law firm and may contain information that is privileged or confidential. If you are not the addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this transmission in error, please destroy it and notify us immediately at our telephone number (218) 834-2194.

**From:** casey th-aero.com <[casey@th-aero.com](mailto:casey@th-aero.com)>  
**Sent:** Thursday, August 31, 2023 8:54 AM  
**To:** Patty Nordean <[pnordean@twoharborsmn.gov](mailto:pnordean@twoharborsmn.gov)>; Tim Costley <[tac@costleylaw.com](mailto:tac@costleylaw.com)>  
**Subject:** [EXTERNAL SENDER] Fw: Airport Hunt

MN DOT response

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**From:** Jarvis, Timothy (DOT) <[Timothy.Jarvis@state.mn.us](mailto:Timothy.Jarvis@state.mn.us)>  
**Sent:** Thursday, August 31, 2023 8:45 AM  
**To:** casey th-aero.com <[casey@th-aero.com](mailto:casey@th-aero.com)>  
**Subject:** Airport Hunt

Good morning Casey,

NB #1

9/11/23

As mentioned, the airport owner has final say over the activities conducted on the airport property. In the case of hunting, I would make the following recommendations.

NOTAM the airport for activity making aware of the intended activities to the airport users. Educate the special users group on airport operations.

Set rules of engagement and expectations for the hunters. Know who, where and when the activities are taking place.

Let me know if you have any other questions.

Thank you,

**Tim Jarvis**

Interim Airport Operations Director | Office of Aeronautics

**Minnesota Department of Transportation**

395 John Ireland Blvd

St. Paul, MN, 55155

C: 651-357-0591

NB#1 - Continued 9/11/23

# TWO HARBORS CITY COUNCIL

## AGENDA ITEM SUMMARY

**AGENDA ITEM SUBJECT:** Consider Allowing The 106 Group access City Property to conduct field survey for the TH61 Archeologic Project.

**ORIGINATING SOURCE/DEPARTMENT:** Administration

**FUNDING SOURCE:**

**BACKGROUND:**

**ESTIMATED DATE OF COMPLETION:** September 2023

**COMMITTEE/COMMISSION RECOMMENDATION:**

**ADMINISTRATION/STAFF RECOMMENDED COUNCIL ACTION:**

Agenda Item # NB #2 Meeting Date: 9/11/23

August 28, 2023

City of Two Harbors  
Attn: Patty Nordean, City Administrator  
522 1<sup>st</sup> Ave.  
Two Harbors, MN 55616

Re: Lake County Parcel ID: 23-7600-02047, 23-7600-02143, 23-7600-31600,  
23-7600-31640, 23-7600-31655, 23-7600-31680

MnDOT S.P. 3804-62  
Trunk Highway (TH) 61 Improvements  
Two Harbors, Lake County

To Whom It May Concern:

The Minnesota Department of Transportation (MnDOT) is planning an improvement project on TH 61 in the city of Two Harbors, Lake County. The project area extends between the North Shore Scenic Railroad corridor and the Burlington Bay Campground.

The project is being developed to include:

- Roadway reconstruction
- Improved intersections at Scenic Drive and Park Road
- Roundabouts at TH 61's intersections with 7th Avenue (CSAH 11) and 11th Street (CSAH 26)
- New sidewalks/trails between Scenic Drive and 11th Street
- Sidewalk replacements and ADA improvements
- New pedestrian-level lighting; and
- Utility replacements (gas, water, sanitary sewer).

Because this project is using federal funds from the Federal Highway Administration (FHWA), it must be review under Section 106 of the National Historic Preservation Act, which requires a Federal agency to consider the effects of a project on historic properties.<sup>11</sup> Per Section 106 requirements, MnDOT will conduct an archaeological survey along the project corridor and has contracted with The 106 Group to identify archaeological sites within the corridor area.

The archaeological survey will take place in late August–September 2023, dependent on weather and access to properties. The overall study should take around 4 to 6 days, with the team needing

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<sup>11</sup> For more information on the Section 106 review process, please see *A Citizen's Guide to Section 106 Review at* [https://www.achp.gov/sites/default/files/documents/2021-01/CitizenGuide2021\\_011321.pdf](https://www.achp.gov/sites/default/files/documents/2021-01/CitizenGuide2021_011321.pdf).

NB#

9/11/23

no more than one day on each parcel. The archaeological investigation will include a walkover examination of the ground surface along the corridor study area, and possibly digging shovel test holes (approx. 15 in wide by 3 ft deep) All test holes will be refilled and the ground surface returned to its original grade and ground cover replaced. Project team members will wear safety vests and carry company identification.

This study will not restrict the future use of your property in any way nor require any special work on your part. Care will be taken to avoid or minimize damage to any landscaping.

Artifacts found during the survey are catalogued and recorded for reporting purposes. Upon completion of the report, artifacts are usually submitted to the Minnesota Historical Society's (MHS) permanent collections. MnDOT encourages and assists in curating artifacts with MHS on your behalf. Any archaeological materials found on private land are the property of the landowner(s), and the final placement of artifacts is your choice. If you wish to keep artifacts, they will be returned to you upon completion of the reporting.

***Access to property is only possible through written permission by property owners.*** Therefore, we request that you please sign and return the enclosed *Owner Permission Form* **within 14 days of receipt to:**

Stephanie Atwood  
MnDOT Cultural Resources Unit  
395 John Ireland Boulevard, M.S. 620  
St. Paul, MN 55155-1800

**OR**

Stephanie.Atwood@state.mn.us

Please contact any of the following with questions regarding the project or concerns about the planned survey work:

- Josie Olson, MnDOT Project Manager  
(218) 221-6209
- Stephanie Atwood Hatzenbuehler, MnDOT Cultural Resources Unit  
(651) 366-4298
- Madeleine Bray, The 106 Group  
(651) 403-8722

We thank you for your assistance in the completion of this archaeological study.

Sincerely,



Office of Environmental Stewardship  
Cultural Resources Unit  
395 John Ireland Boulevard, M.S. 620  
St. Paul, MN 55155-1800

A handwritten signature in black ink, reading 'Stephanie Atwood Hatzenbuehler'.

Stephanie Atwood Hatzenbuehler  
Historian, MnDOT Cultural Resources Unit  
[Stephanie.Atwood@state.mn.us](mailto:Stephanie.Atwood@state.mn.us)

**ENCLOSURES:**

- Owner Permission Form
- Construction Area Map (3 sheets)

☐ I am allowing The 106 Group access to my property to conduct field survey for the TH 61 Archaeological Survey Project.

*Thank you! Please be sure to sign below. If you would like us to call or e-mail you prior to surveying your property, please provide your preferred contact information below:*

\_\_\_\_\_  
Phone Number and/or E-mail Address

*If there are any instructions about how best to access your property or other information that we may need to know about gates, animals, etc., please let us know below:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ I am denying access to my property for The 106 Group to conduct field survey for the TH 61 Archaeological Survey Project.

*(Please sign below.)*

\_\_\_\_\_  
Owner Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



Phase I Survey Areas  
Parcels Requiring Access (City PIN#)

ARCHAEOLOGICAL STUDY ACCESS (REVISED)  
SP 3804-62  
TH 61 IMPROVEMENTS  
TWO HARBORS, LAKE COUNTY  
MAP 1 of 3



0 50 Meters  
0 250 Feet  
13,500  
Date Saved: 7/31/2023 4:11:23 PM





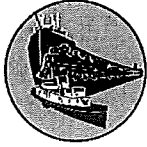




**CITY OF TWO HARBORS  
CITY COUNCIL**

**AGENDA ITEM  
COVER SHEET**

Originating Staff: <b>P. Nordean</b>	Department: <b>Administration</b>	Date: <b>9/8/23</b>
Agenda Item Subject: <b>City HRA Funding</b>	Fiscal Impact: <b>\$40,000</b>	
<b>BACKGROUND:</b> The payment to the City HRA in the amount of \$40,000 has been tabled. The group met with the Finance Committee on 9/7 and have agreed to certain conditions related to the release of these funds and a requirement to use those funds for leverage for funding through the Minnesota Housing Consortium. The Finance Committee recommends that the City Attorney draft additional language as indicated in the agenda item language.		
<b>COUNCIL ACTION REQUESTED:</b> Accept the recommendation of the Finance Committee to ask the Attorney to draft language for the release of the \$40,000 to the City HRA. <b>RECOMMENDATION:</b> Staff recommends the Council Action requested.		
<b>ATTACHMENTS:</b>		



**CITY OF TWO HARBORS  
CITY COUNCIL**

**AGENDA ITEM  
COVER SHEET**

Originating Staff: <b>P. Nordean</b>	Department: <b>Administration</b>	Date: <b>9/8/23</b>
Agenda Item Subject: <b>Teamsters Agreement for 2023</b>	Fiscal Impact:	
<b>BACKGROUND:</b> The City's Negotiating team has negotiated a settlement for the agreement between the City and Teamsters Local 346 (Police Patrol Officers). A summary of the agreement will be submitted prior to the Council meeting.		
<b>COUNCIL ACTION REQUESTED:</b> Approve the agreement. <b>RECOMMENDATION:</b> Staff recommends the council action requested.		
<b>ATTACHMENTS:</b>		