

**MOUNTAIN IRON CITY COUNCIL MEETING
COMMUNITY CENTER
MOUNTAIN IRON ROOM
TUESDAY, JANUARY 17, 2012 - 6:30 P.M.
A G E N D A**

- I. Roll Call
- II. Consent Agenda
 - A. Minutes of the January 3, 2012, Regular Meeting (#1-9)
 - B. Minutes of the January 3, 2012, Committee-of-the-Whole Meeting (#10-11)
 - C. Receipts
 - D. Bills and Payroll
 - E. Communication
- III. Public Forum
- IV. Committee and Staff Reports
 - A. Mayor's Report
 - 1. Appointments (#12)
 - B. City Administrator's Report
 - 1. Nonaudit Services Letter (#13-14)
 - C. Interim Public Works Director's Report
 - D. Sheriff's Department Report
 - E. City Attorney's Report
 - F. City Engineer's Report
 - G. Public Health and Safety Board
 - 1. Unity Drive and Carnation Avenue Stop Sign (#15)
 - 2. Fire Department Officers (#16)
 - H. Liaison Reports
- V. Unfinished Business
- VI. New Business
 - A. Resolution Number 03-12 Premises Permit Application (#17-21)
 - B. Possible Action on Evaluation Review (#22)
- VII. Communications
- VIII. Announcements
- IX. Closed Meeting (#23)
- X. Action on any items from closed meeting if necessary
- XI. Adjourn

Page Number in Packet

MINUTES
MOUNTAIN IRON CITY COUNCIL
JANUARY 3, 2012

Mayor Skalko called the City Council meeting to order at 6:30 p.m. with the following members present: Joe Prebeg, Jr., Tony Zupancich, Susan Tuomela, Ed Roskoski, and Mayor Gary Skalko. Also present were: Craig J. Wainio, City Administrator; Jill M. Anderson, Municipal Services Secretary; Rod Flannigan, City Engineer; Michael Downs, Interim Public Works Director; and John Backman, Sergeant.

It was moved by Skalko and seconded by Tuomela that the consent agenda be approved as follows:

1. Approve the minutes of the December 19, 2011, regular meeting as submitted.
2. That the communications be accepted and placed on file and those requiring further action by the City Council be acted upon during their proper sequence on the agenda.
3. To acknowledge the receipts for the period December 16-31, 2011, totaling \$827,823.39, (a list is attached and made a part of these minutes).
4. To authorize the payments of the bills and payroll for the period December 16-31, 2011, totaling \$502,489.28, (a list is attached and made a part of these minutes).

The motion carried unanimously on a roll call vote.

It was moved by Skalko and seconded by Zupancich to appoint Joe Prebeg, Jr., as Deputy Mayor for 2012. The motion carried.

It was moved by Skalko and seconded by Tuomela to appoint Karl Sundquist and Sam Aluni, the Trenti Law Firm, as the City Attorneys for 2012. The motion carried with Roskoski voting no.

It was moved by Skalko and seconded by Prebeg to appoint Rod Flannigan, Benchmark Engineering, as the City Engineer for 2012. The motion carried.

It was moved by Skalko and seconded by Tuomela to appoint the Hometown Focus as the official newspaper for the City of Mountain Iron for 2012. It was moved by Roskoski to amend the motion to include the Mesabi Daily News and the Manney Shopper, for more complete circulation, to keep Mountain Iron residents better informed of their city government activities. The **amendment to the motion failed** for lack of a second. The motion carried with Roskoski voting no.

It was moved by Skalko and seconded by Zupancich to set the regular meetings for the first and third Mondays at 6:30 p.m. for 2012. The motion carried.

It was moved by Skalko and seconded by Tuomela to designate the City's official depositories as the American Bank, Queen City Federal, Wells Fargo Bank, US Bank, Twin City Federal, League of Minnesota Cities 4M Fund, Miller Johnson Steichen Kinnard, Inc., Morgan Stanley Smith Barney, Inc., Northland Securities, Northland Trust, First National Bank of Buhl, and Federal Home Loan Bank, for 2012. The motion carried.

It was moved by Skalko and seconded by Roskoski to re-appoint Ray Saari to serve on the Planning and Zoning Commission with his term expiring on December 31, 2014. The motion carried.

It was moved by Skalko and seconded by Prebeg to re-appoint Jim Techar to serve on the Planning and Zoning Commission with his term expiring on December 31, 2014. The motion carried.

It was moved by Skalko and seconded by Tuomela to re-appoint Margaret Soyryng to serve on the Planning and Zoning Commission with her term expiring on December 31, 2014. The motion carried.

It was moved by Skalko and seconded by Prebeg to re-appoint Joe Matanich to the Utility Advisory Board with his term expiring on December 31, 2014. The motion carried.

It was moved by Skalko and seconded by Zupancich to re-appoint Sue Tuomela to the Utility Advisory Board with her term expiring on December 31, 2014. The motion carried with Tuomela abstaining.

It was moved by Skalko and seconded by Prebeg to re-appoint Jerry Kujala to the Park and Recreation Board with his term expiring on December 31, 2014. The motion carried.

It was moved by Skalko and seconded by Roskoski to re-appoint Dennis Benz to the Park and Recreation Board with his term expiring on December 31, 2014. The motion carried.

It was moved by Skalko and seconded by Roskoski to appoint Robert Voss to the Economic Development Authority with his term expiring on December 31, 2016. The motion carried.

It was moved by Skalko and seconded by Tuomela to re-appoint Alan Stanaway to the Library Board with his term expiring on December 31, 2014. The motion carried with Roskoski voting no.

It was moved by Skalko and seconded by Zupancich to re-appoint Holly Holmes to the Public Safety and Health Board with her term expiring on December 31, 2014. The motion carried.

It was moved by Zupancich and seconded by Prebeg to re-appoint Gary Skalko to the Cable Commission with his term expiring on December 31, 2014. The motion carried with Skalko abstaining.

The Mayor reported on the following:

- Mountain Iron-Buhl Girls' Basketball Team. He commended the team with their 11-0 record.
- Mountain Iron-Buhl Graduate. Congratulations to a 2005 Graduate Matt Niskanen who is currently playing professional hockey with the Pittsburgh Penguins.

It was moved by Skalko and seconded by Tuomela to direct City Staff to send a request to Canadian National to repair the railroad crossing on Highway 102 near the Highway 53 intersection. The motion carried.

The City Administrator reported on the following:

- Skating Rink Attendants. He supplied the Council with a list of all the attendants that accepted the position for the 2011-2012 season.
- Skating Rinks. The South Grove rinks were open and attendants are working there during the week and on weekends. And, the West Virginia rink is open and attendants are only working the weekends there.
- Public Health and Safety Board. The Board is requesting the Council to review the stop sign on Unity Drive.
- Library Board and Cable Commission. The City is still accepting applications for open positions.
- Northeast Service Cooperative. Staff is currently evaluating running new electrical lines for the fiber optic line.
- Fire Department Officers. The appointment of officers will be on the next Council agenda.

It was moved by Zupancich and seconded by Tuomela to appoint Tim Satrang to represent the City of Mountain Iron on the Tri-Cities Biosolids Disposal Authority and the Biosolids Disposal Site Authority with Craig J. Wainio being appointed as the alternate. The motion carried.

The Interim Public Works Director reminded residents to contact the City if they are having water problems, as the City had repaired approximately six broken water lines this winter.

The Council reviewed the October 2011 Statistics from the Saint Louis County Sheriff's Department.

The City Engineer thanked the Council for the re-appointment.

It was moved by Zupancich and seconded by Prebeg to create the Lead Water and Wastewater Operator Position, (a copy is attached and made a part of these minutes), and post the position as required. The motion carried.

During the liaison reports, the following report was given:

- Library Board-Councilor Tuomela reported on the December 2011 statistics.

It was moved by Zupancich and seconded by Prebeg to have the Lead Water and Wastewater Operator position be placed at Job Class 22. The motion carried.

It was moved by Roskoski and seconded by Tuomela to adopt Resolution Number 01-12, authorizing the City Administrator to make application to the Iron Range Resources Public Works (FY12) Grant Program for the utilities along proposed new County Road 102. The motion carried.

It was moved by Prebeg and seconded by Zupancich to adopt Resolution Number 02-12, authorizing the City Administrator to make application to the Iron Range Resources Public Works (FY12) Grant Program for a water interconnect with the City of Virginia. The motion carried.

It was moved by Zupancich and seconded by Prebeg to authorize the following:

- Mac's Bar, Inc. to serve alcohol on February 4, 2012 at the Mountain Iron Community Center for the Peterson/Hutkowski wedding reception.
- S & F Bar Inc., dba: Sports Page Bar, to serve alcohol on January 21, 2012 at the Mountain Iron Community Center for the Ralston wedding.

The motion carried.

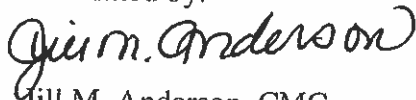
It was moved by Tuomela and seconded by Zupancich to authorize a Temporary On-Sale Liquor License for the VRMC Foundation Inc. for November 14-17, 2012, for the Festival of Trees event to be held at the Mountain Iron Community Center pending approval of the Minnesota Department of Public Safety. The motion carried.

The following announcements were made:

- Councilor Tuomala said that she would be at the Mountain Iron Public Library on Saturday, January 7, 2012 from 10:00 a.m.-noon, to meet with the public.
- Councilor Roskoski announced that there would be a public tour of the Silicon Energy Plant on Wednesday, January 11, 2012, from 1:00-3:30 p.m.

At 7:10 p.m., it was moved by Skalko and seconded by Zupancich that the meeting be adjourned. The motion carried.

Submitted by:



Jill M. Anderson, CMC
Municipal Services Secretary

www.mtniron.com

Summary By Category And Distribution

Category	Distribution	Amount
UTILITY	UTILITY	133,517.04
CHARGE FOR SERVICES	ELECTRIC-CHG FOR SERVICES	1,062.65
BUILDING RENTALS	BUILDING RENTAL DEPOSITS	500.00
BUILDING RENTALS	COMMUNITY CENTER	750.00
MISCELLANEOUS	REIMBURSEMENTS	20,852.45
INTERGOVERNMENTAL REVENUE	GRANTS RECEIVABLE	25,864.80
CD INTEREST	CD INTEREST 378	4,308.94
CD INTEREST	CD INTEREST 602	513.99
CD INTEREST	CD INTEREST 603	242.07
MISCELLANEOUS	ASSESSMENT SEARCHES	20.00
LICENSES	ANIMAL	5.00
METER DEPOSITS	ELECTRIC	1,000.00
CHARGE FOR SERVICES	SEWER-CHARGE FOR SERVICES	6,725.69
METER DEPOSITS	WATER	40.00
MISCELLANEOUS	BLUE CROSS/BLUE SHIELD PAYABLE	36,067.03
INTERGOVERNMENTAL REVENUE	LOCAL GOVERNMENT AID	593,568.24
INTERGOVERNMENTAL REVENUE	MISCELLANEOUS STATE AID	2,264.50
PERMITS	BUILDING	326.06
BUILDING RENTALS	SENIOR CENTER	25.00
FINES	PARKING VIOLATIONS	15.00
CD INTEREST	CD INTEREST 101	42.74
CD INTEREST	CD INTEREST 604	112.19
Summary Totals:		<u>827,823.39</u>

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
01/12	01/04/2012	141872	5007	ASSURANT EMPLOYEE BENEFITS	101-20200	686.51
01/12	01/04/2012	141873	20039	BIOSOLIDS DISPOSAL SITE	602-20200	5,940.03
01/12	01/04/2012	141874	20014	BORDER STATES ELECTRIC SUPPLY	604-20200	2,151.01
01/12	01/04/2012	141875	30017	CARQUEST (MOUNTAIN IRON)	101-20200	66.52
01/12	01/04/2012	141876	30072	COMPUTER WORLD	101-20200	2,397.17
01/12	01/04/2012	141877	1229	DENISE MORGAN	101-20200	200.00
01/12	01/04/2012	141878	1224	DONNA LERITZ	101-20200	100.00
01/12	01/04/2012	141879	1223	DOUGLAS BLAKE	101-20200	100.00
01/12	01/04/2012	141880	40027	DULUTH/SUPERIOR COMMUNICATIONS	101-20200	168.66
01/12	01/04/2012	141881	60008	FAIRVIEW CLINIC-MOUNTAIN IRON	101-20200	230.00
01/12	01/04/2012	141882	60026	FASTENAL COMPANY	101-20200	80.46
01/12	01/04/2012	141883	60006	FISHER PRINTING	101-20200	794.09
01/12	01/04/2012	141884	60042	FLUID-TECH	101-20200	639.39
01/12	01/04/2012	141885	70035	G & K SERVICES	101-20200	162.42
01/12	01/04/2012	141886	70004	GRANDE ACE HARDWARE	101-20200	28.88
01/12	01/04/2012	141887	70038	GREAT NORTHERN EQUIPMENT INC	101-20200	315.55
01/12	01/04/2012	141888	80001	HILLYARD/HUTCHINSON	101-20200	254.65
01/12	01/04/2012	141889	120003	LEAGUE OF MINNESOTA CITIES	101-20200	220.00
01/12	01/04/2012	141890	120019	LEAGUE OF MN CITIES	603-20200	55,017.00
01/12	01/04/2012	141891	120035	LENCI ENTERPRISES INC	101-20200	6,177.00
01/12	01/04/2012	141892	120012	LIBRARY STORE	101-20200	76.86
01/12	01/04/2012	141893	1230	LINDSAY MATTSON	101-20200	100.00
01/12	01/04/2012	141894	1222	LORRAINE DUNDAS	101-20200	200.00
01/12	01/04/2012	141895	120014	LUNDGREN MOTORS	101-20200	399.65
01/12	01/04/2012	141896	130030	MACQUEEN EQUIPMENT	603-20200	55.99
01/12	01/04/2012	141897	1232	MARJORIE G. OLSON	101-20200	23.50
01/12	01/04/2012	141898	130006	MESABI HUMANE SOCIETY	101-20200	1,580.00
01/12	01/04/2012	141899	130008	MINNESOTA MUNICIPAL UTILITIES	601-20200	5,748.00
01/12	01/04/2012	141900	130009	MINNESOTA POWER (ALLETE INC)	101-20200	4,448.12
01/12	01/04/2012	141901	140056	NORTHLAND TRUST SERVICES INC	378-20200	302,418.75
01/12	01/04/2012	141902	40032	OFFICE OF ENTERPRISE TECHNOLOG	101-20200	419.84
01/12	01/04/2012	141903	1231	ROSS GUSTAFSON	101-20200	15.00
01/12	01/04/2012	141904	190093	SELCO	101-20200	390.25
01/12	01/04/2012	141905	190045	SERVICE SOLUTIONS	101-20200	22.34
01/12	01/04/2012	141906	1220	SILICON ENERGY	604-20200	7,737.60
01/12	01/04/2012	141907	200050	T & M CONSTRUCTION INC	301-20200	3,163.68
01/12	01/04/2012	141908	200003	TACONITE TIRE SERVICE	101-20200	568.53
01/12	01/04/2012	141909	1221	TIM'S TREATS INC	604-20200	742.31
01/12	01/04/2012	141910	200028	TRI CITIES BIOSOLIDS DISPOSAL	602-20200	6,179.40
01/12	01/04/2012	141911	220025	VERIZON WIRELESS	101-20200	154.23
01/12	01/04/2012	141912	260001	ZIEGLER INC	101-20200	126.37

Totals:

	410,299.76
Payroll-PP Ending 12/23/2011	<u>92,189.52</u>
TOTAL EXPENDITURES	<u>\$502,489.28</u>

CITY OF MOUNTAIN IRON POSITION ANALYSIS

POSITION TITLE: Lead Water and Wastewater Operator

SUPERVISOR: Director of Public Works

PRIMARY OBJECTIVE OF POSITION:

The primary objective of this position is to oversee operation and maintenance of the water and wastewater treatment plants including related facilities.

RESPONSIBILITIES:

- ◆ Performs routine facility checks required for continued operations.
- ◆ Performs preventive maintenance and repairs on equipment as required.
- ◆ Performs all lab tests as required, calibrates and ensures proper operation of lab instruments.
- ◆ Maintains facility appearance and continuity of operations.
- ◆ Performs operational and/or chemical changes.
- ◆ Operates and maintains the water and wastewater system in order to meet any regulations.
- ◆ Oversees construction and maintenance work to determine acceptability.
- ◆ Oversees the analysis of wastewater and water samples to provide data for efficient operation.
- ◆ Maintains a variety of records relating to equipment, supplies, water consumption and reports.
- ◆ Analyzes annual operating costs and makes recommendations for department budget.
- ◆ Executes required permits and serves as operator of record with the MPCA
- ◆ Assists in the design of any system modifications.
- ◆ Participates in short and long-term planning of capital improvement projects.
- ◆ Other duties as apparent or as delegated.

KNOWLEDGE, SKILLS AND ABILITIES:

- ◆ Knowledge of water and wastewater treatment codes, ordinances and safety requirements.
- ◆ Knowledge of the operation and maintenance of water and wastewater plants.
- ◆ Knowledge of water and wastewater treatment plant operation and maintenance.
- ◆ Ability to interpret specific chemical and biological analyses;
- ◆ Knowledge of the basic operation and maintenance of the various City equipment.
- ◆ Ability to enter confined spaces according to protocols and work in close quarters.
- ◆ Ability to face fit a SCBA unit.
- ◆ Ability to withstand exposure to chemicals, solvents and noisy environment.
- ◆ Physically capable of performing functions necessary for successful performance of duties.

TRAINING AND EXPERIENCE:

- ◆ Post secondary education with emphasis in water and wastewater technology.
- ◆ Class B water, Class A wastewater and Type 4 waste disposal operators licenses.
- ◆ Valid Drivers License with the ability to obtain a Class B Commercial Drivers License.
- ◆ Minimum of three years experience in water and/or wastewater treatment field.



CITY OF MOUNTAIN IRON

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RESOLUTION NUMBER 01-12

AUTHORIZING THE CITY ADMINISTRATOR TO MAKE APPLICATION TO THE IRON RANGE RESOURCES PUBLIC WORKS (FY12) GRANT PROGRAM FOR THE UTILITIES ALONG PROPOSED NEW COUNTY ROAD 102

WHEREAS, the Mountain Iron City Council approves of the above application because it supports community and economic development.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOUNTAIN IRON, MINNESOTA, that it does hereby adopt this Resolution.

DULY ADOPTED BY THE CITY COUNCIL THIS 3rd DAY OF JANUARY, 2012.

ATTEST:



City Administrator

Mayor Gary Skalko



CITY OF MOUNTAIN IRON

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RESOLUTION NUMBER 02-12

AUTHORIZING THE CITY ADMINISTRATOR TO MAKE APPLICATION TO THE IRON RANGE RESOURCES PUBLIC WORKS (FY12) GRANT PROGRAM FOR A WATER INTERCONNECT WITH THE CITY OF VIRGINIA

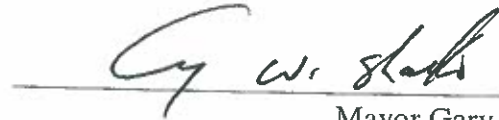
WHEREAS, the Mountain Iron City Council approves of the above application because it supports community and economic development.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOUNTAIN IRON, MINNESOTA, that it does hereby adopt this Resolution.

DULY ADOPTED BY THE CITY COUNCIL THIS 3rd DAY OF JANUARY, 2012.

ATTEST:



City Administrator

Mayor Gary Skalko

MINUTES
MOUNTAIN IRON CITY COUNCIL
COMMITTEE OF THE WHOLE MEETING
JANUARY 3, 2012

Mayor Skalko called the City Council meeting to order at 5:05 p.m. with the following members present: Joe Prebeg, Jr., Tony Zupancich, Susan Tuomela, Ed Roskoski, and Mayor Gary Skalko. Also present were: Craig J. Wainio, City Administrator; and Jill M. Anderson, Municipal Services Secretary.

The Mayor stated that the purpose of the meeting was for Staff performance reviews for Michael Downs and Sally Peterangelo and he turned the meeting over to the Personnel Committee. Councilor Prebeg stated that each Council Member had completed an evaluation of both Mr. Downs and Mrs. Peterangelo and submitted them to the City Administrator to calculate the averages of the Council. Councilor Zupancich stated that the ratings were from one (1) being the best evaluation score to four (4) being the worst. Councilor Prebeg said that each employee also completed a self-assessment and the Council Members had received copies of these. Councilor Prebeg also said that the Council would be considering some form of raise or stipend based on their performance evaluations. Councilor Prebeg said that last year all four management staff members were given a one-time stipend.

Councilor Roskoski questioned why the City Administrator was not evaluated like the other two management personnel. Councilor Zupancich stated that the City Administrator would get the same raise as the Union Members as stated in his contract whether he had a performance evaluation or not. Councilor Zupancich said that the Interim Public Works Director and the Librarian have an annual performance review as stated in their contract.

The Mayor said that Mike Downs and Sally Peterangelo would appear before the Council and the City Administrator would moderate the evaluation review.

At 5:25 p.m., Mike Downs, Interim Public Works Director, entered the meeting.

The City Administrator said that there were six categories that were reviewed by the City Council. The six categories were: quality of work, integrity and trust, people management, resiliency, technical knowledge, and fiscal management.

The City Administrator said that the following scores were given to Mr. Downs:

- Quality of Work – 2.0
- Integrity and Trust – 2.3
- People Management – 2.5
- Resiliency – 2.33
- Technical Knowledge – 2.2
- Fiscal Management – 2.67
- Overall Performance – 2.33

At 5:45 p.m., Mr. Downs left the meeting and Mrs. Peterangelo entered the meeting.

The City Administrator said that the following scores were given to Mrs. Peterangelo:

- Quality of Work – 2.33
- Integrity and Trust – 2.5
- People Management – 2.8
- Resiliency – 2.67
- Technical Knowledge – 2.33
- Fiscal Management – 2.80
- Overall Performance – 2.40

The Council discussed having Mrs. Peterangelo possibly attend the Park and Recreation Board meetings and one City Council meeting per month.

At 6:12 p.m., Mrs. Peterangelo left the meeting.

It was the consensus of the Council to meet at 5:00 p.m., if possible in a closed session, on January 17, 2012, to further discuss compensation based on the performance reviews.

At 6:17 p.m., it was moved by Zupancich and seconded by Skalko that the meeting be adjourned. The motion carried.

Submitted by:



Jill M. Anderson, CMC
Municipal Services Secretary

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COUNCIL LETTER 011712-IVA1

MAYOR GARY SKALKO

APPOINTMENT

DATE: January 12, 2012
FROM: Mayor Gary Skalko
Craig J. Wainio
City Administrator

The Mayor Skalko requested this item be placed on the Agenda with the following background information:

Appoint Shirley Congdon to the Library Board.

WALKER, GIROUX & HAHNE, LTD
225 1ST STREET N SUITE 2400
P.O. BOX 960
VIRGINIA, MN 55792
218-749-4880 FAX 218-749-8528

TO: CRAIG WAINIO
FROM: PATTY SABIE
DATE: January 3, 2012

CITY OF MOUNTAIN IRON "NONAUDIT SERVICES" LETTER

Craig,

Enclosed please find a copy of the letter that we are required to have on file to document that you have been designated by the City Council to oversee, monitor, accept responsibility and evaluate the "nonaudit services", which include preparation of the financial statements and notes to the financial statements to be included in the audit.

Please have a council member sign the letter also, and return to our office.

Please call if you have questions.

Thank you,



NONAUDIT SERVICES

Nonaudit services performed by Walker, Giroux & Hahne, Ltd. (check applicable items):

1. Preparing a trial balance based on entity management's chart of accounts.
2. Maintaining depreciation schedules for which entity management has determined the method and rate of depreciation and salvage value of the assets.
3. Preparing draft financial statements based on entity management's chart of accounts and trial balance and any adjusting, correcting, and closing entries that have been approved by entity management.
4. Preparing draft notes to the financial statements based on information determined and approved by entity management.

With regard to the above nonaudit services performed by Walker, Giroux & Hahne, Ltd. during the audit of City of Mountain Iron, Minnesota for the year ended December 31, 2011, I confirm the following:

1. I have been designated by the City of Mountain Iron, Minnesota to be responsible and accountable for overseeing the nonaudit services.
2. I have monitored the performance of the nonaudit services.
3. I have made all decisions that involved entity management functions related to the nonaudit services and accepted full responsibility for those decisions.
4. I have evaluated the adequacy of the services performed.

Craig Wainio, Administrator

Printed Name and Title

Signature

Craig Wainio, Administrator has been designated by the City of Mountain Iron, Minnesota to be responsible and accountable for overseeing the above nonaudit services.

Printed Name and Title

Signature

COUNCIL LETTER 011712-IVG1

PUBLIC HEALTH AND SAFETY

UNITY DRIVE STOP SIGN

DATE: January 12, 2012

FROM: Public Health and Safety Board

Craig J. Wainio
City Administrator

The Public Health and Safety Board has referred the issue of the Stop Sign located at the intersection of Unity Drive and Carnation Avenue to the City Council for further review and possible action.

COUNCIL LETTER 011712-IVG2

PUBLIC HEALTH AND SAFETY

FIRE DEPARTMENT OFFICERS

DATE: January 12, 2012

FROM: Public Health and Safety Board

Craig J. Wainio
City Administrator

The Public Health and Safety Board has recommended that Fire Chief Joe Buria be reappointed as Fire Chief for a term to expire on December 31, 2014. Chief Buria was the only applicant for the Fire Chief position.

The Public Health and Safety Board has recommended that Captain Gerald Knapper be reappointed as Fire Captain for a term to expire on December 31, 2014. Captain Knapper was the only applicant for the Fire Captain position.



CITY OF MOUNTAIN IRON

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RESOLUTION NUMBER 03-12

CHARITABLE GAMBLING

WHEREAS, Chicagami, has applied for a Charitable Gambling Operation Permit to conduct Charitable Gaming at B.G.'s Bar & Grill located at 5494 Highway 7, Mountain Iron, MN 55792, and;

WHEREAS, Chicagami, is requesting that a Charitable Gambling Permit be issued.

NOW, THEREFORE, BE IT RESOLVED BY THE MOUNTAIN IRON CITY COUNCIL, that the Mountain Iron City Council hereby approves said premise permit.

DULY ADOPTED BY THE CITY COUNCIL THIS 17th DAY OF JANUARY, 2012.

ATTEST:

Mayor Gary Skalko

City Administrator

Minnesota Lawful Gambling

LG214 Premises Permit Application Annual Fee \$150

FOR BOARD USE ONLY
 Check # _____
 \$ _____

Required Attachments to LG214

1. If the premises is leased, attach a copy of your lease. Use LG215 Lease for Lawful Gambling Activity. **Mail the application and required attachments to:**
 Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113
2. \$150 annual premises permit fee, for each permit. Make check payable to "State of Minnesota."

Questions? Call 651-639-4000 and ask for Licensing.

Organization Information

1. Organization name Chicagami License number 01483
2. Chief executive officer (CEO) Lori Beth Maki Daytime phone (218) 744-2405
3. Gambling manager Yvonne McDonald Daytime phone (218) 410-3297

Gambling Premises Information

4. Current name of site where gambling will be conducted BG's Bar & Grill
5. List any previous names for this location —
6. Street address where premises is located 5494 Hwy 7
 (Do not use a P.O. box number or mailing address)

7. City <u>Virginia</u>	OR	Township	County <u>St. Louis</u>	Zip code <u>55792</u>
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8. Does your organization own the building where the gambling will be conducted?
 Yes No If no, attach LG215 Lease for Lawful Gambling Activity.
 Yes No Raffle only. No lease is required if only a raffle will be conducted.
9. Is any other organization conducting gambling at this site? Yes No Don't know
10. Has your organization previously conducted gambling at this site? Yes No

Gambling Bank Account Information (must be in Minnesota)

11. Bank name Northern State Bank Bank account number 018556
12. Bank street address 600 Chestnut Street City Virginia State MN Zip code 55792

All Temporary and Permanent Off-site Storage Spaces

(for gambling equipment and records related to this site - must be stored in Minnesota)

13. Address (Do not use a P.O. box number) 401 Roosevelt Ave City Eveleth State MN Zip code 55734
- MN**



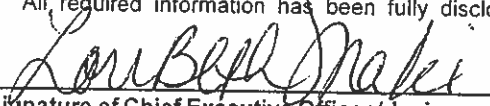
LG214 Premises Permit Application

Acknowledgment by Local Unit of Government: Approval by Resolution

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township ;
City name _____	County name _____
Date approved by city _____	Date approved by county _____
Resolution number if any _____	Resolution number if any _____
Signature of city personnel _____	Signature of county personnel _____
Title _____ Date ____/____/____	Title _____ Date ____/____/____

Acknowledgment and Oath

1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.
2. The Board and its agents, and the commissioners of revenue and public safety and their agents are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.
3. I have read this application and all information submitted to the Board is true, accurate, and complete.
4. All required information has been fully disclosed.
5. I am the chief executive officer of the organization.
6. I assume full responsibility for the fair and lawful operation of all activities to be conducted.
7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.
8. Any changes in application information will be submitted to the Board no later than 10 days after the change has taken effect.
9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.



 Signature of Chief Executive Officer (designee may not sign)

Print name Lori Beth Maki

1/9/2012

 Date



Print form and have CEO sign

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

Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public.

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

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

LG215 Lease for Lawful Gambling Activity

Check applicable item:

1. **New lease.** (Do not submit existing lease with amended changes).
 _____ Date that the changes will be effective. Submit changes at least 10 days **before** the effective date of the change.
2. **New owner.** Effective date _____ Submit new lease **within** 10 days after new lessor assumes ownership.

Organization name Chicagami	Address 401 Roosevelt Avenue		License number 01483	Daytime phone 2187442405	
Name of leased premises BG, Bar + Grill	Street address 5494 Highway 7 B. B. 74	City Virginia	State MN	Zip 55192	Daytime phone (218) 741-0512
Name of legal owner of premises Jella Coz Properties Inc	Business/street address 11	City VA	State	Zip 11	Daytime phone
Name of lessor (if same as legal owner, write in "SAME") Same	Business/street address	City	State	Zip	Daytime phone

Check (✓) all activities that will be conducted

- Pull-tabs Pull-tabs with dispensing device Tipboards Paddlewheel Paddlewheel with table Bingo Bar bingo

Pull-tab, Tipboard, and Paddlewheel Rent (No lease required for raffles.)

Booth operation - sales of gambling equipment by an employee (or volunteer) of a licensed organization within a separate enclosure that is distinct from areas where food and beverages are sold.

Bar operation - sales of gambling equipment within a leased premises by an employee of the lessor from a common area where food and beverages are also sold.

Does your organization OR any other organization conduct gambling from a booth operation at this location? Yes No

If you answered **yes** to the question above, rent limits are based on the following combinations of operation:

- Booth operation
- Booth operation and pull-tab dispensing device
- Booth operation and bar operation
- Booth operation, bar operation, and pull-tab dispensing device

The maximum rent allowed may not exceed \$1,750 in total per month for all organizations at this premises.

COMPLETE ONE OPTION:

Option A: 0 to 10% of the gross profits per month. Percentage to be paid _____%

Option B: When gross profits are \$4,000 or less per month, \$0 to \$400 per month may be paid. Amount to be paid \$_____.

Option C: \$0 to \$400 per month on the first \$4,000 of gross profit. Amount to be paid \$_____.

Plus, 0% to 10% of the gross profits may be paid per month on gross profits over \$4,000. Percentage to be paid _____%

If you answered **no** to the question above, rent limits are based on the following combinations of operation:

- Bar operation
- Bar operation with pull-tab dispensing device
- Pull-tab dispensing device only

COMPLETE ONE OPTION:

Option A: 0 to 20% of the gross profits per month. Percentage to be paid 20%

Option B: When gross profits are \$1,000 or less per month, \$0 to \$200 per month may be paid. Amount to be paid \$_____.

Option C: \$0 to \$200 per month on the first \$1,000 of gross profits. Amount to be paid \$_____.

Plus, 0% to 20% of the gross profits may be paid per month on gross profits over \$1,000. Percentage to be paid _____%

Bingo Rent

Option D: 0 to 10% of the gross profits per month from all lawful gambling activities held during bingo occasions, excluding bar bingo. Percentage to be paid _____%

Option E: A rate based on a cost per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. No rent may be paid for bar bingo. Rate to be paid \$_____ per square foot. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.

Bar Bingo. . . No rent may be paid for bingo conducted in a bar.

.15 Lease for Lawful Gambling Activity

Lease Term - The term of this lease agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management of Gambling Prohibited - The owner of the premises or the lessor will not manage the conduct of gambling at the premises.

Participation as Players Prohibited - The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes 349.181.

Illegal Gambling

The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes 349.18, Subdivision 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H or Minnesota Statutes 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions

The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Gambling Control Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to permitted premises

Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the permitted premises during any time reasonable and when necessary for the conduct of lawful gambling on the premises.

Lessor records

The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent all-inclusive

Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

- trash removal
- electricity, heat
- snow removal
- storage
- in the case of bar operations, cash shortages.
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Gambling Control Board. Rent payments may not be made to an individual.

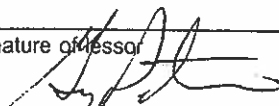
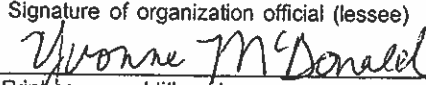
Changes in lease

- **Lease information** - If the lease is amended with no change in ownership, the organization will submit the a new lease to the Board at least 10 days before the effective date of the change.
- **Ownership** - If a change in ownership occurs, the organization will submit a new lease to the Board within 10 days after the new lessor has assumed ownership.

Acknowledgment of Lease Terms I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are **subject to the approval of the director of the Gambling Control Board.**

The lease may be terminated by either party without cause with a 30-day written notice.

Other terms _____

Signature of lessor 	Date 11/12	Signature of organization official (lessee) 	Date
Print name and title of lessor Greg Peterson		Print name and title of lessee Yvonne McDonald	

Questions? Contact the Licensing Section, Gambling Control Board, at 651-639-4000. This publication will be made available in alternative format (i.e. large print, Braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Print Form

Reset Form

COUNCIL LETTER 011712-VIB

ADMINISTRATOR

PERFORMANCE REVIEW ADOPTION

DATE: January 12, 2012
FROM: Craig J. Wainio
City Administrator

This item is being placed on the Agenda to formally adopt and Performance Review recommendations as forwarded from the Committee-of-the-Whole Meeting.

COUNCIL LETTER 011712-IX

ADMINISTRATION

CLOSED MEETING

DATE: January 12, 2012
FROM: Craig J. Wainio
City Administrator

The City Council may enter into a closed meeting under Minn. Stat. §§ 13D.05, subd. 2(b); 13.43, subd. 2(4) for preliminary consideration of allegations or charges against an individual subject to the public body's authority.