

**MOUNTAIN IRON CITY COUNCIL MEETING
COMMUNITY CENTER
MOUNTAIN IRON ROOM
MONDAY, MARCH 2, 2015 - 6:30 P.M.
A G E N D A**

- I. Roll Call
- II. Consent Agenda
 - A. Minutes of the February 17, 2015 meeting (#1-5)
 - B. Receipts
 - C. Bills and Payroll
 - D. Communications
- III. Public Forum
- IV. Committee and Staff Reports
 - A. Mayor's Report
 - 1. Labor Management Meeting (#6)
 - 2. SWOP Donation (#7-9)
 - B. City Administrator's Report
 - C. Director of Public Work's Report
 - D. Library Director/Special Events Coordinator's Report
 - E. Sheriff's Department Report
 - F. City Engineer's Report
 - G. Public Health and Safety Board
 - 1. SOG Proposal (#11-14)
 - 2. Fire Department Policies and Procedures (#15-27)
 - H. Utility Advisory Board
 - 1. Water Meter Purchase (#28)
 - I. Street and Alley Committee
 - 1. County Road 7 and Highway 169 Intersection (#20)
 - 2. RR Crossing on County Road 102 (#30)
 - J. Liaison Reports
- V. Unfinished Business
- VI. New Business
 - A. Ordinance Number 01-15 Amending Parking Regulations (#31-33)
 - B. Ordinance Number 02-15 Regulating Liquor (#34-51)
 - C. Resolution Number 02-15 Supporting Funding (#53)
 - D. Temporary On-Sale Liquor License (#54)
 - E. Set Board of Review Meeting – April 30, 2015 from 6:30-7:30 p.m.
- VII. Communications
- VIII. Announcements
- IX. Adjourn

MINUTES
MOUNTAIN IRON CITY COUNCIL
FEBRUARY 17, 2015

Mayor Skalko called the City Council meeting to order at 6:32 p.m. with the following members present: Joe Prebeg, Jr., Susan Tuomela, Alan Stanaway, and Mayor Gary Skalko. Absent member included: Tony Zupancich. Also present were: Craig J. Wainio, City Administrator; Jill M. Clark, Municipal Services Secretary; Michael Downs, Director of Public Works; Sally Yuccas, Librarian; John Backman, Sergeant; and Bryan Lindsay, City Attorney.

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

- I. Add the following item to the agenda:
 - II. D. Minutes of the February 2, 2015 Meeting
2. Approve the minutes of the February 2, 2015, regular meeting as submitted.
3. 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.
4. To acknowledge the receipts for the period February 1-15, 2015, totaling \$163,221.28, (a list is attached and made a part of these minutes).
5. To authorize the payments of the bills and payroll for the period February 1-15, 2015, totaling \$431,721.64, (a list is attached and made a part of these minutes).

The motion carried on the following roll call vote: Prebeg, yes; Stanaway, yes; Tuomela, yes; Skalko, yes; and Zupancich, absent.

The Mayor reported on the following:

- Condolences. To the family of Melvin "Bubs" Anderson.
- Birthdays. Congratulation to Burrell (Schur) Kubacki who turned 100 and to Steve Skogman.

It was moved by Prebeg and seconded by Tuomela to approve the non-audit services letter to Walker, Giroux, and Hahne, LLC. The motion carried with Zupancich absent.

The City Administrator reported on the following:

- Housing Lots for Sale. He informed the public that there were still several lots available in Unity Second Addition and South Forest Grove Addition.
- Hydrants. He reminded residents to shovel the snow away from the hydrants to keep them accessible for an emergency.

The Director of Public Works reported on the following:

- Water Trickling. He reminded residents to notify City Hall if they decide to trickle their water due to the cold weather.

- Electric and Water Meters. The new AMR electric and water meters would be installed after February 24th in Unity Addition and Unity Second Addition.

The Library Director/Special Events Director reported on the following:

- Merritt Days Committee. She submitted the minutes of the last meeting to the Council. She said that the next meeting was scheduled for Thursday, February 19th at 6 p.m. at the Library.
- Mish Mash Mush Festival. Schedule for Saturday, March 7th in South Grove.
- Thank You. She extended a thank you to the Public Works Department for having the sidewalks plowed in Downtown Mountain Iron.

It was moved by Prebeg and seconded by Stanaway to authorize the Fire Department to purchase approximately \$6,000 worth of fire hose from TNT Fire Protection. The motion carried on the following roll call vote: Stanaway, yes; Tuomela, yes; Prebeg, yes; Skalko, yes; and Zupancich, absent.

It was moved by Prebeg and seconded by Tuomela to authorize a contribution of \$100 to the Sax-Zim Bog Birding Center from the Charitable Gambling Fund. The motion carried on the following roll call vote: Tuomela, yes; Prebeg, yes; Stanaway, yes; Skalko, yes; and Zupancich, absent.

At 6:47 p.m., it was moved by Skalko and seconded by Prebeg that the meeting be adjourned. The motion carried with Zupancich absent.

Submitted by:



Jill M. Clark, MMC
Municipal Services Secretary

www.mtniron.com

COMMUNICATIONS

1. St. Louis County Assessor's Office, a letter announcing a training session for the Board of Appeal and Equalization and setting a tentative meeting date.
2. PERA, a letter concerning the Statewide Volunteer Firefighter Retirement Plan's status for 2014.
3. Range Mental Health Center, a letter thanking the City for its' support.
4. Sax-Zim Bog Birding Center, a letter requesting the City's sponsorship of needed materials.

Summary By Category And Distribution

Category	Distribution	Amount
UTILITY	UTILITY	154,613.81
BUILDING RENTALS	BUILDING RENTAL DEPOSITS	1,700.00
BUILDING RENTALS	COMMUNITY CENTER	1,550.00
CHARGE FOR SERVICES	SEWER-CHARGE FOR SERVICES	85.36
FINES	PARKING VIOLATIONS	75.00
MISCELLANEOUS	BLUE CROSS/BLUE SHIELD PAYABLE	315.82
BUILDING RENTALS	SENIOR CENTER	100.00
MISCELLANEOUS	COCA-COLA RECEIPTS-CITY HALL	38.06
METER DEPOSITS	ELECTRIC	2,550.00
LICENSES	ANIMAL	20.00
MISCELLANEOUS	REIMBURSEMENTS	355.95
CD INTEREST	CD INTEREST 101	396.00
CD INTEREST	CD INTEREST 378	451.00
CD INTEREST	CD INTEREST 602	165.00
CD INTEREST	CD INTEREST 603	55.00
CD INTEREST	CD INTEREST 604	33.00
PERMITS	BUILDING	215.46
BUILDING RENTALS	NICHOLS HALL	250.00
MISCELLANEOUS	CHECK RETURN FEE	40.00
MISCELLANEOUS	ELECTRIC RECONNECT FEE	150.00
METER DEPOSITS	WATER	40.00
MISCELLANEOUS	CHARITABLE GAMBLING PROCEEDS	21.82
Summary Totals:		<u>163,221.28</u>

Report Criteria:

Check Check No = 146509-146568

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
02/15	02/18/2015	146509	10064	A B E ENVIRONMENTAL SYSTEMS	101-20200	674.00
02/15	02/18/2015	146510	10056	A T & T MOBILITY	101-20200	1,356.40
02/15	02/18/2015	146511	10057	AMERICAN BANK	101-20200	100.00
02/15	02/18/2015	146512	130017	AMERICAN BANK	604-20200	108.96
02/15	02/18/2015	146513	10041	ARROWHEAD EMS ASSOCIATION	101-20200	385.00
02/15	02/18/2015	146514	20055	BARNES & NOBLE BOOKSELLERS	101-20200	343.03
02/15	02/18/2015	146515	20022	BENCHMARK ENGINEERING INC	301-20200	9,228.50
02/15	02/18/2015	146516	20014	BORDER STATES ELECTRIC SUPPLY	604-20200	2,388.53
02/15	02/18/2015	146517	30084	CARDMEMBER SERVICE	603-20200	5,347.20
02/15	02/18/2015	146518	223	CHARLES & CATHY LAMKE	604-20200	132.01
02/15	02/18/2015	146519	220003	CITY OF VIRGINIA	101-20200	71.97
02/15	02/18/2015	146520	30072	COMPUTER WORLD	301-20200	6,858.75
02/15	02/18/2015	146521	230021	CRAIG J WAINIO	101-20200	95.45
02/15	02/18/2015	146522	216	CRAIG JOHNSON	604-20200	220.98
02/15	02/18/2015	146523	213	DEAN PICOTTE	604-20200	351.15
02/15	02/18/2015	148524	214	DYANI BRADDICK	604-20200	257.88
02/15	02/18/2015	146525	50048	ENERGY INSIGHT INC	604-20200	674.80
02/15	02/18/2015	146526	60026	FASTENAL COMPANY	101-20200	63.31
02/15	02/18/2015	146527	60002	FENA ADVERTISING INC	603-20200	100.50
02/15	02/18/2015	146528	60029	FERGUSON ENTERPRISES INC	101-20200	218.18
02/15	02/18/2015	146529	60006	FISHER PRINTING COMPANY	601-20200	540.00
02/15	02/18/2015	146530	225	GARY MCDONALD	604-20200	67.24
02/15	02/18/2015	146531	70016	GOPHER STATE ONE CALL INC	604-20200	29.00
02/15	02/18/2015	146532	2017	HABITAT FOR HUMANITY	101-20200	200.00
02/15	02/18/2015	146533	80022	HAWKINS INC	601-20200	511.35
02/15	02/18/2015	146534	140013	HD WATERWORKS SUPPLY	601-20200	1,635.42
02/15	02/18/2015	146535	80010	HOMETOWN ELECTRIC	101-20200	2,181.75
02/15	02/18/2015	146536	80037	HOMETOWN MEDIA PARTNERS	101-20200	220.50
02/15	02/18/2015	146537	110013	JERRY D KUJALA	101-20200	601.16
02/15	02/18/2015	146538	211	KEITH & JESS ANDERSON	101-20200	200.00
02/15	02/18/2015	146539	1217	L & M SUPPLY	101-20200	5,000.00
02/15	02/18/2015	146540		Information Only Check	101-20200	.00 V
02/15	02/18/2015	146541	120006	L & M SUPPLY	101-20200	1,955.47
02/15	02/18/2015	146542	224	MARLENE ELGALLAB	604-20200	124.90
02/15	02/18/2015	146543	130004	MESABI DAILY NEWS	601-20200	207.50
02/15	02/18/2015	146544	5061	MESABI FAMILY YMCA	101-20200	200.00
02/15	02/18/2015	146545	130008	MINNESOTA MUNICIPAL UTILITIES	604-20200	1,055.00
02/15	02/18/2015	146546	130009	MINNESOTA POWER (ALLETE INC)	604-20200	87,197.76
02/15	02/18/2015	146547	130047	MOBILE HEALTH SERVICES LLC	101-20200	500.00
02/15	02/18/2015	146548	130015	MOUNTAIN IRON PUBLIC UTILITIES	101-20200	14,661.00
02/15	02/18/2015	146549	140047	NARDINI FIRE EQUIPMENT CO INC	101-20200	283.00
02/15	02/18/2015	146550	140048	NORTH COUNTRY HEATING	101-20200	350.00
02/15	02/18/2015	146551	140052	NORTHEAST SERVICE COOPERATIVE	101-20200	52,794.03
02/15	02/18/2015	146552	140008	NORTRAX EQUIPMENT/POWERPLAN	101-20200	821.24
02/15	02/18/2015	146553	170005	QUALITY FLOW SYSTEMS INC	602-20200	3,117.50
02/15	02/18/2015	146554	180074	RANGE CORNICE & ROOFING CO	301-20200	16,949.50
02/15	02/18/2015	146555	212	RICHARD BELCOURT	604-20200	226.07
02/15	02/18/2015	146556	190009	SAX-ZIM BOG BIRDING CENTER	230-20200	100.00
02/15	02/18/2015	146557	190045	SERVICE SOLUTIONS	101-20200	23.00
02/15	02/18/2015	146558	190024	ST LOUIS CO SHERIFF LITMAN	101-20200	42,500.00
02/15	02/18/2015	146559	190016	ST LOUIS COUNTY AUDITOR	102-20200	536.30
02/15	02/18/2015	146560	806	STEVE HEINRICH	101-20200	350.00
02/15	02/18/2015	146561	215	TALLY GUNDERSON	604-20200	217.13
02/15	02/18/2015	146562	200020	THE TRENTI LAW FIRM	101-20200	5,483.72

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
02/15	02/18/2015	146563	210001	UNITED ELECTRIC COMPANY	604-20200	1,547.94
02/15	02/18/2015	146564	220004	VIRGINIA DEPARTMENT OF PUBLIC	604-20200	87,857.16
02/15	02/18/2015	146565	220020	VISA OR AMERICAN BANK CC PMT	101-20200	4,196.84
02/15	02/18/2015	146566	230028	WISCONSIN ENERGY CONSERVATION	604-20200	185.04
02/15	02/18/2015	146567	60038	WRIGHT EXPRESS FINAN SERV CORP	604-20200	6,274.15
02/15	02/18/2015	146568	240001	XEROX CORPORATION	101-20200	549.38
Totals:						<u>370,426.65</u>
Payroll-PP Ending 2/13/15						<u>61,294.99</u>
TOTAL EXPENDITURES						<u>\$431,721.64</u>

COUNCIL LETTER 030215-IVA1

MAYOR GARY SKALKO

LABOR MANAGEMENT MEETING

DATE: February 26, 2015
FROM: Mayor Gary Skalko
Craig J. Wainio
City Administrator

Set a Labor Management meeting for Wednesday, March 11th at 2PM.

Summer Work Outreach Project
PO Box 237 Mt. Iron, MN 55768



Serving Kids, Serving Communities
Buhl-Kinney, Chisholm, Mt Iron, Virginia
A Minnesota 501(C)3 Organization

SWOP – SUMMER WORK OUTREACH PROJECT COMMUNITY PARTNER OPPORTUNITY SUMMARY SHEET

COMMUNITY PARTNERS: Community Partners are organizations, businesses, and individuals who invest in SWOP at the level of \$500 to \$1,000 per year. They are named in all publicity and reports as Partners and are invited to attend the summer program awards banquet as honored guests of the SWOP youth. Partners may provide one (1) or more representatives to attend scheduled meetings of the board. Partners who invest at a level of \$1,000 or more are recognized as Distinguished Partners.

COMMUNITY MEMBERS: Community Members are organizations, businesses, and individuals who make a membership investment of \$250 to \$499 a year. They are named in all publicity and reports as Members, and are invited to attend the summer program awards banquet as guests of the SWOP youth. Members may provide one (1) or more representatives to attend scheduled meetings of the board.

MEMBER AFFILIATES: Member affiliates are non-profit organizations which provide support and commit financial support at a minimum of \$200. Member affiliates are named in all publicity and are invited to attend the summer program awards banquet. Member affiliates may provide one (1) or more representatives to attend scheduled meetings of the board.

COMMUNITY SPONSORS: Community Sponsors are organizations, businesses, and individuals who make a sponsoring investment of \$100 to \$249 per year. They are named in all publicity and are invited to attend the summer program awards banquet. Community Sponsors may provide one (1) or more representatives to attend scheduled meetings of the board.

FRIENDS of SWOP: Friends of SWOP is the association of individuals, households, and businesses who invest \$50 to \$99 per year to ensure that eleven (11) to fourteen (14) year olds have the opportunity to participate in a program of community service, job mentoring, and life skills. They are a welcome and vital part of the community support for SWOP.

SUPPORTERS: Supporters of SWOP are individuals, households, and businesses who invest up to \$49 per year to ensure that eleven (11) to fourteen (14) year olds have the opportunity to participate in a program of community service, job mentoring, and life skills. They are a welcome and vital part of the community support for SWOP.

IN KIND SUPPORTERS: In kind supporters of SWOP donate items for the silent auction held in conjunction with fundraiser dinners. They also donate foods and drink to the fundraiser dinners. They are a welcome and vital part of the community support for SWOP.

The Project continued

- Education centers on values and health related topics, including nutrition, drug abuse, and violence prevention.
- Work focuses on projects important to community and elderly, and includes a job-shadowing day.
- Participants discover a sense that they can make a valuable contribution to their own community through responsible work and adult mentorship.
- Participants are required to do daily journaling and secure their very own savings account; this promotes character and skills.

Program Goals

- Equip, engage, and empower the youth of our communities. This program aims to equip youth with life skills, engage them in their communities, and empower them for the future.
- Foster respect for self and others
- Teach responsibility for one's own actions in the context of the common good.
- Build relationships and relationship skills with group, leaders, senior citizens, and community leaders.
- Develop a positive work and money management ethic (Share, Save, Spend)

Any contribution is welcome, however, please consider sponsoring a child for:

- \$650 to cover a child's summer
- \$109 to cover a child's week
- \$36 to cover a child for a full day

SWOP
 BOARD OF DIRECTORS
 Officers for 2015

Pastor Kristin Foster-Chairperson

Anna Amundson-Vice Chairperson

Holly Kohler & Barb Dobson

Co-Secretaries

Pastor Dave Stevens

Treasurer

SWOP
 Summer Work Outreach Project
 P O Box 237
 Mt. Iron MN 55768

Swopyouth.com

For Additional information, please contact

Pastor Kristin Foster
 Program Development Director
 Messiah Lutheran Church
 Phone: (218) 741- 7057
 Fax: (218) 741-7059

Barb Dobson
 Financial Secretary
 Phone: (218)254-2039
 P O Box 131, Chisholm MN 55719



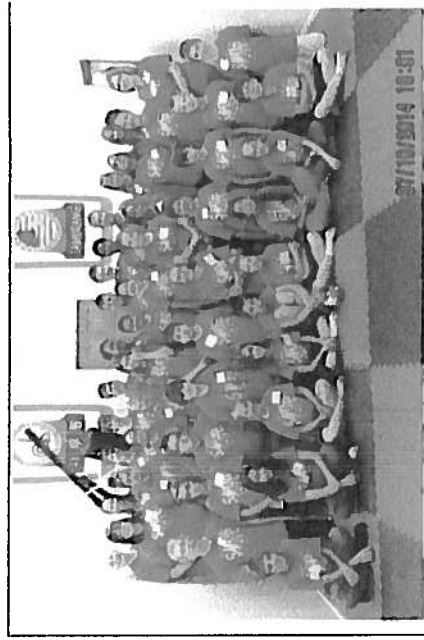
Summer Work Outreach Project

In Buhl-Kinney, Chisholm, Mt. Iron, and Virginia

A 501(C)3 Non-Profit Organization

Serving Kids
Serving Communities

Over the past 17 summers, SWOP has made a difference in the lives of over 450 youth in the communities of Mt Iron, Buhl-Kinney, Chisholm, and Virginia.



The 2014 SWOP Teams

To continue its work of connecting youth and their communities in Chisholm, Buhl-Kinney, Mt Iron and Virginia:

SWOP INVITES YOU TO JOIN ITS COMMUNITY PARTNERSHIP

Become a part of **SWOP's Community Partnership** as a business, city council, community organization or as an individual.

- Distinguished Partner at \$1,000.00 a year
- As a Partner at \$500 - \$999. per year
- Member at \$250 - \$449. per year
- Sponsor at \$100 - \$ 249. per year
- Friend of SWOP at \$50 - \$99 per year
- Supporter of SWOP up to \$49 per year

This project was funded by:

Distinguished Partners

City of Mt. Iron
Soroptimist Club of Virginia
Walmart Foundation Virginia

Community Partners

Lake Country Power Electric Trust
Thrivent Financial Mesabi Chapter
Art Unlimited
Twilla Ahola
C & B Warehouse
Keewatin Firemen's Relief Assn.
Mt. Iron-Buhl community Ed.
NHS/Northstar Specialized Services
Range Cooperative
Steve Spicer Accounting
United States Steel
Hibbing/Chisholm Tribune
Hometown Focus
Mesabi Daily News
Community Members
Minnesota Power
Security State Bank
AEOA

Buhl Economic Development Authority
City of Buhl

Elks Lodge #1003 Virginia
Jennifer Ivanca Insurance Agency
Messiah Lutheran Brotherhood
Our Lady of the Sacred Heart CCW
United Taconite LLC/Cliffs Natural Resources
Mary Jean & Ed Waters

Community Sponsors

American Legion Press Lloyd Post #247

Casey Drug

Chisholm Kiwanis

Faith Lutheran Church, Chisholm

Good Shepherd Lutheran Home Mission

Patricia Grigal

Iron Range Carpet & Upholstery Cleaning

Tom Hewett

JM Auto Service

Keyboard Liquor

Kinney/Great Scott Volunteer Fire Dept.

L & M Radiator Inc.

Longyear Inc. of Chisholm

Mark Johnson Insurance Agency

Paul & Florence Marturano

Father Fred Method

Mt. Iron Lions Club

Oberfoell Auctioneers

PetroChoice Inc.

Quirk Chiropractic

Radotich Inc.

Rupp Funeral Home & Cremation

Snickers

Stone Dental Service LTD

Virginia Rotary Club

Wells Fargo Bank

Ziegler Inc.

Friends & Supporters



Together we can make a difference

SWOP

Summer Work Outreach Project

The Mission

1. Develop healthy connections with the community responsible attitudes toward work, and respectful relationships with other youth & adults
2. SWOP seeks to achieve this by combining values based life skills sessions with adult mentoring, guest speakers, and community work experience

The Situation

11 to 14 year olds are a vulnerable yet promising age group. They need caring role models and opportunities for service-oriented work to make for a successful transition into adulthood.

Due to a variety of factors, many of today's youth are not being equipped with:

- Life skills, values, respect for self & others
- Positive adult relationships
- Work ethic & money management
- Responsible community involvement

SWOP addresses both those specific needs and potential of these children.

The Project

- A total of 10 youth are involved at each site for six weeks each summer, plus a week vacation
- Each community has a host site for this project,
- SWOP hires approved summer staff to supervise community work, provide life skills & mentoring
- life skills development activities, and employment related skills.

COUNCIL LETTER 030215-IVG1

PUBLIC HEALTH AND SAFETY

SOG PROPOSAL

DATE: February 26, 2015

FROM: Public Health and Safety Board

Craig J. Wainio
City Administrator

As part of the efforts to update the City's Emergency Management Operations the City has already updated and adopted a new Emergency Management Plan, the next set in the process is the updating of the City's Standard Operating Guidelines (SOGs). These guidelines support and direct the operation "on the ground" and are a vital component of the over Emergency Management Operations. Enclosed, please find a proposal from Hundrieser Consulting to assist with the updating of the SOGs. Bonnie Hundrieser, the principal of Hundrieser Consulting, was previously retained to update the City's Emergency Management Plan and the Board and City Staff were extremely impressed with her work.

The Public Health and Safety Board recommend that the City Council approve the Proposal for Professional Planning and Coordination Services to the City of Mountain Iron for the Update of the Standard Operating Guidelines.



Hundrieser Consulting LLC

Emergency Management and Whole Community Planning

**Proposal for Professional
Planning & Coordination Services
To the City of Mountain Iron, MN**

Update of Standard Operating Guidelines (SOGs)

January 22, 2015

Provided by:

Bonnie Hundrieser, Principal

Hundrieser Consulting LLC

4332 Gilliat Street

Duluth, MN 55804

Phone: (218) 343-3468

Email: hundrieserconsulting@gmail.com

Overview

The City of Mountain Iron has requested a proposal for professional planning and coordination services from Hundrieser Consulting LLC for the update of the City's **Standard Operating Guidelines** to accompany the City of Mountain Iron – Emergency Operations Plan (2014).

Standard Operating Guidelines (SOGs) are complete reference documents that provide the purpose, authorities, duration, and details of the preferred method for performing a single function or a number of interrelated functions in a uniform manner. SOGs may include checklists, call-down rosters, resource listings, maps, and charts. SOGs may also describe how to notify staff; how to obtain and use equipment, supplies, and vehicles; how to obtain mutual aid; how to report information to organizational work centers and the EOC; and how to communicate with staff members who are operating from more than one location. SOGs should grow naturally out of the responsibilities identified and described in the Emergency Operations Plan (EOP). SOGs are not “one size fits all;” they must be customized to the unique requirements of the department carrying out response functions. City staff or organizations who typically engage in emergency activities should be actively involved in developing the procedures found in a SOG.

The current existing SOGs that accompany the City of Mountain Iron's EOP are 26 years old and require an update to ensure they are in alignment with current operating procedures by response personnel. Under this project, Hundrieser Consulting LLC will work with the appropriate personnel identified in each annex of the EOP to accurately update each of the SOGs. After the SOGs are updated, electronic and paper copies will be provided to the City of Mountain Iron and to key response personnel.



Qualifications

Bonnie K. Hundrieser, Principal of Hundrieser Consulting LLC, has a successful record of providing emergency management (EM) planning to communities in northeast Minnesota. Bonnie worked previously as a Senior Planner for the Arrowhead Regional Development Commission from 2006 – 2014, her EM work including the update of Multi-Hazard Mitigation Plans for Carlton, Aitkin, Itasca and Koochiching Counties; update of the Lake County Community Wildfire Protection Plan, and development and management of two FEMA Pre-Disaster Mitigation grant programs for installation of external wildfire sprinkler systems in high-risk wildfire areas of St. Louis and Lake Counties.

During 2014 Hundrieser worked as the State of Minnesota Division of Homeland Security and Emergency Management (HSEM) - Region 2 Planner, for the Arrowhead Region Emergency Management Association (AREMA). As the AREMA Planner, Hundrieser provided assistance in emergency management and mass care training and planning to Emergency Managers in eleven counties (Aitkin, Carlton, Cass, Cook, Crow Wing, Itasca, Kanabec, Koochiching, Lake, Pine and St. Louis), five tribes (Bois Forte, Fond du Lac, Leech Lake, Grand Portage, and Mille Lacs), and one city of the first class (City of Duluth). Her work as the AREMA Planner continues in 2015 under Hundrieser Consulting LLC.

In the fall of 2014, Hundrieser worked with the City of Mountain Iron to update its Emergency Operations Plan (EOP). Hundrieser met with the City's Public Safety & Health Board and key response partner organizations (including St. Louis County Departments of Emergency Management and Public Health, American Red Cross, and Essentia Health Virginia) to ensure accuracy and completeness of the EOP. The EOP was adopted by the City of Mountain Iron's City Council on December 15, 2014.

Scope

The following SOGs will be updated under this project to accompany each of the Annexes (as referenced in parenthesis) in the 2014 City of Mountain Iron EOP:

1. Warning and Notification (Annex 1)
2. Direction and Control (Annex 2)
3. Emergency Public Information (Annex 3)
4. Search and Rescue (Annex 4)
5. Health and Medical (Annex 5)
6. Evacuation, Traffic Control & Security (Annex 6)
7. Fire Protection (Annex 7)
8. Damage Assessment (Annex 8)
9. Congregate Care (Annex 9)
10. Debris Clearance (Annex 10)
11. Utilities Restoration (Annex 11)
12. Radiological Protection (Annex 12)
13. Hazardous Materials (Annex 13)
14. Biological Protection (Annex 14)
15. Telecommunications (Annex 15)

Methodology

Hundrieser Consulting (HC) will take the following steps to complete the SOGs Update:

Step 1: Review & Research - HC will review the current SOGs and research the current recommended format / content to address in each SOG. This will include following guidance from the State of MN – Homeland Security and Emergency Management (HSEM) 2015 MNWALK, review of St. Louis County and other city/county SOGs, discussion with current responsible city departments and the St. Louis County – Division of Emergency Management. Each SOG will be formatted and prepared for update of content.

Step 2: SOGs Content Update - HC will work with each of the responsible City personnel or response organizations identified in each of the Annexes to which the SOG supports to review, update, and approve the new SOG content. Work will be completed with the use of email, phone interviews, and in-person meetings.

Step 3: Final Review and Approval – HC will coordinate final review of the SOGs to ensure accuracy and meeting of the City’s needs and present the SOGs to the City of Mountain Iron Public Safety and Health Board for approval. The Board will then submit the SOG Update to the City of Mountain Iron City Council for approval by resolution as an addendum to the City’s Emergency Operations Plan, approved December 15, 2014.

Deliverables

1. During the course of the project, HC will provide monthly project reports to the City of Mountain Iron City Administrator.
2. Upon completion of the project, HC will provide the City of Mountain Iron with the following:
 - Electronic Word and PDF files of each SOG provided on a CD and via email.
 - Printed hardcopies of each of the SOGs to include in the City’s EOP binder.
 - Email distribution as required to specific departments or personnel with identified responsibility to fulfill SOG implementation during a time of emergency or disaster.

Responsibilities

HC will be responsible for the above described steps for the SOG updates including research, writing, meeting coordination, document review and final presentation. The City of Mountain Iron will be responsible to assist HC with timely review of information, provision of critical information for SOG updates, and assistance to connect HC to the appropriate persons, departments or organizations which may be internal to the City or by mutual aid to assist with specific SOG updates.

Timeline

It is estimated that the project will take 120 hours over three to four months to complete.

Budget

Hundrieser Consulting LLC will complete the SOGs update for a cost of \$20,000. (10 hours per week x 4 weeks per month = 40 hours per month x \$150 per hour = \$6,000 per month x 3 months = \$18,000 direct (personnel, mileage, copying/printing expenses) + \$2,000 indirect = \$20,000). The budget will remain fixed if the project exceeds the anticipated time for completion.

Contact:

Bonnie Hundrieser, Principal
Hundrieser Consulting LLC
4332 Gilliat Street
Duluth, MN 55804
Phone: (218) 343-3468
Email: hundrieserconsulting@gmail.com

COUNCIL LETTER 030215-IVG2

PUBLIC HEALTH AND SAFETY

FIRE DEPT POLICY

DATE: February 26, 2015
FROM: Public Health and Safety Board

Greg Chad
Fire Chief

Craig J. Wainio
City Administrator

Enclosed, please find draft of the Policies and Procedures for the Paid-on-Call Mountain Iron Fire Department. The Fire Department has reviewed and modified the Policy to accurately reflect the direction the Fire Department would like to take. At their meeting on February 25th, the Public Health and Safety Board reviewed the Policy with the Fire Chief.

It is recommended by the Public Health and Safety Board and the Fire Chief that the City Council adopts the enclosed Policies and Procedures for the Paid-on-Call Mountain Iron Fire Department.

POLICIES AND PROCEDURES FOR THE PAID-ON-CALL MOUNTAIN IRON FIRE DEPARTMENT	
Policy Number 2015-01	Adopted March 2, 2015

**ARTICLE 1
NAME OF ORGANIZATION**

The name of the organization shall be the city of Mountain Iron Paid on Call Fire Department. (Here-in referred to as "the department")

**ARTICLE 2
PURPOSE OF THE ORGANIZATION**

This organization shall promote fire safety and protect life and property from destruction by fire and other such emergencies and shall fulfill all contracts and mutual aid agreements. Emphasis will also be placed on prevention of fires through education and other means.

**ARTICLE 3
MEMBERSHIP**

SECTION 1 CODE OF ETHICS

The City of Mountain Iron believes that proper operation of government requires that employees be independent, impartial and responsible to the people; that government decisions and policies be made in the proper channels of governmental structure; that public employment not be used for personal gain; and that the public have confidence in the integrity of its government. Accordingly, it is the purpose of this policy to establish ethical standards of conduct for all employees of the City and to set forth those acts, which are incompatible with such standards in matters affecting the City, and to provide effective means for enforcement thereof. This policy is not to be construed so as to impair the ability of employees to participate in ceremonial representational or informational functions pursuant of their official duties. This policy shall be liberally construed in favor of protecting the public interests by a full disclosure of conflicts of interest and a promotion of ethical standards of conduct for City employees.

The following shall be prohibited activities:

1. No employee shall use any confidential City information to further the employee's private interest, and shall not accept outside employment or involvement in a business or activity that will require the employee to disclose or use confidential information.

2. No employee shall use or allow the use of City time for the employee's private interest or any other use not in the interest of the City.
3. No employee shall deprive the City or its agencies of their original files. All original work products generated or obtained by a City employee on City time shall be the property of the City of Mountain Iron and shall remain so after an employee leaves City employment.
4. There shall be no Workmen's Compensation paid by the City to any individual injured in the course of outside Employment.

SECTION 2 SEXUAL HARASSMENT

The City is committed to providing a work environment free of harassment and discrimination. In keeping with this commitment the City maintains a strict policy prohibiting unlawful harassment, including sexual harassment. This policy prohibits harassment in any form, including verbal and physical harassment.

This policy statement is intended to make all employees sensitive to the matter of sexual harassment, to express the City's strong disapproval of sexual harassment, to advise employees of their behavioral obligations and to inform them of their rights.

To provide the employees with a better understanding of what constitutes sexual harassment, the following definition, based on MN Stat., is provided:

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or communication of a sexual nature, when:

1. Submission to the conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment;
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
3. That conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile, or offensive employment environment; and the employer knows or should have known of the existence of the harassment and fails to take timely and appropriate action.

Examples of inappropriate conduct include but are not limited to: unwanted physical contact; unwelcome sexual jokes or comments; sexually explicit poster or pinups; repeated and unwelcome requests for dates and sexual favors; sexual gestures or any indication, expressed or implied, that job security or any other condition of employment depends on submission to or rejection of unwelcome sexual requests or behavior. In summary, sexual harassment is the unwanted, unwelcome and repeated action of an individual against another individual, using sexual overtones as means of creating stress.

The City recognizes the need to educate its employees on the subject of sexual harassment and stands committed to provide information and training. All employees are expected to treat each other and the general public with respect and to assist in fostering an environment that is free of unwanted harassment. Violations in this policy may result in discipline, including possible discharge. Each situation will be viewed on a case by case basis depending on the severity and the circumstance involved.

In order for a sexual harassment issue to be addressed, it must be brought to the attention of management. In order for action to be taken, information must be forwarded to the appropriate level of management. An employee who believes he or she has been harassed by a co-worker, supervisor, or agent of the City should promptly report the facts of the incident or incidents and the name of the individuals involved to his or her supervisor, or in the alternative, to the City Administrator, City Attorney, Mayor, or a City Council member. Supervisors should immediately report any incidents of sexual harassment to the City Administrator, or if not possible, to the Mayor, or a City Council member. The City Administrator (or Mayor or City Council member) will investigate such claims and take appropriate action.

In addition to notifying one of the above persons and stating the nature of the harassment, the employee is also urged to take the following steps:

1. Make it clear to the harasser that the conduct is unwelcome and document that conversation;
2. Document the occurrences of harassment;
3. Submit the documented complaints to your supervisor, the City Administrator, Mayor, or City Council member. The City urges the employee to put the complaint in writing;
4. Document any further harassment or reprisals that occur after the complaint is made.

Employees have the right to raise the issue of sexual harassment and to file complaints with respect to such harassment without reprisal. The City recognizes that there are inherent difficulties in developing evidence and maintaining close working relationships among employees in instances where harassment has occurred. Because of this, the City urges that conduct which is viewed as offensive, be reported immediately to allow for corrective action to be taken through education and corrective counseling, if appropriate.

Management has the obligation to provide an environment free of sexual harassment. The City is obligated to prevent and correct unlawful harassment in a manner that does not abridge the rights of the accused. To accomplish this task, the cooperation of all employees is required.

The City will, in all cases, take action to correct any reported harassment to the extent evidence is available to verify the alleged harassment and any related retaliation. All allegations will be investigated. Strict confidentiality is not possible in all cases of sexual harassment as the accused has the right to answer charges made against them; particularly if discipline is a possible outcome. Reasonable efforts will be made to respect the confidentiality of the individuals involved, to the extent possible.

SECTION 3 RESPONSE TIME

Membership to the department shall be restricted to those who live within a radius of ten minutes of the fire hall. Membership must obey all traffic laws in response.

SECTION 4 AGE REQUIREMENT

The minimum age requirement for membership shall be 18 years of age.

SECTION 5 NUMBER OF MEMBERS

The department's active roster shall consist of a maximum of 25 paid on call members.

SECTION 6 APPLICATIONS

All applications for membership shall be submitted to city hall for review and consideration of eligibility. Interviews will be conducted by one member from Personnel Committee, one member from Public Health and Safety Board and two executive officers of the fire department and one fire fighter from the department

SECTION 7 PHYSICAL EXAMINATION

A physical examination shall be required of all candidates by a physician. All physical examinations certificates will be retained in the department's files and performed every other year.

SECTION 8 BACKGROUND CHECKS

All finalists for employment with the department will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Except where already defined by state law, the City Administrator will determine the level of background check to be conducted based on the position being filled.

SECTION 9 COMPETENCY TEST

All candidates for employment with the department will be required to take a written competency test.

SECTION 10 AGILITY TEST

All candidates for employment with the department will be required to take a physical agility test.

SECTION 11 MILITARY SERVICE

Any member who enlists or is drafted into the military service, upon written request shall be granted a leave of absence for the duration of the tour of duty, excluding any re-enlistments. Within ninety days of discharge from active duty, said member shall reapply for reinstatement to active fireman status. Reinstatement is subject to number of active firemen on the roster; such number shall not exceed twenty five members.

SECTION 12 DISABILITY

Any member that suffers a disability and such disability extends for duration of two years and a termination period has not been determined by a physician, the member shall be retired from active duty in the department and become eligible for benefits as stipulated in the bylaws of the department's relief association.

ARTICLE 4 ATTENDANCE

SECTION 1 TRAINING

All members of the department shall complete basic 1403, or equivalent firefighter training within their first two years of the acceptance upon the departments roster. The City of Mountain Iron shall pay current approved rate of pay per hour for training. The city will pay for the required training and the member will have a two year contract with the city. If the member leaves before two years, the member will pay back total monetary value of training paid by the department. The member shall not be paid until official completion of the program with exception to availability of training.

SECTION 2 ATTENDANCE

All members shall be required to attend business meetings, training sessions and other events or functions required by the department. Attendance shall be noted and these members will be compensated for training sessions.

SECTION 3 DISCIPLINE

The four procedures in disciplining a member of the department per city policy:

1. Oral Reprimand with written documentation.
2. Written Reprimand. A written reprimand shall state that the employee is being warned for misconduct; describe the misconduct and outline future penalties should the problem continue. The employee shall be given a copy of the reprimand and sign the original acknowledging that he or she has received the reprimand. The signature of the employee does not mean that the employee agrees with the reprimand. The reprimand shall be placed in the employee file.
3. Suspension without Pay. Prior to the suspension or as soon thereafter as possible, the

employee shall be notified in writing of the reasons for the suspension; its length; describe the misconduct; describe past action taken by the supervisor to correct the problem; urge prompt correction or improvement by the employee upon reinstatement; include timetables and goals for improvement, when appropriate; and outline future penalties should the problem continue after reinstatement. An employee may be suspended pending investigation of the allegation. A copy of each written statement shall be placed in the employees personnel file, but if the suspension is for investigation and the allegation proves false, the statement shall be removed and the employee shall receive any compensation to which he or she would have been entitled had the suspension not taken place.

4. Dismissal. The personnel committee may recommend at any time dismissal of a firefighter as a recommendation to the city council.

SECTION 4 WORK RULES

The image of our City is conveyed to the public through the actions of our employees. What you do, how you act and what you say creates the City image. The following are inappropriate behavior that will be sufficient cause for disciplinary action and/or dismissal. This list is not intended to be all-inclusive:

1. Incompetency or inefficiency in the performance of duties.
2. Physical or mental incompetency.
3. Conviction of a felony or gross misdemeanor or conviction of a misdemeanor of an ordinance involving moral turpitude.
4. Willful misconduct or insubordination.
5. Carelessness and negligence in the handling or control of municipal property.
6. Discourteous, insulting, abuse, or inflammatory conduct toward the public or fellow employees.
7. Proven dishonesty in the performance of duties.
8. Failure to pay or make arrangements for the future payment of just debt when such failure causes annoyance to City officers and brings discredit on the City.
9. Conduct that brings discredit upon City services.
10. Theft of any kind.
11. Infraction of the Code of Ethics.
12. Sexual, racial or ethnic harassment.
13. Absences from duty without just cause.
14. Excessive tardiness and or absences.
15. Reporting to work under the influence of alcohol or controlled substances.
16. Possession of controlled substance and/or alcohol on City property.
17. Unauthorized use of a weapon.
18. Violating safety rules as established by federal, state or local laws and policies and seatbelt regulations.
19. Not reporting a work-related injury and completing a "First Report of Injury" form within 24 hours after injury occurred. (Unless hospitalization occurs)
20. Failure of a supervisor to take the appropriate actions when notified

- of a complaint. (i.e. sexual harassment)
21. Things done outside the job that have an adverse effect on job performance or place a hardship on the City.
 22. Performing or behaving in negligent manner that places the City at risk.
 23. Releasing information that is protected under the Government Data Practices Act.
 24. Not following the procedure and guidelines established in the City's drug testing policy.

SECTION 5 SMOKING

Mountain Iron City policy states all tobacco use is prohibited in City of Mountain Iron buildings and equipment.

SECTION 6 ATTENDANCE

All members shall be required to participate in thirty percent of all hours (i.e. trainings, meetings, fire calls and special events) in a three month period. Officers are required to participate in fifty percent of all hours. If members and officers do not make thirty and fifty percent of the hours respectively, the following disciplinary action will be taken: (see Article 4, Section 3)

SECTION 7 ABSENCE

A member who expects to be absent from a meeting or drill shall notify any officer and said officer shall make a report thereof at the meeting or drill. Sickness, employment or temporary absence from the region shall be deemed as a reasonable excuse.

SECTION 8 LEAVE OF ABSENCE

Members may be granted a leave of absence for up to six months, with recommendation from the executive officers and the approval of the Public Health and Safety Board.

SECTION 9 ANNUAL DUES

Members shall pay an annual due of \$25.00. Payment shall be on or before the first meeting following January 1.

**ARTICLE 5
DUTIES OF MEMBERS**

SECTION 1 ALARM RESPONSE

It shall be the duty of each member available to respond to every alarm of fire with as little delay as possible obeying all traffic laws and using his or her best efforts in the discharge of duties as may be assigned to him or her by the officer in command and obey all orders within reason. Should any member refuse to obey orders, he or she may be

referred to the executive officers for disciplinary action. The executive officers shall conduct a hearing concerning the actions. Final action against the member shall be determined by the personnel committee upon recommendation of executive officers.

SECTION 2 TRAINING ATTENDENCE

All members are required to attend all training and business meetings as well as active firefighting unless unable to do so because of employment, illness or circumstances beyond their control. Members shall be required to attend at least twenty four hours of in-house training per year. The members shall be required to make up the same hours and type of training that was missed. It is the duty of the member to contact an executive officer if a meeting or training will be missed.

SECTION 3 POST ALARM

It shall be the duty of every member answering a fire alarm or call to return to the station after the fire and help place the equipment and apparatus in workable condition for future use, unless excused by an officer.

SECTION 4 FACIAL HAIR

All members shall not be allowed to have facial hair that interferes with safe use of SCBA's. Mustaches and sideburns shall be permitted as long as they do not interfere with the proper use of all breathing apparatus. It is at the discretion of executive officers.

SECTION 5 ALCOHOL

Members shall not respond to a fire or emergency call after consuming alcohol. Members taking medication which may alter their physical or mental condition shall also refrain from responding to fire and emergency calls.

SECTION 6 PUBLIC RELATIONS

Members are encouraged to use their skills in assisting the department. This assistance shall refer to such things as fundraising, public relations and other promotional efforts.

SECTION 7 EQUIPMENT USAGE

No member shall take or loan any article from the fire station without consent from the designated officer in charge.

SECTION 8 PURCHASES

No member shall contract any debt in the name of the department without consent of the executive officers and or quorum of members.

SECTION 9 OUT OF RANGE

Any member that plans to be out of response range for a period of time should notify an officer of their absence.

**ARTICLE 6
LOSS OF MEMBERSHIP**

SECTION 1 ATTENDANCE

Any member of this department who shall be absent from more than three consecutive meetings or training sessions shall be subject to suspension. The secretary shall inform the chief of such and if the member cannot provide an excuse for being absent agreeable to the chief, such member shall be brought up before the executive officers for action.

SECTION 2 RESIGNATION

Any member desiring to resign must state his or her intentions in writing and submit such resignation to the department's executive officers. A thirty day notice shall be required. During this thirty day period, the member shall be given the right to withdraw the decision.

SECTION 3 NEGLECT

If any member shall neglect his or her duty, pervert his or her office, or disturb the peace and good order of the department, his or her conduct could be considered for dismissal from the department. The department's executive officers shall conduct a hearing to decide the action and a recommendation will be made to the personnel committee.

**ARTICLE 7
COMMAND AT FIREGROUND OPERATIONS**

SECTION 1 RANKING OFFICER

The chief shall rely on the other executive officers to assist him or her in carrying out a safe fire ground operation. In the absence of the chief, the next highest ranking officer or senior member shall be command of the fire scene until a ranking officer takes command of the scene.

SECTION 2 STAFFING SCHEDULE

The department shall establish a minimum staffing schedule and roster as deemed necessary during the course of the year.

SECTION 3 OBLIGATIONS

Any member who signs for a shift must fulfill the obligation or lose all rights to fill vacancies. I members do not sign up for shifts he or she will be assigned as needed.

**ARTICLE 8
OFFICERS AND TERMS OF OFFICE**

SECTION 1 OFFICERS

The department's executive officers and rank consist of:

Chief
Assistant Chief
Captain (1) - ground officer
Captain (2) - Training officer
Captain (3) - ground officer
Captain (4) - Secretary

SECTION 2 OFFICER SELECTION AND TERM

Officers shall be appointed for the designated term as directed in the City of Mountain Iron's Fire Department Selection Policy.

SECTION 3 DUTIES OF OFFICERS

The Duties of the Officers are outlined in the appropriate Position Analysis as adopted by the Mountain Iron City Council and are attached hereto.

**ARTICLE 9
PAY**

SECTION 1 FIREFIGHTERS

Firefighters shall be paid currently approved rate per hour while on a fire call and designated training.

SECTION 2 OFFICERS

Rate of officer pay will be established by the City Council.

**ARTICLE 10
MEETINGS**

A monthly meeting and or training session will be held every second Monday and fourth Monday beginning a six pm. Members shall be informed by the department's executive officers if a change in the time or date is determined.

**ARTICLE 11
CHAIN OF COMMAND**

If a member has a problem with another member or one of the executive officers he or she will follow the chain of command to solve the problem. The member shall try to resolve the problem by approaching the executive officers first. If you get no satisfaction through one of the captains you then go to the assistant chief, if not then you go to the chief. If the problem is not resolved then the chief will then approach the city administrator to resolve the problem. If the member does not follow the chain of command to resolve the issue he or she will be subject to the disciplinary article 4 section 3.

**ARTICLE 12
ROLL CALL AFTER FIRE**

After a fire call or drill, if the apparatus has been placed in service, a roll call shall not be taken until the equipment has been checked and returned to service. An excuse may be granted by officer in charge.

RECIPT FOR POLICY AND PROCEDURE

I acknowledge that I have received a copy of the Personnel Policy and Procedures for The Mountain Iron Fire Department and the City of Mountain Iron, which have been approved by the City Council and Personnel Committee.

Name (please print) _____

Signature _____

Date _____

COUNCIL LETTER 030215-IVH1

UTILITY ADVISORY BOARD

WATER METERS

DATE: February 26, 2015

FROM: Utility Advisory Board

Mike Downs
Director of Public Works

Craig J. Wainio
City Administrator

The Utility Advisory Board recommends that the City Council authorize the purchase of 50 Sensus iPERL water meters at the cost of \$110 per meter for a total purchase price of \$5500. The purchase will be funded through the Water Department. These water meters are a part of the City's move to Automatic Metering Infrastructure (AMI). Initially, the City purchased 50 meters and between new installations and replacement of antiquated meters that supply is running low.

COUNCIL LETTER 030215-IVI1
STREET AND ALLEY COMMITTEE
CO RD 7/HWY 169

DATE: February 26, 2015

FROM: Street and Alley Committee

Craig J. Wainio
City Administrator

At their meeting on Thursday, February 18th, the Street and Alley Committee discussed concerns received about the County Road 7 and Highway 169 intersection. Discussion centers around turning lanes and turning signals on County Road 7. The Street and Alley Committee is recommending that the City Council authorize a letter to be sent to the MN Department of Transportation and St. Louis County requesting that the intersection be reviewed for the addition of turn signals and turning lanes.

COUNCIL LETTER 030215-IVI2
STREET AND ALLEY COMMITTEE
RR CROSSING/CO RD 102

DATE: February 26, 2015

FROM: Street and Alley Committee

Craig J. Wainio
City Administrator

At their meeting on Thursday, February 18th, the Street and Alley Committee discussed concerns received about the closing of the Rail Road crossing on the current County Road 102 in Parkville. The Street and Alley Committee is recommending that the City Council authorize a letter to be sent to St. Louis County requesting that the intersection remain open for both the vehicle traffic and the Mesabi Trail.

COUNCIL LETTER 030215-VIA
STREET AND ALLEY COMMITTEE
ORDINANCE NUMBER 01-15

DATE: February 26, 2015
FROM: Street and Alley Committee
Craig J. Wainio
City Administrator

Extensive discussions concerning parking on Marble Avenue between Main Street and Coral Street have taken place at the Street and Alley Committee. Based upon these discussions, it is recommended that Ordinance Number 01-15, Amending Chapter 70 of the Mountain Iron City Code be adopted.



CITY OF MOUNTAIN IRON

"TACONITE CAPITAL OF THE WORLD"

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ORDINANCE NUMBER 01-15

AMENDING CHAPTER 70 OF THE MOUNTAIN IRON CITY CODE

THE CITY OF MOUNTAIN IRON HEREBY ORDAINS:

Section 1. Adding Section 70.13. Section 70.13 of the Mountain Iron City Code is hereby amended to read as follows:

70.13 CALENDAR PARKING.

Subd .1. The calendar system of parking is adopted which means that all parking from 12:00 p.m. to 12:00 p.m. on even days of the month shall be allowed only on the even side of the street or avenue and on the odd days of the month on the odd side of the street or avenue commencing November 1st and continuing until April 1st of each year. The allowed changeover period during each day shall be from 4:00 p.m. to 12:00 p.m.

Section 2. Adding Section 70.14. Section 70.14 of the Mountain Iron City Code is hereby amended to read as follows:

70.14 Parking Restrictions on Marble Avenue and Main Street.

Subd. 1. There shall be no parking on east side of Marble Street from 50 south of Main Street to Main Street from 7:00 am to 4:00 pm between September 1st and June 1st.

Subd. 2. There shall be no parking between 2:00 a.m. and 6:00 a.m. on the west side of Marble Avenue from Coral Street to 200 feet south of Main Street between November 1st and April 1st of each year.

Subd. 3. **Parking Permits.** The west side of Marble Avenue between 200 feet south of Main Street and Coral Street shall be posted and reserved for the parking of residents from 7:00 am to 4:00 pm between September 1st and June 1st. To facilitate enforcement of the parking regulations, the City shall issue numbered parking permits to the residents along Marble Avenue between 200 feet south of Main Street and Coral Street. Residents to whom such permits are issued are responsible for displaying the permits on the vehicle for which they are issued on the windshield or visor where they can be clearly seen. Loss or theft of the permit shall be reported to the Sheriff or City Administrator.

Section 3. Inconsistent Ordinances. All Ordinances or portions thereof inconsistent with this Ordinance shall be repealed and replaced with the provisions of this Ordinance.

Section 4. Effective Date. This Ordinance shall be effective in accordance with State Statute.

DULY ADOPTED BY THE CITY COUNCIL THIS 2nd DAY OF MARCH, 2015.

Mayor Gary Skalko

ATTEST:

City Administrator

COUNCIL LETTER 030215-VIB
PUBLIC HEALTH AND SAFETY
ORDINANCE NUMBER 02-15

DATE: February 26, 2015
FROM: Public Health and Safety Board
Craig J. Wainio
City Administrator

With all the changes in the manufacturing and distribution of alcohol, Staff has been working on updating our Liquor Licensing Ordinance. Most of the changes in the ordinance deal with brewing and brew pubs, this is a growing trend and we would like to have the tools in place before it is actually. The proposed Ordinance has been reviewed by Staff, Law Enforcement and the Public Health and Safety Board.

The Public Health and Safety Board recommends the adoption of Ordinance Number 02-15 Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 Percent Malt Liquor within the City of Mountain Iron, Minnesota.



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ORDINANCE NUMBER 02-15

REGULATING THE POSSESSION, SALE AND CONSUMPTION OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR WITHIN THE CITY OF MOUNTAIN IRON, MINNESOTA

THE CITY COUNCIL OF THE CITY OF MOUNTAIN IRON, MINNESOTA DOES
ORDAIN:

SECTION 1. ADOPTION OF STATE LAW BY REFERENCE.

The provisions of Minn. Stat. Ch. § 340A as they may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sales, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor and 3.2 percent malt liquor are hereby adopted by reference and are made a part of this Ordinance as if set out in full. It is the intention of the City Council that all future amendments to Minn. Stat. Ch. § 340A are hereby adopted by reference or referenced as if they had been in existence at the time this Ordinance is adopted.

SECTION 2. CITY MAY BE MORE RESTRICTIVE THAN STATE LAW.

The Council is authorized by the provisions of Minn. Stat. § 340A.509 as it may be amended from time to time, to impose, and has imposed in this ordinance, additional restrictions on the sale and possession of alcoholic beverages within its limits beyond those contained in Minn. Stat. Ch. 340A as it may be amended from time to time.

SECTION 3. DEFINITIONS.

In addition to the definitions contained in Minn. Stat. § 340A.101 as it may be amended from time to time, the following terms are defined for purposes of this ordinance:

LIQUOR. As used in this ordinance, without modification by the words an "intoxicating" or a "3.2 percent malt" includes both intoxicating liquor and 3.2 percent malt liquor.

RESTAURANT. An eating facility, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises, where full waitress/waiter table service is provided, where a customer orders food from printed menus and where the main food course is served and consumed while seated at a single location. To be a restaurant as defined by this section, an establishment shall have a license from the state as required by Minn. Stat. § 157.16, as it may be amended from time to time, and meet the definition of either a "small establishment," "medium establishment" or "large establishment" as defined in Minn. Stat. §

157.16, subd. 3(d), as it may be amended from time to time. An establishment which serves prepackaged food that receives heat treatment and is served in the package or frozen pizza that is heated and served, shall not be considered to be a restaurant for purposes of this ordinance unless it meets the definitions of a "small establishment", "medium establishment" or "large establishment".

SECTION 4. NUDITY ON THE PREMISES OF LICENSED ESTABLISHMENTS PROHIBITED.

- A. The City Council finds that it is in the best interests of the public health, safety, and general welfare of the people of the City that nudity is prohibited as provided in this section on the premises of any establishment licensed under this ordinance. This is to protect and assist the owners, operators, and employees of the establishment, as well as patrons and the public in general, from harm stemming from the physical immediacy and combination of alcohol, nudity, and sex. The Council especially intends to prevent any subliminal endorsement of sexual harassment or activities likely to lead to the possibility of various criminal conduct, including prostitution, sexual assault, and disorderly conduct. The Council also finds that the prohibition of nudity on the premises of any establishment licensed under this ordinance, as set forth in this section, reflects the prevailing community standards of the City.
- B. It is unlawful for any licensee to permit or allow any person or persons on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material. It is unlawful for any person to be on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material.
- C. A violation of this section is a misdemeanor punishable as provided by law, and is justification for revocation or suspension of any liquor, wine, or 3.2 percent malt liquor license or any other license issued under this ordinance or the imposition of a civil penalty under the provisions of Section 23(B).

SECTION 5. CONSUMPTION IN PUBLIC PLACES.

No person shall consume intoxicating liquor or 3.2 percent malt liquor in a public park, on any public street, sidewalk, parking lot or alley, or in any public place other than on the premises of an establishment licensed under this ordinance or where the consumption and display of liquor is lawfully permitted, unless approved by the City Council.

SECTION 6. NUMBER OF LICENSES WHICH MAY BE ISSUED.

State law establishes the number of liquor licenses that a City may issue.

SECTION 7. TERM AND EXPIRATION OF LICENSES.

Each license shall be issued for a maximum period of one year. All licenses, except temporary licenses, shall expire on December 31 of each year unless another date is provided by ordinance. All licenses shall expire on the same date. Temporary licenses expire according to their terms. Consumption and display permits issued by the Commissioner of Public Safety, and the accompanying City consent to the permit, shall expire on March 31 of each year.

SECTION 8. KINDS OF LIQUOR LICENSES.

- (A) 3.2 percent malt liquor on-sale licenses, which may be issued only to golf courses, restaurants, hotels, clubs, bowling centers, and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks.
- (B) 3.2 percent malt liquor off-sale license.
- (C) Temporary 3.2 percent malt liquor licenses which may be issued only to a club, charitable, religious, or nonprofit organization.
- (D) Off-sale intoxicating liquor licenses, which may be issued only to exclusive liquor stores. The fee for an off-sale intoxicating liquor license established by the Council under Section 9 or a greater amount which may be permitted by Minn. Stat. § 340A.408, subd. 3, as it may be amended from time to time.
- (E) On-sale intoxicating liquor licenses, which may be issued to the following establishments as defined by Minn. Stat. § 340A.101, as it may be amended from time to time, and this ordinance: hotels, restaurants, bowling centers, theaters, clubs or congressionally chartered veterans organizations, theaters and exclusive liquor stores. Club licenses may be issued only with the approval of the Commissioner of Public Safety. The fee for club licenses established by the Council under Section 9 of this ordinance shall not exceed the amounts provided for in Minn. Stat. § 340A.408, subd. 2(b) as it may be amended from time to time. The Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at a community festival held within the City under the provisions of Minn. Stat. § 340A.404, subd. 4(b) as it may be amended from time to time. The Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at any convention, banquet, conference, meeting, or social affair conducted on the premises of a sports, convention, or cultural facility owned by the City, under the provisions of Minn. Stat. § 340A.404, subd. 4(a) as it may be amended from time to time; however, the licensee is prohibited from dispensing intoxicating liquor to any person attending or participating in an amateur athletic event being held on the premises.
- (F) Sunday on-sale intoxicating liquor licenses, Sunday on-sale intoxicating liquor licenses may be issued only to a on-sale intoxicating liquor licensee. The maximum fee for this license, which shall be established by the Council under the provisions of Section 9 of

this ordinance or the maximum amount provided by Minn. Stat. § 340A.504, subd. 3(c) as it may be amended from time to time.

- (G) Combination on-sale/off-sale intoxicating liquor licenses.
- (H) Temporary on-sale intoxicating liquor licenses, with the approval of the Commissioner of Public Safety, which may be issued only in connection with a social event sponsored by a club, charitable, religious, or other nonprofit corporation that has existed for at least three years. No license shall be for longer than four consecutive days, and the City shall issue no more than 12 days' worth of temporary licenses to any one organization in one calendar year.
- (I) On-sale wine licenses, with the approval of the Commissioner of Public Safety to: theaters, restaurants that have facilities for seating at least 25 guests at one time and meet the criteria of Minn. Stat. § 340A.404, subd. 5, as it may be amended from time to time, and which meet the definition of restaurant in section 3; to licensed bed and breakfast facilities which meet the criteria in Minn. Stat. § 340A.401, subd. 1, as it may be amended from time to time and to theaters that meet the criteria of Minn. Stat. § 340A.404(b) as it may be amended from time to time. The fee for an on-sale wine license established by the Council under the provisions of Section 9 of this ordinance, shall not exceed one-half of the license fee charged for an on-sale intoxicating liquor license. The holder of an on-sale wine license who also holds an on-sale 3.2 percent malt liquor license is authorized to sell malt liquor with content over 3.2 percent (strong beer) without an additional license.
- (J) One day consumption and display permits with the approval of the Commissioner of Public Safety to a nonprofit organization in conjunction with a social activity in the City sponsored by the organization.
- (K) Approval of the issuance of a consumption and display permit by the Commissioner of Public Safety. The maximum amount of the additional fee which may be imposed by the Council on a person who has been issued a consumption and display permit under the provisions of Section 10 of this ordinance or the maximum amount permitted by Minn. Stat. § 340A.414, subd. 6, as it may be amended from time to time. Consumption and display permits shall expire on March 31 of each year.
- (L) Culinary class limited on-sale licenses may be issued to a business establishment not otherwise eligible for an on-sale intoxicating liquor license that, as part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance reservation required. The license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, up to a maximum of six ounces of wine or 12 ounces of intoxicating malt liquor, during and as part of the class, for consumption on the licensed premises only.
- (M) Temporary off-sale wine licenses, with the approval of the Commission of Public Safety, may be issued for the off-sale of wine at an auction. A license issued under this

subdivision authorizes the sale of only vintage wine of a brand and vintage that is not commonly being offered for sale by any wholesaler in Minnesota. The license may authorize the off-sale of wine for not more than three consecutive days provided not more than 600 cases of wine are sold at any auction. The licenses are subject to the terms, including license fee, imposed by Section 9.

- (N) Brew pub on-sale intoxicating liquor or on-sale 3.2 percent malt liquor licenses, with the approval of the Commissioner of Public Safety, may be issued to brewers who operate a restaurant in their place of manufacture and who meet the criteria established at Minn. Stat. § 340A.301 subd. 6(d) and 7(b), as it may be amended from time to time. Sales under this license at on-sale may not exceed 3,500 barrels per year. If a brew pub licensed under this section possesses a license for off-sale under Section 8 (O) below, the brew pub's total combined retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels.
- (O) Brewer off-sale intoxicating liquor licenses, with the approval of the Commissioner of Public Safety, may be issued to a brewer that is a licensee under Section 9 (N) above or that produces fewer than 3,500 barrels of malt liquor in a year and otherwise meets the criteria established at Minn. Stat. § 340A.301 subd. 6(d) and 7(b), as it may be amended from time to time. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the City. Malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. All malt liquor sold under this license shall be packaged in the manner required by Minn. Stat. § 340A.301, subd. 7 as it may be amended from time to time. Sales under this license may not exceed 500 barrels per year. If a brewer licensed under this section possesses a license under Section 8 (N) above, the brewer's total retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels.
- (P) Brewer temporary on-sale intoxicating liquor licenses may be issued, with the approval of the Commissioner of Public Safety, to brewers who manufacture fewer than 3,500 barrels of malt liquor in a year for the on-sale of intoxicating liquor in connection with a social event within the municipality sponsored by the brewer.

SECTION 9. LICENSE FEES; PRO RATA.

- (A) No license or other fee established by the City shall exceed any limit established by Minn. Stat. Ch. 340A, as it may be amended from time to time, for a liquor license.
- (B) The Council may establish from time to time in the Resolution Establishing Fees and Charges the fee for any of the liquor licenses it is authorized to issue. The license fee may not exceed the cost of issuing the license and other costs directly related to the enforcement of the liquor laws and this ordinance. No liquor license fee shall be increased without providing mailed notice of a hearing on the proposed increase to all affected licensees at least 30 days before the hearing.

- (C) The fee for all licenses, except temporary licenses, granted after the commencement of the license year shall be prorated on a quarterly basis.
- (D) All license fees shall be paid in full at the time the application is filed with the City. If the application is denied, the license fee shall be returned to the applicant.
- (E) A refund of a pro rata share of an annual license fee may occur only if authorized by Minn. Stat. § 340A.408, subd. 5, as it may be amended from time to time.
- (F) Off-sale intoxicating liquor licensees may request a reduction in their annual license fee by the amount specified in Minn. Stat. § 340A.408 if at the time of initial application or renewal they:
 - (1) Agree to have a private vendor approved by the City train all employees within 60 days of hire and annually thereafter in laws pertaining to the sale alcohol, the rules for identification checks, and the responsibilities of establishments serving intoxicating liquors;
 - (2) Post a policy requiring identification checks for all persons appearing to be 30 years old or less;
 - (3) Establish a written cash award and incentive program to award employees who catch underage drinkers and a written penalty program to punish employees in the event of a failed compliance check;
 - (4) Failure to abide by the provisions of this paragraph may result in suspension of the license until the conditions of the fee reduction are met and may result in suspension and/or revocation of the license pursuant to Section 23 of this ordinance.

SECTION 10. COUNCIL DISCRETION TO GRANT OR DENY A LICENSE.

The Council in its sound discretion may either grant or deny the application for any license or for the transfer or renewal of any license. No applicant has a right to a license under this ordinance.

SECTION 11. APPLICATION FOR LICENSE.

- (A) *Form.* Every application for a license issued under this ordinance shall be on a form provided by the City. Every application shall state the name of the applicant, the applicant's age, representations as to the applicant's character, with references as the Council may require, the type of license applied for, the business in connection with which the proposed license will operate and its location, a description of the premises, whether the applicant is owner and operator of the business, how long the applicant has been in that business at that place, and other information as the Council may require from time to time. An application for an on-sale intoxicating liquor license shall be in the form prescribed by the Commissioner of Public Safety and shall also contain the information

required in this section. The form shall be verified and filed with the City. No person shall make a false statement in an application.

- (B) *Financial responsibility.* Prior to the issuance of any license under this ordinance, the applicant shall demonstrate proof of financial responsibility as defined in Minn. Stat. § 340A.409, as it may be amended from time to time, with regard to liability under Minn. Stat. § 340A.801, as it may be amended from time to time. This proof will be filed with the City and the Commissioner of Public Safety. Any liability insurance policy filed as proof of financial responsibility under this section shall conform to Minn. Stat. § 340A.409, as it may be amended from time to time. Operation of a business which is required to be licensed by this ordinance without having on file with the City at all times effective proof of financial responsibility is a cause for revocation of the license.

SECTION 12. DESCRIPTION OF PREMISES.

The application shall specifically describe the compact and contiguous premises within which liquor may be dispensed and consumed.

SECTION 13. APPLICATIONS FOR RENEWAL.

At least 90 days before a license issued under this ordinance is to be renewed, an application for renewal shall be filed with the City. The decision whether or not to renew a license rests within the sound discretion of the Council. No licensee has a right to have the license renewed.

SECTION 14. TRANSFER OF LICENSE.

No license issued under this ordinance may be transferred without the approval of the Council. Any transfer of stock of a corporate licensee is deemed to be a transfer of the license, and a transfer of stock without prior Council approval is a ground for revocation of the license. An application to transfer a license shall be treated the same as an application for a new license, and all of the provisions of this code applying to applications for a license shall apply.

SECTION 15. INVESTIGATION.

- (A) *Preliminary background and financial investigation.* On an initial application for a license, on an application for transfer of a license and, in the sound discretion of the Council that it is in the public interest to do so, on an application for renewal of a license, the City shall conduct a preliminary background and financial investigation of the applicant or it may contract with the Commissioner of Public Safety for the investigation. The applicant shall pay with the application an investigation fee of \$500 which shall be in addition to any license fee. If the cost of the preliminary investigation is less than \$500, the unused balance shall be returned to the applicant. The results of the preliminary investigation shall be sent to the Commissioner of Public Safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.

- (B) *Comprehensive background and financial investigation.* If the results of a preliminary investigation warrant, in the sound discretion of the Council, a comprehensive background and financial investigation, the Council may either conduct the investigation itself or contract with the Commissioner of Public Safety for the investigation. The investigation fee for this comprehensive background and financial investigation to be paid by the applicant shall be \$500, less any amount paid for the initial investigation if the investigation is to be conducted within the state, and \$10,000, less any amount paid for the initial investigation, if the investigation is required outside the state. The unused balance of the fee shall be returned to the applicant whether or not the application is denied. The fee shall be paid in advance of any investigation and the amount actually expended on the investigation shall not be refundable in the event the application is denied. The results of the comprehensive investigation shall be sent to the Commissioner of Public Safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.

SECTION 16. HEARING AND ISSUANCE.

The Council shall investigate all facts set out in the application and not investigated in the preliminary or comprehensive background and financial investigations. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the Council shall in its sound discretion grant or deny the application. No license shall become effective until the proof of financial security has been approved by the Commissioner of Public Safety.

SECTION 17. RESTRICTIONS ON ISSUANCE.

- (A) Each license shall be issued only to the applicant for the premises described in the application.
- (B) Not more than one license shall be directly or indirectly issued within the City to any one person.
- (C) No license shall be granted or renewed for operation on any premises on which taxes, assessments, utility charges, service charges, or other financial claims of the City are delinquent and unpaid.
- (D) No license shall be issued for any place or any business ineligible for a license under state law.
- (E) No license shall be issued to any person who is not a resident of the state. If the applicant is a corporation, all of the shareholders shall be residents of the state. The provisions of this division (E) shall not apply to any license existing on the effective date of this ordinance or to the renewal of an existing license.

- (F) No license shall be granted within 500 feet of any school or church. The distance is to be measured from the closest side of the church to the closest side of the structure on the premises within which liquor is to be sold.

SECTION 18. CONDITIONS OF LICENSE.

The failure of a licensee to meet any one of the conditions of the license specified below shall result in a suspension of the license until the condition is met.

- (A) Within 90 days after employment, every person selling or serving liquor in an establishment which has an on-sale license shall receive adequate training regarding the applicable laws, ordinances, safety, and detection of attempts to purchase alcohol by those under the legal age to do so.
- (B) Every licensee is responsible for the conduct of the place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this ordinance and the law equally with the employee.
- (C) Every licensee shall allow any peace officer, health officer, City employee, or any other person designated by the Council to conduct compliance checks and to otherwise enter, inspect, and search the premises of the licensee during business hours and after business hours during the time when customers remain on the premises without a warrant.
- (D) No on-sale establishment shall display liquor to the public during hours when the sale of liquor is prohibited.
- (E) Compliance with financial responsibility requirements of state law and of this ordinance is a continuing condition of any license.
- (F) Failure by on off-sale intoxicating liquor license who has received a fee reduction pursuant to section 9 (f) of this ordinance to abide with the provisions of section 9 (f).

SECTION 19. HOURS AND DAYS OF SALE.

- (A) The hours of operation and days of sale shall be those set by Minn. Stat. § 340A.504, as it may be amended from time to time, except that the City Council may, by resolution or ordinance, provide for more restrictive hours than state law allows.
- (B) No person shall consume nor shall any on-sale licensee permit any consumption of intoxicating liquor or 3.2 percent malt liquor in an on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.
- (C) No on-sale licensee shall permit any glass, bottle, or other container containing intoxicating liquor or 3.2 percent malt liquor to remain upon any table, bar, stool, or other

place where customers are served, more than 30 minutes after the time when a sale can legally occur.

- (D) No person, other than the licensee and any employee, shall remain on the on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.
- (E) Any violation of any condition of this section may be grounds for revocation or suspension of the license.

SECTION 20. MINORS ON PREMISES.

- (A) No person under the age of 18 years shall be employed in any rooms constituting the place in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale, except that persons under the age of 18 may be employed as musicians or to perform the duties of a bus person, host or dishwashing services in places defined as a restaurant, hotel, motel or other multi-purpose building serving food in rooms in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale.
- (B) No person under the age of 21 years may enter a licensed establishment except to work, consume meals on premises that qualify as a restaurant, or attend social functions that are held in a portion of the premises where liquor is not sold.

SECTION 21. RESTRICTIONS ON PURCHASE AND CONSUMPTION.

No person shall mix or prepare liquor for consumption in any public place of business unless it has a license to sell on-sale, or a permit from the Commissioner of Public Safety under the provisions of Minn. Stat. § 340A.414, as it may be amended from time to time, which has been approved by the Council, and no person shall consume liquor in any such place.

SECTION 22. SUSPENSION AND REVOCATION.

- (A) The Council shall either suspend for a period not to exceed 60 days or revoke any liquor license upon finding that the licensee has failed to comply with any applicable statute, regulation, or provision of this ordinance relating to liquor. Except in cases of lapse of proof of financial responsibility, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to the Administrative Procedures Act, Minn. Stat. §§ 14.57 to 14.70, as it may be amended from time to time. The Council may act as the hearing body under that act, or it may contract with the Office of Hearing Examiners for a hearing officer.
- (B) The following are the minimum periods of suspension or revocation which shall be imposed by the Council for violations of the provisions of this ordinance or Minn. Stat. Ch. 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time:

- (1) For commission of a felony related to the licensed activity, sale of alcoholic beverages while the license is under suspension, sale of intoxicating liquor where the only license is for 3.2 percent malt liquor, or violation of Section 4, the license shall be revoked.
 - (2) The license shall be suspended by the Council after a finding under division (A) that the licensee has failed to comply with any applicable statute, rule, or provision of this ordinance for at least the minimum periods as follows:
 - (a) For the first violation within any three-year period, at least one day suspension in addition to any criminal or civil penalties which may be imposed.
 - (b) For a second violation within any three-year period, at least three consecutive days suspension in addition to any criminal or civil penalties which may be imposed.
 - (c) For the third violation within any three-year period, at least seven consecutive days suspension in addition to any criminal or civil penalties which may be imposed.
 - (d) For a fourth violation within any three-year period, the license shall be revoked.
 - (3) The Council shall select the day or days during which the license will be suspended.
- (C) Lapse of required proof of financial responsibility shall effect an immediate suspension of any license issued pursuant to this ordinance or state law without further action of the Council. Notice of cancellation or lapse of a current liquor liability policy shall also constitute notice to the licensee of the impending suspension of the license. The holder of a license who has received notice of lapse of required insurance or of suspension or revocation of a license may request a hearing thereon and, if a request is made in writing to the Administrator, a hearing before the Council shall be granted within ten days. Any suspension under this division (B) shall continue until the Council determines that the financial responsibility requirements of state law and this ordinance have again been met.
- (D) The provisions of Section 23 pertaining to administrative penalty may be imposed in addition to or in lieu of any suspension or revocation under this ordinance.

SECTION 23. PENALTIES.

- (A) Any person violating the provisions of this ordinance or Minn. Stat. Ch. 340A as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

- (B) The Council shall impose a civil penalty of up to \$2,000 for each violation of Minn. Stat. Ch. 340A, as it may be amended from time to time, and of this ordinance. Conviction of a violation in a court of law is not required in order for the Council to impose the civil penalty. A hearing under the Administrative Procedures Act, Minn. Stat. §§ 14.57 to 14.70, as it may be amended from time to time, is not required before the penalty is imposed, but the Council shall hold a hearing on the proposed violation and the proposed penalty and hear any person who wishes to speak. Non-payment of the penalty is grounds for suspension or revocation of the license. The following is the minimum schedule of presumptive civil penalties which must be imposed in addition to any suspension unless the license is revoked:
- (1) For the first violation within any three-year period, \$500.
 - (2) For the second violation within any three-year period, \$1,000.
 - (3) For the third and subsequent violations within any three-year period, \$2,000.
- (C) The term “violation” as used in Section 22 includes any and all violations of the provisions in this section, or of Minn. Stat. Ch. 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time. The number of violations shall be determined on the basis of the history of violations for the preceding three-year period. Revocation shall occur within 60 days following a violation for which revocation is imposed.

SECTION 24. EFFECTIVE DATE

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

SECTION 25. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 26. INCONSISTENT ORDINANCES.

All Ordinances or portions thereof inconsistent with this Ordinance shall be repealed and replaced with the provisions of this Ordinance.

SECTION 27. CITY CODE.

This Ordinance shall be incorporated into the Mountain Iron City Code as Chapter 114.

SECTION 28. SUMMARY APPROVED

The Council hereby determines that the text of the summary of this ordinance marked "Official Summary of Ordinance Number 02-15," and a copy of which is attached to this ordinance, clearly informs the public of the intent and effect of this ordinance. The Council further determines that publication of the title and this summary will clearly inform the public of the intent and the effect of this ordinance. The Administrator shall file a copy of this ordinance and the summary in the Administrator's office which shall be available for inspection by any person during regular office hours. A copy of the ordinance shall be available in the community library, if there is one, or if not, in any other public location which the council designates.

DULY ADOPTED BY THE CITY COUNCIL THIS 2nd DAY OF MARCH, 2015.

Mayor Gary Skalko

ATTEST:

City Administrator

OFFICIAL SUMMARY OF ORDINANCE NO. _____,

AN ORDINANCE REGULATING THE POSSESSION, SALE AND CONSUMPTION OF
INTOXICATING AND 3.2 PERCENT MALT LIQUOR WITHIN THE CITY OF
MOUNTAIN IRON, MINNESOTA

The following is the official summary of Ordinance No.____, which was passed by the City Council on _____.

A printed copy of this ordinance is available for inspection by any person at the office of the City Administrator during normal business hours, and at the community library, if there is one, or if not, in any other public location which the council designates.

The ordinance regulating the possession, sale and consumption of intoxicating and 3.2 percent malt liquor within this City contains the following provisions.

Section 1 adopts Minn. Stat. Ch. 340A, as it may be amended from time to time, by reference.

Section 2 permits the City to be more restrictive than state law concerning the sale and possession of alcoholic beverages.

Section 3 defines "liquor" and "restaurant" as those terms are used in the ordinance.

Section 4 makes it is unlawful for any licensee to permit or allow any person or persons on the licensed premises when the person does not have his or her buttocks, anus, breasts and genitals covered with a non-transparent material. It is unlawful for any person to be on the licensed premises when the person does not have his or her buttocks, anus, breasts and genitals covered with a non-transparent material. A violation of this section is a misdemeanor punishable as provided by law, and is justification for revocation or suspension of any liquor, wine or 3.2 percent malt liquor license or the imposition of a civil penalty under the provisions of Section 24(B) of this ordinance.

Section 5 provides that no person shall consume intoxicating liquor or 3.2 percent malt liquor in a public park, on any public street, sidewalk, parking lot or alley, or in any public place other than on the premises of an establishment licensed under this ordinance, in a municipal liquor dispensary if one exists in the City, or where the consumption and display of liquor is lawfully permitted.

Section 6 requires persons holding a raffle, silent auction or fundraising event where wine, beer or intoxicating liquor is awarded as a prize to register with the City ten days prior to conducting the event.

Section 7 limits the number of license which may be issued.

Section 8 establishes the term and expiration dates for licenses.

Section 9 establishes the kinds of licenses which may be issued

Comment: *Here the City should list the specific licenses authorized by the ordinance.*

Section 10 authorizes the establishment of license fees by ordinance or resolution.

Section 11 permits the Council, in its sound discretion, to grant or deny applications for licenses, or for the transfer or renewal of any license.

Section 12 describes the information required in an application for a license.

Section 13 requires a specific description of the premises to be licensed.

Section 14 provides that applications for renewal of licenses must be filed at least 90 days before the date of expiration, and permits the council in its sound discretion to renew or not renew a license.

Section 15 prohibits the transfer of a license without Council approval.

Section 16 requires background and financial investigations of applicants for a license, renewal of a license or transfer of a license.

Section 17 provides for a hearing on the issuance of a license.

Section 18 establishes restrictions on the issuance of a license.

Section 19 establishes the conditions of a liquor license that a licensee must follow to avoid suspension or revocation. The failure of a licensee to meet any one of the conditions of the license specified below shall result in a suspension of the license until the condition is met.

- Within 90 days after employment, every person selling or serving liquor in an establishment which has an "on-sale" license shall receive training regarding the selling or serving of liquor to customers. The training shall be provided by an organization approved by the Council. Proof of training of the servers shall be provided by the licensee.
- Every licensee is responsible for the conduct of the place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this ordinance and the law equally with the employee.
- Every licensee shall allow any peace officer, health officer, City employee, or any other person designated by the Council to conduct compliance checks and to otherwise enter, inspect and search the premises of the licensee during business hours and after business hours during the time when customers remain on the premises without a warrant.
- No on-sale establishment shall display liquor to the public during hours when the sale of liquor is prohibited.
- Compliance with financial responsibility requirements of state law and of this ordinance is a continuing condition of any license.
- Compliance with the provisions an off-sale intoxicating liquor license fee reduction pursuant

to Minn. Stat. § 340A.408, subd. 3(c).

Section 20 establishes the hours and days of sale which are consistent with those established by state law. In addition, the ordinance provides that:

- No person shall consume nor shall any on-sale licensee permit any consumption of intoxicating liquor or 3.2 percent malt liquor in an on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.
- No on-sale licensee shall permit any glass, bottle or other container containing intoxicating liquor or 3.2 percent malt liquor to remain upon any table, bar, stool or other place where customers are served, more than 30 minutes after the time when a sale can legally occur.
- No person, other than the licensee and any employee, shall remain on the on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.

Section 21 prohibits minors and underage persons on licensed premises except under certain conditions:

- No person under the age of 18 years shall be employed in any rooms constituting the place in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale, except that persons under the age of 18 may be employed as musicians or to perform the duties of a bus person or dishwashing services in places defined as a restaurant, hotel, motel or other multipurpose building serving food in rooms in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale.
- No person under the age of 21 years may enter a licensed establishment except to work, consume meals on premises that qualify as a restaurant, or attend social functions that are held in a portion of the premises where liquor is not sold.

Section 22 prohibits persons from mixing or preparing liquor for consumption in any public place of business unless it has a license or permit.

Section 23 establishes the circumstances and procedures for suspension and revocation of a license. The Council is required to either suspend for a period not to exceed 60 days or revoke any liquor license upon finding that the licensee has failed to comply with any applicable statute, regulation or provision of this ordinance relating to liquor. Lapse of required proof of financial responsibility shall effect an immediate suspension of any license issued pursuant to this ordinance or state law without further action of the Council. Notice of cancellation or lapse of a current liquor liability policy shall also constitute notice to the licensee of the impending suspension of the license. A schedule of minimum periods of suspension and for revocation is established.

Section 24 provides for penalties for violating this ordinance, including a schedule of civil penalties.

Section 25 establishes the effective date of the ordinance which is the date of the publication of this summary of the ordinance.

Section 26 provides for severability.

Section 27 repeals inconsistent ordinances.

Section 28 incorporates ordinance into City Code as Chapter 114.

Section 29 approves this summary of the ordinance.

This summary was approved by the City Council of _____, Minnesota, on _____, _____.

Mayor

Attest: _____
City Administrator

COUNCIL LETTER 030215-VIC

ADMINISTRATION

RESOLUTION NUMBER 02-15

DATE: February 26, 2015

FROM: Craig J. Wainio
City Administrator

The League of Minnesota Cities is advocating for new dedicated state funding for city streets, and has created a model resolution that cities can use to support this effort. The League has developed a model resolution supporting “an omnibus transportation funding bill that provides additional dedicated state funding for city streets including funding that can be used for non-municipal state aid (MSA) city street maintenance, construction, and reconstruction. Cities are encouraged to adopt the resolution as soon as possible and share it with their legislators. The League’s Board of Directors passed a similar resolution, which it will present to legislators, Gov. Dayton, and other stakeholders.



CITY OF MOUNTAIN IRON

"TACONITE CAPITAL OF THE WORLD"

PHONE: 218-748-7570 • FAX: 218-748-7573 • www.mtniron.com
8586 ENTERPRISE DRIVE SOUTH • MOUNTAIN IRON, MN • 55768-8260

RESOLUTION NUMBER 02-15

SUPPORTING DEDICATED STATE FUNDING FOR CITY STREETS

WHEREAS, Minnesota contains over 141,000 miles of roadway, and over 19,000 miles or 13 percent are owned and maintained by Minnesota's 852 cities; and

WHEREAS, over 80 percent of municipal streets are ineligible for dedicated Highway User Tax Distribution Fund dollars; and

WHEREAS, the more than 700 Minnesota cities with populations below 5,000 are ineligible for dedicated Highway User Tax Distribution Fund dollars; and

WHEREAS, city streets are a separate but integral piece of the network of roads supporting movement of people and goods; and

WHEREAS, existing funding mechanisms, such as Municipal State Aid (MSA), property taxes and special assessments, have limited applications, leaving cities under-equipped to address growing needs; and

WHEREAS, city cost participation in state and county highway projects diverts resources from city-owned streets; and

WHEREAS, maintenance costs increase as road systems age, and no city, large or small, is spending enough on roadway capital improvements to maintain a 50-year lifecycle; and

WHEREAS, for every one dollar spent on maintenance, a road authority and therefore taxpayers save seven dollars in repairs; and

WHEREAS, cities need greater resources, including an additional dedicated state funding source for transportation, and flexible policies in order to meet growing demands for street improvements and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MOUNTAIN IRON that the City of Mountain Iron supports an omnibus transportation funding bill that provides additional dedicated state funding for city streets including funding that can be used for non-MSA city street maintenance, construction and reconstruction.

DULY ADOPTED BY THE CITY COUNCIL THIS 2nd DAY OF MARCH, 2015.

Mayor Gary Skalko

ATTEST:

City Administrator



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
 444 Cedar Street Suite 222, St. Paul MN 55101
 (651) 201-7507 Fax (651) 297-5259 TTY (651) 282-6555
 WWW.DPS.STATE.MN.US



**APPLICATION AND PERMIT
 FOR A 1 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

TYPE OR PRINT INFORMATION

501(c)3

NAME OF ORGANIZATION <i>Soroptimist of Virginia</i>		DATE ORGANIZED <i>1/26/1956</i>	TAX EXEMPT NUMBER <i>41-6040928</i>	
STREET ADDRESS <i>P.O. Box 389</i>		CITY STATE <i>Virginia MN</i>	ZIP <i>55792</i>	CODE
NAME OF PERSON MAKING APPLICATION <i>Shirley Lenci - Committee chair</i>		BUSINESS PHONE <i>()</i>	HOME PHONE <i>(218) 741-2409</i>	
DATES LIQUOR WILL BE SOLD <i>April 8, 2015</i>		TYPE OF ORGANIZATION <input type="checkbox"/> CLUB <input type="checkbox"/> CHARITABLE <input type="checkbox"/> RELIGIOUS <input checked="" type="checkbox"/> OTHER NONPROFIT		
ORGANIZATION OFFICER'S NAME <i>Shari Fisher - President</i>		ADDRESS <i>10899 Salo Road Chisholm MN 55716</i>		
ORGANIZATION OFFICER'S NAME <i>Shirley Koski - Pres. Elect</i>		ADDRESS <i>7137 Wildwood Drive Britt MN 5571</i>		
ORGANIZATION OFFICER'S NAME <i>Sue Beck - Secretary</i>		ADDRESS <i>1009 2nd St. So. Virginia MN 55792</i>		
Location license will be used. If an outdoor area, describe: <i>(April 8, 2015) Chick Flick Movie Night - Fundraiser at Cinema 6 8426 Enterprise Dr. So. Mt. Iron, MN 55768</i>				
Will the applicant contract for intoxicating liquor service? If so, give the name and address of the liquor licensee providing the service. <i>NO</i>				
Will the applicant carry liquor liability insurance? If so, please provide the carrier's name and amount of coverage. <i>Yes - Allstate Leesburg VA - \$2,000,000 General Aggregate Umbrella Lias - \$1,000,000</i>				

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL & GAMBLING ENFORCEMENT

CITY/COUNTY _____

DATE APPROVED _____

CITY FEE AMOUNT _____

LICENSE DATES _____

DATE FEE PAID _____

SIGNATURE CITY CLERK OR COUNTY OFFICIAL _____

APPROVED DIRECTOR ALCOHOL AND GAMBLING ENFORCEMENT

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the License for the event