

# 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

## **MOUNTAIN IRON CITY COUNCIL MEETING COMMUNITY CENTER MOUNTAIN IRON ROOM MONDAY, APRIL 3, 2006 - 6:30 P.M. A G E N D A**

- I. Roll Call
  - II. Consent Agenda
    - A. Minutes of the March 20, 2006 Regular Meeting
    - B. Communications (#34-48)
    - C. Receipts
    - D. Bills and Payroll
  - III. Public Forum
    - A. Public Hearing – Street Vacation (#1-6)
  - IV. Committee and Staff Reports
    - A. Mayor's Report
    - B. City Administrator's Report
    - C. Director of Public Works Report
      - 1. 2006 Project List (#7)
    - D. Sheriff's Department Report
    - E. City Engineer's Report
    - F. Planning and Zoning Commission
      - 1. Variance (#10-15)
    - G. Library Board
      - 1. Library Director Position (#16)
    - H. Personnel Committee
      - 1. WWTP Operator Position (#17)
    - I. Liaison Reports
  - V. Unfinished Business
  - VI. New Business
    - A. Resolution Number 09-06 Calling a Hearing (#18-24)
    - B. Calvary Cemetery Association (#25-28)
    - C. Grant Application (#29)
    - D. Pay Request Number 8 – Public Library (#30-33)
    - E. Communications (#34-48)
  - VII. Open Discussion
  - VIII. Announcements
  - IX. Closed Meeting
  - X. Adjourn
- # Denotes page number in packet

**COUNCIL LETTER 040305-III A**

**ADMINISTRATION**

**PUBLIC HEARING**

**DATE:** March 28, 2006  
**FROM:** Craig J. Wainio  
City Administrator

---

The City received a petition for the vacation of a certain Street within the West Virginia Plat in the City of Mountain Iron. Based upon this petition the City Council needs to hold a public hearing for consideration of the vacation. This public hearing is part of the process for the road petitioned for vacation in West Virginia. Upon completion of the hearing, the City Council needs to determine whether or not they wish to vacate the roads as petitioned. If so, Staff will prepare a Resolution for the Vacation of these roads for adoption at the next regular meeting.

## **NOTICE OF HEARING**

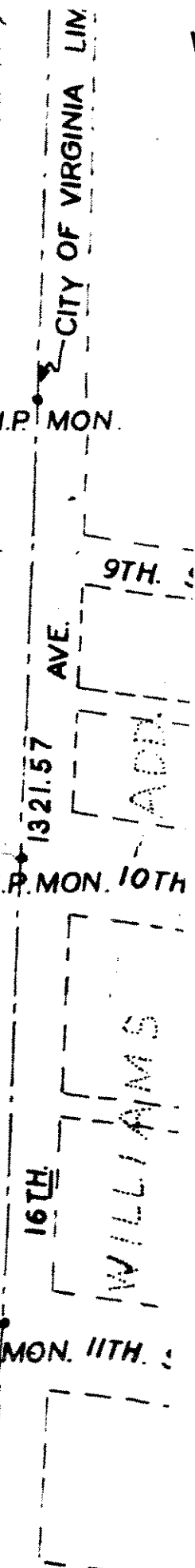
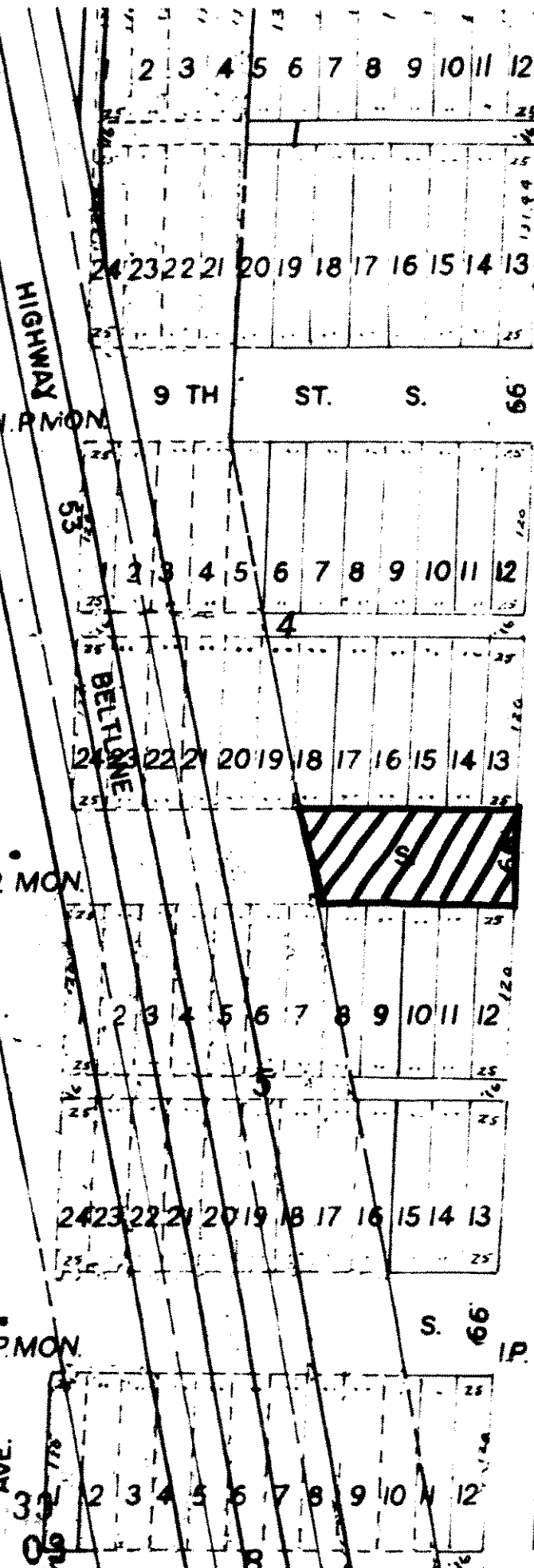
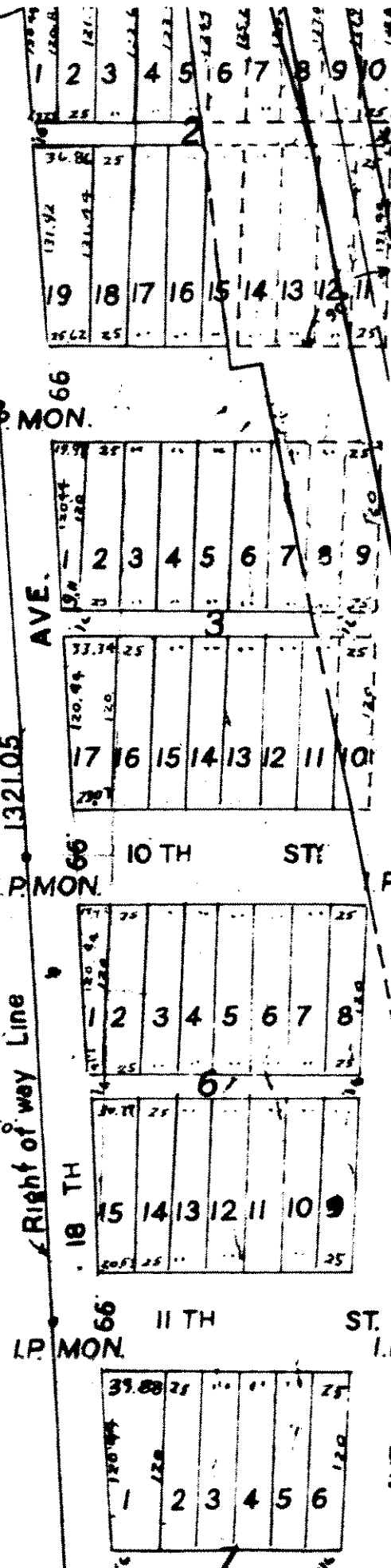
### **NOTICE OF HEARING ON VACATION OF PART OF 3<sup>RD</sup> STREET (KNOWN AS 10<sup>TH</sup> STREET) BETWEEN 1<sup>ST</sup> AVENUE (KNOWN AS 16<sup>TH</sup> AVENUE) AND THE EAST ROW OF STATE HIGHWAY 53 IN THE PLAT OF WEST VIRGINIA, CITY OF MOUNTAIN IRON, COUNTY OF SAINT LOUIS, STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that a hearing will be held before the City Council of Mountain Iron in the Mountain Iron Room of the Community Center on the 3<sup>rd</sup> day of April, 2006, at 6:30 p.m., or shortly thereafter, to hear all persons present upon a petition of property owners for the vacation of part of 3<sup>rd</sup> Street (known as 10<sup>th</sup> Street) between 1<sup>st</sup> Avenue (known as 16<sup>th</sup> Avenue) and the east ROW of State Highway 53 in the Plat of West Virginia, City of Mountain Iron, County of Saint Louis, State of Minnesota.

Dated this 6<sup>th</sup> day of March, 2006.

By order of the City Council  
/s/ Craig J. Wainio  
City Administrator  
[www.mtniron.com](http://www.mtniron.com)

Duluth Winnipeg & Pacific RY. Platform Depot.



CITY OF VIRGINIA LIN

1320.96

1321.05

1321.57

Right of way Line

HIGHWAY

BELLEVILLE

WILLIAMS

ADD.



# CITY OF MOUNTAIN IRON

"TACONITE CAPITAL OF THE WORLD"

PHONE 218-748-7570 • FAX 218-748-7573 • WWW.MTIRON.COM  
8586 ENTERPRISE DRIVE SOUTH • MOUNTAIN IRON, MN • 55768-8260

## PETITION FOR THE VACATION OF PART OF 3<sup>RD</sup> STREET (ALSO KNOWN AS 10<sup>TH</sup> STREET) IN THE CITY OF MOUNTAIN IRON.

To the City Council of the City of Mountain Iron:

The undersigned, a majority of the owners of property as set forth below their respective names, abutting on 3<sup>rd</sup> Street (known as 10<sup>th</sup> Street), respectfully petition the City Council to vacate the aforesaid part of 3<sup>rd</sup> Street (known as 10<sup>th</sup> Street) between 1<sup>st</sup> Avenue (known as 16<sup>th</sup> Avenue) and the east ROW of State Highway 53 in the Plat of West Virginia, City of Mountain Iron, County of Saint Louis, State of Minnesota.

  
Renold A. Pettinelli

  
Helen Pettinelli

### Property Description:

Lots 13, East ½ of 14, 16, 17 and 18 in Block 4 and Lots 9, 10, 11, 12 in Block 5 all in the Plat of West Virginia, according to the plat thereof on file in the Saint Louis County Recorder's Office, in the City of Mountain Iron, Saint Louis County, State of Minnesota.

Received on the 28<sup>TH</sup> day of February, 2006.

  
Craig J. Wainio  
City Administrator

PLANNING & ZONING COMMISSION MINUTES  
MOUNTAIN IRON, MINNESOTA  
MARCH 13, 2006

The regular meeting of the Mountain Iron Planning & Zoning Commission was called to order by Chairman Steve Giorgi at 7:00 p.m. Members present were: Ray Saari, Steve Skogman, Jim Giorgi, Steve Giorgi, Vicky Juntunen, and Margaret Soyring. Also present were: Zoning Administrator Jerry Kujala. Absent were: Barb Fivecoate and Councilman Allen Nelson.

APPROVAL OF THE MINUTES

A motion was made by Skogman and supported by J. Giorgi to accept the minutes of the February 27<sup>th</sup> meeting and passed unanimously.

PUBLIC HEARING

At 7:05 p.m. a motion was made by J. Giorgi and supported by Skogman to recess the regular meeting and open the public hearing regarding the amendment to the official zoning map by rezoning Lots 4,5,11,12,13,14 and 15 of Block 1, Canadian Northern Second Addition from Commercial to Urban Residential-Sewered. No one appeared before the Commission.

A motion was made by J. Giorgi and supported by Skogman to close the public hearing and resume the regular meeting. Passed unanimously.

OLD BUSINESS

No recommendations were made by Mr. Aluni regarding the P&H salvage situation. It was brought up that possibly the Railroad should also be required to have a Conditional Use permit as they also do salvage work. Mr. Roskoski also suggested that Mr. Kujala does not need Mr. Wainio's permission to once again meet with P&H. A motion was made by Skogman and supported by Giorgi that Mr. Kujala should once again talk to P&H and inform them that they are doing salvage work and that they do need a Conditional Use Permit according to the definition of the code. Passed unanimously.

NEW BUSINESS

A motion was made by Skogman and supported by Saari to recommend to the City Council the adoption of the amendment to the official zoning map by rezoning Lots 4,5,11,12,13,14 and 15 of Block 1, Canadian Northern Second Addition from Commercial to Urban Residential-Sewered. Passed unanimously.

A proposed resolution number 04-06 to vacate plat was brought before the commission. There were concerns voiced by several members regarding easements, and land locking other resident. A motion was made by J. Giorgi and supported by Saari to oppose the vacating of said property. Passed unanimously.

ZONING ADMINISTRATORS REPORT

In regards to the proposed variance regarding the Walgreen's project mention was made that the plans that were submitted did not show how many feet was being requested. Mr. Kujala is to request the information prior to the public hearing.

Discussion was held regarding the possibility of perhaps gaining the permission of the Commission before setting hearing dates. Mr. Kujala explained why that was not necessary. As of the date of the commission meeting, no building permit had been submitted for the assisted living project. Mr. Kujala to check on progress and if permits were requested for the holding pond that it seems is being constructed. There is to be no fine on Mr. Fiskari. A permit had been issued.

#### ANNOUNCEMENTS

No announcements.

#### ADJOURN

At 7:35 p.m. a motion was made by S. Giorgi and supported by Skogman that the meeting be adjourned and passed unanimously.

Respectfully submitted,

Vicky Juntunen

PUBLIC WORKS

PROJECT LIST

**DATE:** March 28, 2006  
**FROM:** Donald V. Kleinschmidt  
Director of Public Works  
  
Craig J. Wainio  
City Administrator

---

As requested by the City Council here is a tentative list of projects for 2006:

16<sup>th</sup> Avenue Repair/Reconstruction  
Unity Drive sidewalk extension across railroad crossing  
Slate Street ditch and drainage improvements  
Water fountain installation at  
Finish Locomotive Park improvements  
South Grove Park improvements  
Wolf Park Improvements  
North and south sides of Marigold Street Storm sewer improvements  
Emerald Avenue dip repair  
Kinross culvert repairs  
Downtown sidewalk repairs/replacements  
County road 102 and Highway 53 entrance sign restoration  
Construct campground Pavilion  
Complete roofing project at the campground  
Water and electrical extensions at the campground  
Community Center landscaping and picnic tables  
Inflow and infiltration reduction plan  
Wastewater Treatment Plant repairs  
Elevated Water Tower warranty repairs  
Wireless communication networking infrastructure installations  
Lighting and water heater replacements at Mountain Manor  
Drainage and ditching improvements  
Unity Drive gravel road extension  
Installation of two Dry Hydrants  
Underground Electrical distribution projects  
Street lighting Plan as directed from the Utility Advisory Board  
General Street Maintenance projects  
West Unity Construction  
Street overlay projects  
Community Center outside equipment storage building  
Street crack sealing projects  
Parkville Industrial Park Road improvements  
Mountain Iron Drive Storm sewer and Road construction  
Yard waste site improvements  
Library water line repairs and construction  
Spring Park Road Ditching





# 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

TO: Honorable Mayor and City Council

FROM: Donald V. Kleinschmidt  
Director of Public Works

Craig J. Wainio  
City Administrator

DATE: March 29<sup>th</sup>, 2006

SUBJECT: Storm Sewer Solvent Smell

---

As requested by the City Council, enclosed please find the ICR submitted by Councilor Roskoski addressing the solvent odor coming from the storm sewer catch basins in the Ann's Acres/West Gate areas.

After reviewing the ICR, City staff further investigated the storm sewers and catch basins in the entire area. The following is a summary of staff observations.

### Catch Basin Location

Balsam Drive and Spruce Drive: No odor or indication of a solvent presence.

End of North Court: No odor or indication of a solvent presence.

East end of Gardenia Street: Very faint odor of fuel oil with no indication of a solvent presence.

Storm sewer from Gardenia Street to the north catch basin on Jasmine Street: No odor or indication of a solvent presence.

Drainage ditch from the west edge of the P&H property to the Nelson/Williams property: Very faint odor of fuel oil at the south end of ditch with no odor on the north end. The ditch was snow covered in some areas and had open standing water in others. There was no evidence of a petroleum product film on any of the standing water.

Storm sewer outfall at the west end of Jasmine Street by Lenari's Greenhouse at the outfall where the 60 inch storm sewer daylights into an open ditch: Faint fuel oil odor at the outfall. There was a slight film on the edge of the water indicating a petroleum product presence.

City staff searched for a source where direct contamination could have occurred. Nothing was found to indicate that this happened. Staff also researched, with no results, past ICR's that were reported related to this report.

gs  
Dispatcher

# INCIDENT/COMPLAINT/REQUEST REPORT

3-8-06

Date

2:31 pm

Time

By Phone

By Letter

In-Person

Name

Ed Roskoski

Phone Number

749-4204

Address/Location

Nature of Complaint/Incident/Request:

Area: Storm sewer east edge of Anns Acres - West Gate neighborhoods, High concentrated smell of a mineral spirits type of solvent coming out of various catch basins - inlets - man holes in said area. Been this way since the spring of 2005.

DNR/GEC

Routed To/Handled By

CHH

Status

3-17-06

Disposition/Date

Storm sewer inlet at the end of Gardneria Street had an odor but only when down on knees in front of culvert inlet

CITY OF MOUNTAIN IRON  
 VARIANCE APPLICATION \*

Name of Applicant Semper Development, Ltd Signature of Applicant (JOHN KONLER) Date 02/28/06

Legal Description: Sec/Lot \_\_\_\_\_ Twp/Block \_\_\_\_\_ Rge/Subd \_\_\_\_\_ Parcel Code # \_\_\_\_\_  
See Sheet C1.2 - ALTA Survey for Legal Description

Area for which Variance Requested:

Variance from 30 foot building setback on the north and west sides

Statements addressing condition of "undue hardship" for which variance is requested. **See Attached Sheet**

\* Applicant is required to submit a vicinity map, drawn to scale, showing applicant's and adjoining property including all existing or proposed buildings or uses. Use reverse side of this form.

Pd \$150.00 2/8/06  
Rec. 5.001960

OFFICE USE ONLY

ITEM	ACTION	DATE	INITIAL
Zoning Administrator Review	Sent to JOK	2/9/06	Jmz
Public Hearing Set	Set for 2/27/06 7:05pm	2/8/06	Jmz
Hearing Notice Published	Mesabi Daily News	3/15/06	Jmz
Board of Adjustment and Appeals Recommendation			
Council Action			
Filed with County Recorder			

Conditions Attached \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## **WALGREENS / BANK PROJECT – MT. IRON, MN**

### **HARDSHIP DESCRIPTION:**

We are proposing to construct a new combination Walgreens Store and Bank building on the southwest corner of Highway 53 and 13<sup>th</sup> Street South. The site we are proposing will combine the property currently used for the temporary bank facility on the corner with the Voyager Motel property to the west. The combination of these lots forms an "L" shaped piece of property. This property configuration, combined with the desire to improve the access to the Sawmill Saloon, directly to the north of our site, and create a well functioning development, requires us to locate our building in a position that will require a variance from the 30 foot building setback. The Walgreens portion of the building will be less than 30 feet from the north property line, adjacent to the Sawmill property, and any potential canopy over the new bank building drive-thru will be less than 30 feet from the west property line, adjacent to 18<sup>th</sup> Avenue West.







# CITY OF MOUNTAIN IRON

"TACONITE CAPITAL OF THE WORLD"

PHONE: 218-748-7570 • FAX: 218-748-7573 • [www.mtniron.com](http://www.mtniron.com)  
8586 ENTERPRISE DRIVE SOUTH • MOUNTAIN IRON, MN • 55768-8260

## NOTICE OF PUBLIC HEARING

The Planning and Zoning Commission of the City of Mountain Iron will hold a public hearing on Monday, March 27, 2006 at 7:05 p.m. in the Mountain Iron Room of the Mountain Iron Community Center.

The purpose of the public hearing is to consider a request made by Semper Development for Variances from the 30 foot building setback on the north and west sides of their property as required by the Zoning Ordinance, to construct a commercial building closer to the lot line than allowed by the ordinance. The property is legally described as follows:

Easterly 100 feet of the Westerly 125 feet of all that part of the Northerly 315.83 feet of the Southeast Quarter of the Northeast Quarter, Section 13, Township 58 North, Range 18 West of the Fourth Principal Meridian lying Easterly of the right-of-way of the Duluth, Winnipeg, and Pacific Railroad Company and Westerly of the right-of-way of State Highway No. 53, according to the United States Government Survey thereof.

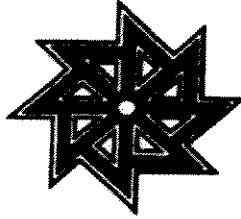
And

A parcel of land in FIRST ADDITION TO WEST VIRGINIA, which is a parcel of land lying in the Southeast Quarter of the Northeast Quarter, Section 13, Township 58 North, Range 18 West of the Fourth Principal Meridian, according to the U. S. Government Survey thereof, in the County of St. Louis, State of Minnesota, more particularly described as follows: the southerly 200 feet of the north 315.85 feet lying east of the west 125 feet and west of the right-of-way of State Highway No. 53.

The public can present its opinions at the public hearing or by letter addressed to the Zoning Administrator, City of Mountain Iron, City Hall, 8586 Enterprise Drive South, Mountain Iron, Minnesota 55768-8260.

By Order of the Planning and Zoning Commission  
Jerry D. Kujala  
Zoning Administrator

[www.mtniron.com](http://www.mtniron.com)



Sawmill Saloon and Restaurant  
8313 13<sup>th</sup> St. S.  
Virginia MN 55792  
218-741-8681  
email: [sawmill@rangenet.com](mailto:sawmill@rangenet.com)

Mountain Iron City Hall  
Honorable Mayor & City Council Members  
8586 Enterprise Drive South  
Mountain Iron Minnesota 55768

Honorable Mayor & City Council Members,

It recently has been brought to our attention that the proposed Walgreen's Store development has requested that they be allowed to build closer to the standard specifications required. The Sawmill Saloon owners "Jay Ryan Enterprises, Inc. would not agree to any changes in the building specifications of the City of Mountain Iron. We would be against any building structure to be constructed closer to our property line than what city code specifies. Please inform us of any requested changes that should arise and all present specifications.

  
Sincerely,

Jay Ryan Enterprises, Inc.



---

 *Mountain Iron Public Library*

---

5742 Mountain Avenue  
P.O. Box 477  
Mountain Iron, MN 55768  
218-735-8625 • Fax 218-735-8252

March 23, 2006

Mountain Iron City Council  
8586 Enterprise Drive South  
Mountain Iron, MN 55768

Dear City Council Members:

*By unanimous decisions of the Mountain Iron Public Library Board and the Mountain Iron Personnel Committee we recommend the hiring of Sally Peterangelo for the Library Director Position at the Mountain Iron Public Library, starting April 3, 2006.*

Thank You,

Sincerely,



Lisa Casillo  
President of the Mountain Iron Public Library Board

**COUNCIL LETTER 040305-VIH**

**PERSONNEL COMMITTEE**

**WWTP OPERATOR**

**DATE:** March 28, 2006  
**FROM:** Craig J. Wainio  
City Administrator

---

The Personnel Committee has completed the evaluation process for the hiring of a Water/Wastewater Treatment Plant Operator Position.

The Personnel Committee is recommending the hiring of Mr. Tim Satrang for the full-time position of Water and Wastewater Treatment Plant Operator. This position is covered under the contract agreement with AFSCME Local 453 which currently is in negotiations.

It is recommended that the City Council approve the recommendation of the Personnel Committee.

**COUNCIL LETTER 040306-IVA**

**ADMINISTRATION**

**RESOLUTION NUMBER 09-06**

**DATE:** March 29, 2006  
**FROM:** Craig J. Wainio  
City Administrator

---

The City received a petition for the vacation of certain Streets within the Parkville Second and Third Addition Plats in the City of Mountain Iron. Based upon this petition the City Council needs to hold a public hearing for consideration of the vacation. Resolution Number 09-06 Accepting the Petition and orders a Hearing for the proposed vacation. Property owners will be notified and the hearing notice will be published in the Mesabi Daily News and on the City's web site, all in accordance with State Law. City Staff and the City Engineer are reviewing the petition and will provide their recommendation at the Public Hearing.

It is recommended that the City Council adopt Resolution Number 09-06 Accepting the Petition and Calling for a Hearing.



# 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 09-06

### SETTING HEARING ON VACATION

**WHEREAS**, a petition of property owners abutting North Street in the Parkville Second Addition; North Street in Parkville Third Addition; Third Avenue in Parkville Third Addition; and Center Street from the center line of Second Avenue to the center line of Third Avenue in Parkville Third Addition all in the City of Mountain Iron was received by the City Administrator on the 24<sup>th</sup> day of March, 2006, requesting that the City Council vacate all of North Street in the Parkville Second Addition; all of North Street in Parkville Third Addition; all of Third Avenue in Parkville Third Addition; and Center Street from the center line of Second Avenue to the center line of Third Avenue in Parkville Third Addition all in the City of Mountain Iron St Louis County, Minnesota.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNTAIN IRON, MINNESOTA:**

The City Council will consider the vacation of such street, alley or road at a public hearing to be held on such proposed vacation on the 1<sup>st</sup> day of May, 2006, before the City Council in the Mountain Iron Room of the Community Center at 6:30 p.m., or shortly thereafter, and the City Administrator shall give published and posted notice as required by law.

**DULY ADOPTED BY THE CITY COUNCIL THIS 3<sup>rd</sup> DAY OF APRIL, 2006.**

\_\_\_\_\_  
Mayor Gary Skalko

ATTEST:

\_\_\_\_\_  
City Administrator

## **NOTICE OF HEARING**

**NOTICE OF HEARING ON VACATION OF ALL OF NORTH STREET IN THE PARKVILLE SECOND ADDITION; ALL OF NORTH STREET IN PARKVILLE THIRD ADDITION; ALL OF THIRD AVENUE IN PARKVILLE THIRD ADDITION; AND CENTER STREET FROM SECOND AVENUE TO THIRD AVENUE IN PARKVILLE THIRD ADDITION ALL IN THE CITY OF MOUNTAIN IRON, ST LOUIS COUNTY, MINNESOTA.**

NOTICE IS HEREBY GIVEN that a hearing will be held before the City Council of Mountain Iron in the Mountain Iron Room of the Community Center on the 1<sup>st</sup> day of May, 2006, at 6:30 p.m., or shortly thereafter, to hear all persons present upon proposed vacation of all of North Street in the Parkville Second Addition; all of North Street in Parkville Third Addition; all of Third Avenue in Parkville Third Addition; and Center Street from Second Avenue to Third Avenue in Parkville Third Addition all in the City of Mountain Iron, St Louis County, Minnesota.

Dated this 3<sup>rd</sup> day of April, 2006.

By order of the City Council  
/s/ Craig J. Wainio  
City Administrator  
[www.mtniron.com](http://www.mtniron.com)



USS Real Estate  
PO Box 417  
Mt. Iron, MN 55768  
218 749 7527  
218 749 7572  
Fax: 218 749 7536

March 22, 2006

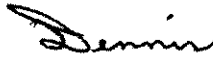
Craig J. Wainio  
City Administrator  
City of Mountain Iron  
8586 Enterprise Drive South  
Mountain Iron, MN 55768-8260

Re: Petition For Vacation Of City Street (Parkville)

Dear Craig:

Enclosed is the Petition For Vacation Of City Street, which you requested. The vacation hearing can now be scheduled, please keep us advised as to the progress.

Sincerely,

  
Dennis F. Orehek  
Land Manager

## PETITION FOR VACATION OF CITY STREET

To the Council of the City of Mountain Iron, in St. Louis County, Minnesota:

WHEREAS, public city streets presently exist in the plat captioned Parkville Second and Third Additions covering land in the City of Mountain Iron, St. Louis County, Minnesota, in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ), Section One (1) and the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  of SE $\frac{1}{4}$ ), Section 2, all in Township Fifty-eight (58) North, Range Eighteen (18) West according to the recorded plat thereof, on file and of record in the office of the Registrar of Titles in and for the County of St. Louis and State of Minnesota; and

WHEREAS, Joseph S. Micallef, Roger W. Staehle, Robert A. Stein, and John H. Roe, III as Trustees under that certain Trust Agreement executed December 7, 1906, by and between the Lake Superior Company, Limited, an association organized under the laws of the State of Michigan, and Louis W. Hill, James N. Hill, Walter J. Hill and Edward T. Nichols, which Trust is commonly known as Great Northern Iron Ore Properties, owns the surface and minerals in all of the plat of Parkville Second and Third Additions; and

WHEREAS, Great Northern Iron Ore Properties does seek the vacation all of North Street in Parkville Second Addition; all of North Street in Parkville Third Addition; all of Third Avenue in Parkville Third Addition; and Center Street from Second Avenue to Third Avenue in Parkville Third Addition all in the City of Mountain Iron, St. Louis County, Minnesota; and

WHEREAS, none of the streets or avenues which Great Northern Iron Ore Properties seeks to vacate were ever developed or built; and

WHEREAS, no one resides near or is served by any of the streets or avenues which Great Northern Iron Ore Properties seeks to vacate; and

WHEREAS, Great Northern Iron Ore Properties desires to use the aforesaid lands for the purpose and in a manner inconsistent with the continuance of the aforesaid public streets and avenues thereon.

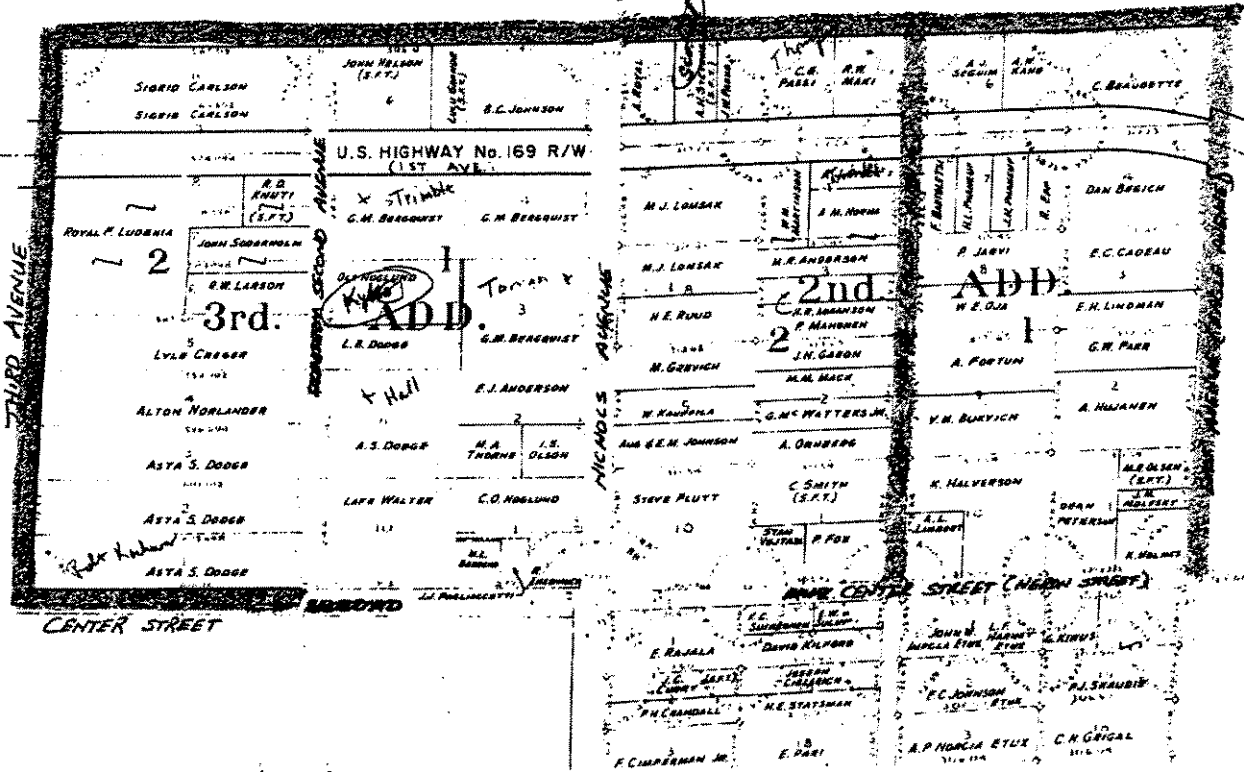




in the Office of the Register of Deeds  
Duluth, Minn.

Resolution Number 21-01 8/6/61

Resolution Number 28-05 9/6/65  
Proposed Vacation



**CALVARY CEMETERY ASSOCIATION**

William J. Buria, Secretary

P. O. Box 188

Virginia, Minnesota 55792

March 15, 2006  
Mtn. Iron City Council  
Box 105  
Mtn. Iron, MN. 55768

Councilors,

We would like to take this opportunity to thank you for your cooperation and past grants that you have. give us.

We are most grateful on your \$12,500.00 grant for our building expansion on a loan to Calvary Cemetery Ass'n from the City of Virginia, payable by June 1, 2006.

At this time we are requesting to increase our appropriation for 2006 to \$3000.00 for the increased maintenance and upkeep of our Cemetery for the lot owners of the City of Mtn. Iron at Calvary Cemetery in Virginia, MN.

Sincerely,

Calvary Cemetery Board

  
William Buria, Secretary

Pres. Renny Renzaglia

Sec'y/Treas. William Buria

Director Daniel Chad

Vice Pres. Frank Barboni

Director Frank Galaski

Director Barbara Politano

# CALVARY CEMETERY ASSOCIATION

William J. Buria, Secretary

P. O. Box 188

Virginia, Minnesota 55792

January 1, 2005 to December 31, 2005

## INCOME

Lots Sold	(18)	8250.00
Burials	(29)	13275.00
Cremain Burials	(26)	3100.00
Markers	(43)	1330.00
Foundations	(11)	930.00
Misc. Income		2470.00
Reinternment	(0)	

---

Total Receipts	29355.00
----------------	----------

---

Grant-City of Virginia	4950.00
Grant-City of Mtn. Iron	1250.00

---

Total Grants	6200.00
--------------	---------

---

Interest-Certificate	1086.92
Interest-Savings Acct.	14.12
Interest-Perm Care Fund	311.42

---

Total Interest	1412.46
----------------	---------

---

Total Income	36967.46
--------------	----------

---

## DISBURSEMENTS

Salaries & Wages	22975.00
Officer Wages	2400.00
Heat, Water & Electricity	1146.47
Gas & Oil	1366.62
Material & Supplies	79.94
Backhoe & Mower Expense	19.45
Building & Grds. Expense	1106.15
Office Expense	340.59
Truck Expense	92.43
Telephone	579.04
Insurance	4000.00
Hosp. Insurance	175.00
Misc. Expense	2224.75
New Addition	4912.33
Work Therapy Program	956.28
(WTPC) Labor	

---

Total Expenses	42374.05
----------------	----------

---

Medicare Taxes	368.05
F.I.C.A.	1572.53
Federal U.C. Fund	80.10
Minnesota U.C. Fund	1522.52
Mtn. Iron Land Tax	193.24
Sales Tax	143.39

---

Total Taxes	3736.44
-------------	---------

---

Total Disbursements	46253.88
---------------------	----------

---

(9286.42)

**CALVARY CEMETERY ASSOCIATION**

William J. Buria, Secretary

P. O. Box 188

Virginia, Minnesota 55792

ASSETS AS OF DECEMBER 31, 2005

RESTRICTED

Permanent Care Fund

Savings Certificate #0328-5160	10004.87
Savings Account # 0910	2665.62

---

Total Fund	12670.49
------------	----------

---

UNRESTRICTED

Building and Grds. Fund #7991	10000.00
Operating Fund #3610780 Amer.	10217.72
Equipment Fund #257052	10000.00
Memorial Fund #000399 Amer.	1264.30
Savings Account #4220-06	3927.64

---

Total Invested Assets	35409.66
Checking Account	1238.42

---

Total Unrestricted Assets	36648.08
---------------------------	----------

---

Total Cash Assets	49318.57
-------------------	----------

Mtn. Iron Cemetery Land ( 30 Acres )	15200.00
--------------------------------------	----------

2004 Cash Assets	58604.99
------------------	----------

2005 Cash Assets	49318.57
------------------	----------

---

	(9286.42)
--	-----------

**CALVARY CEMETERY ASSOCIATION**

**William J. Buria, Secretary  
P. O. Box 188  
Virginia, Minnesota 55792**

Pages One and two closely represents the condition of the CALVARY CEMETERY ASS'N as of December 31,2005. For the purpose of building a new office addition, the City of Virginia Council went on record on August 10,2005 to grant \$12500.00 for its share of building construction. The City of Virginia went on record to loan CALVARY CEMETERY ASS'N \$12,500.00 as the City of Mtn. Iron share to complete the project. The City of Mtn.Iron has pledged a portion of its 2006 mining effects tax revenue to budget \$12500.00 payable to CALVARY CEMETERY ASS'N. For value received, the CALVARY CEMETERY ASS'N promises to pay to the order of the City of Virginia, the sum of \$12,500.00 with no interest on or before June 1,2006. The total office addition came to \$29912.33.

Respectfully Submitted,

By William Buria  
William Buria, Secretary/Treasurer  
By Renny Renzaglia  
Renny Renzaglia, President

**COUNCIL LETTER 040306-IVC**

**COUNCILOR ROSKOSKI**

**COOPERATIVE ECONOMIC DEVELOPMENT  
GRANT APPLICATION**

**DATE:** March 28, 2006  
**FROM:** Councilor Roskoski  
Craig J. Wainio  
City Administrator

---

Councilor Roskoski requested that this item be placed on the agenda with the following background information:

On March 27, 2006, our Street and Alley Committee met with Virginia's Street and Alley Committee and the conclusion was that both cities could benefit by submitting a joint economic development grant application to the IRR for the total amount to rehabilitate the 16<sup>th</sup> Ave South/Highway #53 corridor. Virginia has a business area that could be upgraded and Mountain Iron has a greater potential acreage. Virginia's utilities have to be upgraded to service both the Virginia and Mountain Iron areas. Administration from both towns would work together on the application. Virginia would be the lead community and would submit the grant application on behalf of both cities.



March 28, 2006

Mr. Craig Wainio  
City of Mtn. Iron  
8586 Enterprise Drive South  
Mtn. Iron, MN 55768

RE: Partial Payment Estimate No. Eight (8)  
2005 Renovations  
Mtn. Iron Library  
DSGW Project # 05007

Dear Craig:

Enclosed please find four (4) copies of the Partial Payment Estimate No. Eight (8), on the above subject project, from Lenci Enterprises, for \$19,085.95.

We have reviewed & approved this partial payment estimate. Please review and approve and return all copies to our office for forwarding on to the USDA for their final approval. Once a fully executed estimate has been returned to you, we trust that you will pay the contractor directly.

Also, enclosed is the following:

1. Payroll Records:
  - a. Lenci Enterprises for weeks ending: 3/3/06, 3/10/06, 3/17/06 & 3/24/06.
  - b. Schindler Elevator for weeks ending: 2/1/06, 2/8/06, 2/15/06 & 2/22/06.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

DSGW Architects, Inc.

A handwritten signature in black ink that reads 'Erik C. Wedge' followed by a stylized flourish.

Erik C. Wedge, AIA  
Project Manager

ECW:jp

enc.

cc: Lenci Enterprises  
Mike Vidmar - SLC

30

Form MN RD 1924-18 (Rev. 01/2002)	<b>United States Department of Agriculture</b> <b>Rural Development</b> <b>Rural Utilities Services</b>	Contract No.:  Partial Payment Estimate No.: EIGHT  Page: 1
PARTIAL PAYMENT ESTIMATE		

Owner: City of Mt. Iron 8586 Enterprise Dr. S. Mt. Iron, MN 55768	Contractor: Lenci Enterprises P.O. Box 6 Virginia, MN 55792	Period of Estimate: From: 2 / 27 / 06 To: 3 / 27 / 06
---	---	---

CONTRACT CHANGE ORDER SUMMARY				ESTIMATE	
No.	Agency Approval Date	Amount			
		Additions	Deductions		
One		3,683.		1. Original Contract.....	312,800.00
Two		17,049.		2. Change Orders.....	26,561.00
Three		5,544.		3. Revised Contract (1 + 2).....	339,361.00
Four		0		4. Work Completed*.....	312,127.00
Five		285.		5. Stored Materials*.....	
				6. Subtotal (4 + 5).....	312,127.00
				7. Ineligible Work*.....	
				8. Adjusted Subtotal (6 - 7).....	312,127.00
				9. Retainage*.....	16,968.05 <i>(10% of 50% of Contract)</i>
				10. Previous Payments.....	276,073.00
				11. Amount Due (8 - 9 - 10).....	19,085.95
<b>TOTALS</b>		26,561.			
<b>NET CHANGE</b>		26,561.			

\* Detailed breakdown attached

Contract Time		
Original Substantial Completion Date: ___/___/___  Revised: ___/___/___	Percent Contract Time Expired: _____%  Percent of Work Completed: _____%	Contractor Is (Circle One): <input type="checkbox"/> On Schedule <input type="checkbox"/> Ahead of Schedule <input type="checkbox"/> Behind Schedule
Original Final Completion Date: ___/___/___  Revised: ___/___/___	Percent of Contract Paid: _____%	If behind schedule, has Contractor been advised of liquidated damages clauses as outlined in the Contract? _____  Amount: _____

If the project is behind schedule, has the Contractor been informed and are measures being taken to return to schedule (describe)?

---

<b>CONTRACTOR'S CERTIFICATION:</b> The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work which previous payment estimates were issued and payments received from the Owner, and that current payments shown herein are now due.	<b>ARCHITECT OR ENGINEER'S CERTIFICATION:</b> The undersigned certifies that to the best of their knowledge and belief and to the extent of their assigned Contract responsibilities, the quantities shown in this estimate are correct and that the work has been performed in accordance with the Contract Documents.
Contractor: Lenci Enterprises, Inc. By: <u>Dale J. Hansen</u> Date: 3 / 27 / 06 Dale J. Hansen, Corporate Secretary	A/E: <u>DJW</u> By: <u>[Signature]</u> Date: 3 / 28 / 06
Approved By Owner:  Owner: _____ By: _____ Date: ___ / ___ / ___	<b>ACCEPTED BY AGENCY:</b> The review and acceptance of this estimate does not attest to the correctness of the quantities shown or that the work has been performed in accordance with the Contract Documents.  By: _____ Title: _____ Date: ___ / ___ / ___

USDA Rural Development is an Equal Opportunity Lender. Send complaints of discrimination to:  
 Secretary of Agriculture, Washington D.C., 20250



# CONTINUATION SHEET

AIA DOCUMENT G703 (Instructions on reverse side)

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT,

containing Contractor's signed Certification, is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO.: EIGHT

APPLICATION DATE: 3/27/06

PERIOD TO: 3/27/06

ARCHITECT'S PROJECT NO.:

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE) RATE)
			FROM PREVIOUS APPLICATION (D + E)						
1.	General Conditions	\$ 22,000.	22,000.				22,000.		
2.	Demolition	18,200.	18,200.				18,200.		
3.	Earthwork	13,600.	13,600.				13,600.		
4.	Landscaping	4,400.	1,600.				1,600.		
5.	Site Concrete	6,800.	6,800.				6,800.		
6.	Concrete Footings/ Underpinning	5,900.	5,900.				5,900.		
7.	Concrete Patching/ Grouting	4,000.	4,000.				4,000.		
8.	Concrete Slab on Deck	700.	700.				700.		
9.	Masonry Restoration	75,200.	47,200.	8,400.			55,600.	19,600.	
10.	Masonry	15,000.	15,000.				15,000.		
11.	Structural & Misc. Steel	4,600.	4,600.				4,600.		
12.	Rough Carpentry	4,200.	4,200.				4,200.		
13.	Millwork	4,400.	3,100.	1,300.			4,400.		
14.	EPDM Roofing/Roof Tiles	5,000.	5,000.				5,000.		
15.	Dampproofing/Waterproofing	7,300.	7,300.				7,300.		

AIA DOCUMENT G703 • CONTINUATION SHEET FOR G702 • 1992 EDITION • AIA® • ©1992 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, DC 20006-5292 • WARNING: Unlicensed photocopying violates U.S. copyright laws and will subject the violator to legal prosecution.



G703-1992

CAUTION: You should use an original AIA document which has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced.

# CONTINUATION SHEET

AIA DOCUMENT G703 (Instructions on reverse side)

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification, is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: EIGHT

APPLICATION DATE: 3/27/06

PERIOD TO: 3/27/06

ARCHITECT'S PROJECT NO.:

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE (IF VARIABLE) RATE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
16.	Metal Frames/Doors and Hardware	6,700.	6,400.				6,400.	300.	
17.	Aluminum Entrances/Glass	5,300.	5,300.				5,300.		
18.	Gypsum Board/Plaster	17,300.	16,900.	400.			17,300.		
19.	Porcelain Tile/Resilient Flooring	3,300.		3,000.			3,000.	300.	
20.	Acoustic Tile	600.		600.			600.		
21.	Painting	1,900.	400.	615.			1,015.	885.	
22.	Elevator	52,000.	51,400.	600.			52,000.		
23.	Mechanical	9,000.	9,000.				9,000.		
24.	Electrical	25,400.	24,100.	1,300.			25,400.		
	Change Order No. 1	\$ 312,800.							
	No. 2	3,683.	3,683.				3,683.		
	No. 3	17,049.	11,100.	2,600.			13,700.	3,349.	
	No. 4	5,544.	5,544.				5,544.		
	No. 5	0		285.			285.		
		285.							
		339,361.	293,027.	19,100.			312,127.	27,234.	

AIA DOCUMENT G703 • CONTINUATION SHEET FOR G702 • 1992 EDITION • AIA • ©1992 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006-5292 • WARNING: Unauthorized photocopying violates U.S. copyright laws and will subject the violator to legal prosecution.

G703-1992

CAUTION: You should use an original AIA document which has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced.

COMMUNICATIONS  
APRIL 3, 2006

1. St. Louis County Community Development Division, a notice announcing its CDBG Celebration and 2007 Program Kick Off.
2. VRMC Foundation, a thank you letter from the Prebeg family for supporting the 4<sup>th</sup> Annual Mark "Bush" Prebeg Memorial Snowmobile Ride.
3. Sam Aluni, Trenti Law Firm, a fax concerning the DARE fundraiser.
4. League of Minnesota Cities, the FridayFax from March 24, 2006.
5. RAMS, a memo from Ron Dicklich with the legislative session report.
6. Brian D. Boder, St. Louis County Traffic Engineer, a letter concerning the traffic count taken on CSAH 102 and CR 657, including the reports for each road.
7. Anonymous note received in the suggestion box concerning the driveway for the new assisted living project.

St. Louis County,  
Community Development Division to conduct its

# **CDBG Celebration and 2007 Program Kick Off**

Public Hearing on 2005 Program Accomplishments

Tuesday, April 11th

1:00 to 3:00 pm

Proctor City Hall

100 Pionk Drive

Proctor

Wednesday, April 12th

1:00 to 3:00 pm

Mt. Iron Community Center

8586 Enterprise Drive South

Mt. Iron

- Celebration of past successes and accomplishments
- Overview of the Community Development Block Grant program highlighting federal project eligibility requirements
- Information for cities, townships and nonprofits on application process and timeline
- Question and Answer session with staff specialists on your proposed project
- FY 2007 pre-applications provided
- Attend either day



**BOARD OF DIRECTORS**

President  
Linda Myklebust  
Vice President  
Amy Berglund  
Secretary/Treasurer  
Christine Springhetti

Peggy Baker  
Kerry Waschke Collie  
Dwight Day  
Jason Goehring  
Chris Ismil  
Samuel Kriegler, M.D.  
Mark Phillips  
Leland Russell  
Maureen Sadar  
Pat Tamminen  
Roz Whalen

**STAFF**

Foundation Director  
Kathleen Murray  
Coordinator  
Sharon Haavisto

March 20, 2006

Gary Skalko  
City of Mt. Iron  
8586 Enterprise Dr. So.  
Mt. Iron MN 55768

Dear Gary:

On behalf of the entire Prebeg family, we want to personally thank you for your support of the 4rd Annual Mark "Bush" Prebeg Memorial Snowmobile Ride held on February 18. It was a great success and wonderful tribute to our brother. The event this year raised more than \$13,000 with more contributions still coming in!

This snowmobile ride is supporting the work of the Diabetes Center at VRMC. The center is a resource for those with diabetes to provide education and support services for individuals with diabetes and their families. The Diabetes Center staff is grateful to you for supporting the event and in turn, supporting their work.

Mark your calendars for February 10, 2007 when we will be having the 5<sup>th</sup> Annual Prebeg Memorial Snowmobile Ride! We hope you will join us as we plan to put together another great event. Since the beginning of these rides, we have raised more than \$34,000 for The Diabetes Center. Thanks for being a partner in our efforts and keeping Bush's memory alive.

Warm Regards,

Joe Prebeg

Mary Hilfers

Lisa Zgaynor

Jon Prebeg

Dan Prebeg

**THE TRENTI LAW FIRM**  
**PO BOX 958**  
**225 FIRST STREET NORTH, SUITE 1000**  
**VIRGINIA, MN 55792**

**Verification - 218-749-1962**  
**FAX NO. - 218-749-4308**  
**E-MAIL - [saa@trentilaw.com](mailto:saa@trentilaw.com)**

**FAX TRANSMISSION**

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. Postage Service. Thank you.

**Dated:** March 23, 2006

**Fax No.:** 748-7573

**DELIVER TO:** Don Kleinschmidt

**Re:** City of Mt. Iron: DARE Fundraiser  
Our File No.: 55,337-4

**FROM:** Sam A. Aluni, City Attorney

**No. of pages:** 1 (including this page)

**MESSAGE:** Don: It is my opinion that the use of city staff and facilities for the DARE fundraiser is legally acceptable.



# -FridayFax-

*A weekly legislative update from the League of Minnesota Cities*

March 24, 2006

Page 1

## State of the Cities Legislative Conference

Get involved and make your city's voice heard at the Capitol!

Register today for the State of the Cities Legislative Conference. Make an appointment to meet with your legislator during City Day at the Capitol, and join us for the social hour at the Kelly Inn, Sweetwater Bar and Grill on March 30, 2006.

Register online at [www.lmnc.org](http://www.lmnc.org)

## GASB 43/45 Legislation

The League is hearing concerns from a number of cities about HF 3380, a bill proposed by the State Auditor's Office that would limit cities' ability to use a vendor other than the Public Employees Retirement Association (PERA) for any post-employment health care savings plan such as those through MSRS, ICMA, Nationwide and others.

The League has been actively involved in discussions with the State Auditor's Office on this legislation and we have expressed concerns about the apparent broad application of the current bill language to all post-employment health care savings plans. The State Auditor's Office has indicated that it is not their intent to impact plans other than those established for GASB 43/45 (other post employment benefit or OPEB) purposes. As a result, the Auditor's office is in the process of drafting an amendment that would clarify that cities would be able to continue to use their own vendor – ICMA, MSRS, Nationwide, etc. – for post-employment health care savings plans.

However, if a city has a need to use a trust to fund GASB liabilities for retiree benefits, this legislation as currently drafted would still limit the option to a trust established under PERA. This is likely to affect primarily cities that contribute directly to retiree health insurance premiums – i.e., if your city

has an obligation to pay a portion of a retiree's group health insurance premium as a result of a union contract or personnel policy. The legislation does not require that a city actually fund for GASB purposes but if a city chooses to fund through a trust arrangement, then the city would be limited to the trust fund available through PERA.

*If you have further concerns about this legislation or questions about the bill, or would like to comment on the issue, please feel free to contact Laura Kushner 651-281-1203 or Erin Rian 651-215-4095 in the League HR & Benefits Department.*

## Senate floor vote on eminent domain expected next week

Last week, the Senate Transportation Committee passed SF 2750, legislation restricting eminent domain authority authored by Sen. Tom Bakke (DFL-Cook) and supported by the Institute for Justice (IJ) and the Minnesota Automobile Dealers Association (MADA). The committee adopted an amendment to SF 2750, which included several new provisions that moderated the original proposal. The bill passed as amended, and is awaiting a vote on the Senate floor. This week's *Cities Bulletin* includes an article describing the provisions contained in the Senate bill.

The League expects that the full Senate will take-up SF 2750 on Monday, March 27<sup>th</sup>. Local officials are encouraged to contact their State Senators to urge their support for an amendment to the bill's effective date that would grandfather in certain local projects that are already "in-the-pipeline." City officials should also ask Senators to vote against any amendments that would further restrict local eminent domain authority or increase the cost of acquiring property for the public good.

The House companion bill, HF 2846, authored by Rep. Jeff Johnson (R-Plymouth), cleared two more legislative committees this week – the House Agriculture and Rural Development Committee and House Transportation Finance Committee.

For more information on city legislative issues, contact any member of the League of Minnesota Cities Intergovernmental Relations team.  
651.281.1200 or 800.925.1122



# -FridayFax-

*A weekly legislative update from the League of Minnesota Cities*

March 24, 2006

Page 2

These two committees approved several amendments that will further increase the costs to taxpayers for public projects. The House Agriculture Committee adopted an amendment that requires compensation for loss of going concern unless the condemning authority proves by "clear and convincing evidence" that the owner is not entitled to this compensation. This provision fails to provide the condemning authority with access to the financial information needed to make a determination that a loss of business has occurred. The committee also adopted an amendment requiring compensation to a business owner if a governmental entity permanently eliminates more than 51 percent of access to a place of business, resulting in loss of revenues of 51 percent or more.

In House Transportation Finance, the committee approved an amendment that requires payment of just compensation if an historic preservation designation adopted on or after August 1, 2002 reduces a property's fair market value or interferes with the owner's use and enjoyment of the property. Rep. Johnson accepted one League-supported amendment to clarify the minimum damages provision in HF 2846. However, the committee voted down three other League-supported amendments that would have moderated the attorney fees and going concern provisions in the bill.

The last stop for the House bill is the House Ways and Means Committee, which will hear the bill next week. Local officials are encouraged to contact members of this committee to express concerns about HF 2846 and emphasize the need for responsible eminent domain reform that balances the needs of individual property owners with the economic health and livability of Minnesota cities. Contact information for the House Ways and Means Committee is available at: [www.leg.state.mn.us](http://www.leg.state.mn.us).

Questions? Contact Laura Harris at 651.281.1260 or by email at [lharris@lmnc.org](mailto:lharris@lmnc.org).

## Levy limits are back

This morning, the Senate Tax Committee considered SF 3326, the governor's supplemental tax recommendations. For cities, the most prominent provision is a one-year extension of levy limit on cities over 2,500 population. The levy limits would also impact all counties. The bill is authored by Sen. Bill Belanger (R-Bloomington) and Sen. Warren Limmer (R-Maple Grove).

The levy limits included in the bill are similar to the restrictions imposed on cities prior to the extremely restrictive limits imposed for the 2004 city budget year. The levy limits in the proposal are effective only for the 2007 calendar year. The calculation of the limit begins with each city's 2006 total property tax levy and state aid payments. That total is then adjusted by the percent increase in the consumer price index and the percent increase in the number of households in each community.

Past levy limits have also included an additional adjustment for new construction of commercial and industrial property value, which provided additional levy authority for cities with non-residential growth. The C/I factor was not included in the governor's proposal.

The bill would also eliminate several of the traditional "special" levies, which are levies outside the levy limitation. The proposal eliminates the special levy designation for PERA coordinated pension plan and PERA police and fire pension plan contribution increases, levies for police and fire relief associations, property tax abatements and levies for federal and state matching grants programs.

Last year, the legislature approved phased-in contribution increases in the PERA Coordinated plan and the PERA police and fire plan to cover deficiencies in the two plans. Under those phased-in increases, both the employer and employee will contribute more over the next four years for the coordinated plan and over the next three years for





# -FridayFax-

*A weekly legislative update from the League of Minnesota Cities*

March 24, 2006

Page 3

the Police and Fire plan. Under the governor's plan, increases to cover these pension costs would be covered by the overall levy limits instead of being "special" unlimited levies.

According to Revenue Commissioner Dan Salomone, the levy limits will reduce city and county levies by an estimated \$50 million and about 60 percent of that levy reduction would directly benefit homeowners. Committee members did not discuss the levy limits at the hearing. Chair Pogemiller indicated that the bill will be discussed in greater detail at an upcoming hearing.

The House version of the bill, HF 3603 is authored by Rep. Phil Krinkie (R-Shoreview), Rep. Ray Vandaveer (R-Forest Lake) and Rep. Dean Simpson (R-New York Mills). That bill will be considered next Tuesday in the House Tax Committee.

Questions? Contact Gary Carlson at 651.281.1255 or by email at [gcarlson@lmnc.org](mailto:gcarlson@lmnc.org).

## TABOR is back, too

This week, TABOR or the Taxpayer's Bill of Rights made its periodic return to the state Capitol. The proposal, HF 3840 offered this year by Rep. Joyce Peppin (R-Rogers), is similar to a proposal offered in 2003 by Sen. Michelle Bachmann (R-Stillwater). The bill does not yet have a Senate companion and it has not yet been scheduled for a hearing.

The bill is modeled after a Colorado state law and would create a new Article XV in the Minnesota Constitution. The constitutional amendment would limit state and non-school local government spending and tax increases to the rate of inflation plus population growth.

Under the constitutional provisions in HF 3840, cities and counties must have voter approval in advance for almost all new tax taxes, tax rate increases, the extension of an expiring tax or any tax policy change that increases revenues. The

amendment carves out an exemption for "emergency taxes" and under limited circumstances, for tax increases necessary to fund general obligation bonds, pensions and final court judgments.

The proposal would also limit spending growth for cities and counties to the rate of inflation and annual "local growth" as measured by net new construction of taxable real property within the city. School districts would not be covered by the limits in the bill.

Due to the fact that the bill is modeled after a provision in the Colorado Constitution, the construct of the bill and its application to Minnesota is less than crystal clear. We will provide a more complete description in an upcoming edition of the *Cities Bulletin*.

Questions? Contact Gary Carlson at 651.281.1255 or by email at [gcarlson@lmnc.org](mailto:gcarlson@lmnc.org).

## Impaired waters

The Clean Water Legacy Act (CWLA) received good news in the governor's supplemental budget, where \$20 million of general fund money was recommended to get the program rolling. With that development, Rep. Dennis Ozment (R-Rosemount) was able this week to update last year's bill, SF 762, and send the bill on its way to the House Ways and Means Committee. The focus over the next two weeks will be primarily on getting bonding money allocated to the CWLA programs to assist cities in meeting wastewater and stormwater infrastructure requirements.

Questions? Contact Craig Johnson at 651.281.1259 or by email at [cjohnson@lmnc.org](mailto:cjohnson@lmnc.org).

## Annexation

The House Local Government Committee completed the development of a committee annexation bill on Thursday evening. When the bill

For more information on city legislative issues, contact any member of the League of Minnesota Cities Intergovernmental Relations team.  
651.281.1200 or 800.925.1122



# -FridayFax-

A weekly legislative update from the League of Minnesota Cities

March 24, 2006

Page 4

is introduced and given a number on Monday, that information and a summary of what is included in it will be sent out to the annexation listserv and listed in LMC publications. The bill will next go to the House Government Operations and Veterans Affairs Committee.

Questions? Contact Craig Johnson at 651.281.1259 or by email at [cjohnson@lmnc.org](mailto:cjohnson@lmnc.org)

## Senate passes bonding bill

On Thursday the Senate passed off the floor a billion dollar-bonding bill SF 3475, offered by Sen. Keith Langseth (DFL-Glyndon) passed with a comfortable margin of 56 to 9. On the House side, the committee divisions have put forward their recommendations and a bill is expected to emerge from the House Capital Investment Committee soon. The bonding bill always plays an important role in negotiations between the House, Senate, and the governor's office. This year, with all 201 legislators and the governor up for reelection, will be no different.

Questions? Contact Jennifer O'Rourke at 651.281.1261 or by email at [jorourke@lmnc.org](mailto:jorourke@lmnc.org)

## Town hall meetings near you

Town hall meetings are a great chance to meet with your legislators and tell your city-story close to home. Upcoming meetings in a city near you include:

March 25 in Bowlus (Elmdale Community Center, 8197 State Highway 238, 8:30 am) with Rep. Greg Blaine

March 25 in Pierz (Pierz Village Hall, 101 Main St., 10:30 am) with Rep. Greg Blaine

March 25 in Garrison (City Hall, 614 Central Ave., 1:00 pm) with Rep. Greg Blaine

Check your local newspaper or radio station for additional dates. To receive e-mail notice of upcoming town hall meetings near you, subscribe online at

<http://www.house.leg.state.mn.us/maillist/maillinglist.asp> and

<http://www.senate.leg.state.mn.us/schedule/listserv.htm>

Selected meeting notices. A full list can be found at [www.leg.state.mn.us](http://www.leg.state.mn.us)

## MONDAY

### Senate Jobs, Energy and Community Development Committee

Chair: Sen. Ellen Anderson

3 p.m. Room 15 Capitol

#### Agenda:

SF 3516-Cohen: Dedicated fund for housing programs.

SF 2882-Tomassoni: Employer mandatory politics or religious meetings prohibition.

SF 2832-Tomassoni: Volunteer firefighters employers unpaid leave for employees performing firefighter duties.

SF 2840-Scheid: Organ donation paid leave for public employees.

SF 3244-Neuville: Employee right to access and review personnel records employer notification requirement.

SF 3528-Kelley: Public utilities income taxes rate recovery provisions modification.

## WEDNESDAY


### Senate Public Safety Budget Division

Chair: Sen. Jane Ramon

12 noon Room 112 Capitol

#### Agenda:

SF 3341-Cohen: Increasing reimbursement for local bomb squads for out of area calls for assistance.

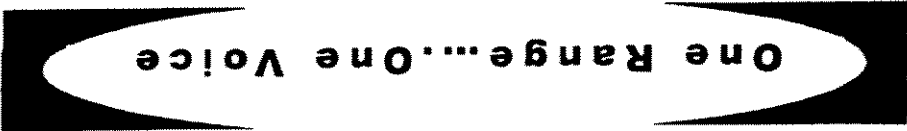
TO: RAMS BOARD AND MEMBERS  
FROM: RON DICKLICH   
DATE: MARCH 27, 2006  
RE: LEGISLATIVE SESSION REPORT

---

The 2006 Legislative Session is beginning its 5<sup>th</sup> week. The biggest event to-date is the passage of the Senate's \$990 million Capital Bonding bill. This bill contrasts with the Governor's \$845 million proposal. The Governor's does not include very much for the Taconite Cities. The Senate bill has about \$35 million for our area. Projects included in this group are: Itasca County, Nett Lake, Mesabi Trail, Ely Joint Government Garage, Town of White Trail and Road, Mt. Iron Industrial Park, and the Canisteo Project. There are also projects included in Agency Budgets such as DNR and MnSCU. There are some projects missing that we want, such as the Central Range Sewer District. We will continue to work on that and others.

March 28<sup>th</sup> is the deadline for Policy bills. After that, the Tax and Finance bills will begin to be heard. At that time, we will begin discussing Supplemental Budgets regarding Local Government Aid and Education Funding. We are not sure if there will be additional money in the end, but the debate over that will begin in the next few weeks. We will also see the House Capital Bonding bill pass probably the week of April 3<sup>rd</sup>. The process of reconciling the differences between the Senate and House bills will begin shortly after. We will be participating in that process.

That's all for now. I will send another update when things begin to happen. Thank you all for your support that enables me to participate in this process.



City of Mt. Iron  
8586 Enterprise Drive South  
Mt. Iron, MN 55768

RAMS  
P. O. Box  
Buhl, MN

**HOW TO REACH**  
**US:**

**OFFICE LOCATION:**

121 State Street  
First National Bank  
Building  
Buhl, Minnesota

**MAILING ADDRESS:**

P. O. Box 705  
Buhl, Minnesota 55713  
**PHONE:** (218) 258-3216  
**FAX:** (218) 258-3217  
**E-MAIL:** rams@uslink.net

**BUSINESS ASSOCIATES**

Fryberger, Buchanan, Smith & Frederick  
Springsted Incorporated  
Northeast Service Cooperative  
Voyageur Asset Management(4M Fund)  
Short Elliott & Hendrickson  
RLK Kuusisto  
The Costin Group  
Benchmark Engineering  
Architectural Resources  
Northeast Technical Services  
Hibbing Public Utilities Commission  
Virginia Public Utilities  
Itasca County  
St. Louis County  
Northland Securities  
Damberg Scott Gerzina Wagner Architects Inc.  
Forest Management Systems Cooperative



# Saint Louis County

Public Works Department • Richard H. Hansen Transportation & Public Works Complex  
4787 Midway Road, Duluth, MN 55811 • Phone: (218) 625-3830

**Marcus J. Hall, P.E.**  
Public Works Director/  
Highway Engineer

March 20, 2006

Mr. Rod Flannigan  
Benchmark Engineering  
PO Box 261  
Mountain Iron, MN 55792

RE: Proposed Quiet Zone  
ADT information for CSAH 102 and CR 657

Mr. Flannigan:

Enclosed is the ADT information for CSAH 102 and CR 657. I apologize for the delay, but we did not have the information available in the files and had to perform a count.

Last week the weather cooperated and we were able to set our plate counters for a 24 hour period with no snow. However, we did have problems with one of the plates malfunctioning.

The plate counting west bound traffic on CSAH 102 malfunctioned and the data became corrupted. The east bound information is valid. To approximate the total AADT for CSAH 102, we will double the east bound count.

There were no problems on CR 657.

AADT on CSAH 102	2864 vehicles	*** $(1432 \times 2=2864)$
AADT on CR 657	956 vehicles	

If you have any questions, please contact me at 218-625-3836.

Sincerely,

Brian D. Boder, P.E.  
St. Louis County Traffic Engineer

CC: Mr. Terry Lee – CN Rail Road – 1625 Depot St – Stevens Point, WI 54481  
Ms. Carolyn Gentilini – Mayor of Virginia – City Hall – 327 1<sup>st</sup> St South – Virginia, MN 55792  
Mr. Gary Skalko – Mayor of Mt. Iron – 8586 Enterprise Dr. South – Mountain Iron, MN 55786  
Ms Dani Raze – 1207 North 18<sup>th</sup> St. – Virginia, MN 55792

Encl: CSAH 102 – Nu-Metrics Traffic Analyzer Study – east bound  
CR 657 – Nu-Metrics Traffic Analyzer Study – east bound  
CR 657 – Nu-Metrics Traffic Analyzer Study – est bound

**Nu-Metrics Traffic Analyzer Study  
Computer Generated Summary Report  
City: MT. IRON  
Street: CSAH 102**

A study of vehicle traffic was conducted with HI-STAR unit number 1366. The study was done in the EB lane on CSAH 102 in MT. IRON, MN in ST LOUIS county. The study began on 03/15/2006 at 12:00 PM and concluded on 03/16/2006 at 12:00 PM, lasting a total of 24 hours. Data was recorded in 15 minute time periods. The total recorded volume of traffic showed 1,432 vehicles passed through the location with a peak volume of 87 on 03/15/2006 at 03:00 PM and a minimum volume of 0 on 03/15/2006 at 08:45 PM. The AADT Count for this study was 1,432.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin.

**Chart 1**

0	10	15	20	25	30	35	40	45	50	55	60	65	70	75
to	to	to	to	to	to	to	to	to	to	to	to	to	to	>
9	14	19	24	29	34	39	44	49	54	59	64	69	74	
0	11	6	16	18	34	81	225	359	420	196	50	8	6	1

At least half of the vehicles were traveling in the 45 - 49 mph range or a lower speed. The average speed for all classified vehicles was 48 mph with 96.4 percent exceeding the posted speed of 30 mph. The HI-STAR found 18.2 percent of the total vehicles were traveling in excess of 55 mph. The mode speed for this traffic study was 50 mph and the 85th percentile was 56.18 mph.

**CLASSIFICATION**

Chart 2 lists the values of the eight classification bins and the total traffic volume accumulated for each bin.

**Chart 2**

0	21	28	40	50	60	70	80
to	to	to	to	to	to	to	>
20	27	39	49	59	69	79	
1305	68	23	11	12	9	2	1

Most of the vehicles classified during the study were Passenger Cars. The number of Passenger Cars in the study was 1,373 which represents 95.90 percent of the total classified vehicles. The number of Small Trucks in the study was 23 which represents 1.60 percent of the total classified vehicles. The number of Trucks/Buses in the study was 11 which represents 0.80 percent of the total classified vehicles. The number of Tractor Trailers in the study was 24 which represents 1.70 percent of the total classified vehicles.

**HEADWAY**

During the peak time period, on 03/15/2006 at 03:00 PM the average headway between the vehicles was 10.23 seconds. The slowest traffic period was on 03/15/2006 at 08:45 PM. During this slowest period, the average headway was 900.0 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 19 and 62 degrees Fahrenheit. The HI-STAR determined that the roadway surface was Dry 100.00 percent of the time.

**Nu-Metrics Traffic Analyzer Study  
Computer Generated Summary Report  
City: MT. IRON  
Street: CR 657**

A study of vehicle traffic was conducted with HI-STAR unit number 1364. The study was done in the EB lane on CR 657 in MT. IRON, MN in ST LOUIS county. The study began on 03/15/2006 at 12:00 PM and concluded on 03/16/2006 at 12:00 PM, lasting a total of 24 hours. Data was recorded in 15 minute time periods. The total recorded volume of traffic showed 441 vehicles passed through the location with a peak volume of 17 on 03/16/2006 at 07:45 AM and a minimum volume of 0 on 03/15/2006 at 11:30 PM. The AADT Count for this study was 441.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin.

**Chart 1**

0	10	15	20	25	30	35	40	45	50	55	60	65	70	75
to	to	to	to	to	to	to	to	to	to	to	to	to	to	>
9	14	19	24	29	34	39	44	49	54	59	64	69	74	0
0	0	2	0	16	26	83	136	104	52	17	5	0	0	0

At least half of the vehicles were traveling in the 40 - 44 mph range or a lower speed. The average speed for all classified vehicles was 43 mph with 95.9 percent exceeding the posted speed of 30 mph. The HI-STAR found 4.99 percent of the total vehicles were traveling in excess of 55 mph. The mode speed for this traffic study was 40 mph and the 85th percentile was 50.75 mph.

**CLASSIFICATION**

Chart 2 lists the values of the eight classification bins and the total traffic volume accumulated for each bin.

**Chart 2**

0	21	28	40	50	60	70	80
to	to	to	to	to	to	to	>
20	27	39	49	59	69	79	0
415	13	4	2	2	5	0	0

Most of the vehicles classified during the study were Passenger Cars. The number of Passenger Cars in the study was 428 which represents 97.10 percent of the total classified vehicles. The number of Small Trucks in the study was 4 which represents 0.90 percent of the total classified vehicles. The number of Trucks/Buses in the study was 2 which represents 0.50 percent of the total classified vehicles. The number of Tractor Trailers in the study was 7 which represents 1.60 percent of the total classified vehicles.

**HEADWAY**

During the peak time period, on 03/16/2006 at 07:45 AM the average headway between the vehicles was 50.0 seconds. The slowest traffic period was on 03/15/2006 at 11:30 PM. During this slowest period, the average headway was 900.0 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 19 and 68 degrees Fahrenheit. The HI-STAR determined that the roadway surface was Dry 100.00 percent of the time.

**Nu-Metrics Traffic Analyzer Study  
Computer Generated Summary Report  
City: MT. IRON  
Street: CR 657**

A study of vehicle traffic was conducted with HI-STAR unit number 1365. The study was done in the WB lane on CR 657 in MT. IRON, MN in ST LOUIS county. The study began on 03/15/2006 at 12:00 PM and concluded on 03/16/2006 at 12:00 PM, lasting a total of 24 hours. Data was recorded in 15 minute time periods. The total recorded volume of traffic showed 512 vehicles passed through the location with a peak volume of 23 on 03/15/2006 at 04:30 PM and a minimum volume of 0 on 03/15/2006 at 10:30 PM. The AADT Count for this study was 512.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin.

**Chart 1**

0 to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65 to 69	70 to 74	75 to >
0	2	2	2	12	37	103	159	120	51	17	3	2	0	2

At least half of the vehicles were traveling in the 40 - 44 mph range or a lower speed. The average speed for all classified vehicles was 43 mph with 96.4 percent exceeding the posted speed of 30 mph. The HI-STAR found 4.69 percent of the total vehicles were traveling in excess of 55 mph. The mode speed for this traffic study was 40 mph and the 85th percentile was 49.93 mph.

**CLASSIFICATION**

Chart 2 lists the values of the eight classification bins and the total traffic volume accumulated for each bin.

**Chart 2**

0 to 20	21 to 27	28 to 39	40 to 49	50 to 59	60 to 69	70 to 79	80 to >
491	11	4	0	3	3	0	0

Most of the vehicles classified during the study were Passenger Cars. The number of Passenger Cars in the study was 502 which represents 98.00 percent of the total classified vehicles. The number of Small Trucks in the study was 4 which represents 0.80 percent of the total classified vehicles. The number of Trucks/Buses in the study was 0 which represents 0.00 percent of the total classified vehicles. The number of Tractor Trailers in the study was 6 which represents 1.20 percent of the total classified vehicles.

**HEADWAY**

During the peak time period, on 03/15/2006 at 04:30 PM the average headway between the vehicles was 37.5 seconds. The slowest traffic period was on 03/15/2006 at 10:30 PM. During this slowest period, the average headway was 900.0 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 19 and 66 degrees Fahrenheit. The HI-STAR determined that the roadway surface was Dry 100.00 percent of the time.



Who decided on the  
driveway, for the new  
housing project, to come  
out on Unity Drive?  
Mr Wainis should know  
it is an accident waiting  
to happen because the  
driveway is lower than  
his street - and on the  
bottom of a hill!! Where  
was the planner?