

MOUNTAIN IRON CITY COUNCIL MEETING
COMMUNITY CENTER
MOUNTAIN IRON ROOM
MONDAY, APRIL 5, 2004 - 6:30 P.M.
A G E N D A

- I. Roll Call
- II. Consent Agenda
 - A. Minutes of the March 15, 2004, Regular Meeting (#1-16)
 - B. Bills and Payroll
 - C. Receipts
 - D. Communications (#87-91)
- III. Public Forum
- IV. Committee and Staff Reports
 - A. Mayor's Report
 - B. City Administrator's Report
 - C. Director of Public Work's Report
 - 1. Large Trash Pickup (#17)
 - 2. Electric Transformer Quotes (#18)
 - D. Director of Parks and Recreation's Report
 - 1. Administrative Ticket (#19-21)
 - E. City Engineer's Report
 - 1. Sump Pump Inspection Proposal (#22-23)
 - 2. Ann's Acres Street Lighting (#24-26)
 - F. Planning and Zoning Commission
 - 1. Conditional Use Permit (#27-28)
- V. Unfinished Business
 - A. Anderson Conditional Use Permit (#29)
 - B. Quiet Zones (#30-37)
 - C. Downtown Park Equipment (#38-45)
 - D. Wenck Report (#46-48)
 - E. Costin Street Vacations (#49)
 - F. Ordinance 03-04 Amending Chapter 22 (#50-51)
 - G. Ambulance Sharing (#52)
 - H. Locomotive Park Water and Sewer (#53)
- VI. New Business
 - A. Resolution 13-04 Calling a Hearing (#54-58)
 - B. Resolution 14-04 Adopting GASB 34 Plan (#59-74)
 - C. Board/Commission Application (#75-77)
 - D. Advertisement Request (#78)
 - E. Calvary Cemetery Request (#79-81)
 - F. MCFOA Conference (#82)
 - G. Locomotive Plaque (#83)
 - H. Spruce/Aspen Intersection (#84)
 - I. City Mowing Policy (#85)
 - J. Mountain Iron Drive Dips (#86)
 - K. Communications (#87-91)
- VII. Open Discussion
- VIII. Announcements
 - A. Board of Review – April 20, 2004 – 6:30-7:30 p.m.
- IX. Adjourn

Denotes page number in packet

MINUTES
MOUNTAIN IRON CITY COUNCIL
MARCH 15, 2004

Mayor Skalko called the City Council meeting to order at 6:30 p.m. with the following members present: Joe Prebeg, Jr., Allen Nelson, Dale Irish, Ed Roskoski, and Mayor Gary Skalko. Also present were: Craig J. Wainio, City Administrator; Jill M. Forseen, Municipal Services Secretary; Don Kleinschmidt, Director of Public Works; Larry Nanti, Director of Parks and Recreation; Joe Stewart, Sergeant; Sam Aluni, City Attorney; and Rod Flannigan, City Engineer.

It was moved by Prebeg and supported by Nelson that the consent agenda be approved as follows:

1. Approve the minutes of the March 1, 2004, City Council meeting as submitted.
2. That the communications be accepted, placed on file, and those requiring further action by the City Council be acted upon during their proper sequence on the agenda
3. To acknowledge the receipts for the period March 1-15, 2004, totaling \$489,303.45, (a list is attached and made a part of these minutes).
4. To authorize the payment of the bills and payroll for the period March 1-15, 2004, totaling \$272,210.48, (a list is attached and made a part of these minutes).

The motion carried unanimously on a roll call vote.

During the public forum, Dani Raze was present and spoke to the Council regarding establishing a Train Whistle blowing Quiet Zone in the City of Mountain Iron. The Council requested that the City Administrator research establishing a Quiet Zone for the Council to review at the next regular council meeting.

Also during the public forum, several parents from the Downtown Mountain Iron area were present regarding the Level 3 Sex Offender living in the Downtown area of Mountain Iron. The Sergeant announced that a public hearing was scheduled for March 22, 2004 at 6:30 p.m. at the Mountain Iron Community Center to discuss the issue.

The Council reviewed the sample ordinance regarding charges for fire calls. It was the consensus of the Council to not act on this issue at this time.

It was moved by Nelson and supported by Prebeg to direct the City Administrator to advertisement for bids for the sale of the 1975 Chevrolet C65 Luverne Pumper and the 1979 Chevrolet C70 Tanker. The motion carried.

Councilor Roskoski asked the City Administrator who the Library Aid working at the Library was. The Council was informed that the Library Aid was Laura Nieters.

It was moved by Prebeg and supported by Nelson to accept the recommendation of the Utility Advisory Board and adopt the water rates effective immediately upon notification, (a copy is attached and made a part of these minutes). The motion carried unanimously on a roll call vote.

It was moved by Prebeg and supported by Nelson to allow City Staff to advertise in the Mesabi Daily News for summer staff and laborers. The motion carried.

The following bids were received on the Eagle Avenue sanitary sewer replacement project:

| | |
|----------------------------------|-------------|
| Jola and Sopp Excavating, Inc. | \$12,040.00 |
| Utility Systems of America, Inc. | \$15,860.00 |
| Nick Bougalis Construction | \$17,431.00 |
| Mesabi Bituminous, Inc. | \$25,000.00 |

It was moved by Nelson and supported by Prebeg to award the contract for the Eagle Avenue sanitary sewer replacement project to Jola and Sopp Excavating, Inc. for their low bid of \$12,040.00. The motion carried unanimously on a roll call vote.

The City Council reviewed the 2004 Street Improvement Plan as submitted by the City Engineer.

The City Council reviewed the Sheriff's Department February 2004 Activity Report.

Councilor Prebeg publicly thanked Sergeant Stewart and the Sheriff's Department for assisting the Memorial Snowmobile Rally held a few weeks ago.

It was moved by Roskoski and supported by Irish to direct the City Administrator to notify all area Funeral Homes located in Virginia, Mountain Iron, Eveleth, and Gilbert to advise them that the Mountain Iron Sheriff's Department will assist, if available, with funeral processions in Mountain Iron. The motion carried.

Councilor Irish stated that the Planning and Zoning Commission would like the City Attorney to prepare a report on the Tim Anderson situation on Heather Avenue regarding employees bartering for a wage and the business hours with regard to being part-time or full-time operation. The City Attorney stated that he would review the situation and report back to the Council. The Mayor stated that there are several home businesses in Mountain Iron and that he had not heard of any other complaints regarding any of the businesses.

At 7:55 p.m., Councilor Prebeg left the meeting.

The City Attorney stated that he reviewed the FEMA Grant for the fire truck and everything was in order.

The City Attorney stated that he reviewed the application for Board and Commission members and the application looked appropriate.

At 7:58 p.m., Councilor Prebeg returned to the meeting.

Councilor Irish said that the Planning and Zoning Commission would like to know when the City Council is referring someone to speak to the Planning and Zoning Commission to advise the Zoning Administrator of this action and add the item to the agenda.

It was moved by Nelson and supported Prebeg to accept the recommendation of the Planning and Zoning Commission and approve the Conditional Use Permit for James Kerntz, 8522 Dottie Lane, Mountain Iron, to construct an addition to an accessory building on parcel 175-0061-00100. The motion carried.

It was moved by Skalko and supported by Prebeg to set a public hearing for April 19, 2004, at 7:00 p.m. creating an Economic Development Authority based on the resolution that was in front of the City Council. The motion carried unanimously on a roll call vote.

It was moved by Roskoski and supported by Skalko to set a public hearing for April 19, 2004, at 7:00 p.m. to dissolve the current Housing and Redevelopment Authority. The motion carried.

Councilor Roskoski requested that the Council reconsider removing the recycling bin at Nichols Town Hall in Parkville. No further action was taken.

The Council discussed Ordinance 03-04, amending to Chapter 22 of the City Ordinance. It was the consensus of the Council to send this back to the Planning and Zoning Commission to get clarification on action that they have taken.

It was moved by Nelson and supported by Prebeg to adopt Resolution Number 07-04, accepting work on the Unity Drive graveling project, (a copy is attached and made a part of these minutes). The motion carried with Councilor Roskoski voting no.

It was moved by Nelson and supported by Prebeg to adopt Resolution Number 08-04, preparation of assessment role, (a copy is attached and made a part of these minutes). The motion carried with Councilor Roskoski voting no.

It was moved by Roskoski and supported by Irish to adopt Resolution Number 09-04, approving plans and specifications for the 2004 Street Improvement Project, (a copy is attached and made a part of these minutes). The motion carried.

It was moved by Skalko and supported by Irish to adopt Resolution Number 10-04, authorizing the grant application for a public library accessibility grant, (a copy is

attached and made a part of these minutes). The motion carried with Councilor Nelson voting no.

It was moved by Nelson and supported by Prebeg to adopt Resolution Number 11-04, declaring adequacy of petition and ordering preparation of report for the installation of water and sewer mains on Spring Park Road, (a copy is attached and made a part of these minutes). The motion carried.

It was moved by Prebeg and supported by Nelson to adopt Resolution Number 12-04, to renew the Charitable Gambling Premise Permit for Crane Lake Voyageurs Snowmobile Club at Jay Ryan's Sawmill, (a copy is attached and made a part of these minutes). The motion carried.

It was moved by Skalko and supported by Irish to authorize payment number three to Lenci Enterprises in the amount of \$9,480.90 for the Phase II-Library Interior Renovations. The motion carried on the following roll call vote: Prebeg, yes; Nelson, no; Irish, yes; Roskoski, yes; and Skalko, yes.

The Council discussed the Community Center Landscaping. The Mayor stated that this is not a budgeted item, but he would like to see that it is added to the 2005 budget.

It was moved by Roskoski and supported by Irish to direct the Recreation Director along with other City Staff to formulate a plan to keep the following public parks and spaces free of litter, on a weekly basis between the final Spring melt and snow cover in the Fall: West II Rivers Campground, Locomotive Park, Mott Pit access area, the Downtown School yard playground area, the Wacootah Overlook, the Wolf Park, the South Grove Central Park, the South Grove Recreation Area, the Library yard, the City Hall/Community Center area, the Nichols Town Hall area, the Parkville baseball field area, the Ann's Acres Playground, the West Virginia Recreation area, the West Virginia baseball field, Highway 53/Old Highway 169 entrance taconite monument site, the City Garage area, and the lift station areas, with a deadline for this request being May 1, 2004 or sooner. The motion carried.

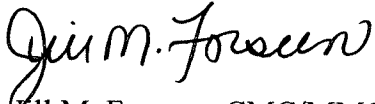
During the open discussion, the Council discussed the ambulance services provided by Virginia.

The Council discussed the Library renovations. Councilor Roskoski stated that there have been some discrepancies on what the Library Board wants completed during the renovation and what the architect is having completed.

It was moved by Irish and supported by Skalko to accept the donation from the Parkville Community Club of \$895.49 to be used for the upgrade of the Nichols Town Hall to include the purchase an outdoor bench, card tables and chairs, and sound absorbing materials for the walls. The motion carried.

At 9:11 p.m., it was moved by Nelson and supported by Prebeg that the meeting be adjourned. The motion carried.

Respectfully submitted:



Jill M. Forseen, CMC/MMCA
Municipal Services Secretary

www.mtniron.com

COMMUNICATIONS

1. League of Minnesota Cities, forwarding the State of the Cities Report 2004.
2. Coalition of Greater Minnesota Cities, forwarding a summary of activities.
3. League of Minnesota Cities, the Friday Fax.
4. Kari Thurlow, Flaherty & Hood, P. A., an e-mail regarding two different lobbying opportunities.

Summary By Category And Distribution

| Category | Distribution | Amount |
|---------------------------|--------------------------------|-------------------|
| UTILITY | UTILITY | 123,852.62 |
| BUILDING RENTALS | NICHOLS HALL | 20.00 |
| BUILDING RENTALS | BUILDING RENTAL DEPOSITS | 950.00 |
| INTERGOVERNMENTAL REVENUE | TACONITE PRODUCTION TAX | 332,787.00 |
| MISCELLANEOUS | ASSESSMENT SEARCHES | 30.00 |
| BUILDING RENTALS | COMMUNITY CENTER | 335.00 |
| METER DEPOSITS | ELECTRIC | 500.00 |
| PERMITS | CONDITIONAL USE | 150.00 |
| PERMITS | BUILDING | 109.00 |
| MISCELLANEOUS | REIMBURSEMENTS | 25,520.34 |
| CD INTEREST | CD INTEREST 103 | 1,505.46 |
| CD INTEREST | CD INTEREST 101 | 927.83 |
| CD INTEREST | CD INTEREST 301 | 792.05 |
| CD INTEREST | CD INTEREST 378 | 203.67 |
| CD INTEREST | CD INTEREST 602 | 158.40 |
| CD INTEREST | CD INTEREST 603 | 181.08 |
| BUILDING RENTALS | SENIOR CENTER | 25.00 |
| MISCELLANEOUS | ELECTRICAL INSPEC FORMS | 1.00 |
| PERMITS | VARIANCE | 150.00 |
| LICENSES | ANIMAL | 5.00 |
| SPECIAL ASSESSMENTS | SPECIAL ASSESS.-BOND MONEY | 95.11 |
| SPECIAL ASSESSMENTS | INTEREST-SP.ASSESS.-BONDS ISSU | 4.89 |
| INTERGOVERNMENTAL REVENUE | MISCELLANEOUS STATE AID | 1,000.00 |
| Summary Totals: | | <u>489,303.45</u> |

Check Issue Date(s): 03/06/2004 - 03/19/2004

| Per | Date | Check No | Vendor No | Payee | Check GL Acct | Amount |
|-------|------------|----------|-----------|---------------------------------|---------------|-----------|
| 03/04 | 03/11/2004 | 29573 | 190039 | VOID - ST LOUIS COUNTY RECORDER | 002-20200 | 71.60 -M |
| 03/04 | 03/10/2004 | 29623 | 190039 | ST LOUIS COUNTY RECORDERS OFFC | 002-20200 | 1.65 |
| 03/04 | 03/10/2004 | 29624 | 190039 | ST LOUIS COUNTY RECORDERS OFFC | 002-20200 | 1.65 |
| 03/04 | 03/10/2004 | 29625 | 190039 | ST LOUIS COUNTY RECORDERS OFFC | 002-20200 | 1.65 |
| 03/04 | 03/11/2004 | 29626 | 190039 | ST LOUIS COUNTY RECORDERS OFFC | 002-20200 | 65.00 |
| 03/04 | 03/16/2004 | 29627 | 10008 | AIRGAS NORTH CENTRAL | 002-20200 | 78.78 |
| 03/04 | 03/16/2004 | 29628 | 130017 | AMERICAN BANK | 002-20200 | 165.49 |
| 03/04 | 03/16/2004 | 29629 | 140026 | AQUILA | 002-20200 | 7,928.36 |
| 03/04 | 03/16/2004 | 29630 | 10021 | ARROWHEAD LIBRARY SYSTEM | 002-20200 | 376.44 |
| 03/04 | 03/16/2004 | 29631 | 20022 | BENCHMARK ENGINEERING INC | 002-20200 | 28,342.50 |
| 03/04 | 03/16/2004 | 29632 | 20007 | BP | 002-20200 | 3,126.37 |
| 03/04 | 03/16/2004 | 29633 | 20004 | BURGER OFFICE EQUIPMENT | 002-20200 | 29.82 |
| 03/04 | 03/16/2004 | 29634 | 30061 | CELLULARONE | 002-20200 | 543.51 |
| 03/04 | 03/16/2004 | 29635 | 220003 | CITY OF VIRGINIA | 002-20200 | 89.36 |
| 03/04 | 03/16/2004 | 29636 | 30053 | CONSOLIDATED TRADING COMPANY | 002-20200 | 786.16 |
| 03/04 | 03/16/2004 | 29637 | 40009 | DEPARTMENT OF COMMERCE | 002-20200 | 12.99 |
| 03/04 | 03/16/2004 | 29638 | 40036 | DMR ELECTRONICS INC. | 002-20200 | 206.00 |
| 03/04 | 03/16/2004 | 29639 | 110005 | DON KLEINSCHMIDT | 002-20200 | 273.75 |
| 03/04 | 03/16/2004 | 29640 | 313 | ELI OLSON | 002-20200 | 57.74 |
| 03/04 | 03/16/2004 | 29641 | 60006 | FISHER PRINTING | 002-20200 | 1,493.13 |
| 03/04 | 03/16/2004 | 29642 | 311 | GORDON JOHNSON | 002-20200 | 118.44 |
| 03/04 | 03/16/2004 | 29643 | 70004 | GRANDE ACE HARDWARE | 002-20200 | 85.19 |
| 03/04 | 03/16/2004 | 29644 | 70028 | GREATER MINNESOTA AGENCY INC | 002-20200 | 186.00 |
| 03/04 | 03/16/2004 | 29645 | 70029 | GUARDIAN PEST CONTROL INC | 002-20200 | 54.10 |
| 03/04 | 03/16/2004 | 29646 | 80022 | HAWKINS INC | 002-20200 | 2,680.95 |
| 03/04 | 03/16/2004 | 29647 | 80002 | HILLYARD | 002-20200 | 1,839.84 |
| 03/04 | 03/16/2004 | 29648 | 90002 | INGRAM BOOK COMPANY | 002-20200 | 100.04 |
| 03/04 | 03/16/2004 | 29649 | 314 | JAMIE PETERSON | 002-20200 | 166.57 |
| 03/04 | 03/16/2004 | 29650 | 190025 | JUDY SEURER | 002-20200 | 49.50 |
| 03/04 | 03/16/2004 | 29651 | 120006 | L & M SUPPLY | 002-20200 | 400.52 |
| 03/04 | 03/16/2004 | 29652 | 120039 | LEEF SERVICES | 002-20200 | 24.29 |
| 03/04 | 03/16/2004 | 29653 | 120035 | LENCI ENTERPRISES INC | 002-20200 | 9,480.90 |
| 03/04 | 03/16/2004 | 29654 | 120010 | LEN'S BODY SHOP | 002-20200 | 2,553.85 |
| 03/04 | 03/16/2004 | 29655 | 130004 | MESABI DAILY NEWS | 002-20200 | 1,339.66 |
| 03/04 | 03/16/2004 | 29656 | 130036 | MINNESOTA DEPT OF REVENUE | 002-20200 | 235.00 |
| 03/04 | 03/16/2004 | 29657 | 130009 | MINNESOTA POWER | 002-20200 | 500.00 |
| 03/04 | 03/16/2004 | 29658 | 130013 | MOUNTAIN IRON FIREMEN'S RELIEF | 002-20200 | 2,700.00 |
| 03/04 | 03/16/2004 | 29659 | 130011 | MOUNTAIN IRON POSTMASTER | 002-20200 | 279.15 |
| 03/04 | 03/16/2004 | 29660 | 130078 | MR MAINTENANCE PLUS INC | 002-20200 | 241.18 |
| 03/04 | 03/16/2004 | 29661 | 316 | NEIL JOHNSON | 002-20200 | 94.28 |
| 03/04 | 03/16/2004 | 29662 | 140052 | NORTHEAST SERVICE COOPERATIVE | 002-20200 | 30,881.91 |
| 03/04 | 03/16/2004 | 29663 | 140004 | NORTHERN ENGINE & SUPPLY INC | 002-20200 | 237.07 |
| 03/04 | 03/16/2004 | 29664 | 150014 | ONE CALL CONCEPTS INC | 002-20200 | 5.75 |
| 03/04 | 03/16/2004 | 29665 | 160023 | POHAKI LUMBER | 002-20200 | 231.95 |
| 03/04 | 03/16/2004 | 29666 | 170001 | QWEST | 002-20200 | 367.26 |
| 03/04 | 03/16/2004 | 29667 | 180009 | RANGE RECREATION CIVIC CENTER | 002-20200 | 7,560.00 |
| 03/04 | 03/16/2004 | 29668 | 312 | ROBERT WAXVIK | 002-20200 | 99.00 |
| 03/04 | 03/16/2004 | 29669 | 317 | ROGER JOHNSTON | 002-20200 | 100.00 |
| 03/04 | 03/16/2004 | 29670 | 318 | RUSSELL BLAKE | 002-20200 | 50.00 |
| 03/04 | 03/16/2004 | 29671 | 190068 | SATELLITE SHELTERS INC | 002-20200 | 222.59 |
| 03/04 | 03/16/2004 | 29672 | 190049 | SCHOLASTIC LIBRARY PUBLISHING | 002-20200 | 138.78 |
| 03/04 | 03/16/2004 | 29673 | 190045 | SERVICE SOLUTIONS | 002-20200 | 211.94 |
| 03/04 | 03/16/2004 | 29674 | 190024 | ST LOUIS CO SHERIFF LITMAN | 002-20200 | 99,994.00 |
| 03/04 | 03/16/2004 | 29675 | 200003 | TACONITE TIRE SERVICE | 002-20200 | 9.95 |
| 03/04 | 03/16/2004 | 29676 | 200020 | THE TRENTI LAW FIRM | 002-20200 | 3,345.96 |
| 03/04 | 03/16/2004 | 29677 | 315 | TIM & APRIL OTTO | 002-20200 | 67.51 |
| 03/04 | 03/16/2004 | 29678 | 210030 | U S BANK TRUST SERVICES | 002-20200 | 373.75 |

M = Manual Check, V = Void Check

Check Issue Date(s): 03/06/2004 - 03/19/2004

| Per | Date | Check No | Vendor No | Payee | Check GL Acct | Amount |
|------------------------------------|------------|----------|-----------|--------------------------------|---------------|---------------------|
| 03/04 | 03/16/2004 | 29679 | 210001 | UNITED ELECTRIC COMPANY | 002-20200 | 386.14 |
| 03/04 | 03/16/2004 | 29680 | 220018 | VIKING OFFICE PRODUCTS | 002-20200 | 91.59 |
| 03/04 | 03/16/2004 | 29681 | 220002 | VIRGINIA SURPLUS | 002-20200 | 187.99 |
| 03/04 | 03/16/2004 | 29682 | 230004 | WENCK ASSOCIATES INC | 002-20200 | 228.15 |
| 03/04 | 03/19/2004 | 29683 | 190039 | ST LOUIS COUNTY RECORDERS OFFC | 002-20200 | 1.65 |
| Totals: | | | | | | <u>211,431.15</u> |
| Payroll-PP Ending 3/12/04 | | | | | | 52,400.91 |
| Electronic Transfer-Sales Tax 3/19 | | | | | | <u>8,378.42</u> |
| TOTAL EXPENDITURES | | | | | | <u>\$272,210.48</u> |

CURRENT WATER RATES AS OF MARCH 15, 2004

Metered Water Rate

Residential: \$7.50 per month service charge
\$1.85 per 1000 gallons

Commercial: \$22.00 per month service charge
\$1.85 per 1000 gallons

Flat Rates for Unmetered Useage

| | |
|--------------------------------|---------|
| Each Residential Dwelling Unit | \$30.00 |
| Municipal Facilities | \$50.00 |



CITY OF MOUNTAIN IRON

"TACONITE CAPITAL OF THE WORLD"

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RESOLUTION NUMBER 07-04

ACCEPTING WORK

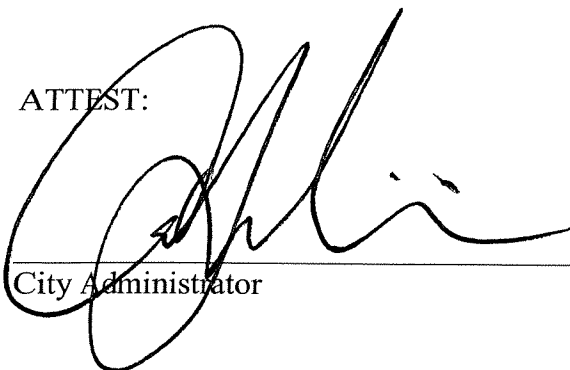
WHEREAS, pursuant to a written contract signed with the City, Hibbing Excavating of Hibbing, Minnesota, has satisfactorily completed the improvement of Unity Drive between the center line of Park Drive and approximately 1400 feet east of the centerline of Park Drive by the construction of a gravel surfaced road in accordance with such contract.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF MOUNTAIN IRON, MINNESOTA, the work completed under said contract is hereby accepted and approved, and,

BE IT FURTHER RESOLVED, that the City Administrator and Mayor are hereby directed to issue a proper order for the final payment on such agreement, taking the contractor's receipt in full.

DULY ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF MARCH, 2004.

ATTEST:



City Administrator



Mayor Gary Skalko



CITY OF MOUNTAIN IRON

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RESOLUTION NUMBER 08-04

DECLARING COST TO BE ASSESSED, AND ORDERING PREPARATION OF PROPOSED ASSESSMENT

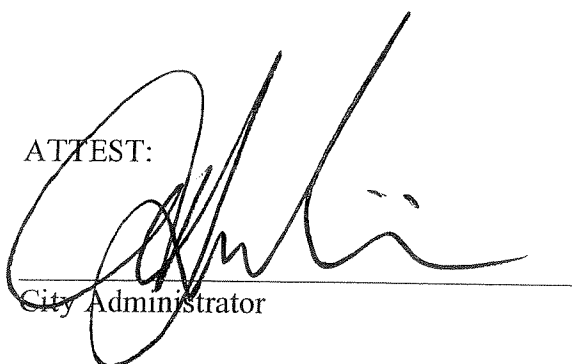
WHEREAS, costs have been determined for the improvement of Unity Drive between the center line of Park Drive and approximately 1400 feet east of the centerline of Park Drive by the construction of a gravel surfaced road and the contract price for such improvement is \$11,004 and the expenses incurred or to be incurred in the making of such improvement amount to \$5,382 so that the total cost of the improvement will be \$16,386.

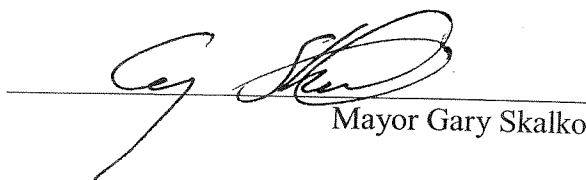
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOUNTAIN IRON, MINNESOTA:

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$14,747 and the portion of the cost to be assessed against benefited property owners is declared to be \$1,639.
2. Assessments shall be payable in equal annual installments extending over a period of ten years, the first of the installments to be payable on or before the first Monday in January, 2005, and shall bear interest at the rate of eight percent per annum from the date of the adoption of the assessment Resolution.
3. The City Administrator, with the assistance of the city engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.
4. The City Administrator shall upon the completion of such proposed assessment, notify the City Council thereof.

DULY ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF MARCH, 2004.

ATTEST:


City Administrator


Mayor Gary Skalko



CITY OF MOUNTAIN IRON

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RESOLUTION NUMBER 09-04

APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS

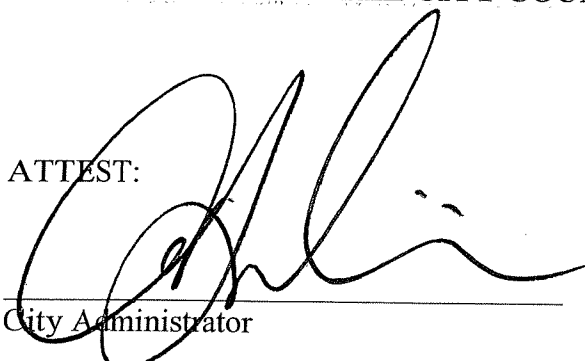
WHEREAS, pursuant to a Resolution Number 27-03 passed by the City Council on September 29, 2004, for the improvement of the proposed improvement of those Streets identified in Exhibit A by reconstruction and/or overlay and has presented such plans and specifications to the City Council for approval.

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for two days, shall specify the work to be done, shall state that bids will be received by the City Administrator until 10:00 a.m. on April 28, 2004, at which time they will be publicly opened in the Mountain Iron Room of the Community Center by the City Administrator and Engineer, will then be tabulated, and will be considered by the City Council at 6:30 p.m. on May 3, 2004, in the Mountain Iron Room. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the City Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Administrator and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City of Mountain Iron for ten (10%) percent of the amount of such bid.

DULY ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF MARCH, 2004.

ATTEST:


City Administrator


Mayor Gary Skalko

EXHIBIT A

Locomotive Street from Mountain Avenue to Marble Avenue
Park Drive from South of Garden Drive to Mud Lake Road
Arbor Lane from Mineral Avenue to Greenwood Lane
Parkville Street from Nichols Avenue to Old Highway 169
Spring Park Road from Nichols Avenue to end of current bituminous portion
Oriole Avenue from Spring Park Road to Cardinal Street
Cardinal Street from Oriole Avenue to Nichols Avenue
Eagle Avenue from Parkville Street to end of current bituminous portion
Grant Street from Mineral Avenue to end of current bituminous portion
Only the Cul-de-sac of North Court
All of Marion Lane



CITY OF MOUNTAIN IRON

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RESOLUTION NUMBER 10-04

AUTHORIZING GRANT APPLICATION

WHEREAS, the Mountain Iron Public Library building and public library services should be accessible to all residents; and,

WHEREAS, the City of Mountain Iron has title to the site and building where the Mountain Iron Public Library is located; and,

WHEREAS, the City of Mountain Iron has determined that various modifications are necessary within the Mountain Iron Public Library building to meet current Americans with Disabilities Act and Minnesota State Building Code Accessibility Standards; and,

WHEREAS, the City of Mountain Iron has determined that such modifications will cost approximately \$169,776; and,

WHEREAS, the City of Mountain Iron has determined that it will need a matching grant from the Department of Education to pay for such modifications; and,

WHEREAS, the City of Mountain Iron shall provide matching funds for expenditures relating to the public library accessibility project in an amount equal to the amount of the grant from non-state sources and that such match shall be dollar-for-dollar and not matched by in-kind contributions; and,

WHEREAS, the source of the matching funds will be Capital Improvement Funds; and,

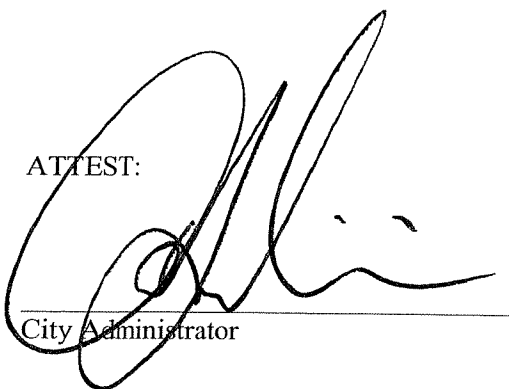
WHEREAS, the City of Mountain Iron understands and agrees to adhere to the list of assurances as stated in the grant application.

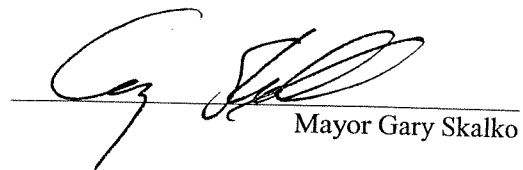
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOUNTAIN IRON, MINNESOTA, that it authorizes the Mayor and City Administrator to submit a grant application totaling \$84,888 to make accessibility related modifications at the Mountain Iron Public Library building.

BE IT FURTHER RESOLVED BY THE MOUNTAIN IRON CITY COUNCIL, that the Mayor and City Administrator are authorized independently to sign and submit all applicable contracts, documents and agreements associated with the application or grant agreement on behalf of the City of Mountain Iron.

DULY ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF MARCH, 2004.

ATTEST:



City Administrator

Mayor Gary Skalko



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 11-04

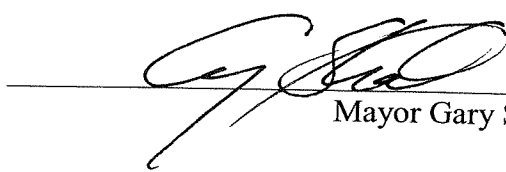
DECLARING ADEQUACY OF PETITION AND ORDERING PREPARATION OF REPORT

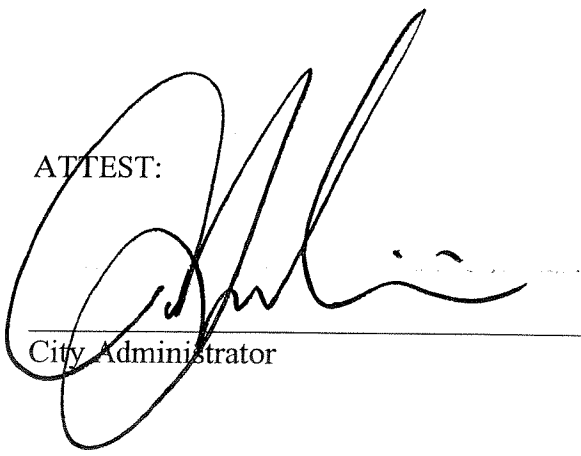
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF
MOUNTAIN IRON, MINNESOTA:

1. A certain petition requesting the improvement of Spring Park Road between the West end of the road to ½ mile east of the west end of the road, filed with the council on March 8, 2004, is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to Minn. Stat. § 429.035.
2. The petition is hereby referred to the City Engineer and that person is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible and as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

DULY ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF MARCH, 2004.

ATTEST:


Mayor Gary Skalko


City Administrator



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 12-04

CHARITABLE GAMBLING

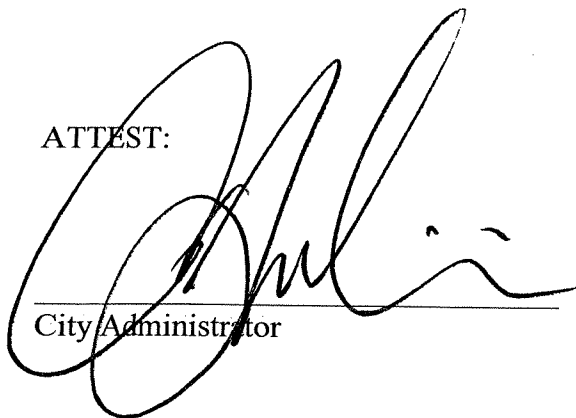
WHEREAS, the Crane Lake Voyagers Snowmobile Club, Inc., has applied to renew a Class B Charitable Gambling Operation Permit consisting of raffles, paddlewheels, tipboards, and pull-tabs at Jay Ryans Sawmill, and;

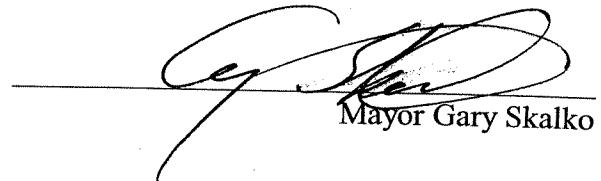
WHEREAS, the Crane Lake Voyagers Snowmobile Club, Inc., is requesting that their Class B Charitable Gambling Permit be renewed.

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

DULY ADOPTED BY THE CITY COUNCIL THIS 15th DAY OF MARCH, 2004.

ATTEST:



City Administrator

Mayor Gary Skalko

COUNCIL LETTER 040504-IVC1

UTILITY ADVISORY BOARD

LARGE TRASH PICKUP

DATE: Monday, March 29, 2004

FROM: Utility Advisory Board
Donald V. Kleinschmidt
Director of Public Works

Craig J. Wainio
City Administrator

The Utility Advisory Board is recommending to the City Council to approve a large trash collection to be the first two weeks in June, 2004.

COUNCIL LETTER 040504-IVC2

PUBLIC UTILITIES

ELECTRIC TRANSFORMER QUOTES

DATE: March 29, 2004

FROM: Don Kleinschmidt
Director of Public Works

Craig J. Wainio
City Administrator

Staff has received quotes for electrical transformers. The following are the tabulations of quotes received.

QUOTE TABULATIONS FOR ELECTRICAL TRANSFORMER

POLE MOUNT One (1) New 45 KVA Three Phase Transformer
PAD One (1) Pad to match

| | <u>VENDOR</u> | <u>TRANSFORMER</u> | <u>PAD</u> | <u>TOTAL PRICE</u> |
|----|------------------|--------------------|------------|--------------------|
| 1) | RESCO/ERMCO | \$3,326.00 | \$768.00 | \$4,094.00 |
| 2) | JERRY'S ELECTRIC | \$4,120.00 | REBUILT | \$4,120.00 |
| 3) | WESCO/ABB | \$3,794.00 | \$820.00 | \$4,614.00 |
| 4) | BORDER STATES | \$4,080.00 | \$751.00 | \$4,831.00 |
| 5) | T & R ELECTRIC | \$7,328.00 | \$1,045.00 | \$8,373.00 |

Staff recommends purchase of the electrical transformer to RESCO, Inc. at their low quoted price of \$4,094.00. This purchase will be funded from the electrical budget.

COUNCIL LETTER 040504-IVD1

ADMINISTRATION BOARD

OFFENSE TICKET

DATE: March 29, 2004

FROM: Administrative Board

Larry Nanti
Park and Recreation Director

Craig J. Wainio
City Administrator

Attached is a "draft" of the Administrative Offense Ticket. Please review and comment.

Administrative Offense
(Non-criminal code violation) **DRAFT**
State of Minnesota
City of Mountain Iron

The undersigned states:

Date: _____ Time: _____ Number: _____

Name: _____

Address: _____

City, State, Zip Code: _____

Phone Number(s): _____

Location of Offense: _____

Located in the City of Mountain Iron, State of Minnesota did commit the following offense(s):

☐ **BLIGHT - \$50.00**

- ☐ Nuisance on Land – Chapter 28
- ☐ Public Nuisances affecting Health – Section 52.05
- ☐ Public Nuisance affecting Peace and Safety – Section 52.07
 - ☐ Blight Factors – Section 52.03 Exterior/Vacant
 - ☐ Exterior Maintenance
 - ☐ Grass/Vermin
 - ☐ Exterior Structures
 - ☐ Junk Automobiles
 - ☐ Interior Structures
 - ☐ Other (Snowmobiles, appliances, trailers, _____)

☐ **GARBAGE - \$50.00**

- ☐ Deposit of Refuse Restricted – Section 52.07
- ☐ Storage of Garbage, other refuse & recyclables – Section 57.03
- ☐ Collection of Garbage, other refuse & recyclables – Section 57.04
- ☐ Disposal of Garbage and other refuse – Section 57.05
- ☐ Garbage Charges – Section 57.06

☐ **LAND USE REGULATIONS - \$50.00**

- ☐ Permit not paid 22.21
- ☐ Signs without a permit 22.22
- ☐ Fill without a permit 22.23
- ☐ Violation of Conditional Use 22.24
- ☐ Structure of fence with permit 22.21

☐ **TOBACCO – SEE SCHEDULE BELOW**

- ☐ License 12.03
- ☐ Prohibited Sale 12.06
- ☐ Vending Machines 12.07
- ☐ Self Serve Sales 12.08
- ☐ Compliance Checks 12.12
- ☐ Illegal Acts 12.13

FEE SCHEDULE:

Licensee: First Offense: \$100.00

Second Offense: \$200.00 (within 24 months of 1st offense)

Third Offense: \$300.00 & suspension (within 24 months of 1st offense)

Fourth Offense: Suspension to revocation (within 24 months of 1st ofns)

Other Individuals: \$50.00 per offense

Minors: First Offense: \$25.00 fine or 5 hours Community Service

Second Offense: 10 hours of Community Service

Third Offense: Additional Community Service or transfer to Criminal Court System

Failure to contact the City of Mountain Iron will result in the transfer of Violation to the Criminal Court System.

Description of the Offense:

TOTAL FINE AMOUNT \$ _____

Signature of Officer _____

Ordinance # 03-03. Subd. 4. Payments. Once such notice is given, the alleged violator may, within seven (7) days of the time of issuance of the notice, pay the amount set forth on the schedule of penalties for the violation, or may request a hearing in writing, as is provided for hereafter. The payment shall be deemed to be an admission of the violation.

DRAFT

READ CAREFULLY

You have the right to an administrative hearing if you wish to contest the ticket. Please contact the Mountain Iron City Hall office at 218-748-7570 within 7 days of the violation to schedule a hearing. If you wish to admit to the administrative offense on the reverse of this notice, you must within 7 days of its issuance, mail or bring the penalty set forth below, together with this notice, to the Mountain Iron City Hall.

FAILURE TO PAY: Failure to pay the penalty imposed may result in the issuance of a complaint as authorized by law and the violation shall be processed by the St. Louis County District Court as provided for in Minnesota Statutes.

I understand that I have the right to an administrative hearing and that by paying this penalty, I am admitting to an Administrative Offense and am waiving that right.

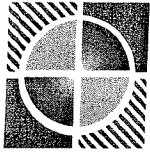
Signature

Address

Date

MAKE CHECK PAYABLE TO: CITY OF MOUNTAIN IRON (a charge of up to \$25.00 will be assessed for all returned checks). Send check or money order only. DO NOT mail cash.

DELIVER IN PERSON: MOUNTAIN IRON CITY HALL, 8586 Enterprise Drive South, Mountain Iron MN 55768
PHONE 218-748-7570



BENCHMARK ENGINEERING, INC.

CIVIL AND ENVIRONMENTAL ENGINEERING • PLANNING
MINING • LAND SURVEYING • LAND DATA BASE MAPPING

8878 Main Street • P.O. Box 261
Mt. Iron, MN 55768-0261
tel: 218-735-8914 • fax: 218-735-8923
email: info@bm-eng.com

March 17, 2004

Craig Wainio, City Administrator
City of Mountain Iron
City Hall
8586 Enterprise Drive South
Mountain Iron, MN 55768

Re: Sump Pump Inspections

Dear Mr. Wainio:

Pursuant to the request by the City Council for Benchmark Engineering, Inc to provide a quote for sump pump inspections for the City of Mountain Iron, please find the following itemization of services & fees related to this project:

The initial inspection will be charged at a rate of \$50 per household. This inspection fee covers the following services:

- > Initial inspection;
- > Scheduling appointments for initial inspections;
- > Return appointments to complete initial inspections;
- > Monthly status summaries; and
- > The final report upon completion of all initial inspections.

When residents are considered non-compliant during the initial inspection, a re-inspection appointment will be required to verify compliance and will be charged at a rate of \$35 per household. This re-inspection fee will include scheduling the appointments, the final inspection, and issuing the Certificate of Compliance. Please note that the Compliance Status Forms & Certificates of Compliance for the Mountain Iron residents will be charged as a direct billable to you in addition to the \$50 per household fee. Also please be advised that MPCA will require a final report regarding the sump pump inspections. This report will be provided for \$2,000.

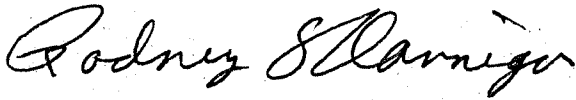
In summary, the initial inspections will be \$50/household, re-inspections will be \$35/household and the final report to MPCA and your office will be \$2,000. These above-stated fees include for office personnel and overtime for the inspector.

Page Two
Mr. Craig Wainio
March 17, 2004

Thank you for the opportunity to provide you a quote for this project. I look forward to hearing your response.

Please call me with any questions or concerns that you may have regarding this quote.

Sincerely,
Benchmark Engineering, Inc

A handwritten signature in cursive script, reading "Rodney Flannigan".

Rodney Flannigan, R.L.S.

RF: cas

ENGINEER'S ESTIMATE OF QUANTITIES AND OPINION OF COST
PROPOSED STREET LIGHTING - ANN'S ACRES
MOUNTAIN IRON, MINNESOTA
PROJECT NO: MI04-4

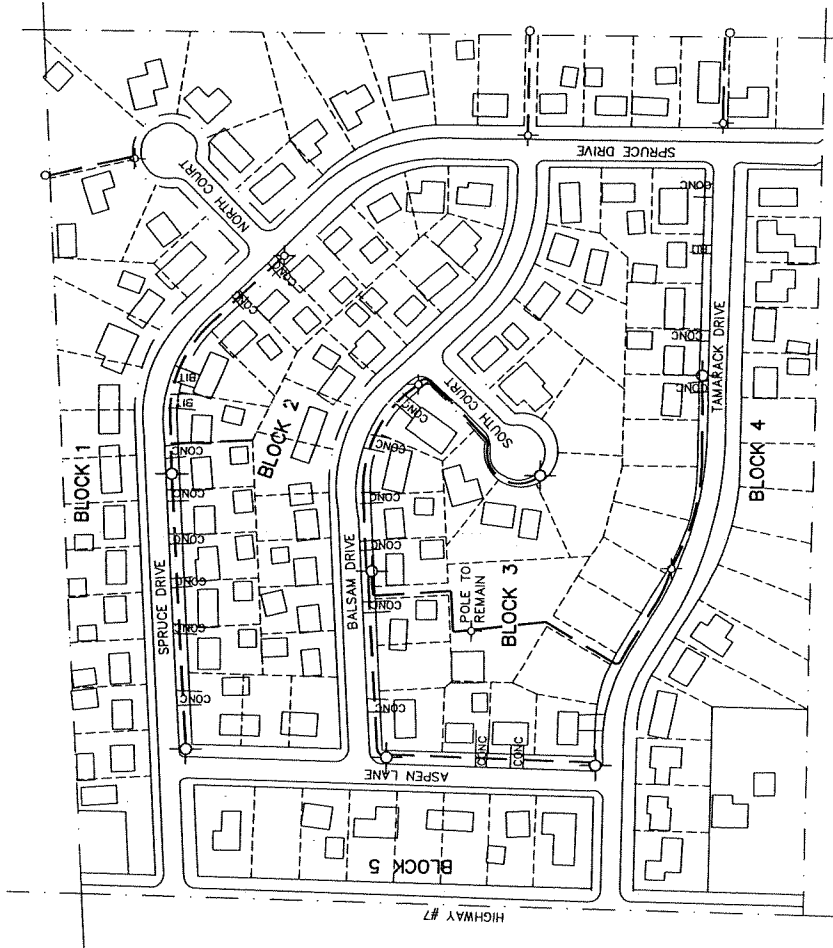
| SPEC. NO. | ITEM | UNITS | ITEM COST | MUELLER AVENUE | |
|-----------|----------------------------------|----------|-------------|----------------------|-------------|
| | | | | ESTIMATED QUANTITIES | AMOUNT |
| 2104.503 | REMOVE CONCRETE SIDEWALK | SQ. FT. | \$1.00 | 0.0 | \$0.00 |
| 2104.505 | REMOVE PAVEMENT | SQ. YD. | \$5.00 | 114.0 | \$570.00 |
| 2104.511 | SAW PAVEMENT - FULL DEPTH | LIN. FT. | \$4.00 | 375.0 | \$1,500.00 |
| 2104.523 | SALVAGE LIGHT POLE AND LUMINAIRE | EACH | \$100.00 | 6.0 | \$600.00 |
| 2211.503 | AGG. BASE CL. 5 (CV) | CU. YD. | \$13.00 | 20.0 | \$260.00 |
| 2331.521 | IRREGULAR WIDTH PAVING | SQ. YD. | \$60.00 | 24.0 | \$1,440.00 |
| 2531.507 | CONCRETE DRIVEWAY PAVEMENT | SQ. YD. | \$40.00 | 90.0 | \$3,600.00 |
| 2545.501 | ELECTRICAL LIGHTING SYSTEM | LUMP SUM | \$60,000.00 | 1.0 | \$60,000.00 |
| 2575.505 | SODDING TYPE LAWN | SQ. YD. | \$3.00 | 200.0 | \$600.00 |

CONSTRUCTION COST:
ENGINEERING - DESIGN/CONSTRUCTION:
TOTAL PROJECT COST:

\$68,570.00
\$13,028.30
\$81,598.30

BENCHMARK ENGINEERING, INC.

ANN'S ACRES ADDITION CITY OF MOUNTAIN IRON, MINNESOTA



- EXISTING LIGHT AND POLE TO BE SALVAGED
- PROPOSED LIGHT INCL. BASE, STANDARD AND LUMINAIRE
- PROPOSED CONDUIT

NOTE: EXISTING FIXTURE TO BE SALVAGED WILL BE REPLACED WITH A NEW BASE, STANDARD AND LUMINAIRE.

Benchmark ENGINEERING, INC.
PLANNING - LAND SURVEYING
8078 Lake Street, East Office Box 261
Mountain Iron, Minnesota 55106
Phone: 218/735-8814
http://www.bm-eng.com

I hereby certify that this plan, specification or report was prepared by me or under my supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA.

Printed name: _____
Date: _____
Lic. No. _____

| DATE | REVISIONS | DESCRIPTION |
|------|-----------|-------------|
| | | |
| | | |
| | | |
| | | |

PROPOSED STREET LIGHTING
ANN'S ACRES ADDITION
CITY OF MOUNTAIN IRON, MINNESOTA
LIGHTING LAYOUT PLAN

SHEET NO. **1** OF **1**





MARCH, 2004

ENGINEER'S ESTIMATE OF QUANTITIES AND OPINION OF COST
PROPOSED STREET LIGHTING - ANN'S ACRES
MOUNTAIN IRON, MINNESOTA
PROJECT NO: MI04-4

| SPEC. NO. | ITEM | UNITS | ITEM COST | ESTIMATED QUANTITIES | AMOUNT |
|-----------|----------------------------------|----------|-------------|----------------------|-------------|
| 2104.503 | REMOVE CONCRETE SIDEWALK | SQ. FT. | \$1.00 | 0.0 | \$0.00 |
| 2104.505 | REMOVE PAVEMENT | SQ. YD. | \$5.00 | 114.0 | \$570.00 |
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| 2575.505 | SODDING TYPE LAWN | SQ. YD. | \$3.00 | 200.0 | \$600.00 |

CONSTRUCTION COST:
ENGINEERING - DESIGN/CONSTRUCTION:
TOTAL PROJECT COST:

\$68,570.00
\$13,028.30
\$81,598.30

BENCHMARK ENGINEERING, INC.

**CITY OF MOUNTAIN IRON
CONDITIONAL USE PERMIT APPLICATION ***

Name of Applicant Stephen Skogman Signature of Applicant [Signature] Date of Applications 3-3-04
8867 Quartz Street, PO Box 522, Mountain Iron
 Legal Description: 0006 007 Merritts 1st 175-0020-00830
 Sec/Lot 0007 Twp/Block 007 Rge/Subd Add'l Parcel Code # 175-0020-00820

Description of Proposed Use 32x48 Garage with shop area used for parking vehicles. Shop area is for hobby & craft projects. This is not going to be used for a business.

Statement as to why proposed use will not cause injury to value of adjoining property. There are no neighbors to the west of my property and the house to the east is vacant. The building will be in line with other buildings along the alley.

Statement as to how proposed use is to be designed, arranged and operated in order to permit development and use of neighboring property. The building will be on the alley side of my property located towards the western edge. There is nothing along my western property line except an old overburden dump.

* Applicant is required to submit documentation required in Section 22.24, Subd 4 of the Zoning Ordinance along with this application for a Conditional Use Permit. Applicant is also required to submit a Vicinity Map, drawn to scale, showing applicant's and adjoining property including existing and proposed buildings or uses. Use reverse side of this form.

Ad \$150.00 3-3-04
Rec. 5.000637

OFFICE USE ONLY

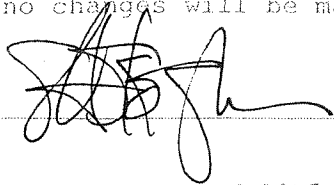
| ITEM | ACTION | DATE | INITIAL |
|----------------------------------|------------------------|--------|---------|
| Zoning Administrator Review | Sent to JDR | 3-4-04 | Gm7 |
| Public Hearing Set | Set for 3-22-04 7:05PM | 3-4-04 | Gm7 |
| Hearing Notice Published | Sent to MANS 3-4-04 | 3-8-04 | Gm7 |
| Planning & Zoning Recommendation | | | |
| Council Action | | | |
| Filed with County Recorder | | | |

Conditions Attached _____

VICINITY MAP TO SCALE - SHOW DIMENSIONS OF LOT AND ALL EXISTING AND PROPOSED STRUCTURES, DISTANCES FROM FRONT, SIDE AND REAR LOT LINE SETBACKS TO ALL EXISTING AND PROPOSED STRUCTURES. SHOW ALLEY AND STREET NAMES ABUTTING LOT.

I/We certify that the proposed construction will conform to the dimensions and uses shown and that no changes will be made without first obtaining approval.

Signature

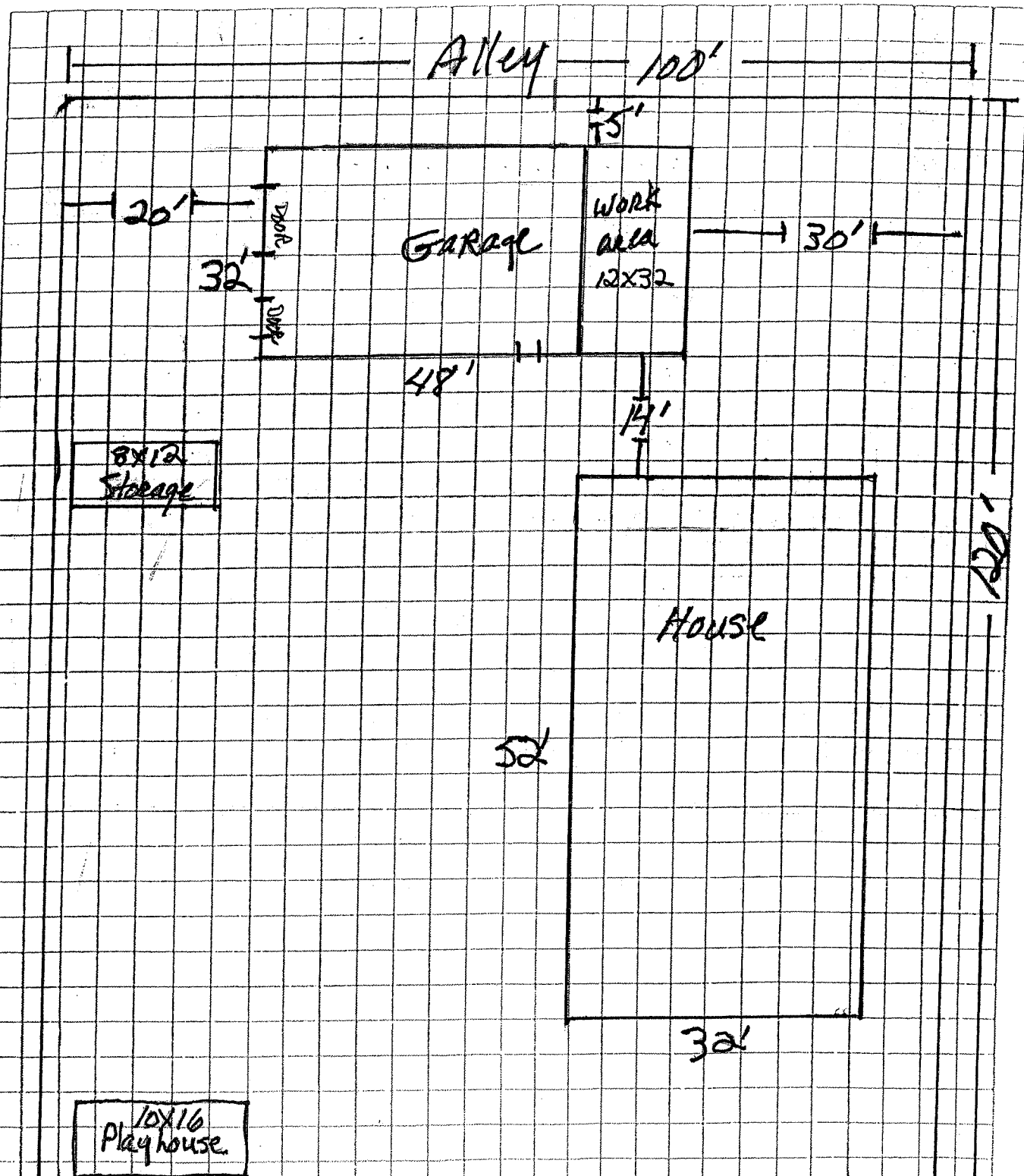


Date

3-1-04



INDICATE NORTH IN CIRCLE



THE TRENTI LAW FIRM

ATTORNEYS

Sam A. Aluni
Paul D. Cerkvenik
Joseph Lyons-Leoni*++
Scott C. Neff ++
J. Carver Richards
Patrick J. Roche*
Robert H. Stephenson

225 First Street North
Suite 1000
P.O. Box 958
Virginia, MN 55792
(218) 749-1962
FAX (218) 749-4308
E-mail trenti@trentilaw.com

RETIRED

Vernon D. Saxhaug
John A. Trenti

LEGAL ASSISTANTS

Helen Marsh
Barbara Shosten
Donna M. Leritz
Kristen M. Hennis
Sharon K. Fredrickson

MEMORANDUM

TO: Mountain Iron City Council

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

RE: Tim Anderson: Conditional Use Permit
Our File No. 55,337-2

DATE: March 18, 2004

I reviewed certain information provided by the City of Mountain Iron and my notes from the council meeting of March 15, 2004. We would note that the October 16, 1989 city council minutes indicate that the Anderson conditional use permit was approved "to allow a part-time automotive business that is conducted entirely by family members with the following conditions:

1. That no outside employees be allowed to work in the automotive shop.
2. That the Conditional Use permit regarding the Automotive Shop terminates with the sale or lease of the property."

It appears that the current use of the property is in violation of the specific conditions and the intent of the restrictions contained in the conditional use permit.

In order for the current use to be sustained Anderson should follow through with the proper procedures to obtain clarification and/or a modification of the conditional use permit consistent with the existing use or, in the alternative, the property should come into compliance with the original conditions and restrictions contained in the existing conditional use permit.

+Civil Trial Specialist Certified by the National Board Trial Advocacy

++Real Property Law Specialist Certified by Minnesota State Bar Association

*Civil Trial Specialist Certified by the Minnesota State Bar Association

COUNCIL LETTER 040504-VA

ADMINISTRATION

QUIET ZONES

DATE: March 29, 2004

FROM: Craig J. Wainio
City Administrator

As requested by the City Council, Staff has gathered and reviewed information regarding the possibility of Quiet Zones in the City. First, there are two grade crossings that are of concern, Unity Drive and Old 169. The crossing at Southern Drive is located within the City of Virginia.

Based upon the information gathered and the interactive guide on the Federal Railroad Administration's Website, in order to grant a Quiet Zone, quad gates would need to be installed or traffic barriers would need to be installed. This would insure that no vehicle could go between the gates. The Council should be aware that any costs associated with the upgrade to the crossings would more than likely be born by the City.

THE "TRAIN HORN" RULE

Summary of the Interim Final Rule

1. Overview:

- Announcing publication December 18, 2003, of the Interim Final Rule on Use of Locomotive Horns at Highway-Rail Grade Crossings. Purposes:
 - ⇒ Ensure a high level of public safety;
 - ⇒ Respond to the many communities that have continued to press for relief from unwanted horn noise; and
 - ⇒ Take into consideration the interests of localities with *existing* whistle bans.
- Currently use of the horn at highway-rail crossings is governed by state law and railroad operating rules. When this rule is effective, it will determine when the horn is sounded at public crossings (and private crossings within "quiet zones").
- This Interim Final Rule was mandated by law¹, and was issued by the Federal Railroad Administration (FRA) after review of almost 3,000 public comments on the Notice of Proposed Rulemaking (NPRM) (65 FR 2230) and the Draft Environmental Impact Statement published January 13, 2000.
- The rule requires that the locomotive horn be sounded at public highway-rail crossings, but provides several exceptions to that requirement.
- Local public authorities may establish, or request the approval of, quiet zones in which train horns may not be routinely sounded. The details for establishment of quiet zones differ depending on the type of quiet zone to be created (Pre-Rule or New) and the type of safety improvements implemented (if required).
- Horns may continue to be silenced at Pre-Rule Quiet Zones, provided certain actions are taken.
- By law, the rule may not go into effect until December 18, 2004.
- Because FRA has made numerous important changes in response to public input, FRA will receive additional comments on this interim final rule. That process should not delay implementation of the rule.

2. Requirement to sound the locomotive horn:

¹49 U.S.C. 20153.

- Outside of quiet zones, railroads must sound the horn 15-20 seconds prior to arrival at the crossing, but not more than 1/4 mile in advance of the crossing.

Note: Most State laws and railroad rules currently require that the horn be sounded for 1/4 mile in advance of the crossing. Under the rule, for trains running at less than 45 mph, this will reduce the time and distance over which the horn is sounded. This will reduce noise impacts on the local community.

- The pattern for sounding the horn will remain as it currently exists today (two long, one short, one long repeated or prolonged until the locomotive traverses the crossing).
- Locomotive engineers will retain the latitude to vary this pattern where crossings are closely spaced; and they will also be empowered to sound the horn in the case of an emergency, even in a quiet zone.
- The rule addresses use of the horn only with respect to highway-rail crossings. Railroads remain free to use the horn for other purposes as prescribed in railroad operating rules on file with FRA, and railroads must use the horn as specified in other FRA regulations (in support of roadway worker safety and in the case of malfunctions of highway-rail warning devices).
- The rule prescribes both a minimum and *maximum* sound level for the train horn. The minimum level is retained at 96db(A), and the new maximum will be 110 db(A). This range will permit railroads to address safety needs in their operating territory (see discussion in the preamble).
- The protocol for testing the horn will be altered to place the sound-level meter at a height of 15 feet above top of rail, rather than the current 4 feet above the roadbed.

Note: The effect of this change will be to permit center-mounted horns to be "turned down" in some cases. The previous test method was influenced by the "shadow effect" created by the body of the locomotive to indicate a lower sound level than would otherwise be expected several hundred feet in front of the locomotive (where the crossing and approaching motorists are located or found).

- The effect of these changes will be to reduce horn noise for 3.4 million of the 9.3 million people currently affected by train horn noise.

Disclaimer: This is a summary of the interim final rule for initial briefing purposes only. Entities subject to the rule should refer to the rule text as published in the Federal Register on December 18, 2003.

3. Creation of quiet zones:

- The rule provides significant flexibility to create quiet zones, both where there are existing whistle bans and in other communities, as well.
- The Interim Final Rule adds a new concept that permits implementation of quiet zones in low-risk situations without the necessity to add safety improvements.
 - ✓ This concept utilizes a risk index approach that estimates expected safety outcomes (that is, the likelihood of a fatal or non-fatal casualty at a crossing).
 - ✓ Risk may be averaged over crossings in a proposed quiet zone.
 - ✓ Average risk within the proposed quiet zone is then compared with the average risk at gated train horn crossings nationally (the “National Significant Risk Threshold” or “NSRT”). FRA will compute the NSRT annually.

The effect of this approach is that horns can remain silenced in over half of Pre-Rule Quiet Zones without significant expense; and many New Quiet Zones can be created without significant expense where flashing lights and gates are already in place at the crossings.

- If the risk index for a proposed New Quiet Zone exceeds the NSRT, then supplementary or alternative safety measures must be used to reduce that risk (to fully compensate for the absence of the train horn or to reduce risk below the NSRT).
- The interim final rule—
 - ✓ Retains engineering solutions known as “supplementary safety measures” for use without FRA approval.
 - ✓ Adds explicit flexibility for adaptation of “supplementary safety measures” to receive credit as “alternative safety measures.” For instance, shorter channelization arrangements can be used with reasonable effectiveness estimates.

✓ Continues education and enforcement options, including photo enforcement, subject to verification of effectiveness.²

- The public authority responsible for safety and maintenance of the roadway that crosses the railroad tracks is the only entity that can designate or apply for quiet zone status.
- FRA will provide a web-based tool for communities to use in performing “what if” calculations and preparing submissions. The tool may be found at <http://www.fra.dot.gov>.
- In order to ensure proper application of the risk index, the National Highway-Rail Crossing Inventory must be updated by States and railroads. In the absence of timely filings by those parties, local authorities may file updated inventory information, and railroads must cooperate in providing railroad-specific data.
- FRA regional personnel will be available to participate in diagnostic teams evaluating options for quiet zones.
- Once a quiet zone is established (including the continuation of Pre-Rule Quiet Zones pending any required improvements), the railroad is barred from routine sounding of the horn as a warning at the affected crossings.
- See below for discussion of **Pre-Rule Quiet Zones** and **New Quiet Zones**.

²The rule neither approves nor excludes the possibility of relying upon regional education and enforcement programs with alternative verification strategies. FRA is providing funding in support of an Illinois Commerce Commission-sponsored regional program. The law provides authority for use of new techniques when they have been demonstrated to be effective.

Horns may continue to be silenced at Pre-Rule Quiet Zones if–

- ⇒ The average risk at the crossings is less than the NSRT; or
- ⇒ The average risk is less than twice the NSRT and no relevant collisions have occurred within the past 5 years; or
- ⇒ The community undertakes actions to compensate for lack of the train horn as a warning device (or at least to reduce average risk to below the NSRT).

Train horns will not sound in existing whistle ban areas if authorities state their intention to maintain “Pre-Rule Quiet Zones” and do whatever is required (see above) within **5 years** of publication (**8 years** if the State agency provides at least some assistance to communities in that State).

A “Pre-Rule Quiet Zone” is a quiet zone that contains one or more consecutive grade crossings subject to a whistle ban that has been actively enforced or observed as of October 9, 1996 and December 18, 2003.

To secure Pre-Rule Quiet Zone status, communities must file a notice with FRA within 1 year of publication and a plan within 3 years of publication (if improvements are required).

New Quiet Zones may be created if–

- ⇒ All public crossings are equipped with flashing lights and gates; and either–

After adjusting for excess risk created by silencing the train horn, the average risk at the crossings is less than the NSRT; or

Safety improvements are made that will compensate for loss of the train horn as a warning device (or at least to reduce average risk to below the NSRT).

Detailed instructions for establishing or requesting recognition of a quiet zone are provided in the regulation.

Disclaimer: This is a summary of the interim final rule for initial briefing purposes only. Entities subject to the rule should refer to the rule text as published in the Federal Register on December 18, 2003.

4. Length of quiet zones:

- Generally, a quiet zone must be at least ½ mile in length and may include one or more crossings.
- Pre-Rule Quiet Zones may be retained at their present length as of the date of publication of the rule, even if less than ½ mile. A Pre-Rule Quiet Zone that is greater than ½ mile may be reduced in length to no less than ½ mile and retain its pre-rule status. However, if its length is increased from pre-rule length, pre-rule status will not be retained.

5. Supplementary and alternative safety measures:

- Supplementary safety measures are engineering improvements that clearly compensate for the absence of the train horn. If employed at every crossing in the quiet zone, they automatically qualify the quiet zone (subject to reporting requirements).
 - ✓ Temporary closure used with a nighttime-only zone;
 - ✓ Four-quadrant gates;
 - ✓ Channelization arrangements (i.e., non-mountable curb or mountable curb with delineators) at least 100 feet in length on each side (60 ft. where there is an intersecting roadway);
 - ✓ One-way street with gate across the roadway.
- Alternative safety measures may be applied such that the combination of measures at one or more crossings reduces the average risk by the required amount across the quiet zone (so-called "corridor approach").
 - ✓ Any supplementary safety measure or reasonable variation of a supplementary safety measure (e.g., barrier gate and median with higher estimate of effectiveness; shorter channelization with reduced estimate of effectiveness);
 - ✓ Education and/or enforcement programs (including photo enforcement) with verification of effectiveness; or
 - ✓ Combination of the above.

Disclaimer: This is a summary of the interim final rule for initial briefing purposes only. Entities subject to the rule should refer to the rule text as published in the Federal Register on December 18, 2003.

6. Recognition of the automated wayside horn:

- The rule authorizes use of the automated wayside horn at any crossing with flashing lights and gates (inside or outside a quiet zone) as a one-to-one substitute for the train horn.
- Certain technical requirements apply, consistent with the successful demonstrations of this technology.
- The Federal Highway Administration (FHWA) may treat wayside horns as traffic control devices. Communities interested in employing this option should contact FHWA to determine the need for an experimental designation.

7. Special circumstances:

- A community or railroad that views the provisions of the rule inapplicable to local circumstances may request a waiver from the rule.
- A railroad or community seeking a waiver must first consult with the other party and seek agreement on the form of relief, but if agreement cannot be achieved the party may still request the relief.
- FRA grants waivers if in the public interest and consistent with the safety of highway and railroad users of the crossings.

8. Further proceedings on the rule:

- Because FRA has made numerous changes from the proposed rule in order to respond to public comments, FRA is providing an additional, brief opportunity for comment.
- Comments will be accepted through February 17, 2004, (first business day following the Federal holiday on Monday).
- FRA anticipates that the rule will be effective, with any warranted adjustments, on December 18, 2004.

Additional information, including the full text of the Interim Final Rule, the Final Environmental Impact Statement, and background documents, are available at <http://www.fra.dot.gov>.

COUNCIL LETTER 040504-VC
PARKS & RECREATION BOARD

DOWNTOWN PARK

DATE: March 29, 2004

FROM: Parks & Recreation Board

Larry Nanti
Director of Parks and Recreation

Craig J. Wainio
City Administrator

The Parks & Recreation Board has been meeting with the Downtown Park Committee and after reviewing many options is recommending the following.

The Parks & Recreation Board recommends that the amount allocated for the Downtown Park be set at \$30,000. And that the additional \$5,000 not be taken from the Departments 2004 Operating Budget.

See attached quotes and diagrams.



Earl F. Andersen

FAX TRANSMITTAL SHEET

Earl F. Andersen, Inc.
9701 Penn Ave S, #100
Bloomington, MN 55431
952-884-7300 • FAX 952-884-5619 • 800-862-6026
E-Mail: parkandrecinfo@efa-mn.com or trafficinfo@efa-mn.com

DATE: _____ FAX NO.: 218-748-7573
TO: Larry Nauti, City of Ft. Iron
FROM: Dave Owen
SUBJECT: Playground Equipment
Total Number of Pages (Including Cover Sheet): 7

- | | |
|--|--|
| <input type="checkbox"/> As You Requested | <input type="checkbox"/> Review and Return |
| <input checked="" type="checkbox"/> For Your Information | <input type="checkbox"/> Other |
| <input type="checkbox"/> For Your Approval | <input type="checkbox"/> Hard Copy to follow |

MESSAGE: Larry: Note attached quote
on Down Town Park as it has been
designed + reviewed in past meetings.
Reducts for Down Town Existing Plan -
see attached.

FOR THE BURNSVILLE PLANS YOU GOT -
SEE ATTACHED PLANS

TYACK PARK - STRUCTURE IS +23,995
(ALSO ON THE PLAN)

KRESTWOOD PARK - STRUCTURE IS +20,224

SHULTER COST EST. TO FOLLOW.

If you do not receive all pages sent or if they are not legible,
please call sender immediately at 952-884-7300.

EEO/AA



Earl F. Andersen

PROPOSAL

ENTERED BY: PDE
 QUOTE NUMBER: 0062850
 QUOTE DATE: 3/29/2004

QUOTE TO:

CITY OF MOUNTAIN IRON
 8586 ENTERPRISE DR. SO.
 MOUNTAIN IRON, MN 55768

SHIP TO:

CITY OF MOUNTAIN IRON
 8878 SLATE
 REF: DOWNTOWN PARK
 MOUNTAIN IRON MN 55768

ATTN: LARRY NANTI 218-718-7570

PHONE: (218) 748-7570

FAX: 218-748-7573

| QTY | ITEM NO | DESCRIPTION | PRICE EACH | EXT. PRICE |
|---|-------------|---|------------|------------|
| PROPOSAL FOR PLAYSTRUCTURE AT DOWNTOWN PARK | | | | |
| 1.00 | PLAYGROUND | CUSTOM PLAYBOOSTER PER PLAN # C6320D | 29,410.00 | 29,410.00 |
| 104.00 | WOODFIBER | CU. YARDS SOFT STEP WOOD FIBER (ASPEN) | 17.39 | 1,808.56 |
| | | SOFT-STEP SAFETY SURFACING (ASPEN) 14" DEPTH - SETTLES TO A 9" DEPTH. | | |
| 1.00 | INSTALLSUPV | INSTALLATION SUPERVISOR - 1 DAY | 940.00 | 940.00 |
| | | (1) WEEKDAY SUPERVISOR SERVICE, 8 HOURS ON SITE. | | |
| | | *** SEE SUPERVISOR PRICE SCHEDULE. | | |
| | | DEDUCT ALTERNATES: | | |
| | | DELETE: TIC TAC TOE WALL - DEDUCT -\$760.00 | | |
| | | DELETE: PERISCOPE PANEL & ADD: PIPE BARRIER - \$ 465.50 | | |
| | | ** THE NORTHEAST SERVICE COOPERATIVE HAS A CONTRACT WITH EFA. | | |
| | | COOP CONTRACT DISCOUNT OF 5% HAS BEEN APPLIED TO ALL OF THE ABOVE PRICING. | | |
| | | NOTE: NO SHIPPING COSTS INCLUDED PER CONTRACT. THIS PROPOSAL DOES NOT INCLUDE INSTALLATION. | | |

NOTE: This quotation is valid for 30 days. Please call for confirmation after that date. Prices are NOT based on prevailing wages.

DISCLAIMER FOR UNKNOWN CONDITIONS: The following disclaimer applies only when installation is quoted. This quotation is based on the area being free of all debris such as, but not limited to the following: *concrete footings or foundations of any type. *Bedrock or rocky conditions of any type. *Tree stumps, trees, cans, bottles, metal or any other debris. *Utilities requiring any holes to be dug by hand. *If area is not accessible to a bobcat and other equipment necessary for installation. *If water is in site area or footings after they are dug. *Or any other unknown conditions not listed or visible.

| | |
|---------------------|--------------------|
| SUBTOTAL | \$32,158.56 |
| SHIPPING & HANDLING | \$0.00 |
| SALES TAX | \$2,029.21 |
| TOTAL | \$34,187.77 |

FACTORY

Shipment approx. 4-6 weeks upon receipt of order and subject to credit approval.
 Do you require a 24-hour delivery notice? ☐ Yes ☐ No

Approved by: _____

Date

Signed by: _____

DAVID OWEN

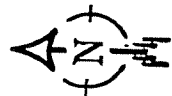
TRACTOR TO CONFIRM ALL QUANTITIES

9701 Penn Ave S, #100 • Bloomington, MN 55431 • Phone: 952-884-7300 • 1-800-862-6026 • Fax: 952-884-5619
 4 / 1 www.efa-mn.com • e-mail: parkandrecinfo@efa-mn.com OR trafficinfo@efa-mn.com

TERMS: NET 30 DAYS

CITY COUNCIL

| | | | |
|--|--------------|--|------------|
| Downtown Park | | City of Mountain Iron | |
| DATE | Feb 13, 2004 | ISSUED BY | 1000000000 |
| SCALE | 80% | ISSUED BY | 1000000000 |
| ISSUED BY | 1000000000 | ISSUED BY | 1000000000 |
| DESIGNED BY DPA | | DESIGNED BY DPA | |
| © 2004 by City of Mountain Iron, Inc. All Rights Reserved. | | © 2004 by City of Mountain Iron, Inc. All Rights Reserved. | |



DOWNTOWN PARK
MOUNTAIN IRDZ
FEB. 13, 2004
SCALE: 3/16" = 1'-0"

EXISTING
PLANS -
WITH QUOTE.



TO STREET

116208
END VERTICAL
LADDER FOR
RING BRIDGE

111467
RING BRIDGE
LEFT DIRECTION
W/ CROSSOVERS

111357
TURNING BAR

116208
END VERTICAL
LADDER FOR
RING BRIDGE

WOOD FIBER
SYSTEM

126273
WATT WEB

111345
BRIDGE/RAMP
TRANSITION BRKT.

120211
90° CURVED
BRIDGE

111345
BRIDGE/RAMP
TRANSITION BRKT.

123024
TRIPLE RING
FLUNG

136005
CURVED TRANSFER
MODULE

115227
ZOO PANEL

115227
ZOO PANEL
127439
NAVIGATOR
BEACH PANEL
GRADE

115223
BUBBLE PANEL

130567
HEX SHINGLE
ROOF

123331
DOUBLE
POLY SLIDE

128252
LOOP
LADDER

117957
PERISCOPE
PANEL

117240
BALCONY DECK
120818
PLAYSTRUCTURE
SEAT

123969
CHIMNEY
CLIMBER

115231
TAC-TAC-TAC
PANEL
BELOW DECK

116244
PIPE BARRIER

128608
SUMMIT CLIMBER

116375
DECK TO DECK
STEPS (2)
(24" RISE)

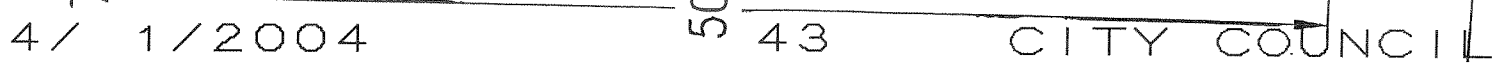
96

4 124853
SUBWINDER2

CITY COUNCIL

4 / 1 / 2004

ち



TYACKE PARK
BURNSVILLE
FEB. 16, 2004
C6331D
SCALE: 1/8" = 1'-0"



1.14.04
+25,000
OPTION

65' INSIDE BORDER

STRUCTURE
+23,995

SWINGS
-1836

BORDER
BY OTHERS

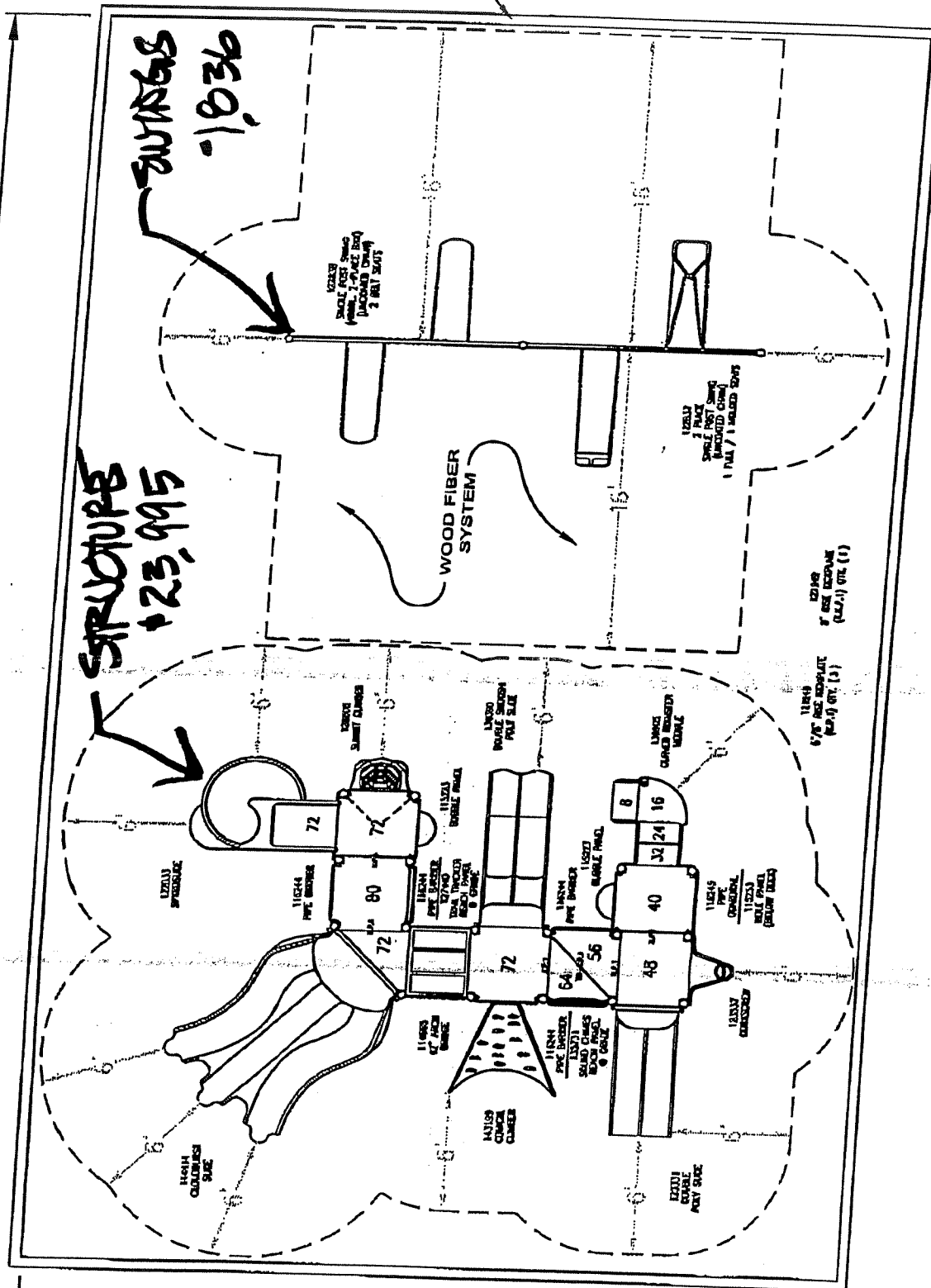
PATH BY OTHERS

40' INSIDE BORDER

4 / 1 / 2004

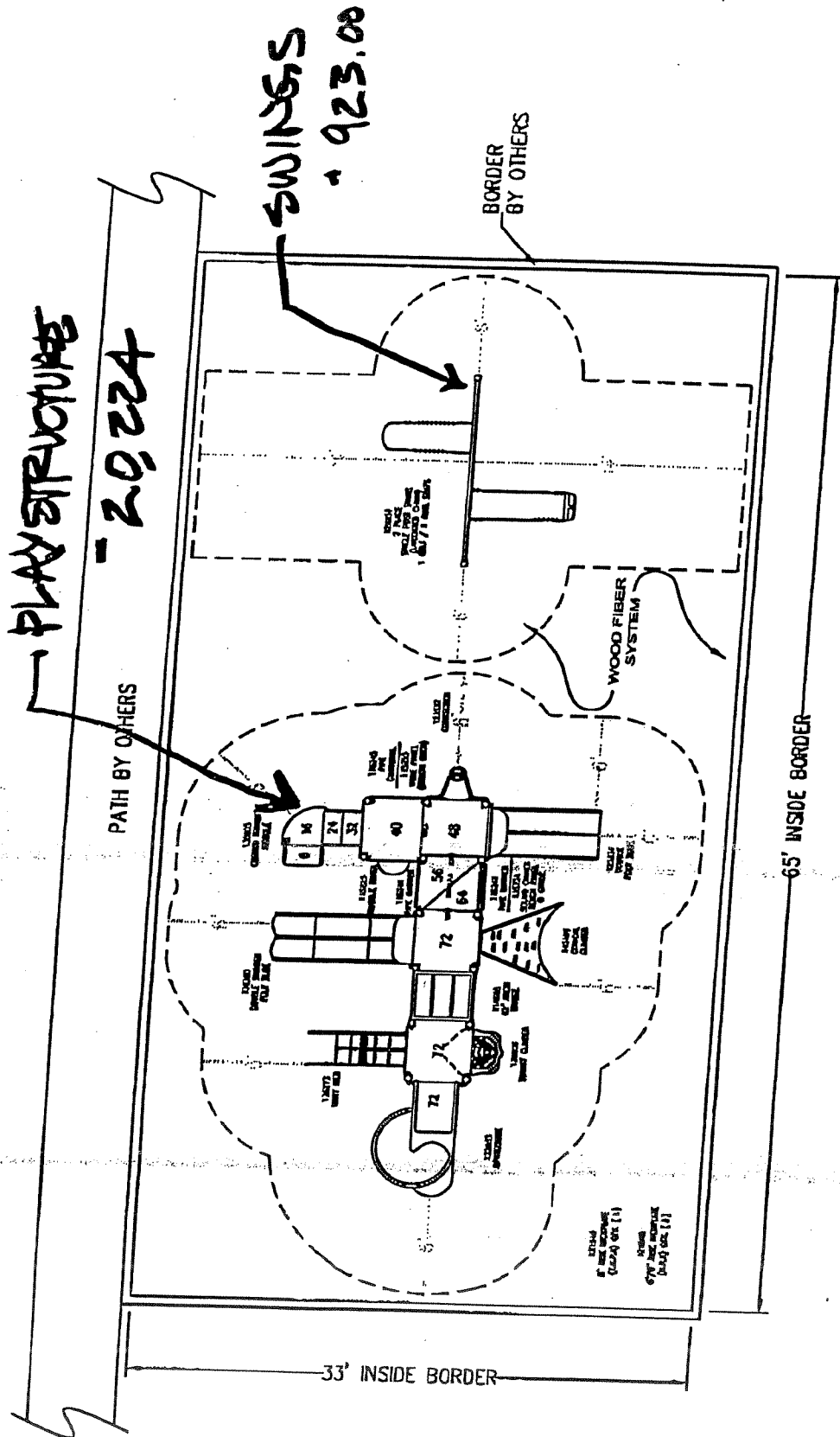
44

CITY COUNCIL



KR TV - JD PARK
BURNSVILLE
MAR. 23, 2004
063332D2
SCALE: 1" = 10'-0"

20,000 original





Wenck Associates, Inc.
820 9th Street North
Suite 130
Virginia, MN 55792

(218) 741-5962
Fax: (218) 741-5963
E-mail wenckmp@wenck.co

March 19, 2004

Mr. Craig Wainio
City of Mountain Iron
8586 Enterprise Drive South
Mountain Iron, Minnesota 5576

RE: Cost Estimate

Dear Mr. Wainio,

As requested by the City of Mt. Iron, Wenck Associates, Inc. is pleased to present a summary of the estimated costs associated with the clean up and cover system required for the former City of Mt. Iron and US Steel dump.

Landfill Excavation

Based on our investigation and interpretation of the data collected in the field, the landfill area has been calculated to contain approximately 12,150 in-place cubic yards of material. Based on that volume and an estimated expansion due to excavation, the estimated clean-up cost in this area is as follows:

| TASK | QUANTITY | UNIT RATE | TOTAL |
|--------------------------------------|--------------------|------------|--------------|
| RAP APPLICATION | 1 | \$6,000.00 | \$6,000.00 |
| DTED APPLICATION | 1 | \$2,500.00 | \$2,500.00 |
| EXCAVATE, HAUL AND PLACE MATERIAL | 15,800 CUBIC YARDS | \$15.00 | \$237,000.00 |
| MATERIAL REPLACEMENT | 12,150 CUBIC YARDS | \$2.00 | \$24,300.00 |
| MONITORING WELL ABANDONMENT | 4 | \$1,000.00 | \$4,000.00 |
| ENGINEERING FEES | LS (15%) | | \$32,000.00 |
| VIC CORRECTIVE ACTION REPORT | 1 | \$5,000.00 | \$5,000.00 |
| MPCA VIC STAFF PROJECT COSTS | LS | \$8,000.00 | \$8,000.00 |
| TOTAL | | | \$318,800.00 |
| DTED FUNDING (75%) | | | \$239,100.00 |
| CITY OF MT. IRON MATCH (25%) | | | \$79,700.00 |

- 2 -

March 19, 2004

Grant funding for this project will be based on DTED scoring, and will involve showing viable economic development and job creation. Remember, though, a minimum of 25% of the DTED funding must be distributed to non-metro applicants, regardless of their relative score. Based on discussions with DTED, and because this project site is located in the JOBZONE, funding for this project is anticipated though cannot be guaranteed. Because the landfill material is being hauled to a MPCA closed landfill, the state may look more favorably on this opportunity to efficiently dispose of this waste.

Cover Costs

Based on our investigation and interpretation of the data collected in the field, the landfill area has been calculated to cover an area of 1.5 acres. Based on that area, the estimated costs to cover and cap this area are shown below. The DNR Funding mechanism is related to trail creation and may not include areas not associated with the trail system. Partial funding is anticipated, but cannot be guaranteed for development of an ATV trail system.

| TASK | QUANTITY | UNIT RATE | TOTAL |
|-------------------------------------|-----------|------------------|--------------|
| RAP APPLICATION | 1 | \$6,000.00 | \$6,000.00 |
| LANDFILL COVER | 1.5 ACRES | \$60,000.00/ACRE | \$90,000.00 |
| ENGINEERING FEES | 1 | \$10,000.00 | \$10,000.00 |
| CONSTRUCTION OVERSIGHT & CERT. | LS (15%) | \$13,500.00 | \$13,000.00 |
| MONITORING WELL MNGNT (PER YEAR) | 2 | \$2,500.00 | \$5,000.00 |
| ANNUAL REPORTING | 2 | \$1,500.00 | \$3,000.00 |
| FUTURE WELL ABANDONMENT | 4 | \$1,000.00 | \$4,000.00 |
| MPCA VIC STAFF PROJECT COSTS | LS | \$8,000.00 | \$8,000.00 |
| TOTAL | | | \$139,000.00 |
| ELIGIBLE FOR DNR FUNDING - *** | | | \$56,500.00 |
| DNR Funding (65%) | | | \$36,725.00 |
| CITY OF MT. IRON MATCH (35%) | | | \$19,775.00 |
| CITY OF MT. IRON INELIGIBLE COSTS | | | \$85,500.00 |
| TOTAL CITY OF MT. IRON | | | \$102,275.00 |

- 3 -

March 19, 2004

*** - Eligible costs shown for DNR Funding may vary depending on the grant in aid program and the specifics of the project. The "Eligible for DNR Funding" value shown is based on 50% of the construction and engineering costs to cover and cap the existing landfill.

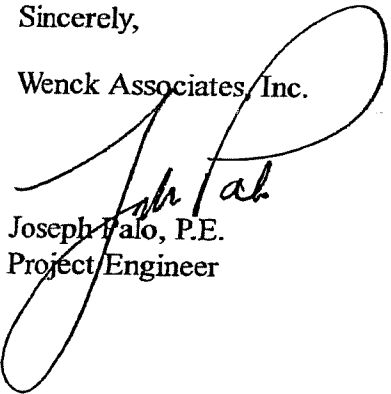
Based on our cost estimates, the benefits to remove the existing landfill and develop the property to create additional JOBZONE property for the City of Mt. Iron, exceeds the benefits to create an ATV trail system.

We are ready to proceed with either project, subject to your consideration and approval. Deadlines for MPCA approval and DTED funding are quickly approaching. MPCA approval of the RAP is required as part of the application process for DTED funding. A deadline of April 2, 2004 for completion and submittal of the RAP is required for enough time to obtain MPCA approval. A May 1, 2004 submittal date for the DTED application is also established and quickly approaching.

If you have any questions, we would be more than happy to meet with you and the City Council to discuss our cost estimates. I can be reached at the Biwabik office, (218) 865-0120.

Sincerely,

Wenck Associates, Inc.



Joseph Palo, P.E.
Project Engineer

COUNCIL LETTER 040504-VE

ADMINISTRATION

COSTIN STREET VACATIONS

DATE: March 29, 2004

FROM: Craig J. Wainio
City Administrator

Staff received in inquiry from Minntac regarding the proposed street vacations in the Costin area. Based upon a petition from USX, a public hearing considering the requested vacations was held on August 18, 2003. Upon completion of the hearing no further actions was taken. Officials at Minntac are requesting a status report on this matter.

If the City Council desires to complete the vacation process, staff will prepare a Resolution for adoption at the next regular meeting.

COUNCIL LETTER 040504-VIF

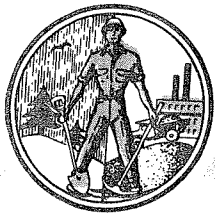
ADMINISTRATION

ORDINANCE NUMBER 03-04

DATE: March 29, 2004
FROM: Planning and Zoning Commission
Craig J. Wainio
City Administrator

As part of the continuing process of incorporating the annexed area into the City, the City needs to amend its Land Use Management Ordinance and Official Zoning Map. Enclosed is a copy of the proposed amendment to the Land Use Management Ordinance. This ordinance incorporates the annexed area into the City's code and Official Zoning Map.

This Ordinance was approved by the Planning and Zoning Commission after the required public hearing, which was held on March 8th. It is recommended that that the City Council adopt Ordinance Number 03-04.



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

ORDINANCE NUMBER 03-04

AMENDING CHAPTER 22 OF THE MOUNTAIN IRON CITY CODE, ZONING ORDINANCE, BY AMENDING THE OFFICIAL ZONING MAP IN AND FOR THE CITY OF MOUNTAIN IRON

THE CITY COUNCIL OF MOUNTAIN IRON ORDAINS:

SECTION 1. AMENDING THE OFFICIAL ZONING MAP. The Official Zoning Map for City of Mountain Iron is hereby amended as follows:

The Zoning District of the following parcels is hereby designated as Mineral Mining (MM):

Sections 4 through 9, Township 59 North, Range 18 West
Sections 13 through 18, Township 59 North, Range 18 West
West ½ of Section 10, Township 59 North, Range 18 West
Southwest ¼ of Section 3, Township 59 North, Range 18 West

The Zoning District of the following parcels is hereby designated as Rural Residential (RR):

Sections 1 and 2, Township 59 North, Range 18 West
Sections 11 and 12, Township 59 North, Range 18 West
East ½ of Section 10, Township 59 North, Range 18 West
Section 3, except the Southwest ¼, Township 59 North, Range 18 West

SECTION 2. REPEAL OF INCONSISTENT ORDINANCE. All Ordinances inconsistent herewith are hereby repealed and replaced with the provisions of this Ordinance.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective according to State Statute.

DULY ADOPTED BY THE CITY COUNCIL THIS 5th DAY OF APRIL, 2004.

Mayor Gary Skalko

Attested:

City Administrator

COUNCIL LETTER 040504-VIG
COUNCILOR ROSKOSKI
AMBULANCE SHARING UPDATE

DATE: March 29, 2004
FROM: Councilor Ed Roskoski
Craig J. Wainio
City Administrator

Councilor Roskoski requested that this item be placed on the Agenda.

Back-up: Latest information and potential cost to the City of Mountain Iron.

COUNCIL LETTER 040504-VIH

COUNCILOR ROSKOSKI

**LOCOMOTIVE PARK-
SEWER-WATER-ELECTRICITY**

DATE: March 29, 2004

FROM: Councilor Ed Roskoski

Craig J. Wainio
City Administrator

Councilor Roskoski requested that this item be placed on the Agenda.

Back-up: These utilities should be put in before the proposed trail work is started in that area.

COUNCIL LETTER 040504-VIA

ADMINISTRATION

RESOLUTION 13-04

DATE: March 29, 2004

FROM: Craig J. Wainio
City Administrator

Resolution 13-04 Calling a Hearing relates to the Unity Drive graveling project. This resolution acknowledges the assessment role for the project, the land owners' responsibility and orders a public hearing on the assessments for the project. The Public Hearing is scheduled for May 3, 2004. This project was initiated by petition of a property owner.

It is recommended that the City Council adopt Resolution Number 13-04 Calling 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 13-04

HEARING ON PROPOSED ASSESSMENT

WHEREAS, by a Resolution passed by the City Council on March 15, 2004, the City Administrator was directed to prepare a proposed assessment of the cost of the improvement of Unity Drive between the center line of Park Drive and approximately 1400 feet east of the centerline of Park Drive by the construction of a gravel surfaced road; and,

WHEREAS, the City Administrator has notified the City Council that such proposed assessment has been completed and filed in his office for public inspection.

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

1. A hearing shall be held on the 3rd day of May, 2004 in the Community Center at 6:30 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City of Mountain Iron, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. He may at any time thereafter, pay to the City of Mountain Iron the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

DULY ADOPTED BY THE CITY COUNCIL THIS 5th DAY OF APRIL, 2004.

ATTEST:

Mayor Gary Skalko

City Administrator

ASSESSMENT ROLL

| NAME | LEGAL DESCRIPTION | ASSESSMENT |
|---|--|------------|
| MESABI LAND CO 3621 LAKESIDE DRIVE EVELETH MN 55734 | 175-0070-01480 Section: 15 Township: 58.0N Range: 18W Northeast Quarter of the Northeast Quarter except the Northerly 660 feet of the Westerly 330 feet. | \$568.00 |
| NIKOLANCI THOMAS R 5482 PARK DRIVE MTN IRON MN 55768 | 175-0070-01315 Section: 10 Township: 58.0N Range: 18W Part of the Southwest Quarter of the Southeast Quarter lying South of the Highway Right-of-Way. | \$59.00 |
| NIKOLANCI THOMAS R 5482 PARK DRIVE MTN IRON MN 55768 | 175-0070-01325 Section: 10 Township: 58.0N Range: 18W Part of the Southeast Quarter of the Southeast Quarter lying South of the Highway Right-of-Way. | \$761.00 |
| NIKOLANCI RUDOLPH R C/O JEANNE SCHECHINGER BOX 154 MTN IRON MN 55768 | 175-0070-01483 Section: 15 Township: 58.0N Range: 18W The Northerly 660 feet of the Westerly 330 feet of the Northeast Quarter of the Northeast Quarter. | \$194.00 |
| GOEHRING JASON ANTON 5472 PARK DR MTN IRON MN 55768 | 175-0055-02682 Beginning at the Northeast Corner of Outlot A in the Plat of South Grove Addition and assuming the East line of said Outlot A to bear North 03 Degrees 37 Minutes 32 Seconds West; thence North 03 Degrees 37 Minutes 32 Seconds West 158.98 feet; thence South 85 Degrees 57 Minutes 38 Seconds West parallel to the North line of said plat 111.23 feet; thence Southwesterly 31.55 feet along a tangential curve concave to the Southeast, a radius of 20.00 feet and a central angle of 90 Degrees 23 Minutes 10 Seconds; thence South 04 Degrees 25 Minutes 32 Seconds East tangent to said curve 149.71 feet to the Northwest corner of said Outlot A; thence North 55 Degrees 34 Minutes 28 Seconds East along the North line of said Outlot A 129.00 feet to the point of beginning. | \$59.00 |

NOTICE OF HEARING ON PROPOSED ASSESSMENT

Mountain Iron, Minnesota April 5, 2004.

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council will meet at 6:30p.m. on May 3, 2004 at the Mountain Iron Community Center to consider, and possibly adopt, the proposed assessment for the improvement of Unity Drive between the center line of Park Drive and approximately 1400 feet east of the centerline of Park Drive by the construction of a gravel surfaced road. Adoption by the City Council of the proposed assessment against abutting property may occur at the hearing.

The amount to be specially assessed against your particular lot, piece, or parcel of land is \$_____. Such assessment is proposed to be payable in equal annual installments extending over a period of ten years, the first of the installments to be payable on or before the first Monday in January 2005, and will bear interest at the rate of eight percent per annum from the date of the adoption of the assessment Resolution. To the first installment shall be added interest on the entire assessment from the date of the assessment Resolution until December 31, 2004. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

You may at any time prior to certification of the assessment to the county auditor, pay the entire assessment on such property, with interest accrued to the date of payment, to the City of Mountain Iron. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter, pay to the City of Mountain Iron the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above the rate of interest that will apply is eight percent per year. The proposed assessment roll is on file for public inspection at the City Administrator's office. The total amount of the proposed assessment is \$16,386. Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the City Administrator prior to the assessment hearing or presented to the presiding officer at the hearing. The City Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination, and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.
2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.
4. Minnesota rules of evidence will not be strictly applied; however, they may be considered and argued to the Council as to the weight of items of evidence or testimony presented to the council.
5. The entire proceedings will be tape-recorded.
6. At the close of presentation of evidence, the objector may make a final presentation to the Council based on the evidence and the law. No new evidence may be presented at this point.
7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to district court pursuant to Minn. Stat. § 429.081 by serving notice of the appeal upon the Mayor or City Administrator of the City within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or City Administrator.

City Administrator

COUNCIL LETTER 040504-VIB

ADMINISTRATION

RESOLUTION 14-04

DATE: March 29, 2004

FROM: Craig J. Wainio
City Administrator

Resolution 14-04 Adopting the GASB 34 Implementation Plan relates to the 2003 audit and the incorporation of the new GASB rules into that audit. It is required that the City Council formally adopt the implementation plan for staff and associated personnel to follow and implement.

It is recommended that the City Council adopt Resolution Number 14-04 Adopting GSB 34 Implementation Plan.



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 14-04

ADOPTING GASB 34 IMPLEMENTATION PLAN

WHEREAS, the City of Mountain Iron will be required to implement Governmental Accounting Standards Board (GASB) Statement No. 34 (Basic Financial statements and Management's Discussion and Analysis for State and Local Governments) by the end of fiscal-year December 31, 2004, and;

WHEREAS, Statement No. 34 establishes new financial reporting requirements for state and local governments thorough out the United States, and;

WHEREAS, when implemented, it will create new information and will restructure much of the information that the City of Mountain Iron has presented in its annual reports in the past, and;

WHEREAS, the intent of these new requirements is to make annual reports more comprehensive and easier to understand and use, and;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOUNTAIN IRON, MINNESOTA, that the City adopts the GASB 34 Implementation Plan as attached hereto in its entirety.

BE IT FURTHER RESOLVED BY THE MOUNTAIN IRON CITY COUNCIL, that the City Administrator is the designated official to implement the attached GASB 34 Implementation Plan and all tasked outlines in the said plan are to be assigned or performed by the City Administrator as appropriate.

DULY ADOPTED BY THE CITY COUNCIL THIS 5th DAY OF APRIL, 2004.

ATTEST:

Mayor Gary Skalko

City Administrator

GASB 34 Implementation Plan

Implementation Tasks to be Performed

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERE NCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|---|----------------------------------|--------------------------------|----------------------------|--------------------------|---------------------------------------|
| Establish a GASB 34 task force. Possible people to include are administrators/coordinators, accounting/finance staff, auditor staff, treasurer staff, clerk's staff, and other accounting staff from major departments such as public works/highway or human service departments. | na | na | | ASAP | |
| Determine when GASB 34 needs to be implemented. | na | GASB 34 ¶ 143 | | ASAP | |
| Create a time table for implementing GASB 34 | na | na | | ASAP | |
| Inform all component units when they must implement GASB 34. | na | na | | ASAP | |
| Be in contact with the auditors and other concerned parties to notify them of changes or progress made. | na | na | | Current | |
| Restate the financial statements for the year before implementation for the government-wide statements and also for any changes to the fund financial statements, if any. | na | na | | | |

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|--|-------------------------|--|-----------------|---------------|------------------------|
| GASB 34 allows prospective application of APB opinions 12 & 21 ¹ , FASB 34 ² & 23 ³ . Determine the effect of each of these standards. | na | GASB 34 para 146 | | | |
| Devise training procedures for other agencies or departments. Prepare/obtain training materials. | na | na | | | |
| Prepare the following WRITTEN BOARD- APPROVED policies, including written procedures, where necessary. ⁴ | Policies and procedures | na | | na | |
| A. Fixed asset policy that addresses infrastructure, easements, mineral rights, works of art and historical treasures, and depreciation, and a determination of useful lives and classes of assets. | Policies and procedures | GASB 34, para. 44, 45, 33, 18-27, 115, 148-166 | | ASAP | |
| B. Budget policy that includes how budgets are adopted, which funds are budgeted for, which accounting basis the budget is prepared on, the legal level of control for the budget (that is, line item, department level, fund level, or other) | Policies and procedures | GASB 34 para. 130-131, | | ASAP | |

¹ These require deferral and amortization of debt issue premiums and discounts.

² Requires capitalization of interest. GASB 37 eliminated the requirement to capitalize interest in governmental activities.

³ Requires deferral and amortization of the difference between the reacquisition price and net carrying amount of old debt in debt-refunding transactions.

⁴ These policies could be part of an accounting policies manual.

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|---|-------------------------|-----------------------------------|-----------------|---------------|------------------------|
| C. Policy on classification of revenues as program revenues or general revenues. | Policies and procedures | GASB 33; GASB 34 para. 47-54, 115 | | ASAP | |
| D. Reporting policy as to the level to be presented in the statement of activities. The minimum level is the function level. | Policies and procedures | GASB 34 para. 38-62 | | ASAP | |
| E. Policy to determine the current and long-term portions of compensated absences. This also should be done for both compensated absences other than sick leave and for sick leave. | Policies and procedures | GASB 34 para 81 | | ASAP | |
| F. On whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both are available. | Policies and procedures | GASB 34 para. 34-37, 84 | | ASAP | |
| G. Detailed policy for eliminating internal activity in the statement of activity. | Policies and procedures | GASB 34, para. 57-61, 115 | | ASAP | |
| H. Detailed policy for applying FASB pronouncements to Business-type activities and proprietary funds. | Policies and procedures | GASB 34 para. 17, 115, | | ASAP | |
| I. Policy for allocating indirect expenses. Along with this a policy for classifying direct expenses by function. This should also include a policy on classifying expenses for depreciation. | Policies and procedures | See GASB 34 para. 41 - 46, 115 | | ASAP | |

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|--|-------------------------|-----------------------------|-----------------|---------------|------------------------|
| J. Detailed policy for classifying proprietary fund revenues as operating or non-operating. | Policies and procedures | GASB 34 para. 101-102, 115, | | ASAP | |
| K. Policy for identifying special or extraordinary items. | Policies and procedures | GASB 34, para. 55-56, 89 | | ASAP | |
| Review standards for or obtain sample MD&A and begin to compose MD&A that could be used in the financial report with some modifications after financial results are known. ⁵ | MD&A | See GASB 34 para.8-11 | | | |
| Obtain current year results and comparisons to prior years. ⁶ | MD&A | See GASB 34 para. 8-11, | | | |
| Review transmittal letter and MD&A. Draft revised transmittal letter and MD&A. (Transmittal letter only required if CAFR issued.) | Transmittal and MD&A | See GASB 34 para. 8-11, | | optional | |
| Determine if the MD&A meets requirements of GASB 34. | MD&A | See GASB 34 para. 11 | | | |
| Submit MD&A to the appropriate governing officials that will give final approval to the MD&A document. | MD&A | na | | | |
| Determine what the impact of reporting the statement of activities for the government-wide financial statements will be. Will any changes need to be made to the accounting system to track the information needed for this statement? | Govt wide statements | See GASB 34 para. 12-62 | | | |

⁵ A trial run MD&A can be done for years prior to implementation.

⁶ Comparatives not required in first year of implementation.

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|---|----------------------|----------------------|-----------------|---------------|------------------------|
| Determine how records on infrastructure capital assets will be prepared. | Govt wide statements | GASB 34 para 148-166 | | | |
| Determine how the depreciation numbers will be derived. | Govt wide statements | GASB 34 para 161-166 | | | |
| Update spreadsheets needed for documenting activity and accruals. | Govt wide statements | na | | | |
| Update spreadsheets or programs needed to prepare trial balances, fund financial statements, and government-wide financial statements. | Govt wide statements | na | | | |
| <p>Consider the following items when revising trial balances and financial statements for the Statement of Net Assets:</p> <p>A. Determine what the statements will look like for the organization. Will the net asset or balance sheet format be used?</p> <p>B. Determine liquidity of assets and liabilities.</p> <p>C. Identify long-term and short-term debt. Determine if debt is related to capital assets.</p> <p>D. Determine and document the amount invested in capital assets, net of related debt.</p> <p>3. Determine and document the amount of net assets to be reported as "restricted."</p> | Govt wide statements | GASB 34 | | | |

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|--|----------------------|-----------------------------|-----------------|---------------|------------------------|
| Consider the following items when revising trial balances and financial statements for the Statement of Activities: | Govt wide statements | | | | |
| A. Determine what the statements will look like for the organization. This should include a determination of level of activities to be reported and the assignment of expenses and revenues to those activities. Categorize all activities as either governmental or business-type activities. | | GASB 34, para 12-62 | | | |
| B. Determine how to calculate and classify taxes by type, then identify the taxes levied for special purposes. | | GASB 33 and GASB 34 | | | |
| C. Determine how depreciation expense will be allocated between activities. | | GASB 34 para 44-46 41-46 | | | |
| D. Identify indirect expenses. Evaluate how to report these expenses, such as fully allocating the costs or retaining a general government reporting function to put these costs into. | | 55-56 | | | |
| E. Identify any extraordinary or special/ significant transactions that occurred. | | | | | |

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|--|----------------------|----------------|-----------------|---------------|------------------------|
| <p>Determine what adjusting entries will need to be made to the government-wide statements due to the application of the full accrual basis of accounting. The following are some areas that may need adjustment. The list may not be all inclusive.</p> <p>Long-term liabilities</p> <ul style="list-style-type: none"> • Bonds • Capital leases/ installment contracts • Compensated absences • Employer Pension liability - including current and long term portions • Claims, judgments, and commitments <p>Capital (fixed) assets</p> <ul style="list-style-type: none"> • Capital assets • Accumulated depreciation • Infrastructure assets <p>Other non-current assets</p> <ul style="list-style-type: none"> • Non current tax receivables • Other long-term receivables <p>Allocations/eliminations/ reclassifications</p> <ul style="list-style-type: none"> • Allocation of internal service fund to governmental activities • Elimination of transfers among governmental fund functions or transfers among business-type functions. • Elimination of due to/from other funds between governmental fund activities, or between business-type activities. • Determine whether specific receivables or payables need to be reclassified to a more summarized receivable or | Govt wide statements | GASB 34 | | | |

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|--|-------------------|--------------------|-----------------|---------------|------------------------|
| <p>Determine what funds are major funds.</p> <p>A. Total assets, liabilities, revenues, or expenditures/expenses of that individual governmental or enterprise fund are at least 10 percent of the corresponding total for all funds of that category or type.</p> <p>B. Total assets, liabilities, revenues, or expenditures/expenses of that individual governmental or enterprise fund are at least 5 percent of the corresponding total for all governmental or enterprise funds combined.</p> <p>Note: An individual governmental and enterprise fund is required to be reported as a major fund if it passes both the 10 and 5 percent tests for the same element.</p> <p>Both the 10 percent test and the 5 percent test apply to the enterprise fund type rather than to the proprietary fund category.</p> <p>The 10 and 5 percent tests apply to both operating and nonoperating revenues and expenses of enterprise funds, but not to other financing sources and uses.</p> | Fund statements | GASB 34 para 75-76 | | | |
| Analyze and evaluate each fund to determine whether it is necessary and its appropriate classification for financial reporting. | Fund statements | GASB 34 para 63-73 | | ASAP | |
| Identify revenues impacted by full-accrual. | Fund statements | GASB 34 | | | |

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|---|--------------------------------|-----------------|-----------------|---------------|------------------------|
| Determine what the differences are between the government-wide financial statements and the fund financial statements. Prepare a reconciliation between the two types of statements. | Fund statements | GASB 34 para 77 | | | |
| Determine if any funds besides the major funds will be presented as major funds. | Fund statements | GASB 34 | | | |
| Determine which components will be included in the summary reconciliation and devise the format in which it will be presented. Determine if more detailed explanations will be needed in the notes to the statements. | Fund statements | GASB 34 | | | |
| Identify the general capital assets and related capital outlay. | Fund statements/ Govt.-wide | GASB 34 para 80 | | | |
| Identify the general long-term liabilities and related debt expenditures.. | Fund statements/ Govt.-wide | GASB 34 para 81 | | | |
| Identify other liabilities not currently reported in governmental funds. Determine whether these items must be reported in the government wide and fund financial statements. | Fund statements/ Govt.-wide | GASB 34 para 81 | | | |

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|--|-------------------|---|-----------------|---------------|------------------------|
| <p>Financial statements needed for each of the fund categories:</p> <p>Governmental funds</p> <ol style="list-style-type: none"> 1. Balance sheet 2. Statement of revenues, expenditures, and changes in fund balances <p>Proprietary funds</p> <ol style="list-style-type: none"> 1. Statement of net assets <u>or</u> balance sheet 2. Statement of revenues, expenses, and changes in fund net assets <u>or</u> fund equity 3. Statement of cash flows (direct method only) <p>Fiduciary funds and similar component units</p> <ol style="list-style-type: none"> 1. Statement of fiduciary net assets 2. Statement of changes in fiduciary net assets | Fund statements | <p>GASB 34 para. 63-112</p> <p>GASB 34 para. 64-65, 78-90</p> <p>GASB 34 para. 66-68, 91-105</p> <p>GASB 20</p> <p>GASB 34 para. 69-73, 106-111</p> | | | |
| Prepare notes to the financial statements. The notes should focus on the primary government, specifically, its governmental activities, business-type activities, major funds, and nonmajor funds in the aggregate. | Notes | GASB 34 para. 113-128 | | | |
| Prepare note disclosures as existing guidance dictates. | Notes | GASB 34 para 116 | | | |

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|---|-------------------|--|-----------------|---------------|------------------------|
| <p>Prepare additional disclosures in the summary of significant accounting policies based on the requirements of GASB 34. Additional requirements are as follow:</p> <p>a. Describe government- wide statements. Note that neither fiduciary funds nor component units that are fiduciary in nature are included.</p> | Notes | <p>GASB 34 para 115</p> <p>GASB 34 para. 13, 115</p> | | | |
| Describe the measurement focus and basis of accounting used in the government-wide statements. | Notes | GASB 34 para 16, 115 | | | |
| Describe the policy for eliminating internal activity in the statement of activities. | Notes | GASB 34 para 57-61, 115 | | | |
| Describe the policy for applying FASB pronouncements issued after November 30, 1989, to business-type activities and to enterprise funds of the primary government. | Notes | GASB 34 para 17, 94, 115 | | | |
| Describe the policy for capitalizing assets and for estimating the useful lives of those assets (for depreciation purposes). If the modified approach is used, then that approach should be described. | Notes | GASB 34 para 20, 23, 115 | | | |
| Describe the types of transactions included in program revenues and the policy for allocating indirect expenses to functions in the statement of activities. | Notes | GASB 34 para 41-46, 48, 115 | | | |
| Describe the policy for defining operating and nonoperating revenues of proprietary funds. | Notes | GASB 34 para 102, 115 | | | |

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|---|-------------------|----------------------|-----------------|---------------|------------------------|
| Describe the policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available. | Notes | GASB 34 para 34, 115 | | | |
| Identify major classes of capital assets. | Notes | GASB 34 para 116 | | | |
| Identify capital assets not depreciated. These are required to be reported separately. | Notes | GASB 34 para 116 | | | |
| Present the following for capital assets: 1. Beginning and end of year balances, with accumulated depreciation presented separately for capital assets. 2. Capital acquisitions. 3. Sales or other dispositions. 4. Current period depreciation expense, with disclosure of the amounts charged to each of the functions in the statement of activities. | Notes | GASB 34 para, 117 | | | |
| Identify any collections of works of art or historical treasures that are not capitalized, Disclose a description of the collection and why these assets are not capitalized. | Notes | GASB 34 para 118 | | | |
| Disclose information on long- term liabilities such as: 1. Beginning and end of year balances 2. Increases and decreases 3. Portions of each item that are due within one year of the statement date 4. Which governmental funds typically have been used to liquidate other long term liabilities such as compensated absences and pension liabilities in prior years. | Notes | GASB 34 para 119 | | | |

GASB 34 Implementation Plan

| TASK DESCRIPTION | SECTION OF REPORT | GASB REFERENCE | PERSON ASSIGNED | DEADLINE DATE | STATUS (• IF COMPLETE) |
|--|-------------------|----------------------|-----------------|---------------|------------------------|
| Disclose information about donor-restricted endowments | Notes | GASB 34 para 121 | | | |
| Determine whether disclosures are needed for enterprise fund activities. Disclose segment information on enterprise funds or activities. This will include providing condensed financial statements in the notes. | Notes | GASB 34 para 122 | | | |
| Determine whether to provide segment disclosures about component units that use enterprise fund accounting. | Notes | GASB 34 para 122 | | | |
| Analyze component units and determine what disclosures need to be presented for component units | Notes | GASB 34 para 124-126 | | | |
| Analyze information that needs to be reported as RSI. GASB Statements 10, 25, and 27 require some information to be reported. GASB 34 requires RSI MD&A to be reported as discussed above. GASB 34 requires budgetary comparison schedules for the general fund and any major special revenue funds with legally adopted annual budgets and information about infrastructure assets reported using the modified approach. | Other RSI | GASB 34 para 129-133 | | | |
| Review the current accounting system and manuals and determine if any further updates are needed to provide the information that is needed. | na | na | | ASAP | |

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

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

With regard to the above nonaudit services performed by Walker, Giroux & Hahne, Ltd. during the audit of City of Mountain Iron, Minnesota for the year ended December 31, 2003, I confirm the following:

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

Printed Name and Title

Signature

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

Printed Name and Title

Signature



Please return application to:
Mayor Gary Skalko
City of Mountain Iron
8586 Enterprise Drive South
Mountain Iron, MN 55768
218-748-7570 – Phone
218-748-7573 – Fax
www.mtniron.com

BOARDS, COMMITTEES, & COMMISSIONS APPLICATION

Please indicate by order which of the following you are interested in (1,2,3, etc.):

- _____ Housing and Redevelopment Authority
- _____ Library Board
- _____ Park Board
- _____ Planning and Zoning Commission
- _____ Utility Advisory Board
- _____ Other: _____

We welcome you as an applicant for one of the City's boards, commissions, or committees. Residents of Mountain Iron are eligible for nomination to any of the City's boards, commissions, or committees as established by the City Council. Please complete the following information, attach extra sheets if necessary, and return. Accommodations will be provided, upon request, to allow individuals with disabilities to participate in the application process.

DATA PRACTICES ADVISORY

We are required to provide the following information to you. Under Minnesota law, your name and home address are public information, which must be provided to anyone who requests it. If appointed to a board, commission or committee, the following information will also be public: education and training background, previous work experience, work location, a work telephone number, and any expense reimbursement. The other information requested below is classified as private. This information will be used by the City Council in determining whether you should be appointed to a board, commission, or committee. Therefore, all of the information will be provided to the City Council in a public forum and will be reviewed in public. Failure to provide the requested information may result in your not being considered for an appointment.

PERSONAL INFORMATION

Name _____

Address _____

Phone (H) _____ (B) _____ (FAX) _____

E-mail _____

How long have you been a resident of Mountain Iron? _____

Are you or any of your family members presently employed by the City of Mountain Iron or serving on any of the City's boards, commissions, or committees?

Yes ____ No ____ If yes, explain: _____

EXPERIENCE AND EDUCATION

Name of Employer: _____

Occupation: _____

Education: _____

Community Service/Activities: _____

Please list major responsibilities that you have had or currently have in a community project or organization or in your occupation:

Civic/Professional Organization Memberships:

ADDITIONAL INFORMATION

Please indicate why you are interested in being appointed to an advisory board, and why you feel you are qualified to serve on the advisory board(s) previously indicated.

What do you believe you could contribute if appointed to an advisory board?

How do you believe you would benefit if appointed to a Board or Commission?

I am NOT available for meetings on the following evenings (circle):

Monday Tuesday Wednesday Thursday Friday

CONFLICT OF INTEREST

Conflict of interest may arise by the participation in any activity, recommended action, or decision from which you receive or could potentially receive direct or indirect personal financial gain, or other personal interest. A conflict of interest may also occur if you hold a private or other public position in addition to your City board, commission, or committee which may interfere with your discharge of your City responsibilities. In accordance with these definitions, do you have any legal or equitable interest in any business, however organized, which in the course of your participation in a City board, commission, or committee, could give rise to a conflict of interest?

Yes ____ No ____ If yes, please provide details on a separate sheet of paper.

Do you own any real property located in Mountain Iron, other than your residence, in which you have a legal or equitable interest which, in the course of your participation in a City board, commission, or committee, could give rise to a conflict of interest?

Yes ____ No ____ If yes, please provide details on a separate sheet of paper.

As a Board, Commission or Committee member, what issue(s) might cause conflict between civic responsibility and personal/professional interests?

You may attach a resume if you desire. The selection process will vary according to the number of applicants and vacancies, and may not include interviews with all candidates.

Thank you for your interest in serving on a board, commission, or committee for the City of Mountain Iron.

Date: _____

Signature

MESABI DAILY NEWS

SCOTT L. ASBACH • GENERAL MANAGER

704 7th AVENUE SOUTH • P. O. BOX 956
VIRGINIA, MINNESOTA 55792

218-741-5544 • FAX 218-741-1005
e-mail: mdn@virginiamn.com

March 22, 2004

Dear Civic Minded Individuals and Organizations,

In recognition of our area Law Enforcement officers, we are asking that you join the Mesabi Daily News during National Police Week - May 9 thru 15 - in honoring members of each Law Enforcement division within the Mesabi Daily News coverage area, as well as throughout the nation.

The Mesabi Daily News will again be running a special promotion during that week with information and photos from each Law Enforcement division.

Please take this opportunity to say "thank you" to the men and women who protect your community 24 hours a day, and 365 days of the year, and to also remember the officer's who have fallen in the line of duty on Peace Officers' Memorial Day, Wednesday, May 12th.

Reserve your ad space today for this very special promotion. All ad copy must be submitted by Tuesday, April 27th. The approximate ad sizes are:

1 col. x 1 1/2" - \$20.00
1 col. x 3" - \$37.00

If you have any further questions, or would like to reserve space, please feel free to call at any time during regular business hours.

Sincerely,

Kelly and Gail
Classified Sales Professionals

CALVARY CEMETERY ASSOCIATION

WILLIAM J. BURIA, Secretary

P.O. Box 188

VIRGINIA, MINNESOTA 55792

March 10, 2004
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 your past grants that you have given us.

At this time we are requesting a grant of \$2500.00 for the
maintenance and upkeep costs of Mtn. Iron lot owners in the
Calvary Cemetery in Virginia.

Sincerely,

Calvary Cemetery Board


William Buria, Secretary

Pres. & trustee Robert Curtiss

Sec'y/Treasure William Buria

Director Frank Barboni

Vice Pres. Renny Renzaglia

Director Frank Galaski

Director

CALVARY CEMETERY ASSOCIATION

WILLIAM J. BURIA, Secretary

P.O. Box 188

VIRGINIA, MINNESOTA 55792

January 1, 2003 to December 31, 2003

INCOME

| | | |
|------------------------------|------|----------|
| Lots Sold | (10) | 5050.00 |
| Burials | (26) | 10450.00 |
| Cremain Burials | (34) | 3300.00 |
| Markers | (42) | 1320.00 |
| Foundations | (7) | 775.00 |
| Misc. Income | | 3159.19 |
| Reinternment | (1) | 975.00 |
| Total Receipts | | 25029.19 |
| Grant-City of Virginia | | 7487.00 |
| Grant-City of Mtn.Iron | | 2500.00 |
| Total Grants | | 9987.00 |
| Interest-Certificate | | 1021.40 |
| Interest-Savings Acct. | | 27.54 |
| Interest-Permanent Care Fund | | 299.67 |
| Total Interest | | 1348.61 |
| Total Income | | 36364.80 |

DISBURSEMENTS

| | | |
|--|----------|----------|
| Salaries & Wages | 15561.00 | |
| Officer Wages | 2400.00 | |
| Heat, Water & Electricity | 1445.78 | |
| Gas & Oil | 1021.32 | |
| Material & Supplies | 305.53 | |
| Backhoe & Mower Expense | 431.59 | |
| Building & Grounds Expense | 2566.40 | |
| Office Expense | 242.79 | |
| Truck Expense | 651.50 | |
| Telephone | 586.10 | |
| Insurance | 2986.00 | |
| Hospitalization Insurance | 413.00 | |
| Misc. Expense | 712.00 | |
| Advertising | ----- | |
| New Equipment | ----- | |
| Work Therapy Program Coor. (WTPC) Labor | 3072.05 | |
| Total Expenses | | 32395.06 |
| Medicare Taxes | 260.48 | |
| F.I.C.A. | 1113.68 | |
| Federal U.C. Fund | 106.71 | |
| Minnesota U.C. Fund | 763.34 | |
| Mtn. Iron Land Tax | 187.14 | |
| Sales Tax | 113.52 | |
| Total Taxes | | 2244.21 |
| Total Disbursements | | 34639.27 |

CALVARY CEMETERY ASSOCIATION

WILLIAM J. BURIA, Secretary

P.O. Box 188

VIRGINIA, MINNESOTA 55792

ASSETS AS OF DECEMBER 31, 2003

RESTRICTED

Permanent Care Fund

| | |
|------------------------------|-----------------|
| Savings Certificate #3039955 | 10000.00 |
| Savings Account #0910 | 7934.93 |
| Total Fund | 17934.93 |

UNRESTRICTED

| | |
|-------------------------------|----------|
| Building & Grounds Fund #7991 | 10000.00 |
| Operating Fund #282077 | 10000.00 |
| Equipment Fund #039963 | 10000.00 |
| Memorial Fund #888429 | 1200.36 |
| Savings Account #4220-06 | 8944.01 |

| | |
|------------------------------|-----------------|
| Total Invested Assets | 40144.37 |
|------------------------------|-----------------|

| | |
|------------------|---------|
| Checking Account | 4992.95 |
|------------------|---------|

| | |
|----------------------------------|-----------------|
| Total Unrestricted Assets | 45137.32 |
|----------------------------------|-----------------|

| | |
|--------------------------|-----------------|
| Total Cash Assets | 63072.25 |
|--------------------------|-----------------|

| | |
|-------------------------|----------|
| Mtn. Iron Cemetery Land | 13200.00 |
|-------------------------|----------|

| | |
|------------------|----------|
| 2002 Cash Assets | 61346.72 |
|------------------|----------|

| | |
|------------------|----------|
| 2003 Cash Assets | 63072.25 |
|------------------|----------|

| | |
|--|---------|
| | 1725.53 |
|--|---------|



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

MEMO

TO: City Council
City Administrator

FROM: Jill M. Forseen, Municipal Services Secretary *gm7*

DATE: March 26, 2004

RE: Minnesota Clerks and Finance Officers Assoc. (MCFOA)
Conference

Thank you for allowing me to attend the 2004 Conference. As always, it was very educational and fulfilling.

On the last day of the conference, they have a drawing for four MCFOA members to attend the International Conference with the association paying for the travel expenses. There were 342 conference attendees and I was fortunate enough to have my name drawn. The Association will be sending me to Whistler, British Columbia, Canada, from May 22-28, 2004, for the International Conference. I am seeking Council approval to represent the City of Mountain Iron at this conference, on City time. There are approximately 20-30 City Clerks and Finance Officers from Minnesota that attend this annual event, mostly from the larger cities. The international conference attendance is approximately 1000-1200, with Clerks and Finance Officers from around the world.

COUNCIL LETTER 040504-VIG

COUNCILOR ROSKOSKI

LOCOMOTIVE 806 PLAQUE

DATE: March 29, 2004

FROM: Councilor Ed Roskoski

Craig J. Wainio
City Administrator

Councilor Roskoski requested that this item be placed on the Agenda.

Back-up: It's in storage in the Library basement. It should/could be hung on a blank wall at City Hall possibly in the Council Chambers.

COUNCIL LETTER 040504-VIH

COUNCILOR ROSKOSKI

SPRUCE DRIVE-ASPEN LANE INTERSECTION

DATE: March 29, 2004

FROM: Councilor Ed Roskoski

Craig J. Wainio
City Administrator

Councilor Roskoski requested that this item be placed on the Agenda.

Back-up: This has been a low area since it was repaired. It should be built-up. Perhaps this summer with other paving projects.

COUNCIL LETTER 040504-VII

COUNCILOR ROSKOSKI

CITY MOWING POLICY

DATE: March 29, 2004

FROM: Councilor Ed Roskoski

Craig J. Wainio
City Administrator

Councilor Roskoski requested that this item be placed on the Agenda.

Back-up: Do we have one? If so, it should be modified or updated. If none exists, have one drafted up.

Staff Report: As previously discussed at the City Council, the City does not have a formal written mowing policy. If a mowing policy is to be developed, staff requests specific direction in what the City Council is attempting to accomplish.

COUNCIL LETTER 040504-VIJ
COUNCILOR ROSKOSKI
MOUNTAIN IRON DRIVE DIPS

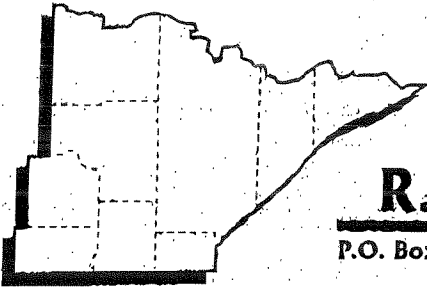
DATE: March 29, 2004
FROM: Councilor Ed Roskoski
Craig J. Wainio
City Administrator

Councilor Roskoski requested that this item be placed on the Agenda.

Back-up: They are bad again. Options for a better repair?

COMMUNICATIONS
APRIL 5, 2004

1. Range Association of Municipalities and Schools, a memo regarding the computation of LGA and Taconite Aids.
2. League of Minnesota Cities, the March 26, 2004, Friday Fax.



One Range...One Voice

Range Association of Municipalities and Schools

P.O. Box 705, Buhl, MN 55713

PHONE (218) 258-3216

FAX (218) 258-3217

TO: RAMS Membership
FROM: Ron Dicklich
SUBJECT: LGA and Taconite Aids
DATE: March 29, 2004

----- M E M O R A N D U M -----

On Wednesday, March 31st the Senate Tax Committee will hear Senator Tom Bakk's Taconite Tax Bill that would change the three-year averaging computation of Taconite Tax to an actual production computation.

The Bill was introduced as a result of lawsuits filed by Cleveland Cliffs and USX as a result of their take-over of Eveleth Taconite and National Steel Pellet Company. The lawsuits, if successful, would have them pay taxes on one year of actual production and two years of no production. Example: USX would produce 5 million tons at the former National Steel Pellet Company. They would pay taxes on 1.67 million tons. The difference is approximate \$10 million dollars under current law as opposed to \$2.34 million if the lawsuit is successful.

This would make a difference in the amount of Taconite Aids paid out in the next three years. This is of great importance because the Senate has included eliminating the Taconite Offset which would allow Taconite cities to keep \$9.7 million instead of subtracting it from Local Government Aids. The Senate also has a provision to restore \$60 million to Minnesota cities who lost LGA in last year's LGA cuts. This is only about one-third restoration, but it could help out cities over the next few years.

If you have any questions, please contact me at (218) 996-1988.



-FridayFax-

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March 26, 2004

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Water quality bills advance

SF 1999 (Sparks, DFL-Austin) removes the sunset date on the ban on phosphorus in lawn fertilizers and extends the ban statewide and was passed to the Senate floor. Appropriate soil test results will continue to allow use of phosphorus fertilizers. LMC has a policy position supporting the removal of phosphorus from all possible consumer products to lessen city cost of treating wastewater and stormwater and supported the bill. Its companion bill, HF 2005 (McNamara, R-Hastings) has also been passed to the floor in that body.

SF 2319 (Lourey, DFL-Kerrick) initially allowed the state to do extensive groundwater monitoring at sites where biosolids are applied to land and to bill back their costs without limit to the source of the biosolids and was opposed by LMC. The author amended her bill to address those concerns by making it a one-time appropriation to the MPCA from the state to do monitoring of a specific site in her district. That version was passed to the Senate Finance committee. The companion file HF 2318 (Hilty, DFL-Finlayson) was not given a hearing before the policy committee deadline.

Two bills supplying funding to help cities address the requirements coming their way from federal impaired waters and TMDL programs made their way forward in the Senate. SF 401 (Sams, DFL-Staples) is a bill for a constitutional amendment that would dedicate ¼ of one cent of the state sales tax for the next twenty years to fund game and fish, wildlife, parks and trails, and impaired waters programs. It allocates approximately \$51 million per year to the state's impaired waters program. It has been passed to the Senate Finance committee. SF2889 (Marty, DFL-

Roseville) includes the policy language related to creating a state impaired waters program that was crafted over the past year by a large and diverse stakeholder group that included local representatives, including LMC and CGMC. It funds impaired waters program needs by raising state income and corporate income taxes to generate \$100 million per year. That bill was passed to the Finance committee.

Inverse condemnation

A bill opposed by LMC and other local government organizations was tabled in the Senate Judiciary committee on Thursday evening. SF 1233 (Ortman, R-Chanhassen) would have changed condemnation law to allow garbage haulers to sue cities for loss of business if organized collection is enacted. Heather Worthington, city administrator for the city of Falcon Heights testified on behalf of the League and provided the committee with information on her city's efforts to consider organized waste collection and the economic obstacles the bill would create. The initial bill (and the current House version) was drafted to include any business, not just garbage haulers, but the only businesses testifying in support of the bill have been from the solid waste industry. The House companion (HF 898 (Thissen, DFL-Minneapolis) has passed all of its required policy committees and is on the floor, so there is still a risk that the language will show up as an amendment to another bill.

Open meeting law changes

A bill allowing public meetings to be closed for the purposes of having security discussions moved forward in the Senate this week. SF 2343 (Higgins, DFL-Minneapolis) was drafted by Hennepin County and LMC. It was



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changed somewhat to address concerns about record retention by the Minnesota Newspaper Association and was included in the Senate's omnibus data practices bill. The House has not yet acted on this language, but is expected to be receptive to the request. The chair of the House Judiciary policy committee, Rep. Steve Smith, is the author of the House companion bill, HF 2138.

Electronics recycling

SF 838 (Higgins, DFL-Minneapolis) sets up a recycling program for cathode ray tubes in televisions and video display screens. The Senate Environment, Agriculture, and Economic Development Finance division passed it on Tuesday. It is not clear at this time what, if any, action the House will take on HF 882 (Cox, R-Northfield) now that the Senate has moved the bill forward.

Gunyou, Kiedrowski address joint Senate Finance and Tax hearing

Today, former Finance Commissioners Jay Kiedrowski and John Gunyou appeared before a joint session of the Senate Finance committee and the Senate Tax committee "to have and honest discussion about the fiscal management and future of the state." The two former commissioners appeared to tell committee members that the legislature and governor should regain control of the state budget not through recently-employed accounting shifts or use of one-time revenues but instead through permanent adjustments to spending or taxes.

Specifically, the commissioners cited last year's use of one-time money and the fact that the updated forecast includes inflationary increases in the estimates for revenues but

ignores the inflationary increases on the expenditure side. They argued that the net impact of these short-term budget fixes was to push a large portion—perhaps as much as \$1 billion—of the state's deficit into the future. They raised similar concerns about the recent supplemental budget proposals offered the governor and the House that they believe rely too heavily on "shifts and gimmicks."

Jay Kiedrowski was the finance commissioner under former Governor Rudy Perpich who now works for Wells Fargo Bank and John Gunyou who was the finance commissioner under Governor Arne Carlson is now the city manager for the city of Minnetonka. Both appeared before the committee not to represent their current employers but as citizens and former finance commissioners.

The impact of the hearing on the discussions on the deficit will play out over the next several weeks as the legislature moves beyond policy committees and into the finance committee activity.

Eminent domain proposal still alive

On Thursday, the House Transportation Finance committee heard HF 1901 (Paulsen, R-Eden Prairie), a bill that would require cities to pay property owners' attorney fees in a condemnation proceeding in certain circumstances and require cities to prove by a preponderance of evidence that a taking serves a public purpose.

The bill was previously amended in the House Local Government committee to allow the award of attorney fees to a landowner in an eminent domain proceeding if the final judgment or award exceeds by 20 percent or



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more the last written offer made by the condemning authority before filing a petition. The amendment also established a heightened standard of proof for takings transferred to a private entity. Under the proposed language, the acquiring authority must prove by preponderance of the evidence that the taking is reasonably necessary and authorized by law, and is for a public, not private, purpose.

The League testified against the bill in the Transportation committee, arguing that these proposed changes to the condemnation process would encourage more litigation that will delay resolution of condemnation cases and cost taxpayers more for public projects, and would make it much more difficult for cities, port authorities, EDAs and HRAs to perform statutory development and redevelopment functions.

After testimony for and against the proposal, the committee tabled the bill. The committee later amended the public purpose provision into HF 2625 (Kuisle, R-Rochester), the department of transportation land management bill. The League and other local government groups proposed a more reasonable approach that amends redevelopment statutes to address the degree of public benefit associated with these types of projects. The amendment failed on a voice vote, and the committee voted to send HF 2625, as amended, to the House Ways and Means committee.

While the League remains concerned about the impacts of the House language on economic development and redevelopment projects, things are looking better in the Senate.

Sen. Sheila Kiscaden (IP-Rochester), the author of the Senate companion bill (SF 2037) has

worked with both sides over the last several weeks to negotiate a compromise proposal.

At a hearing in the Senate Judiciary committee, Sen. Kiscaden presented a delete-all amendment to the original bill that exempted small strip takings from the attorney fee provision and limited the payment of attorney fees to a maximum of \$2,000 for residential property. The amendment also attempted to tighten up the public purpose requirements. The Judiciary committee ultimately voted to remove the attorney fees provisions, but passed the rest of the bill and referred it to the State and Local Government committee.

The Senate State and Local Government committee took-up SF 2037 today. Sen. Kiscaden was prepared to offer a compromise proposal that would have moderated the public purpose requirements in the bill, but the proponents and opponents had not reached final agreement on the language. She instead moved to strike the public purpose section of the bill and send the amended bill to the Senate Transportation Policy and Budget Division. The committee adopted the motion.

It's likely that this issue will be resolved one way or another in negotiations on HF 2625 (Kuisle) and SF 2643 (Murphy).