

**MOUNTAIN IRON CITY COUNCIL MEETING  
COMMUNITY CENTER  
MOUNTAIN IRON ROOM  
MONDAY, JULY 19, 2010 - 6:30 P.M.  
A G E N D A**

- I. Roll Call
- II. Consent Agenda
  - A. Minutes of the July 6, 2010, Regular Meeting (#4-9)
  - B. Receipts
  - C. Bills and Payroll
  - D. Communications (#21-25)
- III. Public Forum
  - A. Coalition of Greater Minnesota Cities – Bradley Peterson
- IV. Committee and Staff Reports
  - A. Mayor's Report
  - B. City Administrator's Report
    - 1. CDBG Committee Vacancy (#10)
  - C. Director of Public Works Report
  - D. Sheriff's Department Report
  - E. City Attorney's Report
    - 1. Consent Agenda (#11-13)
  - F. City Auditor's Report
    - 1. 2009 Audit \*
  - G. City Engineer's Report
    - 1. Pay Request #1 for the 2010 street Improvements (#14-16)
  - H. Personnel Committee
    - 1. Assistant Librarian (#17) \*
  - I. Liaison Reports
- V. Unfinished Business
- VI. New Business
  - A. Authorizations to Serve Liquor at Community Center (#18-19)
  - B. Mineview in the Sky Visitors Center Request (#20)
- VII. Announcements
- VIII. Adjourn

# Denotes page number in packet

\* Enclosed in packet

MINUTES  
MOUNTAIN IRON CITY COUNCIL  
JUNE 21, 2010

Mayor Skalko called the City Council meeting to order at 6:30 p.m. with the following members present: Joe Prebeg, Jr., Tony Zupancich, Ed Roskoski, and Mayor Gary Skalko. Alan Stanaway was absent. Also present were: Craig J. Wainio, City Administrator; Don Kleinschmidt, Director of Public Works; Sam Aluni, City Attorney, Rod Flannigan, City Engineer; and John Backman, Sergeant.

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

1. Remove the minutes of the June 7, 2010 meeting and the Receipts from the consent agenda.
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 authorize the payments of the bills and payroll for the period June 1-15, 2010, totaling \$126,375.51, (a list is attached and made a part of these minutes).

The motion carried on the following roll call vote: Prebeg, yes, Zupancich, yes, Roskoski, yes, Skalko, yes.

It was moved by Zupancich and supported by Prebeg to approve the minutes of the June 7, 2010 meeting as submitted. Discussion took place on charging the public for information requests, such as assessment searches. The motion carried with Roskoski voting no.

It was moved by Zupancich and supported by Prebeg to acknowledge the receipts for the period June 1-15, 2010, totaling \$661,396.65, (a list is attached and made a part of these minutes). The motion carried with Roskoski voting no.

No one spoke during the public forum

The Mayor updated the Council on the following:

>Economic Development Authority. He wanted to recognize the EDA members as follows:

Anthony Zupancich, President	Barb Fivecoate, VP/Treasurer
Robert Voss	Allen Nelson
Alan Stanaway	Andrea Wilson
Mary Jacobsen, Secretary	Craig Wainio, Executive Director

- >Corrected information on the City of Roseau:  
They have 25 Employees. Their population is 2756. Roseau covers 2.4 square miles.
- >The City prevailed in the lawsuit filed by Councilor Roskoski over a street assessment on 16<sup>th</sup> Avenue.
- >The City Administrator will provide an update on the solar panel factory.
- >Council Recognition. Councilor Zupancich chose to recognize the Merritt Days Committee. The Committee is made up of volunteers from the City and Events Coordinator, Sally Peterangelo. The group does a tremendous job each year on an event that people look forward to each year.

The City Administrator updated the Council on the Community Business Partnership Grant Program Report. None of the funds have been expended as of this date.

It was moved by Roskoski and supported by Zupancich to adopt the Community Business Partnership Grant Program report through the Iron Range Resources to help businesses in the community and to have the City run some advertising in the Mesabi Daily News and the Hometown Focus informing businesses located in Mountain Iron that there is this program available to help with local economic development projects. The motion carried unanimously.

The City Administrator updated the Council on the solar panel plant. The project was approved by the Iron Range Resources at their meeting on June 17, 2010. The EDA will be receiving a loan from the IRR for \$3.6 million to construct a building to house Silicon Energy Minnesota for manufacturing solar panels to be sold primarily in the Excel Energy service territory. They hope to be operational by March, 2011 with 15-20 jobs created.

Councilor Roskoski questioned the City Attorney on the legality of refunding zoning permit fees charged to building permit recipients for projects costing less than \$2000. Discussion took place on whether the fees should be charged and the matter was referred to Planning and Zoning.

It was moved by Prebeg and supported by Zupancich to authorize payment request number 6 to Magney Construction, Inc. in the amount of \$4,306.50 for the Wastewater Treatment Plant project. The motion carried unanimously on a roll call vote.

It was moved by Prebeg and supported by Zupancich to approve the variance application for Mr. Don Salin as recommended by the Planning and Zoning Commission. The motion carried with Roskoski voting no.

Minutes – City Council  
June 21, 2010  
Page 3

Councilor Zupancich questioned when the Planning and Zoning Commission Ordinance updates for their manuals would be received. The City Administrator said they will be done as time permits.

It was moved by Zupancich and supported by Prebeg to approve Resolution Number 05-10, authorizing City Absentee Ballot Board. The motion carried unanimously.

It was moved by Prebeg and supported by Zupancich to reschedule the July 5, 2010 meeting to July 6, 2010 at 6:30 p.m.. The motion carried unanimously.

It was moved by Prebeg and supported by Zupancich to recess the regular City Council meeting and open the closed meeting. The motion carried unanimously.

At 8:25 p.m., it was moved by Zupancich and seconded by Roskoski to adjourn the closed session and reconvene the regular meeting. The motion carried with Stanaway absent.

At 8:26 p.m., it was moved by Prebeg and seconded by Zupancich that the meeting be adjourned. The motion carried with Stanaway absent.

Submitted by:



Judy Seurer  
Accounting Technician

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

#### COMMUNICATIONS

1. Thank you note from Perkins owners through the EDA.

MINUTES  
MOUNTAIN IRON CITY COUNCIL  
JULY 6, 2010

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

It was moved by Skalko and seconded by Prebeg that the consent agenda be approved. Councilor Roskoski requested that each consent agenda item be voted on separately. With that request, the motion was to approve the minutes of the June 21, 2010, regular meeting as submitted. After further discussion, the Council requested that City Staff add the closed meeting information to the minutes and resubmit the minutes to the Council at the July 19, 2010 meeting. The motion carried unanimously.

It was moved by Skalko and seconded by Zupancich to acknowledge the receipts for the period June 16-30, 2010, totaling \$147,985.01, (a list is attached and made a part of these minutes). The motion carried unanimously.

It was moved by Skalko and seconded by Stanaway to authorize the payments of the bills and payroll for the period June 16-30, 2010, totaling \$785,857.01, (a list is attached and made a part of these minutes). The motion carried unanimously on a roll call vote.

During the public forum, Jackie Jenko was present and addressed the following issues:

- Streets Signs in Downtown Mountain Iron. Ms. Jenko said that for safety reasons, the signs should be put up as soon as possible. The City Engineer stated that the signs were removed for the Downtown Lighting Project and he would check with the contractor to see when the signs would be installed.
- Library Board. Ms. Jenko, representing Library Board as President, inquired as to the status of the hiring of the Assistant Librarian position. Councilor Prebeg said that City Staff and the Personal Committee were reviewing and rating the applications and interviews would be set up. Councilor Stanaway said that the City should obtain a memo of understanding with the AFSCME Union to authorize Temporary Summer Staff to work in the Librarian's absence or to consider closing the library earlier. She requested that City Staff keep her updated on the status of the new position.
- Thank you. Ms. Jenko thanked the Librarian/Special Event Coordinator; for the outstanding work that she has done on planning the 4<sup>th</sup> of July celebration in Mountain Iron. She also thanked the Summer Employees and the City Employees for all of the work that they have done for the City for all of the summer programs and celebrations.

The Mayor updated the Council on the following:

- Public Safety and Health Board. He said that this is a new Board, being established approximately three years ago. This Board coordinates with the Fire Department, the

First Responders, and the Sheriffs Department. He wanted to recognize the members of the Board as follows:

Alan Stanaway, Chairman	Gary Skalko
Stephen Skogman	Holly Holmes
Allen Nelson	

- Ann's Acres Playground Equipment. The new equipment was installed on June 21 & 22, 2010. He advised the Council that the funding for this project came from the sale of the ballfield property to St. Luke's Clinic in West Virginia. He thanked Dawn Savela for her assistance to obtain this equipment for Ann's Acres.
- High Impact Girls Basketball Team. They competed at a National Competition in South Carolina and the 5<sup>th</sup> grade team won 4<sup>th</sup> place and the 8<sup>th</sup> grade team won 2<sup>nd</sup> place.
- 4<sup>th</sup> of July Celebration. He thanked Sally Peterangelo for all of her work on the celebration. He also thanked the City Employees and Volunteers that participated.
- Birthday. He congratulated Councilor Stanaway on his birthday today.
- Recognition. The City Administrator said that he would like to recognize the Retriever Club for hosting all of the events for the dog trials. He said that all of their activities bring many participants to the City.

The City Administrator updated the Council on the following:

- Unity Second Addition. Another lot had been sold in the addition, making a total of 14 sold to date.
- T-ball and Baseball. He said that he has children in the programs and he has heard positive comments from other parents involved with the summer activities. He also thanked Brian Wilson and Terry Niska for running an excellent program.

The Mayor complimented Sergeant Backman for his participation in a local musical band, he said that he was very talented.

The Sergeant reported that their department had a news release regarding a gentleman in the West Virginia area being gone. His name is George Cleveland, 60 years old, and he had not been heard from since June 26, 2010.

It was moved by Prebeg and seconded by Zupancich to authorize payment request number two to Mesabi Bituminous for the Mountain Iron Baseball Fields Reconstruction Project in the amount of \$34,146.23. The motion carried unanimously on a roll call vote.

It was moved by Zupancich and seconded by Stanaway to authorize payment request number one to Ulland Brothers Incorporated for the Energy Park Phase Two Project in the amount of \$268,549.83. The motion carried unanimously on a roll call vote.

It was moved by Prebeg and seconded by Zupancich to authorize payment request number one to C & C Winger Incorporated for the Locomotive Park Landscape Improvement Project in the amount of \$38,144.00. The motion carried on the following roll call vote: Roskoski, no; Prebeg, yes; Zupancich, yes; Stanaway, yes; and Skalko, yes.

The following report was given during the Liaison Reports:

- Library Board. Councilor Stanaway reported on the statistics for the library for the month of June, 2010. He advised the Council that the Library set two new records for items checked in and out and for the number of patrons using the library.

It was moved by Prebeg and seconded by Skalko to accept the low bid for the City Garage Addition to Lenci Enterprises in the amount of \$309,000. The motion carried on the following roll call vote: Prebeg, yes; Zupancich, yes; Stanaway, yes; Roskoski, no; and Skalko, yes.

It was moved by Zupancich and seconded by Roskoski to authorize STATE Inc., doing business as Magic Bar, to serve on-sale liquor in the Mountain Iron Community Center on August 28, 2010, for the Neimi/Congdon wedding reception. The motion carried.

At 7:15 p.m., it was moved by Skalko and seconded by Roskoski that the meeting be adjourned. The motion carried.

Submitted by:



Jill M. Anderson, CMC  
Municipal Services Secretary

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

## Summary By Category And Distribution

Category	Distribution	Amount
CAMPGROUND RECEIPTS	FEES	2,215.00
CHARGE FOR SERVICES	SEWER-CHARGE FOR SERVICES	45.26
UTILITY	UTILITY	123,239.81
MISCELLANEOUS	ASSESSMENT SEARCHES	70.00
BUILDING RENTALS	BUILDING RENTAL DEPOSITS	300.00
BUILDING RENTALS	COMMUNITY CENTER	620.00
LICENSES	ANIMAL	5.00
SPECIAL ASSESSMENTS	SPECIAL ASSESSMENTS-PRIOR YR	2,668.55
SPECIAL ASSESSMENTS	SPECIAL ASSESS.INT.-PRIOR YRS	98.84
MISCELLANEOUS	DUE FROM EDA	-
MISCELLANEOUS	REIMBURSEMENTS	6,434.00
MISCELLANEOUS	EDA REIMBURSEMENT	634.46
CD INTEREST	CD INTEREST 301	1,295.02
CD INTEREST	CD INTEREST 378	2,962.05
CD INTEREST	CD INTEREST 603	987.35
MISCELLANEOUS	REC DEPT-ARCHERY FEES	40.00
PERMITS	BUILDING	561.75
FINES	ADMINISTRATIVE OFFENSE	50.00
SPECIAL ASSESSMENTS	SPECIAL ASSESS.-BOND MONEY	759.29
SPECIAL ASSESSMENTS	INTEREST-SP.ASSESS.-BONDS ISSU	31.11
MISCELLANEOUS	BASEBALL/SOFTBALL FEES	535.00
METER DEPOSITS	ELECTRIC	350.00
MISCELLANEOUS	MISC. INCOME-ELECTRIC ACCT	2,236.17
BUILDING RENTALS	SENIOR CENTER	100.00
CD INTEREST	CD INTEREST 101	138.23
SALE OF PROPERTY	SALE OF PROPERTY	1,416.00
MISCELLANEOUS	BLUE CROSS/BLUE SHIELD PAYABLE	191.12
MISCELLANEOUS	FAX CHARGES	1.00
Summary Totals		<u>147,985.01</u>



## Report Criteria:

Check.Check No = 139591, 139656-139735

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
07/10	07/08/2010	139656	10047	AMERICAN TEST CENTER	604-20200	1,350.00
07/10	07/08/2010	139657	10009	ARCHITECTURAL RESOURCES	301-20200	1,960.00
07/10	07/08/2010	139658	5007	ASSURANT EMPLOYEE BENEFITS	601-20200	640.80
07/10	07/08/2010	139659	20009	BARBER GRAPHICS	101-20200	14.50
07/10	07/08/2010	139660	20022	BENCHMARK ENGINEERING INC	101-20200	55,689.04
07/10	07/08/2010	139661	7064	BEST ASSETS INC	604-20200	42.71
07/10	07/08/2010	139662	30040	C & C WINGER INC	301-20200	38,144.00
07/10	07/08/2010	139663	30017	CARQUEST (MOUNTAIN IRON)	101-20200	447.42
07/10	07/08/2010	139664	30001	CHRISTENSEN PARTS SERVICE INC	101-20200	36.11
07/10	07/08/2010	139665	30004	CITY OF MOUNTAIN IRON	101-20200	12,600.00
07/10	07/08/2010	139666	220003	CITY OF VIRGINIA	101-20200	600.00
07/10	07/08/2010	139667	30026	COMO LUBE & SUPPLIES INC	101-20200	191.49
07/10	07/08/2010	139668	30011	CONVEYOR BELT SERVICE INC	101-20200	59.85
07/10	07/08/2010	139669	30072	CW TECHNOLOGY	301-20200	1,881.18
07/10	07/08/2010	139670	7053	DALE WITZMAN	101-20200	100.00
07/10	07/08/2010	139671	40001	VOID - DIAMOND LAKE BOOK COMPAN	101-20200	.00 M
07/10	07/08/2010	139672	40015	DULUTH NEWS TRIBUNE	101-20200	265.20
07/10	07/08/2010	139673	40027	DULUTH/SUPERIOR COMMUNICATIONS	101-20200	136.70
07/10	07/08/2010	139674	7072	ERIC GRAHEK	101-20200	500.00
07/10	07/08/2010	139675	60026	FASTENAL COMPANY	603-20200	103.23
07/10	07/08/2010	139676	60048	FEDERAL EMERGENCY MGMT AGENCY	301-20200	1,800.50
07/10	07/08/2010	139677	60029	FERGUSON ENTERPRISES INC	101-20200	582.65
07/10	07/08/2010	139678	7069	FRANCES JENSEN	101-20200	200.00
07/10	07/08/2010	139679	70035	G & K SERVICES	101-20200	83.05
07/10	07/08/2010	139680	70016	GOPHER STATE ONE CALL INC	604-20200	78.60
07/10	07/08/2010	139681	70004	GRANDE ACE HARDWARE	101-20200	13.10
07/10	07/08/2010	139682	70029	GUARDIAN PEST CONTROL INC	101-20200	77.74
07/10	07/08/2010	139683	80017	HENRY'S WATERWORKS INC	601-20200	3,116.13
07/10	07/08/2010	139684	7063	HOPE COMMUNITY PRESBYTERIAN	101-20200	100.00
07/10	07/08/2010	139685	90005	ITALIAN BAKERY INC	101-20200	87.78
07/10	07/08/2010	139686	7071	KYLE SAVER	101-20200	200.00
07/10	07/08/2010	139687	120032	LAKE COUNTRY POWER	101-20200	211.34
07/10	07/08/2010	139688	7068	LAURA PETERSEN	101-20200	100.00
07/10	07/08/2010	139689	120002	LAWSON PRODUCTS INC	101-20200	422.53
07/10	07/08/2010	139690	120005	LEAGUE OF MN CITIES INS TRUST	101-20200	92.00
07/10	07/08/2010	139691	120014	LUNDGREN MOTORS	604-20200	13.61
07/10	07/08/2010	139692	130030	MACQUEEN EQUIPMENT	603-20200	9,840.00
07/10	07/08/2010	139693	7067	MARY ANN LEONI	101-20200	100.00
07/10	07/08/2010	139694	130041	MESABI BITUMINOUS	601-20200	35,718.79
07/10	07/08/2010	139695	130026	MESABI SIGN COMPANY	101-20200	400.78
07/10	07/08/2010	139696	130109	METRO FIRE	101-20200	1,383.75
07/10	07/08/2010	139697	130134	MIDWEST PLAYGROUND CONTRACTOR	301-20200	1,200.00
07/10	07/08/2010	139698	130008	MINNESOTA MUNICIPAL UTILITIES	603-20200	2,100.00
07/10	07/08/2010	139699	130009	MINNESOTA POWER (ALLETE INC)	101-20200	1,474.12
07/10	07/08/2010	139700	120007	MOTION INDUSTRIES INC	101-20200	426.58
07/10	07/08/2010	139701	130015	MOUNTAIN IRON PUBLIC UTILITIES	101-20200	15,552.25
07/10	07/08/2010	139702	140052	NORTHEAST SERVICE COOPERATIVE	101-20200	46,219.13
07/10	07/08/2010	139703	140055	NORTHERN VISUAL SERVICES	101-20200	30.00
07/10	07/08/2010	139704	140054	NORTHLAND CHEMICAL CORP	101-20200	146.56
07/10	07/08/2010	139705	140056	NORTHLAND TRUST SERVICES INC	378-20200	51,837.50
07/10	07/08/2010	139706	140064	NORTHWOOD EQUIPMENT INC	101-20200	669.02
07/10	07/08/2010	139707	140008	NORTRAX EQUIPMENT/POWERPLAN	101-20200	110.48
07/10	07/08/2010	139708	40032	OFFICE OF ENTERPRISE TECHNOLOG	101-20200	466.73
07/10	07/08/2010	139709	160032	PORTABLE JOHN	101-20200	586.17

M = Manual Check, V = Void Check

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
07/10	07/08/2010	139710	170007	QUILL CORPORATION	101-20200	356.01
07/10	07/08/2010	139711	180008	RADKO IRON & SUPPLY INC	101-20200	63.44
07/10	07/08/2010	139712	180004	RANGE COOPERATIVES	101-20200	20.31
07/10	07/08/2010	139713	7075	RANGE MENTAL HEALTH CENTER INC	101-20200	35.00
07/10	07/08/2010	139714	7076	RUSS BEES	101-20200	80.00
07/10	07/08/2010	139715	190045	SERVICE SOLUTIONS	101-20200	22.34
07/10	07/08/2010	139716	7073	SHANNON SWAN	101-20200	80.00
07/10	07/08/2010	139717	190004	SKUBIC BROS INC	604-20200	16.47
07/10	07/08/2010	139718	190024	ST LOUIS CO SHERIFF LITMAN	101-20200	37,500.00
07/10	07/08/2010	139719	7070	STACY SOCHA	101-20200	200.00
07/10	07/08/2010	139720	7066	SUSAN TURNER	101-20200	100.00
07/10	07/08/2010	139721	200003	TACONITE TIRE SERVICE	101-20200	499.28
07/10	07/08/2010	139722	200020	THE TRENTI LAW FIRM	301-20200	3,122.78
07/10	07/08/2010	139723	200046	TKDA ENGINEERING ARCHITECTURE	601-20200	1,900.00
07/10	07/08/2010	139724	180027	TNT FIRE PROTECTION	101-20200	375.00
07/10	07/08/2010	139725	7074	TOM AND KAREN AHO	101-20200	20.00
07/10	07/08/2010	139726	200028	TRI CITIES BIOSOLIDS DISPOSAL	602-20200	6,206.00
07/10	07/08/2010	139727	200006	TRIMARK INDUSTRIAL	101-20200	224.64
07/10	07/08/2010	139728	210010	ULLAND BROTHERS INC	301-20200	268,549.83
07/10	07/08/2010	139729	210002	UNITED TRUCK BODY COMPANY INC	101-20200	248.46
07/10	07/08/2010	139730	220025	VERIZON WIRELESS	101-20200	28.73
07/10	07/08/2010	139731	230005	WESCO DISTRIBUTION INC	604-20200	242.49
07/10	07/08/2010	139732	7065	WILLIAM PARISE	101-20200	100.00
07/10	07/08/2010	139733	230033	WITMER ASSOCIATES INC	101-20200	809.99
07/10	07/08/2010	139734	240001	XEROX CORPORATION	101-20200	432.50
07/10	07/08/2010	139735	260005	ZEP MANUFACTURING COMPANY	101-20200	165.11

Totals:

611,601.50

Payroll-PP Ending 6/11/10	\$ 60,079.61
Payroll-PP Ending 6/25/10	\$100,747.45
Electronic Trans.-Sales Tax	\$ 13,428.45
<b>TOTAL EXPENDITURES</b>	<b>\$785,857.01</b>

**NOTICE OF VACANCIES  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADVISORY  
COMMITTEE**

**FIVE VACANCIES: One representative for Northern Townships, one representative for Hibbing, one At-Large representative, one representative for Small Cities and one representative for Eveleth.**

The St. Louis County Board of Commissioners will be making five appointments to the St. Louis County CDBG Advisory Board for three-year terms expiring April 30, 2013.

Persons interested in being considered for these appointments should submit an application by **August 30, 2010** to: Patricia Stolee, Clerk of County Board, 100 North 5<sup>th</sup> Avenue West, Room 214, Courthouse, Duluth, MN, 55802.

Applications are available at the County Auditor's Offices in the Duluth Courthouse and the Northland Building in Virginia, and the Commissioner's Offices in the Virginia Courthouse, Hibbing Courthouse and Ely Government Services Center. (Applications are also available on-line at: [www.stlouiscounty.org](http://www.stlouiscounty.org). Go to the County Auditor website home page and a link to the application in pdf format is located at the top of the page.)

.....  
**TERM:** Three-year term expiring April 30, 2013

**QUALIFICATIONS:** Resident of the city, township or area where the vacancies are located in St. Louis County with an interest in community planning and development with emphasis on programming to benefit low and moderate income residents.

**FUNCTION:** Advises the County Board on funding activities with federal CDBG funds. St. Louis County receives more than \$3 million annually in federal CDBG funds. These funds may be used for housing, public infrastructure improvements, economic development and public services.

**DESIRED AREA OF RESIDENCE:** Five vacancies: One (1) from the City of Hibbing, one (1) from northern St. Louis County townships, one (1) from small cities, one (1) at-large and one (1) from the City of Eveleth.

.....  
BY ORDER OF THE BOARD OF COMMISSIONERS  
ST. LOUIS COUNTY, MINNESOTA

DONALD DICKLICH, COUNTY AUDITOR  
BY: Patricia Stolee, Deputy Auditor/Clerk of County Board

Although council members may be tempted to abstain from voting on a controversial matter, they should remember that the abstention will ultimately tend to pass or defeat the matter. The best advice is to avoid the kinds of problems that can arise from abstentions and vote, unless an abstention is required because a council member has a personal interest in the matter.

## **b. Long-distance voting**

*Minn. Stat. §§ 13D.02; 13D.021*

Although the open meeting law permits meetings to be held by interactive television, and in the case of a health pandemic or an emergency, permits meetings to be held by telephone or other electronic means, the use of other types of technology have not yet been authorized.

### **i. Voting by proxy**

Sometimes council members who are not able to be at a meeting want to vote on a matter that will be addressed at the meeting. State law does not permit a statutory city council member to vote by proxy. Home rule charter cities may find permission in their charters.

### **ii. Voting by phone**

*Minn. Stat. § 13D.021.*

Likewise, unless there is a health pandemic or an emergency, state law does not authorize a council member to phone in his or her vote or participate in the meeting by conference call, or other electronic means.

## **7. Agendas**

City clerks generally prepare agendas for council meetings. The agendas are then given to council members and other interested individuals such as department heads and citizens. The agenda establishes the order in which the matters are to be addressed during the meeting.

### **(1) Consent agenda**

The consent agenda or consent calendar is used by many city councils to help shorten the length of the meetings by using time more efficiently. A consent agenda typically groups together many items that are routine and not controversial. Although the council must take action on these items, they do not require further discussion.

Examples of items typically included in a consent agenda are the approval of the minutes, the setting of the next meeting date, approval of routine expenditures, and the final approval of licenses and permits.

The council generally approves all items on the consent agenda with the passage of one motion. If there is any item on the consent agenda that a council member feels warrants further discussion, it is removed from the consent agenda and dealt with individually. It may be placed anywhere within the regular agenda.

The consent agenda may be a valuable tool for city councils that have to deal with many routine matters. Some city councils may need to amend their bylaws to allow the use of this procedure.

## (2) Discussing items not on the agenda

Whether the council can discuss an item that was not included on the agenda is a question that may not have a clear answer. In part, the answer may depend upon the type of meeting that is being held and the type of meeting rules the council has adopted.

Cities should first check any rules that have been adopted by the council and any charter provisions, if the city is a home rule charter city. These local items may give more specific guidance where the statutes are vague.

*Minn. Stat. §§ 13D.04, subd. 1;  
412.191, subd. 2.*

*Minn. Stat. § 13D.04, subd. 2.  
See Part III - E - Notice  
requirements.*

*Minn. Stat. § 13D.04, subd. 3.  
See Part III - E - Notice  
requirements.*

- **Regular meetings.** The statutes are basically silent on the ability of the council to address items that are not on the agenda at a regular meeting. However, it seems to be common practice for councils to address items that were not originally on the agenda of a regular meeting through a miscellaneous item on the agenda.
- **Special meetings.** A city must give notice of a special meeting to the public. This notice must include the date, time, place, and purpose of the meeting. Since the notice of the meeting should announce its purpose, council members should deal only with that specific issue.
- **Emergency meetings.** Although these types of meetings are very rare, the law seems to be clear. The law requires that notice must include the subject of the meeting. The law also states that if matters not directly related to the emergency are discussed or acted upon in an emergency meeting, the meeting minutes shall include a specific description of the matters. Surprisingly, the statute seems to give the council more leeway to take up other matters at an emergency meeting than at other types of meetings. However, discussion of topics other than the emergency should be avoided.

In conclusion, it is advisable for city councils to only deal with the specific items on the agenda for all but regular meetings. Council members may lose a great deal of credibility with the public if people believe they are trying to circumvent the law.

- Reports from staff and administrative officers
- Ordinances and resolutions
- Presentation of claims (The authorization for paying city claims and bills are often included in the consent agenda.)
- Unfinished business
- New business
- Miscellaneous announcements
- Adjournment

## **2. Consent agenda**

By resolution or through bylaws, a council may establish a consent agenda containing routine, non-controversial items that need little or no deliberation. The clerk or the person responsible for placing items on the agenda prepares the consent agenda. By a majority or higher vote, the council can approve all actions on the consent agenda with one vote. If a councilmember objects to an item being placed on the consent agenda, it should be removed and acted on as a separate agenda item.

## **3. Tips for shortening meetings**

In addition to the consent agenda, councils may consider the following suggestions to shorten meetings.

Council bylaws may set a closing date for placing items on the agenda. For example, the clerk must receive all requests to include items on the agenda five days before the meeting. This is especially important if councilmembers need to review written material before the meeting. The council might make an exception in emergency situations by a unanimous vote, for example. The council should set a definite time for adjournment and observe this rule.

At some time during the meeting, often at the beginning, many city councils establish a specific time when citizens can present concerns to the council. In such an open forum, the mayor or presiding officer should provide a limited time for each person who wishes to speak. No action should be taken on any of the issues raised. Rather, if appropriate, the issues should be placed on the agenda of a future council meeting.

When the council is going to discuss a major public issue, the bylaws or the council, by resolution, may provide a limited, specific amount of time for each side to express its views. The council may also follow this procedure for all items on the agenda.



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

July 14, 2010

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

Re: City of Mountain Iron, MN  
2010 Street Improvements  
Project No. MI10-01

Dear Mr. Wainio;

Enclosed please find Pay Request No. 1 for the 2010 Street Improvements project in the amount of **\$93,706.10**, for approval at your next scheduled City Council meeting. This amount includes withholding retainage on work completed to date.

Please refer to the enclosed pay request breakdown for a summary of items completed.

If you have any questions or need additional information please do not hesitate to contact me.

Sincerely,  
**Benchmark Engineering, Inc.**



Eric E. Hallstrom, P.E.

Enclosure

Pc: Mr. Jerry Nemanich, Mesabi Bituminous

RECOMMENDATION OF PAYMENT

No. 1

Owner's Project No.: \_\_\_\_\_

Engineer's Project No.: MI10-01

Project: 2010 Street Improvements

CONTRACTOR: Mesabi Bituminous, Inc., P.O. Box 728, Gilbert, MN 55741

For Period Ending: July 13, 2010

To: City of Mountain Iron  
Owner

Attached hereto is the CONTRACTOR's Application for Payment for Work accomplished under the Contract through the date indicated above. The application meets the requirements of the Contract Documents for the payment or work completed as of the date of this Application.

In accordance with the Contract the undersigned recommends payment to the CONTRACTOR of the amount due as shown below.

BENCHMARK ENGINEERING, INC.

Dated July 14, 2010

By 

STATEMENT OF WORK

Original Contract Price	\$ <u>120,056.80</u>	Work & Materials to Date	\$ <u>98,638.00</u>
Net Change Orders	\$ <u>0.00</u>	Amount Retained	\$ <u>4,931.90</u>
Current Contract Price	\$ <u>120,056.80</u>	Subtotal	\$ <u>93,706.10</u>
		Previous Payments	\$ <u>0.00</u>
		<b>Amount Due this Payment</b>	<b>\$ <u>93,706.10</u></b>





PAY REQUEST NO. 1  
 2010 STREET IMPROVEMENTS  
 MOUNTAIN IRON, MINNESOTA  
 PROJECT NO.: MI10-01

CONTRACTOR: MESABI BITUMINOUS, INC.

ITEM NO.	ITEM	UNITS	PROJECT QUANTITY	ITEM COST	TOTAL QUANTITY	TOTAL AMOUNT
2105.603	CONSTRUCT DRAINAGE DITCH	LIN. FT.	150.0	\$6.00	150.0	\$900.00
2221.503	AGGREGATE SHOULDERING (CV), CLASS 1	CU. YD.	355.0	\$22.00	355.0	\$7,810.00
2350.501	TYPE LV5 WEARING COURSE MIXTURE (B)	TON	1,090.0	\$70.00	800.5	\$56,035.00
2350.502	TYPE LV5 NON-WEARING COURSE MIXTURE (B)	TON	350.0	\$70.00	423.4	\$29,638.00
2511.501	RANDOM RIPRAP CLASS III	CU. YD.	5.0	\$35.00	5.0	\$175.00
2563.601	TRAFFIC CONTROL	LUMP SUM	1.0	\$3,500.00	1.0	\$3,500.00
2573.502	SILT FENCE, TYPE PREASSEMBLED	LIN. FT.	80.0	\$5.00	80.0	\$400.00
2573.512	TEMPORARY DITCH CHECK TYPE 2	LIN. FT.	10.0	\$10.00		\$0.00
2575.523	EROSION CONTROL BLANKET CATEGORY 3	SQ. YD.	60.0	\$3.00	60.0	\$180.00
2575.555	TURF ESTABLISHMENT	LUMP SUM	1.0	\$500.00		\$0.00
2582.502	4" BROKEN YELLOW LINE - PAINT (TEMPORARY STRIPING)	LIN. FT.	3,950.0	\$0.01		\$0.00
2582.502	4" DOUBLE SOLID LINE YELLOW - EPOXY	LIN. FT.	3,950.0	\$0.67		\$0.00
2582.502	4" SOLID LINE WHITE - EPOXY	LIN. FT.	7,910.0	\$0.38		\$0.00

COMPLETED TO DATE: \$98,638.00  
 LESS RETAINAGE: (\$4,931.90)  
 SUBTOTAL PAY REQUEST #1: \$93,706.10  
 LESS PREVIOUS PAYMENTS: \$0.00

TOTAL PAY REQUEST #1: **\$93,706.10**

  
 BENCHMARK ENGINEERING, INC.

**COUNCIL LETTER 071910-IVH1**

**PERSONNEL COMMITTEE**

**ASSISTANT LIBRARIAN**

**DATE:** July 15, 2010

**FROM:** Personnel Committee

Craig J. Wainio  
City Administrator

---

The Personnel Committee will conduct interviews for the Assistant Librarian prior to the July 19<sup>th</sup> City Council meeting and will have a recommendation at the meeting for the City Council to consider.

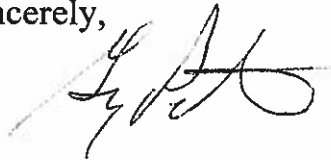
BG'S Bar & Grill  
P.O. Box 74  
Virginia, MN 55792

Mayor and City Council Members,

On behalf of the Kivela wedding, BG'S Bar & Grill respectfully request your permission to set up a bar at the Mt. Iron community center for the purpose of serving refreshments. Saturday July 31

Any alcoholic beverages served will require identification of legal age.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Peterson', written over a light blue horizontal line.

Greg Peterson

BG'S Bar & Grill  
P.O. Box 74  
Virginia, MN 55792

Mayor and City Council Members,

On behalf of the Pakkonen Wedding, BG'S Bar & Grill respectfully request your permission to set up a bar at the Mt. Iron community center for the purpose of serving refreshments. Saturday August 14.

Any alcoholic beverages served will require identification of legal age.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Peterson', with a stylized flourish at the end.

Greg Peterson



*Virginia, Eveleth, Mt. Iron, Gilbert and surrounding business communities*  
403 First Street North  
Virginia, MN 55792  
(218) 741-2717 (218) 749-4913 Fax

---

Mayor Gary Skalko  
Mountain Iron City Hall  
8586 Enterprise Drive South  
Mountain Iron MN 55768

July 15, 2010

Dear Mayor and Councilors:

On behalf of the Laurentian Chamber Board of Directors, thank you for your 2009 financial appropriation of \$2500.00 for Mineview in the Sky Visitors Center. Nearly 12,000 visitors to the Quad Cities stopped at Mineview May through September of last year.

Thank you for your continued desire to include \$2500.00 in your 2010 budget. At your convenience, please include this item for council approval.

Again, we thank you for your partnership and continued interest in Mineview in the Sky.

Warm regards,

Jim Currie  
President

COMMUNICATIONS  
JULY 19, 2010

1. SWOP, a thank you for supporting the program.
2. Mountain Iron-Buhl Archery, a thank you for the contribution for their program.
3. League of Minnesota Cities, notification of a dues increase for 2011.
4. High Impact 5<sup>th</sup> and 8<sup>th</sup> Grade Teams, a thank you for the contribution.

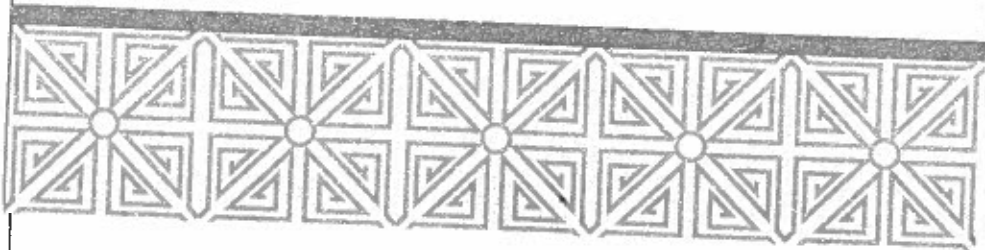


*The 2010 SWOP Youth and the SWOP Board of Directors  
wish to thank you for your part in a wonderful summer  
of learning life skills and serving our communities.*

*We invite you to be our guest at the  
SWOP Awards and Appreciation Banquet on  
Thursday, July 22, 6:00 P.M.  
At the Buhl/Kinney Senior Center*

*RSVP by Monday, July 19<sup>th</sup> to  
Cheryl Smilanich 258-2221 [csmilan@matonichlaw.com](mailto:csmilan@matonichlaw.com)  
Barb Dobson 254-2039 [dobson.rb@mchsi.com](mailto:dobson.rb@mchsi.com)*

# Thank You



Thank You for your donation to the Mt. Inon Buhl Archery team. Your donation goes towards equipment and tournament expenses. Your support is greatly appreciated!

MIB Archery





July 7, 2010

RE: 2011 DUES INFORMATION

Dear Mayor & Administrator,

At its June 23rd meeting, the League Board of Directors voted to set a *maximum* dues schedule increase of 3 percent for the 2011 fiscal year beginning September 1, 2010. The actual amount will be determined at the Board's September 17 meeting when it will adopt the budget for the coming fiscal year.

Per the League Constitution, dues are calculated based on the population as established by the latest Census, estimate by the Metropolitan Council, or estimate by the State Demographer, whichever has the latest stated date.

Examples of a 3% dues schedule increase for sample cities:

<u>Population</u>	<u>2010 Dues</u>	<u>2011 Dues</u>	<u>Increase</u>
1000	\$968	\$997	\$29
5000	\$4386	\$4492	\$106
10,000	\$7879	\$8054	\$179

Over the past ten years, annual dues schedule increases have averaged 2.73 percent. There was no increase in 2009. The Board takes its responsibility to prudently manage the League's assets very seriously. It also recognizes that reliance on League services increases as city budgets continue to get tighter. The League Board and staff are committed to ensuring these services can be provided in the most efficient way to meet member needs.

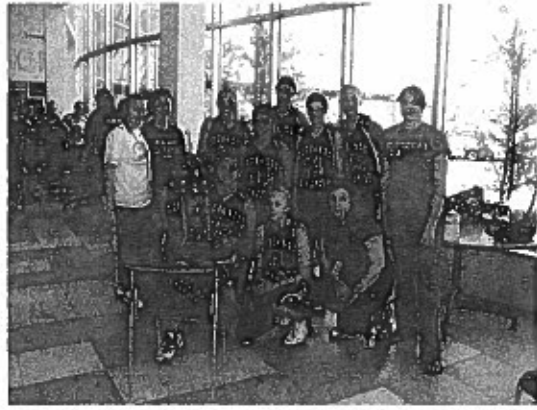
On behalf of the entire Board of Directors, thank you for your continued support of the work of the League. The League is *your* organization, and we sincerely welcome your feedback and your ideas for how we can better serve your needs. Feel free to contact Jim Miller, Executive Director at 651-281-1205 or [jmiller@lmc.org](mailto:jmiller@lmc.org) with any questions or comments.

Richard Brainerd, LMC President  
Councilmember for Mahtomedi

Jim Miller, Executive Director,  
League of Minnesota Cities

*This preliminary action was taken to comply with the League's Constitutional requirement that members receive at least 60 days notice of intended dues increases.*

# Thank You!



The High Impact 5<sup>th</sup> and 8<sup>th</sup> grade teams thank you for your support! Your generous donation has afforded us the opportunity to compete at the National Tournament in North Carolina after winning our state titles. We will do our best to represent the work ethics and values of Northern Minnesota in our National Tournament debut. In our search for funding, you have been extremely generous in your support. Again, we thank you and will do all we can to promote your business in our communities.

SINCERELY,

*Patty Overbye*

*Allie KMTT*

*Mya Bod*

*Mya*

*Barbetta*

*Chelsea Mason*

*Andreea Kowal*

*Bailey Gronne*

*J. Buffetta*

*McKenzie Perushek*

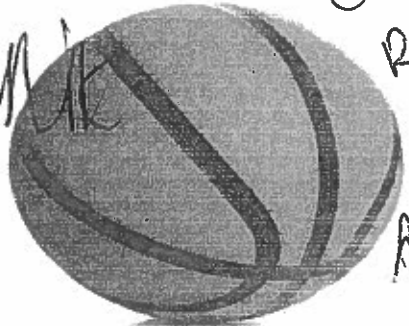
*Charity Aultman*

*Giana Robert*

*Sarah Overbye*

*Erin Munnich*

*Nancy Kasper*



*Cathy Buffetta*

*Destine Villebrun*

*Erin Buffetta*

*Couch*  
*Melissa Braker*

*Katie Buria*

*Margan Deutsch!*