

**MOUNTAIN IRON CITY COUNCIL MEETING
COMMUNITY CENTER
MOUNTAIN IRON ROOM
TUESDAY, JULY 26, 2011 - 6:30 P.M.
A G E N D A**

- I. Roll Call
- II. Consent Agenda
 - A. Minutes of the July 5, 2011, Regular Meeting (#1-9)
 - B. Minutes of the July 19, 2011, Emergency Meeting (#10)
 - C. Receipts
 - D. Bills and Payroll
 - E. Communications (#24-26)
- III. Public Forum
 - A. Bill Pond
 - B. Randy Pond
- IV. Committee and Staff Reports
 - A. Mayor's Report
 - 1. Economic Development Authority Appointment
 - 2. Cable Commission Appointment
 - B. City Administrator's Report
 - 1. Memorandum of Understanding – Apprenticeship Program (#11)
 - C. Sheriff's Department Report
 - D. City Attorney's Report
 - 1. Liquor Ordinance Violation (#12-14)
 - E. City Engineer's Report
 - 1. Change Order Number 1 – Energy Park Development (#15-16)
 - 2. Final Pay Request – Energy Park Development (#17-18)
 - 3. Pay Request Number 4 – Wastewater Treatment Plant(#19-21)
 - F. Liaison Reports
- V. Unfinished Business
- VI. New Business
 - A. Resolution Number 17-11 Approving Plans and Calling for Bids (#22-23))
- VII. Communications (#24-26)
- VIII. Announcements
- IX. Adjourn

Page Number in Packet

MINUTES
MOUNTAIN IRON CITY COUNCIL
JULY 5, 2011

Mayor Skalko called the City Council meeting to order at 6:32 p.m. with the following members present: Joe Prebeg, Jr., Tony Zupancich, Susan Tuomela, Ed Roskoski, and Mayor Gary Skalko. Also present were: Craig J. Wainio, City Administrator; Jill M. Anderson, Municipal Services Secretary; Don Kleinschmidt, Director of Public Works; Rod Flannigan, City Engineer; and John Backman, Sergeant.

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

1. Add the following item to the agenda:
IV. A. 3. Hendrickson-Wiegman Wedding Reception Permission to Serve Alcohol
2. Approve the minutes of the June 20, 2011, regular meeting as submitted.
3. That the communications be accepted and placed on file and those requiring further action by the City Council be acted upon during their proper sequence on the agenda.
4. To acknowledge the receipts for the period June 16-30, 2011, totaling \$204,578.48, (a list is attached and made a part of these minutes).
5. To authorize the payments of the bills and payroll for the period June 16-30, 2011, totaling \$397,702.48, (a list is attached and made a part of these minutes).

The motion carried unanimously on a roll call vote.

The Mayor commented on the following:

- 4th of July Celebration. He thanked Sally Peterangelo, Librarian/Special Events Coordinator, Lenny Albrecht, Recreation Department Employee, and William Haapala, West II Caretaker, and the other employees working on the event, for a successful celebration. He said that the event was well attended.

It was moved by Prebeg and seconded by Tuomela to change the regular August City Council meetings to Tuesday, August 9, 2011 at 6:30 p.m. and August 23, 2011 at 6:30 p.m. The motion carried with Roskoski voting no.

It was moved by Zupancich and seconded by Tuomela to accept the resignation from Allen Nelson from the Economic Development Authority and the Cable Commission effective immediately and post the two open positions in the Hometown Focus, Public Access Television, and the City bulletin boards, with an application acceptance dates of July 11-22, 2011. The motion carried with Roskoski voting no.

It was moved by Prebeg and seconded by Tuomela to allow the Hendrickson/Wiegman wedding reception to serve alcohol at the Mountain Iron Community Center on July 30, 2011 providing they submit proof of an on-sale license holder prior to the event. The motion carried.

It was moved by Roskoski and seconded by Zupancich to have the hose waiver system report, compiled by the Trenti Law Firm, forwarded to the Mountain Iron Fire Chief for any necessary implementation. The motion carried.

It was moved by Zupancich and seconded by Prebeg to approve the quote from Gulbranson Excavating for the installation of a three phase underground electric feed along Enterprise Drive North for an estimated amount of \$8,450.00. The motion carried.

It was moved by Roskoski and seconded by Tuomela to authorize change order number three for the Gravel Access Road Improvement Project increasing the contract amount by \$8,000.00 for a total contract of \$137,615.75. The motion carried.

It was moved by Zupancich and seconded by Tuomela to approve the Sign Retroreflectivity Evaluation Policy, as submitted, (a copy is attached and made a part of these minutes). The motion carried.

It was moved by Zupancich and seconded by Prebeg to authorize Benchmark Engineering to complete a Stop Sign Study for the stop signs located at the intersection of Unity Drive and Carnation Avenue and to include in that study, discussions with the YMCA and residents living in the area. It was moved by Zupancich and seconded by Prebeg to amend the motion to include a review by the Public Safety and Health Board. The amendment to the motion carried. The amended motion carried.

The following liaison reports were given:

- Library Board. Councilor Tuomela updated the Council on the June 2011 Library usage and reporting that the Library has achieved an all-time record for attendance and circulation in the history of the Mountain Iron Library.
- Street and Alley Committee. Councilor Roskoski reviewed the discussions from the June 22, 2011, meeting. He said the discussion included the Sign Retroreflectivity Policy, removal and replacement of the calendar parking signs, name for a street in the Kinross area, the West Virginia storm water study, and the County Road 7 overlay slated to be completed by Saint Louis County in 2013.

It was moved by Prebeg and seconded by Tuomela to adopt Resolution Number 15-11, calling for a public hearing on proposed assessments for improvements to Old Highway 169, (a copy is attached and made a part of these minutes). The motion carried.

It was moved by Zupancich and seconded by Prebeg to adopt Resolution Number 16-11, calling for a public hearing on proposed assessments for improvements to Mill Avenue, (a copy is attached and made a part of these minutes). The motion carried.

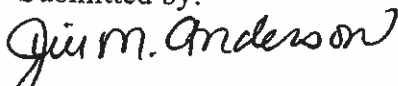
It was moved by Prebeg and seconded by Tuomela to authorized Jeff & Greg Properties Inc., dba: B.G.'s Bar & Grill, for the Babinski wedding reception at the Mountain Iron Community Center on July 9, 2011. The motion carried.

It was moved by Roskoski and seconded by Tuomela to award the bid for the Fire Hall Building Remodeling Project to T.M. Construction in the amount of \$48,547.00. The motion carried.

It was moved by Prebeg and seconded by Roskoski to contribute \$500 to the Children's Memorial Park with the contribution coming from the Charitable Gambling Fund. The motion carried.

At 7:17 p.m., it was moved by Skalko and seconded by Zupancich that the meeting be adjourned. The motion carried.

Submitted by:



Gill M. Anderson, CMC
Municipal Services Secretary

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COMMUNICATIONS

1. Connie Rabideaux, a letter requesting that the library fence be repaired and replaced.
2. The Friends of the Children's Memorial Park, a letter informing the City of a proposed Children's Memorial Park and requesting support and participation of the City.
3. Saint Louis County, forwarding a notice of a public hearing for consideration on proposed text amendments to the Saint Louis County Zoning Ordinance.

Summary By Category And Distribution

Category	Distribution	Amount
UTILITY	UTILITY	158,721.46
CAMPGROUND RECEIPTS	FEES	3,480.00
SPECIAL ASSESSMENTS	SPECIAL ASSESS.-BOND MONEY	224.48
SPECIAL ASSESSMENTS	INTEREST-SP.ASSESS.-BONDS ISSU	8.22
CD INTEREST	CD INTEREST 101	495.26
CD INTEREST	CD INTEREST 378	184.92
CD INTEREST	CD INTEREST 602	839.25
CD INTEREST	CD INTEREST 603	937.98
MISCELLANEOUS	BASEBALL/SOFTBALL FEES	450.00
CHARGE FOR SERVICES	SEWER-CHARGE FOR SERVICES	46.46
PERMITS	BUILDING	529.50
CHARGE FOR SERVICES	REFUSE REMOVAL-CHG FOR SERVICE	35.00
LICENSES	ANIMAL	5.00
METER DEPOSITS	ELECTRIC	950.00
BUILDING RENTALS	BUILDING RENTAL DEPOSITS	100.00
BUILDING RENTALS	NICHOLS HALL	25.00
CD INTEREST	CD INTEREST 378	2,925.24
MISCELLANEOUS	BLUE CROSS/BLUE SHIELD PAYABLE	33,944.68
MISCELLANEOUS	CHECK RETURN FEE	40.00
METER DEPOSITS	WATER	40.00
LEASES	LEASES	20.00
MISCELLANEOUS	REIMBURSEMENTS	185.00
MISCELLANEOUS	MISC. - GENERAL	391.03
Summary Totals:		<u>204,578.48</u>

Check Issue Date(s): 07/01/2011 - 07/07/2011

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
07/11	07/07/2011	141133	10064	A B E ENVIRONMENTAL SYSTEMS	101-20200	308.00
07/11	07/07/2011	141134	7007	AARON AND HELEN LEHTO	101-20200	40.00
07/11	07/07/2011	141135	10057	AMERICAN BANK	604-20200	57.75
07/11	07/07/2011	141136	130017	AMERICAN BANK	101-20200	111.60
07/11	07/07/2011	141137	10006	ANDERSON AUTO CENTER	101-20200	240.04
07/11	07/07/2011	141138	10009	ARCHITECTURAL RESOURCES	301-20200	4,475.00
07/11	07/07/2011	141139	5007	ASSURANT EMPLOYEE BENEFITS	601-20200	735.69
07/11	07/07/2011	141140	20022	BENCHMARK ENGINEERING INC	301-20200	105,136.56
07/11	07/07/2011	141141	7005	BETSY ERICKSON	101-20200	100.00
07/11	07/07/2011	141142	30017	CARQUEST (MOUNTAIN IRON)	101-20200	247.32
07/11	07/07/2011	141143	7003	CHANTAL WILHELM	101-20200	200.00
07/11	07/07/2011	141144	7001	CINDY KUJALA	101-20200	180.00
07/11	07/07/2011	141145	30004	CITY OF MOUNTAIN IRON	301-20200	1,092.19
07/11	07/07/2011	141146	30083	CITY OF VIRGINIA	230-20200	500.00
07/11	07/07/2011	141147	220003	CITY OF VIRGINIA	101-20200	400.00
07/11	07/07/2011	141148	30054	CIVIC SYSTEMS LLC	101-20200	4,285.00
07/11	07/07/2011	141149	30032	COURT ADMIN.-CONCILIATION	603-20200	150.00
07/11	07/07/2011	141150	30072	CW TECHNOLOGY	301-20200	1,375.50
07/11	07/07/2011	141151	40031	DAHL'S SUNRISE DAIRY	101-20200	94.91
07/11	07/07/2011	141152	400012	DIAMOND MOWERS INC	101-20200	205.20
07/11	07/07/2011	141153	40047	DUNDAS, RICK	101-20200	25.00
07/11	07/07/2011	141154	40014	DUSTCOATING INC	101-20200	4,579.50
07/11	07/07/2011	141155	7045	ELLEN OSTMAN	101-20200	100.00
07/11	07/07/2011	141156	50039	EMERGENCY MEDICAL PRODUCTS INC	101-20200	34.04
07/11	07/07/2011	141157	500012	ERA LABORATORIES INC	602-20200	603.50
07/11	07/07/2011	141158	50042	ESC SYSTEMS	101-20200	314.21
07/11	07/07/2011	141159	60029	FERGUSON ENTERPRISES INC	101-20200	669.23
07/11	07/07/2011	141160	60006	FISHER PRINTING	603-20200	500.18
07/11	07/07/2011	141161	60051	FLEXIBLE PIPE TOOL COMPANY	602-20200	257.05
07/11	07/07/2011	141162	70035	G & K SERVICES	101-20200	53.79
07/11	07/07/2011	141163	70016	GOPHER STATE ONE CALL INC	604-20200	59.65
07/11	07/07/2011	141164	70004	GRANDE ACE HARDWARE	604-20200	136.75
07/11	07/07/2011	141165	70028	GREATER MINNESOTA AGENCY INC	101-20200	204.00
07/11	07/07/2011	141166	80022	HAWKINS INC	602-20200	1,050.76
07/11	07/07/2011	141167	80004	HEISEL BROS PLUMBING	101-20200	21.38
07/11	07/07/2011	141168	80017	HENRY'S WATERWORKS INC	601-20200	977.21
07/11	07/07/2011	141169	80001	HILLYARD/HUTCHINSON	101-20200	387.80
07/11	07/07/2011	141170	80010	HOMETOWN ELECTRIC	101-20200	5,389.38
07/11	07/07/2011	141171	80037	HOMETOWN FOCUS	101-20200	61.76
07/11	07/07/2011	141172	90005	ITALIAN BAKERY INC	101-20200	63.00
07/11	07/07/2011	141173	100019	JOLA & SOPP EXCAVATING INC	101-20200	75.00
07/11	07/07/2011	141174	190025	JUDY SEURER	604-20200	69.36
07/11	07/07/2011	141175		Information Only Check	101-20200	.00 V
07/11	07/07/2011	141176	120006	L & M SUPPLY	101-20200	3,607.57
07/11	07/07/2011	141177	120002	LAWSON PRODUCTS INC	101-20200	638.70
07/11	07/07/2011	141178	120052	LEHMAN FABRICATING INC	603-20200	130.00
07/11	07/07/2011	141179	120043	LITTLE FALLS MACHINE INC.	101-20200	218.62
07/11	07/07/2011	141180	120014	LUNDGREN MOTORS	101-20200	224.79
07/11	07/07/2011	141181	130041	MESABI BITUMINOUS	101-20200	2,325.39
07/11	07/07/2011	141182	130008	MINNESOTA MUNICIPAL UTILITIES	101-20200	2,674.75
07/11	07/07/2011	141183	130009	MINNESOTA POWER (ALLETE INC)	101-20200	963.77
07/11	07/07/2011	141184	7002	MN ASSOCIATION OF REALTORS	101-20200	200.00
07/11	07/07/2011	141185	130128	MTI DISTRIBUTING	101-20200	513.98
07/11	07/07/2011	141186	7006	NATE AHO	101-20200	60.00
07/11	07/07/2011	141187	140058	NEWSTRIPE INC	101-20200	45.00
07/11	07/07/2011	141188	140052	NORTHEAST SERVICE COOPERATIVE	101-20200	47,229.08
07/11	07/07/2011	141189	140056	NORTHLAND TRUST SERVICES INC	378-20200	47,418.75

M = Manual Check, V = Void Check

Check Issue Date(s): 07/01/2011 - 07/07/2011

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
07/11	07/07/2011	141190	160003	PERPICH TV & MUSIC INC	604-20200	58.76
07/11	07/07/2011	141191	160037	PRAXAIR	101-20200	29.55
07/11	07/07/2011	141192	160030	PRECISION MACHINE	101-20200	150.00
07/11	07/07/2011	141193	170001	QWEST	101-20200	108.52
07/11	07/07/2011	141194	180004	RANGE COOPERATIVES	101-20200	12.83
07/11	07/07/2011	141195	180070	ROBERT BROOKE & ASSOCIATES	101-20200	44.14
07/11	07/07/2011	141196	1160	ROXANNE MCMILLEN	101-20200	200.00
07/11	07/07/2011	141197	190001	SEARS COMMERCIAL CREDIT	604-20200	213.70
07/11	07/07/2011	141198	190045	SERVICE SOLUTIONS	101-20200	22.34
07/11	07/07/2011	141199	190014	SHERWIN WILLIAMS	101-20200	2,511.44
07/11	07/07/2011	141200	190024	ST LOUIS CO SHERIFF LITMAN	101-20200	39,500.00
07/11	07/07/2011	141201	190081	SULLIVAN CANDY & SUPPLY	101-20200	266.05
07/11	07/07/2011	141202	200003	TACONITE TIRE SERVICE	101-20200	118.42
07/11	07/07/2011	141203	7004	TERRIE KINTNER	101-20200	100.00
07/11	07/07/2011	141204	200048	TOTAL TOOL	604-20200	112.86
07/11	07/07/2011	141205	200028	TRI CITIES BIOSOLIDS DISPOSAL	602-20200	6,000.00
07/11	07/07/2011	141206	200006	TRIMARK INDUSTRIAL	101-20200	128.95
07/11	07/07/2011	141207	210010	ULLAND BROTHERS INC	101-20200	320.63
07/11	07/07/2011	141208	210001	UNITED ELECTRIC COMPANY	604-20200	605.38
07/11	07/07/2011	141209	210009	USA BLUE BOOK	601-20200	50.85
07/11	07/07/2011	141210	220025	VERIZON WIRELESS	101-20200	34.37
07/11	07/07/2011	141211	220014	VIKING INDUSTRIAL NORTH	101-20200	530.96
07/11	07/07/2011	141212	220026	VIRGINIA HOME CENTER	604-20200	87.27
07/11	07/07/2011	141213	230040	WMCA	101-20200	130.00
07/11	07/07/2011	141214	240001	XEROX CORPORATION	604-20200	729.86
07/11	07/07/2011	141215	260001	ZIEGLER INC	101-20200	126.86

Totals:

294,011.45

Payroll-PP Ending 6/24/11
TOTAL EXPENDITURES

103,691.03
\$397,702.48

**DUE TO THE LENGTH
OF THE
SIGN RETROREFLECTIVITY EVALUATION
POLICY**

**IT WILL NOT BE
COPIED AGAIN
FOR THE APPROVAL OF THE MINUTES.**

**COPIES ARE AVAILABLE UPON
REQUEST OR ARE IN THE JULY 5, 2011 CITY
COUNCIL PACKET.**



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 15-11

CALLING A HEARING ON PROPOSED ASSESSMENT

WHEREAS, by a resolution passed by the council on June 20, 2011, the City Administrator was directed to prepare a proposed assessment of the cost of Improvement Number 09-07, improving Old Highway 169 approximately from one mile west of the Costin Plat to the western city limits by overlayment, and

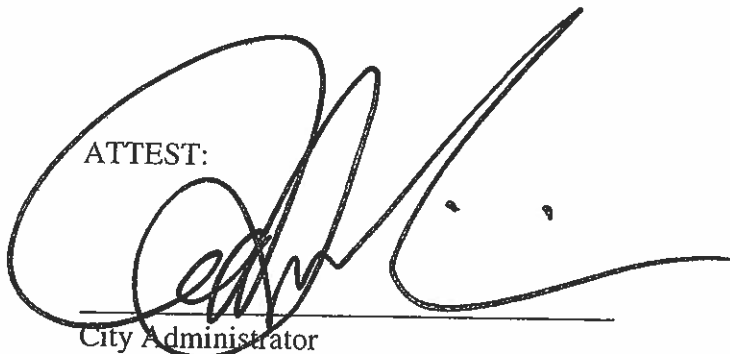
WHEREAS, the City Administrator has notified the council that such proposed assessment has been completed and filed in his/her office for public inspection,

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

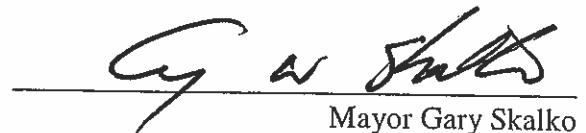
1. A hearing shall be held at 5:30 p.m. on August 23, 2011 in the Community Center located at 8586 Enterprise Drive South to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The city clerk 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/she shall state in the notice the total cost of the improvement. He/She 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 hearing.
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. An owner may at any time thereafter, pay to the City Administrator 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 JULY, 2011.

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
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RESOLUTION NUMBER 16-11

CALLING A HEARING ON PROPOSED ASSESSMENT

WHEREAS, by a resolution passed by the council on June 20, 2011, the City Administrator was directed to prepare a proposed assessment of the cost of Improvement Number MI09-14, the improvement of Mill Avenue between the centerline of Agate Street and the centerline of Mountain Avenue by overlayment, and

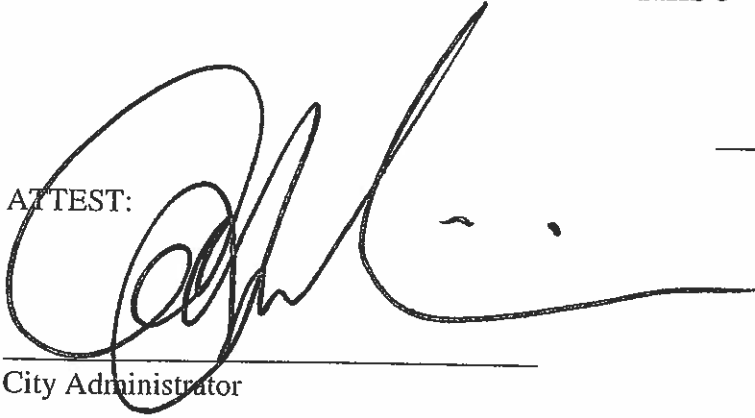
WHEREAS, the City Administrator has notified the council that such proposed assessment has been completed and filed in his/her office for public inspection,

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

1. A hearing shall be held at 5:30 p.m. on September 19, 2011 in the Community Center located at 8586 Enterprise Drive South to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The city clerk 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/she shall state in the notice the total cost of the improvement. He/She 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 hearing.
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. An owner may at any time thereafter, pay to the City Administrator 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 JULY, 2011.

ATTEST:



City Administrator



Mayor Gary Skalko

MINUTES
MOUNTAIN IRON CITY COUNCIL
SPECIAL EMERGENCY MEETING
JULY 19, 2011

Mayor Skalko called the meeting to order at 6:30 p.m. under Minnesota Statutes 13D.04 Subdivisions 2 and 3. The following members present: Ed Roskoski, Joe Prebeg, Susan Tuomela, and Mayor Gary Skalko. Absent: Tony Zupancich. Also present were: Craig J. Wainio, City Administrator; Karl Sundquist, Trent Law Firm and Sgt. John Backman.

It was moved by Tuomela and seconded by Prebeg to recess the Special Meeting and enter into a closed meeting per Minnesota Statute Section 13D.05, Subdivision 2(b). The motion carried 4-0.

It was moved by Roskoski and seconded by Tuomela to close the closed meeting and reconvene the special meeting at 7:24 p.m. The motion carried 4-0.

It was moved by Tuomela and seconded by Roskoski to place Employee A on unpaid leave for misconduct and ongoing investigation. The motion carried 4-0.

At 7:26 p.m., it was moved by Prebeg and seconded by Tuomela that the meeting be adjourned. The motion carried 4-0.

Submitted by:

Craig J. Wainio
City Administrator

www.mtniron.com

MEMORANDUM OF UNDERSTANDIGN

BETWEEN

CITY OF MOUNTAIN IRON

AND

AFSCME LOCAL #453

WHEREAS, the City of Mountain Iron has agreed to provide an Electrical Apprenticeship Program at no cost to the union employees, the Union employees agree to satisfactorily complete the program and further agree to commit to three years of continuous employment for the City of Mountain Iron at the completion of the schooling. In the event the employee fails to complete the apprenticeship training or fails to remain employed for a three year period, they shall reimburse the City the cost of the schooling and materials if they fail to complete the training or the cost on a pro rata basis if they fail to remain employed by the City for a three year period.

Craig J. Wainio

From: Sharon Fredrickson [sfredrickson@trentilaw.com]
Sent: Monday, June 13, 2011 11:12 AM
To: John Backman
Cc: Craig J. Wainio
Subject: City of Mountain Iron vs. Sawmill Saloon - ICR No. 11-067210 - Our File No. 55,338-9

John:

I have reviewed the Sawmill Saloon file and Mt. Iron City Ordinance Sections 114.98 and 114.99. In addition to the criminal citation the ordinance requires the city council to address the matter civilly as specified in 114.99.

SAM A. ALUNI

City Attorney, City of Mountain Iron

Sent By:

Sharon K. Fredrickson, Legal Assistant

Email: sfredrickson@trentilaw.com



Your law firm:

Personal Injury Law ● Family Law ● Personal & Business Law ● Criminal Law

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225 N. 1st Street

1000 Lincoln Bldg.

Post Office Box 958

Virginia, MN 55792

Phone: (218) 749-1962 • 1-800-422-0912

Fax: (218) 749-4308

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Mountain Iron – Business Regulations

(A) Pursuant to Minnesota Statutes 340A.404, the Mountain Iron City Council is hereby authorized to permit holders of both on-sale wine and on-sale 3.2 percent malt liquor licenses, whose gross receipts are at least 60% attributable to the sale of food, to sell intoxicating malt liquor (strong beer) at on-sale without obtaining an additional license, with no additional fee to be charged. (Ord. 02-11, passed 2-2-2011)

(B) Intoxicating malt liquor (strong beer) is any beer, ale, or other beverage made from malt by fermentation and containing more than one-half of one percent alcohol by volume or more than 3.2 percent alcohol by weight. (Ord. 02-11, passed 2-2-2011)

(C) Sale of on-sale wine and on-sale strong beer are permitted on Sundays, pursuant to State Law. (Ord. 02-11, passed 2-2-2011)

(D) Holders of both on-sale wine and on-sale 3.2 percent malt liquor licenses, who have been granted permission to sell intoxicating malt liquor (strong beer) shall carry liability insurance as is required pursuant to Minnesota Statutes 340A, and the City of Mountain Iron City Code Chapter 114. (Ord. 02-11, passed 2-2-2011)

§ 114.98 VIOLATIONS.

Every person who violates this section is subject to all penalties provided for such violation. Except where a different, specific or more particular penalty is provided or allowed with respect to any offense, any person guilty of a violation of this chapter shall be convicted of such offense and be punished as set forth in § 10.99 for each offense of which he or she is convicted or both. Whenever a different, specific or more particular penalty is provided, allowed or required with respect to a conviction of any certain offense, then such penalty shall be imposed in place of the general penalty as is provided herein. Each separate violation of this chapter is a separate offense and the continued violation by a person of any one same offense with knowledge thereof is a separate offense for each day of such continued violation. Every person who gives or furnishes to the city a false or untrue statement to be relied upon in granting of a permit or license shall be subject to the penalties provided for in this section.

(Prior Code, § 11.26)

§ 114.99 PENALTY.

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

(B) The Council shall impose a civil penalty of up to \$2,000 for each violation of M.S. Chapter 340A, as it may be amended from time to time, and of this chapter. Conviction of a violation in a court of law is not required in order for the Council to impose the civil penalty. A hearing under the Administrative Procedures Act, M.S. §§ 14.57 to 14.70, as it may be amended from time to time, is not required before the penalty is imposed, but the Council shall

Mountain Iron – Business Regulations

hold a hearing on the proposed violation and the proposed penalty and hear any person who wishes to speak. Non-payment of the penalty is grounds for suspension or revocation of the license. The following is the minimum schedule of presumptive civil penalties which must be imposed in addition to any suspension unless the license is revoked:

- (1) For the first violation within any three-year period, \$500.
- (2) For the second violation within any three-year period, \$1,000.
- (3) For the third and subsequent violations within any three-year period, \$2,000.

(C) The term “violation” as used in this section includes any and all violations of the provisions of this chapter, or of M.S. Chapter 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time. The number of violations shall be determined on the basis of the history of violations for the preceding three-year period. Revocation shall occur within 60 days following a violation for which revocation is imposed.



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July 19, 2011

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

Re: City of Mountain Iron, MN
Energy Park Development – Phase III
Project No. MI10-09

Dear Mr. Wainio;


Enclosed please find final Pay Request No. 3 for the City of Mountain Iron Energy Park Development – Phase III project in the amount of **\$14,567.89**, for approval at your next scheduled City Council meeting. All work has been completed in accordance with the contract documents.

Also enclosed for approval is final compensating change order #1 that increases the final project cost by \$4,010.90. The change order is due to minor final contract quantity adjustments. Once approved, please sign and date the change order and return three (3) copies to our office. Our office will obtain the Contractor's signature and forward a fully executed copy of the final change order to the City for your files.

In addition, enclosed is the project IC-134 form for your files. It is recommended that the City Council first approve the final change order and then the final pay request for the above referenced project.

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

Sincerely,
Benchmark Engineering, Inc.


Eric E. Fallstrom, P.E.
Vice President

Enclosure

CHANGE ORDER

Order No. 1 - FINAL

Date: 7/19/11

NAME OF PROJECT/PROJECT NO: Energy Park Development – Phase III / MI10-09

OWNER: City of Mountain Iron

CONTRACTOR: Hibbing Excavating, Inc.
3402 15th Avenue East, Hibbing, MN 55746

ENGINEER: Benchmark Engineering, Inc.

Reason for Change Order:

This final compensating change order is required to set the contract amount equal to the actual project cost. The increase in cost is due to final contract quantity adjustments.

The following changes are hereby made to the CONTRACT DOCUMENTS:

The contract amount is increased by **\$4,010.90**.

Change to CONTRACT PRICE:

Original CONTRACT PRICE \$ 177,013.80

Current CONTRACT PRICE adjusted by previous CHANGE ORDERS \$ 177,013.80

The CONTRACT PRICE due to this CHANGE ORDER will be increased by: \$ 4,010.90

The new CONTRACT PRICE including this CHANGE ORDER will be: \$ 181,024.70

Recommended by: 
Engineer (Authorized Signature)

7/19/2011
Date:

Approved by: _____
Owner (Authorized Signature)

Date:

Accepted by: _____
Contractor (Authorized Signature)

Date:

RECOMMENDATION OF PAYMENT

No. 3-FINAL

Owner's Project No.: _____

Engineer's Project No.: MI10-09

Project: Energy Park Development – Phase III

CONTRACTOR: Hibbing Excavating, Inc., 3402 15th Avenue East, Hibbing, MN 55746

For Period Ending: July 15, 2011

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 19, 2011

By  _____

STATEMENT OF WORK

Original Contract Price	\$ <u>177,013.80</u>	Work & Materials to Date	\$ <u>181,024.70</u>
Net Change Orders	\$ <u>4,010.90</u>	Amount Retained	\$ <u>0.00</u>
Current Contract Price	\$ <u>181,024.70</u>	Subtotal	\$ <u>181,024.70</u>
		Previous Payments	\$ <u>166,456.81</u>
		Amount Due this Payment	\$ <u>14,567.89</u>



PAY REQUEST NO. 3 - FINAL
 ENERGY PARK DEVELOPMENT - PHASE III
 UTILITY SERVICE EXTENSIONS & GRAVEL ROADWAY PLANS
 CITY OF MOUNTAIN IRON, MINNESOTA
 PROJECT NO: MI10-09

CONTRACTOR: HIBBING EXCAVATING, INC.

SPEC. NO.	ITEM	UNITS	PLAN QUANTITY	UNIT COST	QUANTITY TO DATE	TOTAL AMOUNT
2104.505	REMOVE BITUMINOUS PAVEMENT	SQ. YD.	1,750.0	\$5.00	1,750.0	\$8,750.00
2104.523	SALVAGE SIGN	EACH	1.0	\$50.00	1.0	\$50.00
2104.601	SALVAGE GATE & BOLLARDS	LUMP SUM	1.0	\$450.00	1.0	\$450.00
2105.501	COMMON EXCAVATION (PV)	CU. YD.	9,544.0	\$3.95	9,648.0	\$38,109.60
2105.522	SELECT GRANULAR BORROW MODIFIED (CV)	CU. YD.	4,750.0	\$7.30	4,577.0	\$33,412.10
2105.604	GEOTEXTILE FABRIC - TYPE V	SQ. YD.	8,300.0	\$0.95	8,300.0	\$7,885.00
2211.503	AGGREGATE BASE (CV) CLASS V	CU. YD.	3,270.0	\$14.00	3,547.0	\$49,658.00
2502.501	4" PRECAST CONCRETE HEADWALL	EACH	2.0	\$100.00	2.0	\$200.00
2502.541	4" PERF PIPE DRAIN TILE W/ GEOTEXTILE SOCK	LIN. FT.	2,100.0	\$4.75	2,200.0	\$10,450.00
2503.511	4" PVC PIPE SEWER (SCHEDULE 80)	LIN. FT.	150.0	\$23.00	150.0	\$3,450.00
2503.511	6" PVC PIPE SEWER	LIN. FT.	215.0	\$21.00	215.0	\$4,515.00
2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	5.0	\$250.00	5.0	\$1,250.00
2503.602	TRACER WIRE ACCESS BOX	EACH	5.0	\$55.00	5.0	\$275.00
2504.602	CONNECT TO EXISTING WATERMAIN	EACH	3.0	\$900.00	3.0	\$2,700.00
2504.602	6" GATE VALVE & BOX	EACH	5.0	\$1,100.00	5.0	\$5,500.00
2504.603	6" WATERMAIN DI CL. 52	LIN. FT.	180.0	\$50.00	180.0	\$9,000.00
2504.608	DUCTILE IRON FITTINGS	POUND	430.0	\$2.00	430.0	\$860.00
2563.601	TRAFFIC CONTROL	LUMP SUM	1.0	\$500.00	1.0	\$500.00
2573.602	STABILIZED CONSTRUCTION ENTRANCE	EACH	1.0	\$500.00	1.0	\$500.00
2575.555	TURF ESTABLISHMENT	LUMP SUM	1.0	\$3,000.00	1.0	\$3,000.00
	REPAIR SUBGRADE AT STATION 33+50	LUMP SUM		\$510.00	1.0	\$510.00

COMPLETED TO DATE: \$181,024.70
 LESS RETAINAGE: \$0.00
 SUBTOTAL PAY REQUEST #3: \$181,024.70
 LESS PREVIOUS PAYMENTS: (\$166,456.81)

TOTAL FINAL PAY REQUEST #3: \$14,567.89


 BENCHMARK ENGINEERING, INC.



**BENCHMARK
ENGINEERING, INC.**

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email: info@bm-eng.com

July 19, 2011

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

Re: City of Mountain Iron, MN
WWTF Aeration System Improvements
Project No. MI10-06

Dear Mr. Wainio:

Enclosed please find Pay Request No. 4 for the City of Mountain Iron Wastewater Treatment Facility Aeration System Improvements project in the amount of **\$30,390.97** for approval at your next scheduled City Council meeting. This payment is for work completed through June 30, 2011. Please refer to the enclosed pay request breakdown for a summary of items completed.

Please sign the applications for payment. Keep one copy for your records and return the rest to our office.

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

Sincerely,
Benchmark Engineering, Inc.


Alan J. Johnson, P.E.

Enclosures

pc: Mr. Mark Magney, Magney Construction, Inc.

Application for Payment No. 4

To: The City of Mountain Iron

From: Magney Construction, Inc., 1401 Park Road, Chanhassen, MN 55317

Contract: _____

Project: Wastewater Treatment Facility - Aeration System Improvements

Owners Contract No. _____ Engineer's Project No. 002540-10001-0
Date of this Invoice: 6/29/2011
Invoice Work Period: 6/1/11 - 6/30/11

1) Original Contract Price:	<u>\$290,400.00</u>
2) Net Change by Change Order/Written Amendments (-/+)	<u>\$0.00</u>
3) Current Contract Price (1+2):	<u>\$290,400.00</u>
4) Total Completed and stored to date:	<u>\$268,995.50</u>
5) Retainage (per Agreement):	
<u>5.00%</u> of completed work	<u>\$13,449.75</u>
<u>5.00%</u> of stored material:	<u>\$0.00</u>
Total retainage:	<u>\$13,449.75</u>
6) Total Completed and stored to date less retainage (4-5)	<u>\$255,545.74</u>
7) Less Previous Application for Payments:	<u>\$225,154.77</u>
8) DUE THIS APPLICATION	<u>\$30,390.97</u>

Accompanying Documentation:

CONTRACTOR'S Certification: -

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of work done under the Contract referred to above have been applied on account to discharge CONTRACTOR'S legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 1 inclusive; (2) title of all work, materials and equipment incorporated in said Work otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interest or encumbrance (except such as are recovered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance by the Contract Documents and not defective.

Dated: 6/29/2011

Magney Construction, Inc. (Contractor)
By: [Signature]

State of MN County of Hennepin
Subscribed and sworn to before me this 29th day of June 2011

Notary Public Rina M. Dillard
My Commission Expires: Jan. 31, 2014

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Owner: _____ Engineer: Alan J. Johnson
By: _____ Date: 7/19/11
Date: _____

Magney Construction, Inc.
 Schedule of Values: Wastewater Treatment Facility - Aeration System Improvements
 Application No. 4

Date of Application: 6/29/2011
 Work Complete Through: 6/30/2011

Spec.	Description	Scheduled Value	Previous Application	This Application	Stored Material	Completed & Stored To Date	Pct. Compl.	Balance to Finish
01 10 00	Mobilization	\$12,133		\$0	\$0	\$12,133	100%	\$0
01 10 10	General Conditions	\$27,242		\$4,516	\$0	\$27,242	100%	(\$0)
02 41 19	Demolition	\$17,497		\$1,747	\$0	\$17,497	100%	(\$0)
03 30 10	Concrete	\$2,716	\$0	\$2,716	\$0	\$2,716	100%	\$0
05 50 00	Metals	\$5,633	\$4,600	\$1,033	\$0	\$5,633	100%	\$0
07 21 00	Insulation	\$7,020	\$0	\$0	\$0	\$0	0%	\$7,020
26 24 19	Electrical - Motor Controls	\$40,630	\$31,968	\$8,662	\$0	\$40,630	100%	(\$0)
40 05 10	Process Pipe and Valves	\$54,275	\$47,894	\$5,000	\$0	\$52,894	97%	\$1,381
40 95 13	Supervisory Control System			\$500	\$0	\$57,304	100%	\$0
44 10 11	Positive Displacement Blowers	\$57,304	\$56,804	\$500	\$0	\$57,304	100%	\$0
44 45 17	Fine & Coarse Bubble Diffusers	\$38,049	\$37,049	\$1,000	\$0	\$38,049	100%	\$0
40 95 13	Dissolved Oxygen Probe - Alternate No. 2	\$12,000	\$6,104	\$5,896	\$0	\$12,000	100%	\$0
	Unit Prices							
	Grit, Sand, & Debris Removal from Tanks	\$8,250	\$1,513	\$0	\$0	\$1,513	18%	\$6,737
	Additional Fittings for Flanged DIP	\$3,000	\$464	\$920	\$0	\$1,384	46%	\$1,616
	Restoration of Horizontal Concrete Surfaces	\$1,125	\$0	\$0	\$0	\$0	0%	\$1,125
	Restoration of Vertical Concrete Surfaces	\$1,125	\$0	\$0	\$0	\$0	0%	\$1,125
	Restoration of Overhead Horizontal Concrete Surfaces	\$900	\$0	\$0	\$0	\$0	0%	\$900
	Concrete Crack Repair	\$1,500	\$0	\$0	\$0	\$0	0%	\$1,500
	Totals	\$290,400	\$237,005	\$31,990	\$0	\$268,995	93%	\$21,405



CITY OF MOUNTAIN IRON

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8586 ENTERPRISE DRIVE SOUTH • MOUNTAIN IRON, MN • 55768-8260

RESOLUTION NUMBER 17-11

APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS

WHEREAS, pursuant to a Resolution passed by the City Council June 6, 2011, the City Engineer has prepared plans and specifications for Improvement Number 11-05, the proposed improvement of Bluebell Avenue and Daffodil Avenue between the centerline of Unity Drive and the centerline of Jasmine Street by reconstruction or overlayment and has presented such plans and specifications to the 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 an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the clerk until 10:00 a.m. on August 18, 2011, 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 August 23, 2011, in the Mountain Iron Room of the Community Center. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City Administrator for ten percent of the amount of such bid.

DULY ADOPTED BY THE CITY COUNCIL THIS 6th DAY OF JUNE, 2011.

ATTEST:

Mayor Gary Skalko

City Administrator



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July 20, 2011

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

Re: 2011 Street Improvements Project
City of Mountain Iron
Project No. MI11-06

Dear Mr. Wainio,

Benchmark Engineering is nearing the completion of the construction plans and specifications for the Improvements to Bluebell and Daffodil Avenues.

At this time, Benchmark Engineering, Inc. is requesting City Council action to first approve the Plans and Specifications and then to advertise for bids for the above-referenced project. The project will be advertised for 21 days. The bid opening will be set for Thursday, August 18, 2011 at 10:00 A.M. at the Mountain Iron City Hall. The award of bid could then be considered by the City Council at the second meeting in August.

An engineer's estimate has also been included for your reference. A draft set of construction plans will be available for review at City Hall and Benchmark Engineering by Tuesday July 26, 2011.

If you have any questions or need additional information please do not hesitate to contact our office

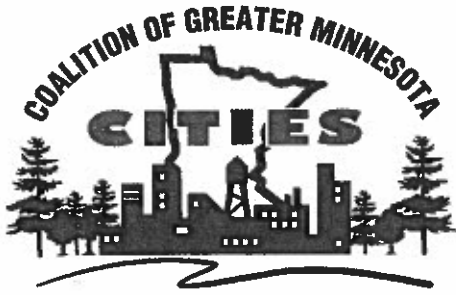
Sincerely,
Benchmark Engineering, Inc.


Alan J. Johnson, P.E.

Enclosures

COMMUNICATIONS

1. Coalition of Greater Minnesota Cities, a letter conveying the CGMC;s 2011 Legislative Session Report and announcing the summer conference in Grand Rapids on August 3-5, 2011.
2. The Family of Cade Fossum, a memo asking for attendance at a fund raiser on July 14, 2011 at Ben's Service Station in Virginia starting at 11:00 a.m.



Dedicated to a Strong Greater Minnesota

July 6, 2011

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

Dear Mr. Wainio:

CGMC's 2011 Legislative Session Report is enclosed for your Mayor and City Council. The report highlights actions CGMC has taken to protect LGA funding. The outcome of LGA funding is uncertain until the state adopts a budget, but the report shows that CGMC advocacy was successful at getting support for LGA funding from Governor Dayton and, to a lesser extent, the Republican majorities in both houses of the legislature. A handout of graphs is also enclosed which shows LGA funding for your city under proposals by Governor Dayton, the House, and the Senate. CGMC will continue its strong advocacy for LGA funding until the state budget is adopted.

The 2011 Session Report also describes CGMC's work on issues related to the environment, economic development, and transportation.


A Registration form and Agenda for the August 3-5 CGMC summer conference in Grand Rapids is also provided. Please encourage your Mayor and Council members to attend the conference and note that the registration should be sent in by July 22.

Please distribute the Report to your Mayor and Council and take a few minutes to review it with them so they are aware of the accomplishments and important work done by the CGMC.

If you have any questions or would like someone from Flaherty & Hood, CGMC's lobbying firm, to make a presentation to the Council, please call Tim Flaherty at (651) 225-8840 or email tpflaherty@flaherty-hood.com.

Thank you for your help.

Sincerely,


Mayor Nancy Carroll, City of Park Rapids
President, Coalition of Greater Minnesota Cities

Enclosures

Fundraiser

For motocross racer

CADE FOSSUM

Pork and beef sandwiches, chips and pop will be served on Thursday, JULY 14th from 11:00am - ? at BEN'S SERVICE STATION in Virginia at 1321 9th st. S. (also car-wash if weather permits)

Cade is a 16 year old motocross racer from Buhl who recently qualified for the Grand National event in Ponca City, OK. The family is having a fundraiser to help offset the costs of the trip and the continued training.

Thank You!

