

**MOUNTAIN IRON CITY COUNCIL MEETING
COMMUNITY CENTER
MOUNTAIN IRON ROOM
MONDAY, NOVEMBER 5, 2007 - 6:30 P.M.
A G E N D A**

- I. Roll Call
- II. Consent Agenda
 - A. Minutes of the October 15, 2007, Regular Meeting (#1-6)
 - B. Minutes of the October 29, 2007, Special Joint Meeting (#7-9)
 - C. Communications (#51-56)
 - D. Receipts
 - E. Bills and Payroll
- III. Public Forum
 - A. Gus Kimpling (#10)
- IV. Committee and Staff Reports
 - A. Mayor's Report
 - 1. Set Committee-of-the-Whole Meeting (#11)
 - B. City Administrator's Report
 - 1. South Grove Park Pavilion (#12-13)
 - 2. Truck Bid (#14-15)
 - C. Director of Public Works Report
 - D. Sheriff's Department Report
 - E. City Engineer's Report
 - 1. Tennis Court Estimate (#16)
 - 2. Pay Request Number 3 (#17-19)
 - 3. Pay Request Number 4 (#20-22)
 - 4. Change Order Number 1 (#23)
 - F. Fire Department
 - 1. National Fire Prevention Week (#24)
 - G. Liaison Reports
- V. Unfinished Business
- VI. New Business
 - A. Resolution 49-07 Charitable Gambling (#25-29)
 - B. Resolution 50-07 Charitable Gambling (#30-33)
 - C. Building Use Policy (#34-46)
 - D. Seasonal Resident Fees (#47)
 - E. South Grove Neighborhood Meeting (#48)
 - F. West Virginia/Westgate Neighborhood Meeting (#49)
 - G. Administrative Negotiations (#50)
 - H. Communications (#51-56)
- VII. Open Discussion on City Business
- VIII. Announcements
- IX. Adjourn

Denotes page number in packet

MINUTES
MOUNTAIN IRON CITY COUNCIL
OCTOBER 15, 2007

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. Forseen, Municipal Services Secretary; Don Kleinschmidt, Director of Public Works; Rod Flannigan, City Engineer; Sam Aluni, City Attorney; and John Backman, Sergeant.

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

1. Add the following items to the agenda:
 - VI. E. Virginia Regional Medical Center-On-Sale Liquor License
 - F. Resolution Number 48-07, Charitable Gambling
2. Approve the minutes of the October 1, 2007, City Council meeting as submitted.
3. 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.
4. To acknowledge the receipts for the period October 1-15, 2007, totaling \$377,633.17, (a list is attached and made a part of these minutes).

Councilor Roskoski requested that the bills and payroll be voted on separately.

The motion carried unanimously.

5. To authorize the payments of the bills and payroll for the period October 1-15, 2007, totaling \$222,212.32, (a list is attached and made a part of these minutes).

The motion carried on the following roll call vote: Prebeg, yes; Zupancich, yes; Stanaway, yes; Roskoski, no; and Skalko, yes.

No one spoke during the public forum.

The Mayor updated the Council on the following:

- Emergency City Hall Phone Number. The number is 1-888-223-9883
- Emergency Heating Assistance. Advised the viewing audience that there are funds available through the Salvation Army.
- Mountain Iron Library. The renovation project has been completed and he encouraged residents to go and see it.
- Matt Niskanen. Said that he graduated from Mountain Iron-Buhl School District and now he is with the Dallas Stars. The Mayor pointed out that this is a significant accomplishment for one of our graduates.

It was moved by Stanaway and seconded by Zupancich to rescind the Mountain Iron First Responders Articles of Organization. The motion carried.

The following items were discussed during the Liaison Reports:

- Mesabi Trail. Councilor Roskoski advised the Council that next Spring there would be another ten signs placed.
- Library Board. Councilor Stanaway said that the Library Board has not met yet to act on the “Friends of the Library” group.

The Council discussed the request of the Zoning Administrator regarding an increase in salary. The Mayor suggested that the Commercial and Residential Building Inspectors be reviewed by the Personnel Committee.

It was moved by Prebeg and seconded by Skalko to authorize City Staff to provide in-kind services to erect or construct the new scoreboard for the Mountain Iron-Buhl School baseball field. The motion carried.

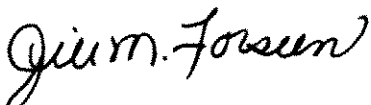
It was moved by Roskoski and seconded by Zupancich because of various issues that Staff, as soon as possible, purchase enough City logo door decals, of the necessary contrasting colors, so all City vehicles will have one attached onto each front door. And further, this request will exclude the Fire Department. After further discussion, Councilor Roskoski amended the motion to only include City vehicles that are going to remain in service after January 1, 2008. Councilor Zupancich seconded the amendment. The amended motion carried with Councilor Prebeg voting no.

It was moved by Zupancich and seconded by Skalko to approve the Virginia Regional Medical Center’s application for a temporary on-sale liquor license for November 14, 15, and 16, 2007, for the Festival of Trees to be held at the Mountain Iron Community Center. The motion carried.

It was moved by Roskoski and seconded by Stanaway to adopt Resolution Number 48-07, Charitable Gambling, (a copy is attached and made a part of these minutes). The motion carried.

At 7:28 p.m., it was moved by Skalko and supported by Zupancich that the meeting be adjourned. The motion carried.

Submitted by:



Jill M. Forseen, CMC/MMCA
Municipal Services Secretary

Summary By Category And Distribution

Category	Distribution	Amount
UTILITY	UTILITY	107,710.38
BUILDING RENTALS	BUILDING RENTAL DEPOSITS	600.00
BUILDING RENTALS	COMMUNITY CENTER	225.00
MISCELLANEOUS	BLUE CROSS/BLUE SHIELD PAYABLE	88.56
CAMPGROUND RECEIPTS	FEES	105.00
INTERGOVERNMENTAL REVENUE	CDBG GRANT PAYMENT-MTN MANOR	10,000.00
MISCELLANEOUS	ASSESSMENT SEARCHES	30.00
BUILDING RENTALS	NICHOLS HALL	200.00
LEASES	LEASES	40.00
CD INTEREST	CD INTEREST 101	701.26
CD INTEREST	CD INTEREST 103	1,284.82
CD INTEREST	CD INTEREST 301	281.06
CD INTEREST	CD INTEREST601	1,301.54
CD INTEREST	CD INTEREST 603	764.18
CD INTEREST	CD INTEREST 604	813.08
LICENSES	ANIMAL	5.00
CHARGE FOR SERVICES	ELECTRIC-CHG FOR SERVICES	394.09
CD INTEREST	CD INTEREST 378	546.64
CD INTEREST	CD INTEREST 602	134.25
MISCELLANEOUS	LIBRARY-COPIES, FINES, MISC.	395.00
METER DEPOSITS	ELECTRIC	2,050.00
INTERGOVERNMENTAL REVENUE	STATE FIRE AID	12,181.00
PERMITS	BUILDING	5.00
FINES	ADMINISTRATIVE OFFENSE	150.00
INTERGOVERNMENTAL REVENUE	IRRRB GRANT-HOUSING DEV-1999	237,259.03
MISCELLANEOUS	FAX CHARGES	1.00
MISCELLANEOUS	REIMBURSEMENTS	302.28
BUILDING RENTALS	SENIOR CENTER	65.00
Summary Totals:		<u>377,633.17</u>

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
10/07	10/12/2007	135560	130011	MOUNTAIN IRON POSTMASTER	603-20200	332.04
10/07	10/16/2007	135561	1021	A MARKOVICH OR TIONNA NELSON	604-20200	15.97
10/07	10/16/2007	135562	10008	AIRGAS NORTH CENTRAL	101-20200	302.61
10/07	10/16/2007	135563	1024	ANNETTE PETRELL	601-20200	62
10/07	10/16/2007	135564	10001	ARROWHEAD ECONOMIC OPPORTUNI	604-20200	178.44
10/07	10/16/2007	135565	1058	ARROWHEAD HUMAN RESOURCES	101-20200	100.00
10/07	10/16/2007	135566	10021	ARROWHEAD LIBRARY SYSTEM	101-20200	258.17
10/07	10/16/2007	135567	10020	ASPEN EQUIPMENT COMPANY	604-20200	1,052.13
10/07	10/16/2007	135568	1217	BARRY ROSIER	101-20200	100.00
10/07	10/16/2007	135569	1013	BETTE HOLMES	604-20200	114.61
10/07	10/16/2007	135570	20047	BROCKWHITE CONSTRUCTION MAT.	602-20200	532.50
10/07	10/16/2007	135571	20004	BURGHER OFFICE EQUIPMENT	301-20200	2,173.24
10/07	10/16/2007	135572	30035	C & B WAREHOUSE DISTR INC	101-20200	2,218.12
10/07	10/16/2007	135573	30017	CARQUEST (MOUNTAIN IRON)	101-20200	439.05
10/07	10/16/2007	135574	30061	CELLULARONE	101-20200	593.37
10/07	10/16/2007	135575	220003	CITY OF VIRGINIA	101-20200	51.40
10/07	10/16/2007	135576	30026	COMO LUBE & SUPPLIES INC	101-20200	98.40
10/07	10/16/2007	135577	1010	DEBRA HOLKKO	101-20200	100.00
10/07	10/16/2007	135578	40020	DORHOLT TILE & HOME CENTER INC	301-20200	1,325.00
10/07	10/16/2007	135579	40027	DULUTH/SUPERIOR COMMUNICATION:	101-20200	729.10
10/07	10/16/2007	135580	50004	EFFECTIVE PROMOTIONS	604-20200	242.78
10/07	10/16/2007	135581	500012	ERA LABORATORIES INC	601-20200	518.60
10/07	10/16/2007	135582	60026	FASTENAL COMPANY	101-20200	113.23
10/07	10/16/2007	135583	60038	FLEET SERVICES	101-20200	39.51
10/07	10/16/2007	135584	60009	FRED FAUST	101-20200	139.91
10/07	10/16/2007	135585	60037	FREDERICK, MICHAEL	101-20200	25.00
10/07	10/16/2007	135586	1011	GEORGE LELOUP	101-20200	100.00
10/07	10/16/2007	135587	70033	GLOBAL RENTAL CO INC	604-20200	2,396.25
10/07	10/16/2007	135588	70028	GREATER MINNESOTA AGENCY INC	101-20200	192.00
10/07	10/16/2007	135589	80004	HEISEL BROS PLUMBING	101-20200	19.75
10/07	10/16/2007	135590	1009	HELEN AUBOL	101-20200	100.00
10/07	10/16/2007	135591	80017	HENRY'S WATERWORKS INC	601-20200	2,130.55
10/07	10/16/2007	135592	80001	HILLYARD/HUTCHINSON	101-20200	876.38
10/07	10/16/2007	135593	1023	JOYCE MANN	604-20200	112.29
10/07	10/16/2007	135594	1110	KRISTINE BUTORAC	101-20200	50.00
10/07	10/16/2007	135595	1015	KRISTOPHER OR AMANDA TURNER	604-20200	263.65
10/07	10/16/2007	135596	120006	L & M SUPPLY	101-20200	645.00
10/07	10/16/2007	135597	1016	MEGAN JACOBSEN	604-20200	331.61
10/07	10/16/2007	135598	130004	MESABI DAILY NEWS	101-20200	1,667.19
10/07	10/16/2007	135599	130109	METRO FIRE	101-20200	54.60
10/07	10/16/2007	135600	130039	MINNESOTA DEPT OF COMMERCE	101-20200	226.53
10/07	10/16/2007	135601	130008	MINNESOTA MUNICIPAL UTILITIES	604-20200	404.17
10/07	10/16/2007	135602	130055	MINNESOTA SAFETY COUNCIL	101-20200	5,736.00
10/07	10/16/2007	135603	130015	MOUNTAIN IRON PUBLIC UTILITIES	603-20200	13,711.92
10/07	10/16/2007	135604	1019	NORMAN OR SUSAN NELSON	604-20200	300.00
10/07	10/16/2007	135605	140004	NORTHERN ENGINE & SUPPLY INC	101-20200	39.62
10/07	10/16/2007	135606	1012	NORTHERN HABILITATIVE SERVICES	101-20200	100.00
10/07	10/16/2007	135607	140055	NORTHERN VISUAL SERVICES	101-20200	178.75
10/07	10/16/2007	135608	150014	ONE CALL CONCEPTS INC	604-20200	127.60
10/07	10/16/2007	135609	160055	PHILIPS MEDICAL SYSTEMS	101-20200	19,845.21
10/07	10/16/2007	135610	170001	QWEST	602-20200	507.59
10/07	10/16/2007	135611	1022	ROBERT T. JOHNSON	604-20200	79.99
10/07	10/16/2007	135612	190010	SEPPI BROTHERS	101-20200	690.18
10/07	10/16/2007	135613	190004	SKUBIC BROS INC	603-20200	1,850.17
10/07	10/16/2007	135614	190024	ST LOUIS CO SHERIFF LITMAN	101-20200	35,000.00
10/07	10/16/2007	135615	6044	ST LOUIS COUNTY	604-20200	939.67
10/07	10/16/2007	135616	190016	ST LOUIS COUNTY AUDITOR	101-20200	29,783.00

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
10/07	10/16/2007	135617	190033	STAR TRIBUNE	101-20200	358.80
10/07	10/16/2007	135618	1018	TAMARA TINKER	604-20200	273.51
10/07	10/16/2007	135619	200020	THE TRENTI LAW FIRM	101-20200	5,443.54
10/07	10/16/2007	135620	200028	TRI CITIES BIOSOLIDS DISPOSAL	602-20200	7,135.00
10/07	10/16/2007	135621	200006	TRIMARK INDUSTRIAL	604-20200	357.30
10/07	10/16/2007	135622	210001	UNITED ELECTRIC COMPANY	604-20200	1,668.12
10/07	10/16/2007	135623	210002	UNITED TRUCK BODY COMPANY INC	603-20200	304.50
10/07	10/16/2007	135624	1028	VANDE HEY RALEIGH ROOF	301-20200	770.00
10/07	10/16/2007	135625	220014	VIKING INDUSTRIAL NORTH	602-20200	1,459.27
10/07	10/16/2007	135626	220026	VIRGINIA HOME CENTER	101-20200	992.87
10/07	10/16/2007	135627	220020	VISA OR AMERICAN BANK CC PMT	101-20200	7,940.43
10/07	10/16/2007	135628	230005	WESCO DISTRIBUTION INC	604-20200	774.05
Totals:						157,730.86
Payroll-PP Ending 10/5/07						54,412.53
Electronic Trans.-Sales Tax						10,068.93
TOTAL EXPENDITURES						<u>\$222,212.32</u>



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 48-07

CHARITABLE GAMBLING

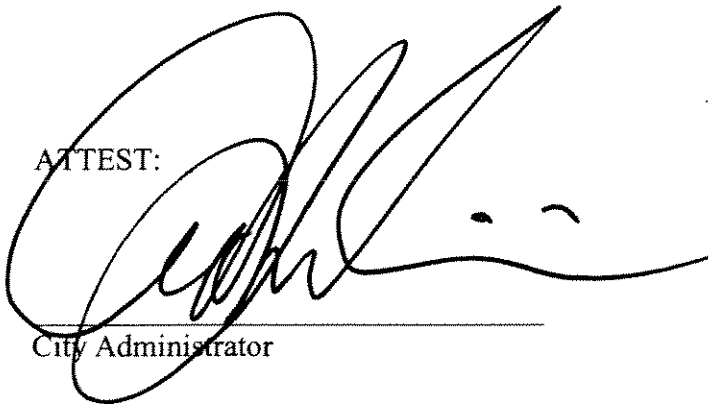
WHEREAS, the Kinney Firemen's Relief Association, has applied to renew a Class B Charitable Gambling Operation Permit consisting of raffles, paddlewheels, tipboards, and pull-tabs at the American Legion Post #220, 5748 Mountain Avenue, Mountain Iron, Minnesota, and;

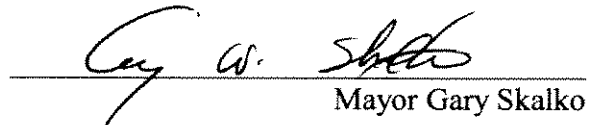
WHEREAS, the Kinney Firemen's Relief Association, is requesting that their Class B Charitable Gambling Permit be renewed.

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 OCTOBER, 2007.

ATTEST:



City Administrator

Mayor Gary Skalko

MINUTES
SPECIAL JOINT CITY COUNCIL MEETING
OCTOBER 29, 2007

Mayor Skalko called the Joint City Council meeting to order at 6:32 p.m. with the following members present: Joe Prebeg, Jr., Alan Stanaway, Ed Roskoski, and Mayor Gary Skalko. Absent member included: Tony Zupancich. Also present were: Craig J. Wainio, City Administrator; and Jill M. Forseen, Municipal Services Secretary.

Also present for the joint meeting were:

Craig Pulford, Mayor, City of Buhl
Gene Matthew, City Councilor, City of Buhl
Troy Martinson, City Councilor, City of Buhl

Debra Wavernack, Mayor, City of Kinney
Patrick Haley, City Councilor, City of Kinney
Donald Bachel, City Councilor, City of Kinney
Janet Haley, Clerk, City of Kinney
Carolyn Erickson, City of Kinney

Larry Sokoloski, Clerk, Mountain Iron-Buhl School Board
Terry Martinson, Chairperson, Mountain Iron-Buhl School Board
Chuck Bainter, Director, Mountain Iron-Buhl School Board (entering at 6:34 p.m.)
Steve Giorgi, Director, Mountain Iron-Buhl School Board
John Klarich, Superintendent, Mountain Iron-Buhl School Board

Herb Sellars, Supervisor, Great Scott Township

Mayor Skalko opened the meeting and said that this is a good meeting to meet with the area Cities and the Township involved in the Mountain Iron-Buhl School District. He apologized to Mr. Sellars from Great Scott Township for not formally including them in the meeting.

At 6:34 p.m., the Mountain Iron-Buhl School held a brief meeting.

At 6:36 p.m., the Mayor went back into the joint meeting.

The Mayor brought up that the purpose of the meeting was to discuss joint projects between the entities. He said that the public television taping of the sporting events was a good example of everyone contributing to having twelve sporting events taped and broadcast on public television.

Chuck Bainter brought up developing a Pony Football League to assisting in developing grade school children to get prepared for the High School Football Program. He said that the Pony Football is designed for Third through Sixth grade students and would be held during the regular football season. He said that the initial start up cost would be approximately \$5,000.

Larry Sokoloski thought that Soccer was an up and coming program with the overwhelming response at the YMCA.

Herb Sellers said that an Archery Program is a good program to start. Donald Bachel concurred that Archery is coming with National contests and the program begins in Third or Fourth Grade and it is for both boys and girls. Gary Skalko said that this is more of a life time sport.

Steve Giorgi thanked the City of Mountain Iron for the in-kind service provided to the Mountain Iron-Buhl District on the reconstruction of the baseball field, the in-kind service with the new scoreboard, and the easement for the electrical line for the ballfield.

At 6:53 p.m., Steve Giorgi left the meeting.

Gary Skalko said that this group should address new residents moving into the Mountain Iron-Buhl School District. He thought that some sort of Welcoming Committee should be formed with Representation from the Cities, Township, and the Mountain Iron-Buhl School District to have an information packet put together for the new residents. It was the consensus of the group to have the four entities put together one packet to give new residents to promote the Mountain Iron-Buhl School District. They felt that when new customers come to the individual Cities to connect utilities, they could be given an information packet. The Mountain Iron City Administrator would compile the information and the entities would submit the information for the packet to the Mountain Iron City Administrator over the next three weeks.

Joe Prebeg felt that information packets should be developed for people interested in locating to the area to advertise each area, the Mesabi Trail, acres of land for hunting, swimming beaches, the campgrounds, housing development, etc.

The Welcoming Committee would consist of Debra Wavernack, City of Kinney; Gary Skalko, City of Mountain Iron; John Klarich, Mountain Iron-Buhl School District; Herb Sellers, Great Scott Township; and Troy Martinson, City of Buhl.

The group talked about the development of a hiking/biking trail to connect the schools to the trails. It was the consensus of the group to work together to develop a trail to connect the Mountain Iron-Buhl High School to the Merritt Elementary School and work on a potential grant application to fund the development of this.

Herb Sellars advised the group that Great Scott Township was looking into developing three forties located north of Highway 53.

Larry Sokoloski asked how receptive the Cities would be to having a Student Representatives to serve on the various City Councils and Township Board. He said that the Iron Range Youth in Action group initially began with 60 students and now they have over 1,000 students participating in their group. He said they are looking for ways for the students to get a voice in the government. He said that this group is fully funded by Saint Louis County.

Gary Skalko advised the group that he would like to see them meet at least two times per year at various locations. It was the consensus of the group to continue holding the meetings in Mountain Iron.

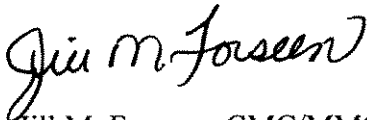
Donald Bachel asked if there was an interest in doing any cooperative purchasing of equipment.

Alan Stanaway said that the Mesabi Trail is a joint project that is assessable to all of those groups to use and the trail is located in all areas and maybe the group should consider a joint purchase of a piece of equipment to maintain the Mesabi Trail.

It was the consensus of the group to set the next Joint Meeting for Monday, March 31, 2008.

At 7:40 p.m. the meeting was adjourned.

Submitted by:



Jill M. Forseen, CMC/MMCA
Municipal Services Secretary

www.mtniron.com

COUNCIL LETTER 110507-III A

COUNCILOR ED ROSKOSKI

UTILITY FEES

DATE: October 31, 2007
FROM: Councilor Ed Roskoski
Craig J. Wainio
City Administrator

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

Gus Kimpling has concerns about some utility fees.

COUNCIL LETTER 110507-IVA1

MAYOR SKALKO

COW MEETING

DATE: October 31, 2007
FROM: Mayor Gary Skalko
Craig J. Wainio
City Administrator

Mayor Skalko requested this item be placed on the agenda with this background information:

Set up a COW Meeting to discuss the 2008 Budget

COUNCIL LETTER 110507-IVB1

ADMINISTRATION

PAVILION

DATE: October 31, 2007
FROM: Craig J. Wainio
City Administrator

Enclosed, please find a quote for a new prefabricated pavilion for the South Grove Park. The proposed pavilion is 18 by 18 and is the same model and style as the pavilion recently ordered for the park by the High School. Since we are a member of the Northeast Service Cooperative, we can purchase the pavilion through their bidding procedures at a 5% discount. The pavilion purchase has been recommended by the South Grove Park Committee and the Parks and Recreation Board. The purchase of the pavilion will be funded through the recently reallocated Saint Louis County Outdoor Project Recreation Project Fund grant.

It is recommended that the City Council authorize the purchase of the pavilion at a cost of \$9,609.76 and further authorize the installation of that pavilion at a cost of \$3,400 for a combined price of \$13,009.76.



MIDWEST PLAYSCAPES, INC.

500 Pine Street, Suite 104, Chaska, MN 55318
www.midwestplayscapes.com

Telephone: 952-361-3504
Fax: 952-361-3549
Toll Free: 800-747-1452

E-mail: playscapes@earthlink.net

Quotation

Project: City of Mountain Iron
Contact: Craig Wainio
Ship To:

Email: cwainio@ci.mountain-iron.mn.us

Phone: 218-748-7570

Fax:

Bill To: 8586 Enterprise Drive South
Mountain Iron, MN 55768

Date: 8/23/2007

Qty	Design/Item #	Description	Total
1	ORLANDO	Classic Recreation 18' x 18' Shelter Model - Orlando Features: - HR36 roof with 4:12 pitch - Surface Mount Posts - TGIC Poly Powder Coat with zinc rich primer	\$ 6,895.00
1	DISC	5% Coop Discount	\$ (344.75)
			Subtotal \$ 6,550.25
			Freight \$ 2,473.00
			Sales Tax \$ 586.51
			Total \$ 9,609.76

Options

Add \$650.00 for Structural Calculations / Engineer Drawings

Add \$3,400.00 for Surface Mount Installation of this shelter on an existing concrete pad.

NOTE: If this structure is installed on an existing concrete pad without footings, the factory recommends the concrete be 8" thick with rebar. Please consult your building inspector.

NOTE: The cost of any Building Permits will be additional.

NOTE: UNLESS OTHERWISE NOTED, prices shown are material only. They **DO NOT** include: assembly, installation, border, safety surfacing, drain tile, geotextile fabric, removal of existing equipment, site preparation, excavation or site restoration, unloading of equipment, disposal of packaging material, storage of equipment, additional insurance and bonding would be extra, unless otherwise stated above. If playground equipment or materials are stored off site, customer is responsible for transporting equipment to job site.

Prices firm for 30 days, subject to review thereafter. Our terms are net 30. A finance charge of 1.5% will be imposed on the outstanding balance unpaid for more than 30 days after the shipment of materials. Once customer has signed quotation, your order cannot be changed or canceled. Please allow 3 to 4 weeks for delivery after receipt of order. Standard manufacturing design, specification, and construction apply unless noted otherwise. Customer is responsible for the identification of all underground utilities. Area must be accessible to Bobcat and other equipment necessary for installation or additional fees will be charged. Freight quote is based on customer unloading equipment and checking in all equipment for any missing parts. If product is refused by customer upon delivery for any reason (unless damaged), without prior authorization from Midwest Playscapes, Inc., the customer agrees to pay 20% restocking fee plus freight charges. If we can be of Other Assistance, please feel free to contact us.

Signed: _____
Mike Korth

Accepted _____
Date: _____

COUNCIL LETTER 110507-IVB2

ADMINISTRATION

TRUCK BID

DATE: October 31, 2007
FROM: Craig J. Wainio
City Administrator

The City received a bid on the 1997 Chevy Pickup with a plow in the amount of \$1,000. This Chevy Pickup is one of the three vehicles the City put up for bids earlier this year which we received no bids for. Based upon the fact that St. Louis County will not be holding a county auction this year, it is recommended that the City award the bid for the sale of this truck to Dan Yernatich for \$1000.

I Dan Yernatreh would
like to bid on 1998 plow truck
my bid is ~~8,000~~ \$1,000

thank you.

735-1105
8750 Unity Dr.



CITY OF MOUNTAIN IRON

Engineer's Opinion of Probable Construction Cost
 South Grove Tennis Court Reconstruction
 Mountain Iron, MN
 Project No. : MI07-22

SPEC. NO	ITEM	UNITS	PROJECT QUANTITIES	ITEM COST	TOTAL AMOUNT
2104.505	REMOVE BITUMINOUS PAVEMENT	SQ. YD.	1,530.0	\$3.00	\$4,590.00
2104.509	REMOVE CHAIN LINK FENCE AND POSTS	LIN.FT.	475.0	\$4.00	\$1,900.00
2104.509	REMOVE POST (TENNIS POSTS)	SET	2.0	\$100.00	\$200.00
2557.602	INSTALL FENCING 10' CHAIN LINK AND POSTS	LIN. FT.	475.0	\$32.00	\$15,200.00
2105.501	COMMON EXCAVATION	CU. YD.	770.0	\$10.00	\$7,700.00
2105.535	SELECT GRANULAR BORROW (CV)	CU. YD.	250.0	\$10.00	\$2,500.00
2105.604	GEOTEXTILE FABRIC TYPE V	SQ. YD.	1,530.0	\$2.00	\$3,060.00
2211.503	AGGREGATE BASE (CV), CLASS 5	CU. YD.	520.0	\$20.00	\$10,400.00
2350.501	TYPE LV4 WEARING COURSE MIXTURE (B)	TON	270.0	\$65.00	\$17,550.00
2357.502	BIT. MATERIAL FOR TACK COAT	GAL.	150.0	\$2.00	\$300.00
2502.541	4" PVC PERFORATED PIPE DRAIN W/ SOCK	LIN. FT.	470.0	\$10.00	\$4,700.00
2502.602	4" PVC FLUSHING & OBSERVATION RISER	EACH	4.0	\$500.00	\$2,000.00
2540.601	TENNIS COURT SURFACING & STRIPING	LUMP SUM	1.0	\$25,000.00	\$25,000.00
2540.601	TENNIS NET SUPPORT POSTS	SET	2.0	\$1,500.00	\$3,000.00
2575.555	TURF ESTABLISHMENT	LUMP SUM	1.0	\$2,000.00	\$2,000.00

SUBTOTAL CONSTRUCTION COST:
 CONTINGENCY (10%)

\$100,100.00
\$ 10,010.00

ESTIMATED TOTAL CONSTRUCTION COST

\$ 110,110.00

NOTES:

- Design & Construction Engineering costs are not included.
- Includes reconstruction of 2 tennis courts.
- No lighting is included in this estimate.

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

October 30, 2007

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

Re: City of Mountain Iron, MN
Unity Addition Phase II Residential Development
Project No. MI07-1

Dear Mr. Wainio

Enclosed please find Pay Request No. 3 for the City of Mountain Iron Unity Addition Phase II Residential Development project in the amount of **\$71,337.23**, for approval at your next scheduled City Council meeting. This amount includes withholding a 5% 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. Fallstrom, P.E.

Enclosure

Pc: Mr. Jim Pucel, Utility Systems of America

RECOMMENDATION OF PAYMENT

No. 3

Owner's Project No.: _____

Engineer's Project No.: MI07-1

Project: Unity Addition Phase II Residential Development

CONTRACTOR: Utility Systems of America, Inc., P.O. Box 706, Eveleth, MN 55734

For Period Ending: October 26, 2007

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 October 30, 2007

By 

STATEMENT OF WORK

Original Contract Price	\$ <u>924,077.60</u>	Work & Materials to Date	\$ <u>419,084.01</u>
Net Change Orders	\$ _____	Amount Retained (5%)	\$ <u>19,436.43</u>
Current Contract Price	\$ <u>924,077.60</u>	Subtotal	\$ <u>399,647.58</u>
		Previous Payments	\$ <u>328,310.35</u>
		Amount Due this Payment	\$ <u>71,337.23</u>



PAY REQUEST NO. 3
 UNITY ADDITION PHASE II RESIDENTIAL DEVELOPMENT
 (INCLUDES EXTENSION OF UNITY DRIVE WEST OF EMERALD AVENUE)
 PROJECT NO.: M07-1
 CITY OF MOUNTAIN IRON, MINNESOTA

CONTRACTOR: UTILITY SYSTEMS OF AMERICA

SPEC NO.	ITEM DESCRIPTION	UNIT	PROJECT QUANTITY	UNIT COST	UNITY DRIVE QUANTITY	RES. DEV. QUANTITY	QUANTITY TO DATE	TOTAL AMOUNT
2101.502	CLEARING AND GRUBBING	LUMP SUM	1.0	\$12,000.00	0.15	0.85	1.0	\$12,000.00
2104.501	REMOVE CURB & GUTTER	LIN. FT.	75.0	\$3.00			0.0	\$0.00
2104.505	REMOVE BITUMINOUS PAVEMENT	SQ. YD.	75.0	\$3.00			0.0	\$0.00
2104.513	SAWING BITUMINOUS PAVEMENT - FULL DEPTH	LIN. FT.	93.0	\$2.00			0.0	\$0.00
2104.523	SALVAGE GATE VALVE & BOX	EACH	1.0	\$200.00		1.0	1.0	\$200.00
2105.501	COMMON EXCAVATION (PV)	CU. YD.	9,461.0	\$3.25	500.0	1,520.0	2,020.0	\$6,565.00
2105.503	ROCK EXCAVATION	CU. YD.	150.0	\$15.00			0.0	\$0.00
2105.522	SELECT GRANULAR BORROW (CV)	CU. YD.	5,860.0	\$6.75			0.0	\$0.00
2105.535	SALVAGED TOPSOIL (CV)	CU. YD.	841.0	\$3.00	147.0	274.0	421.0	\$1,263.00
2105.604	GEOTEXTILE FABRIC TYPE V	SQ. YD.	15,140.0	\$1.25			0.0	\$0.00
2211.503	AGGREGATE BASE (CV) CL. 5	CU. YD.	3,525.0	\$15.00	36.0	52.0	88.0	\$1,320.00
2350.501	TYPE LV 5 WEARING COURSE MIXTURE B	TON	1,220.0	\$55.50			0.0	\$0.00
2350.502	TYPE LV 3 NON-WEARING COURSE MIXTURE B	TON	2,715.0	\$52.50			0.0	\$0.00
2357.502	BIT. MATERIAL FOR TACK COAT	GAL.	1,410.0	\$1.80			0.0	\$0.00
2451.511	COARSE FILTER AGGREGATE (LV)	CU. YD.	200.0	\$20.00			0.0	\$0.00
2501.515	12" RC PIPE APRON	EACH	4.0	\$450.00	2.0	2.0	4.0	\$1,800.00
2501.515	24" RC PIPE APRON	EACH	1.0	\$550.00		1.0	1.0	\$550.00
2502.521	4" FORCE MAIN (SDR 21)	LIN. FT.	440.0	\$12.00		440.0	440.0	\$5,280.00
2602.541	4" PERFORATED P.E. PIPE DRAIN	LIN. FT.	6,734.0	\$4.25			0.0	\$0.00
2503.511	4" PVC PIPE SEWER	LIN. FT.	1,415.0	\$14.00		1,291.0	1,291.0	\$18,074.00
2503.511	8" PVC PIPE SEWER	LIN. FT.	2,265.0	\$21.00		2,265.0	2,265.0	\$47,565.00
2503.541	12" RC PIPE SEWER	LIN. FT.	961.0	\$29.00	273.0	688.0	961.0	\$27,869.00
2503.541	15" RC PIPE SEWER	LIN. FT.	789.0	\$30.50		789.0	789.0	\$24,064.50
2503.541	18" RC PIPE SEWER	LIN. FT.	53.0	\$34.00		53.0	53.0	\$1,802.00
2503.541	24" RC PIPE SEWER	LIN. FT.	63.0	\$50.00		65.0	65.0	\$3,250.00
2503.602	8" x 4" PVC WYE	EACH	35.0	\$85.00		36.0	36.0	\$3,060.00
2503.602	CONNECT TO EXISTING SANITARY SEWER MANHOLE	EACH	1.0	\$750.00		1.0	1.0	\$750.00
2503.603	TRACER WIRE ACCESS BOX	EACH	35.0	\$60.00			0.0	\$0.00
2504.602	HYDRANT	EACH	7.0	\$3,100.00		7.0	7.0	\$21,700.00
2504.602	6" GATE VALVE AND BOX	EACH	2.0	\$750.00	1.0	2.0	3.0	\$2,250.00
2504.602	8" GATE VALVE AND BOX	EACH	4.0	\$1,000.00		4.0	4.0	\$4,000.00
2504.602	3/4" CORP. STOP	EACH	35.0	\$75.00		36.0	36.0	\$2,700.00
2504.602	3/4" CURB STOP & 1.5" BOX	EACH	35.0	\$140.00		36.0	36.0	\$5,040.00
2504.602	CONNECT TO EXISTING WATERMAIN	EACH	3.0	\$850.00	1.0	3.0	4.0	\$3,400.00
2504.603	3/4" TYPE K COPPER PIPE	LIN. FT.	1,450.0	\$16.00		1,648.5	1,648.5	\$26,376.00
2504.603	6" D.I. WATERMAIN CL. 52	LIN. FT.	615.0	\$23.50	100.0	615.0	715.0	\$16,802.50
2504.603	8" D.I. WATERMAIN CL. 52	LIN. FT.	2,020.0	\$27.00		2,020.0	2,020.0	\$54,540.00
2504.608	WATERMAIN FITTINGS	POUND	1,325.0	\$3.00		1,325.0	1,325.0	\$3,975.00
2506.501	CONST. DRAINAGE STRUCTURE DES. G	LIN. FT.	47.4	\$240.00	18.8	28.6	47.4	\$11,376.00
2506.501	CONST. DRAINAGE STRUCTURE DES. F	LIN. FT.	30.2	\$240.00		30.2	30.2	\$7,248.00
2506.501	CONST. DRAINAGE STRUCTURE DES. 60-4020	LIN. FT.	4.5	\$350.00		4.5	4.5	\$1,575.00
2506.501	CONST. DRAINAGE STRUCTURE 4007	LIN. FT.	191.8	\$135.00		191.8	191.8	\$25,893.00
2506.516	CASTING ASSEMBLY	EACH	30.9	\$375.00	2.0	13.0	15.0	\$5,625.00
2506.522	ADJUST FRAME AND RING CASTINGS	EACH	4.0	\$200.00			0.0	\$0.00
2506.601	CONSTRUCT LIFT STATION	LUMP SUM	1.0	\$70,000.00		0.5	0.5	\$35,000.00
2506.601	CONSTRUCT CONTROL STRUCTURE	LUMP SUM	1.0	\$1,500.00			0.0	\$0.00
2511.501	RANDOM RIPRAP CLASS III	CU. YD.	50.0	\$35.00			0.0	\$0.00
2521.501	4" CONCRETE SIDEWALK	SQ. FT.	9,687.0	\$2.75			0.0	\$0.00
2531.501	CONCRETE CURB & GUTTER DES. D418 (MOD.)	LIN. FT.	5,412.0	\$9.80			0.0	\$0.00
2531.501	CONCRETE CURB & GUTTER DES. B618 (MOD.)	LIN. FT.	1,900.0	\$9.65			0.0	\$0.00
2531.604	7" CONCRETE VALLEY GUTTER AND RADIUS CURB	SQ. YD.	100.0	\$48.00			0.0	\$0.00
2531.618	TRUNCATED DOMES	SQ. YD.	48.0	\$32.00			0.0	\$0.00
2563.601	TRAFFIC CONTROL	LUMP SUM	1.0	\$1,900.00	0.25	0.25	0.5	\$500.00
2573.502	SILT FENCE, PREASSEMBLED	LIN. FT.	3,250.0	\$2.25	100.0	600.0	700.0	\$1,575.00
2573.530	INLET PROTECTION	EACH	13.0	\$50.00			0.0	\$0.00
2575.555	TURF ESTABLISHMENT	LUMP SUM	1.0	\$3,100.00			0.0	\$0.00
	INSTALL CITY SUPPLIED VALVE & HYDRANT FOR FIELD	LUMP SUM		\$2,050.00	1.0		1.0	\$2,050.00
	L.S. VALVE MANHOLE MODS. DUE TO WATER TABLE	LUMP SUM		\$1,690.89			1.0	\$1,690.89

TOTAL SPLIT TO DATE: UNITY DRIVE \$24,960.00 RES. DEV. \$363,768.69
 COMPLETED TO DATE: \$388,728.69
 LESS RETAINAGE (5%): (\$19,436.43)

SUBTOTAL PAY REQUEST #3: \$369,292.26
 MATERIALS ON HAND (PREVIOUSLY PAID): \$120,460.58
 MATERIALS ON HAND THIS PAY REQUEST: \$0.00
 MATERIALS ON HAND (BACKED OUT): (\$90,105.26)
 LESS PREVIOUS PAYMENTS: (\$328,310.35)

TOTAL PAY REQUEST #3: \$71,337.23

Eric E. Faltus
 BENCHMARK ENGINEERING, INC.



CIVIL AND ENVIRONMENTAL ENGINEERING • PLANNING
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email: info@bm-eng.com

October 30, 2007

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

Re: City of Mountain Iron, MN
Mountain Iron Drive Storm Drainage Improvements
Project No. MI05-17

Dear Mr. Wainio

A review of the project file shows that the retainage for this project has not been paid to the Contractor and the project has not been closed.

Enclosed please find the FINAL Pay Request No. 4 for the City of Mountain Iron, Mountain Iron Drive Storm Drainage Improvements project in the amount of **\$2,671.70**. This project was completed in June, 2006. Please approve this final pay request at your next regularly scheduled City Council meeting. Also, the IC-134 forms have been requested of the Contractor, and we will provide these forms to the City when received from the Contractor.

In addition, please sign and date three copies of Change Order #1, which is a compensating change order that **decreases** the final project cost by \$8,588.00. The reason for the change order is due to the fact that add alternate #1 was not completed along with other minor quantity adjustments. Please return two (2) signed copies of Change Order #1 to our office.

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.

Enclosures

pc: Mr. Jim Bougalis, Hibbing Excavating, Inc.

RECOMMENDATION OF PAYMENT

No. 4 - FINAL

Engineer's Project No. MI05-17

Project: Mountain Iron Drive Storm Drainage Improvements

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

For Period Ending October 18, 2007

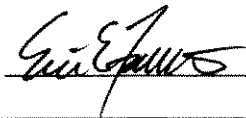
To City of Mountain Iron
Owner

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 October 18, 2007

By 

STATEMENT OF WORK

Original Contract Price	\$ <u>62,022.00</u>	Work & Materials to Date	\$ <u>53,434.00</u>
Net Change Orders	\$ <u>(8,588.00)</u>	Amount Retained	\$ <u>0.00</u>
Current Contract Price	\$ <u>53,434.00</u>	Subtotal	\$ <u>53,434.00</u>
		Previous Payments	\$ <u>50,762.30</u>
		Amount Due this Payment	\$ <u>2,671.70</u>



PAY REQUEST NO. 4 - FINAL
MOUNTAIN IRON DRIVE STORM SEWER IMPROVEMENTS
MOUNTAIN IRON, MINNESOTA
PROJECT NO: M105-17

SPEC. NO.	ITEM	UNITS	PROJECT QUANTITY	ITEM COST	QUANTITY TO DATE	TOTAL AMOUNT
2101.502	CLEARING	TREE	1.0	\$5,000.00	1.0	\$5,000.00
2101.507	GRUBBING	TREE	1.0	\$5,000.00	1.0	\$5,000.00
2104.501	REMOVE CONCRETE CURB & GUTTER	LIN. FT.	265.0	\$4.00	291.0	\$1,164.00
2104.503	REMOVE CONCRETE PAVEMENT	SQ. FT.	82.0	\$1.00	668.0	\$668.00
2104.505	REMOVE BITUMINOUS PAVEMENT	SQ. YD.	215.0	\$3.00	246.0	\$738.00
2104.513	SAW PAVEMENT - FULL DEPTH	LIN. FT.	300.0	\$3.00	236.0	\$708.00
2105.535	SALVAGED TOPSOIL	CU. YD.	20.0	\$8.00	15.0	\$120.00
2211.503	AGG. BASE CL. 5 (CV)	CU. YD.	55.0	\$13.00	55.0	\$715.00
2232.501	MILL BITUMINOUS SURFACE	SQ. YD.	290.0	\$3.00	290.0	\$870.00
2350.501	TYPE LV4 WEARING COURSE MIXTURE A	TON	50.0	\$48.00	42.0	\$2,016.00
2350.502	TYPE LV3 NON WEARING COURSE MIXTURE A	TON	105.0	\$48.00	84.5	\$4,056.00
2357.502	BIT. MATERIAL FOR TACK COAT	GAL.	30.0	\$2.00	30.0	\$60.00
2501.602	METALIZED STEEL ORIFICE PLATE	EACH	1.0	\$600.00	1.0	\$600.00
2503.511	6" PVC PIPE SEWER - SDR 35	LIN. FT.	10.0	\$20.00	10.0	\$200.00
2503.541	12" RC PIPE SEWER, CL III	LIN. FT.	365.0	\$30.00	365.0	\$10,950.00
2506.501	CONST. DRAINAGE STRUCTURE DES. G MOD.	LIN. FT.	15.5	\$200.00	15.5	\$3,100.00
2506.502	CONNECT TO EXISTING STORM MANHOLE	EACH	2.0	\$1,000.00	2.0	\$2,000.00
2506.516	CASTING ASSEMBLY	EACH	3.0	\$400.00	3.0	\$1,200.00
2531.501	CONCRETE CURB & GUTTER - DES. D418	LIN. FT.	234.0	\$15.00	238.0	\$3,570.00
2531.501	CONCRETE CURB & GUTTER - DES. B618	LIN. FT.	31.0	\$15.00	53.0	\$795.00
2563.601	TRAFFIC CONTROL	LUMP SUM	1.0	\$2,000.00	1.0	\$2,000.00
2571.541	TRANSPLANT TREE	TREE	7.0	\$860.00	0.0	\$0.00
2573.508	BITUMINOUS LINED FLUME	SQ. YD.	15.0	\$40.00	15.0	\$600.00
2575.505	SODDING TYPE LAWN	SQ. YD.	200.0	\$4.50	240.0	\$1,080.00
2575.555	TURF ESTABLISHMENT	LUMP SUM	1.0	\$1,200.00	1.0	\$1,200.00
2504.602	CONNECT TO EXISTING WATERMAIN	EACH	0.0	\$950.00	2.0	\$1,900.00
2504.603	12" WATER MAIN D.I. CLASS 52	LIN. FT.	0.0	\$50.00	11.0	\$550.00
2504.608	WATERMAIN FITTINGS	LBS.	0.0	\$3.00	658.0	\$1,974.00
2105.607	CRUSHED ROCK	CU. YD.	0.0	\$30.00	20.0	\$600.00

ADD ALTERNATE NO. 1

SPEC. NO.	ITEM	UNITS	ADD ALT #1 QUANTS.	ITEM COST	QUANTITY TO DATE	TOTAL AMOUNT
2104.505	REMOVE BITUMINOUS PAVEMENT	SQ. YD.	33.0	\$5.00		\$0.00
2104.513	SAW PAVEMENT - FULL DEPTH	LIN. FT.	50.0	\$3.00		\$0.00
2211.503	AGG. BASE CL. 5 (CV)	CU. YD.	8.0	\$13.00		\$0.00
2350.501	TYPE LV4 WEARING COURSE MIXTURE A	TON	12.0	\$48.00		\$0.00
2504.602	8" GATE VALVE AND BOX	EACH	1.0	\$1,500.00		\$0.00
2504.602	CONNECT TO EXISTING WATERMAIN	EACH	2.0	\$950.00		\$0.00
2504.603	8" WATER MAIN D.I. CLASS 52	LIN. FT.	20.0	\$50.00		\$0.00
2504.608	WATERMAIN FITTINGS	LBS.	350.0	\$3.00		\$0.00
2575.505	SODDING TYPE LAWN	SQ. YD.	45.0	\$20.00		\$0.00

FINAL TOTAL: **\$53,434.00**

CHANGE ORDER

Order No. 1

Date: 10/18/07

NAME OF PROJECT/PROJECT NO: Mountain Iron Drive Storm Drainage Improvements / MI05-17
OWNER: City of Mountain Iron
CONTRACTOR: Hibbing Excavating, Inc.
3402 15th Avenue East, Hibbing, MN 55746
ENGINEER: Benchmark Engineering, Inc.

Reason for Change Order:


A final compensating change order is required to set the contract amount equal to the final project cost. The reduction in cost is due to the facts that add alternate #1 was not completed with this project and other minor final quantity adjustments.

The following changes are hereby made to the CONTRACT DOCUMENTS:

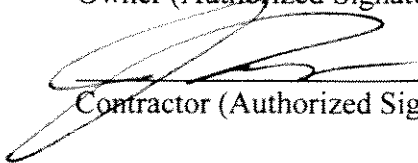
A total of **\$8,588.00** is reduced from the final contract amount.

Change to CONTRACT PRICE:

Original CONTRACT PRICE	\$ <u>62,022.00</u>
Current CONTRACT PRICE adjusted by previous CHANGE ORDERS	\$ <u>0.00</u>
The CONTRACT PRICE due to this CHANGE ORDER will be <u>decreased</u> by:	\$ <u>(8,588.00)</u>
The new CONTRACT PRICE including this CHANGE ORDER will be:	\$ <u>53,434.00</u>

Recommended by:  10-18-2007
Engineer (Authorized Signature) Date:

Approved by: _____
Owner (Authorized Signature) Date:

Accepted by:  10-22-07
Contractor (Authorized Signature) Date:

COUNCIL LETTER 110507-IVF1

FIRE DEPARTMENT

FIRE PREVENTION WEEK

DATE: October 31, 2007

FROM: Tom Cvar
Fire Chief

Craig J. Wainio
City Administrator

The Mountain Iron Fire Department is seeking up to \$1,500 from the charitable gambling fund to purchase supplies for National Fire Prevention Week.

COUNCIL LETTER 110507-VIA

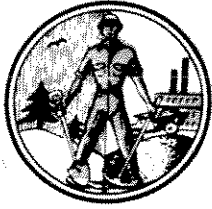
ADMINISTRATION

RESOLUTION 49-07

DATE: October 31, 2007
FROM: Craig J. Wainio
City Administrator

Resolution Number 49-07 is approving a Premise Permit for CLIMB Theatre, Inc. at the Sawmill Saloon and Restaurant. The City Council is required to approve all permits which are then sent to the State of Minnesota for final approval.

It is recommended that the City Council approve Resolution Number 36-05 Charitable Gambling.



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 49-07

CHARITABLE GAMBLING

WHEREAS, Climb, has applied for a Charitable Gambling Operation Permit to conduct Charitable Gaming at Sawmill Saloon located at 5478 Mountain Iron Drive, Mountain Iron, MN 55792, and;

WHEREAS, Climb, is requesting that a Charitable Gambling Permit be issued.

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

DULY ADOPTED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2007.

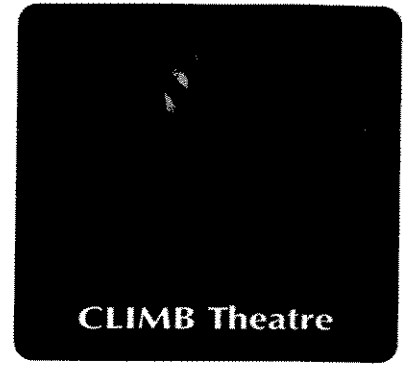
Mayor Gary Skalko

ATTEST:

City Administrator

October 19, 2007

City of Mountain Iron
8586 Enterprise Drive S.
Mountain Iron, MN 55768



Dear City Council Members,

I am requesting a resolution from the City of Mountain Iron to continue our Charitable Gaming at Sawmill, 5478 Mountain Iron Dr., Mountain Iron, MN 55768. We are in the process of renewing our 2-year Gaming license with the State, so I have enclosed a copy of the signed lease. Please add us to the agenda for your next Council meeting.

When Climb's request is approved, please include the address in the resolution, as it is required by the State, and please mail it to me at the enclosed address.

Please call with any questions. Thank you very much.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Gluesing".

Laurie Gluesing
Gambling Manager, ext. 11

CLIMB Theatre, Inc.
6415 Carmen Avenue East
Inver Grove Heights, MN 55076

phone 651-453-9275
toll-free 1-800-767-9660
fax 651-453-9274
web www.climb.org
e-mail mail@climb.org

Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity

Check applicable item:

1. Lease for new application. Submit with new premises permit application.

2. Renewed lease. Submit with premises permit renewal.

3. New owner. Effective date ____/____/____. Submit new or amended lease within 10 days after new lessor assumes ownership.

4. Amended lease

- Check the change(s) in the lease: Rent ____ Premises name ____ Booth/bar ____ Activity change ____ Other ____
- Date that changes will be effective ____/____/____
- Both parties must initial and date all changes.
- Submit changes at least 10 days before the effective date of the change.

Organization name CLIMB		License number 02002-078		Daytime phone 651-453-9275	
Name of leased premises SAWMILL SALON & REST	Street address 5418 MOUNTAIN IRON RD	City MTN IRON	State MN	Zip 55768	Daytime phone 218-741-9015
Name of legal owner of premises James Moehlenbrock	Business/street address 5608 Falcon Ave	City MTN IRON	State MN	Zip 55768	Daytime phone 218-741-9015
Name of lessor (if same as legal owner, write in "SAME") Jay Ryan Ent. Inc	Business/street address 8313 13th St. S.	City Virginia	State MN	Zip 55768	Daytime phone 218-741-8681

Check all activities that will be conducted

Pull-tabs Pull-tabs with dispensing device Tipboards Paddlewheel Paddlewheel with table Bingo Bar bingo

Pull-tab, Tipboard, and Paddlewheel Rent (No lease required for raffles.)

Booth operation - sales of gambling equipment by an employee (or volunteer) of a licensed organization within a separate enclosure that is distinct from areas where food and beverages are sold.

Bar operation - sales of gambling equipment within a leased premises by an employee of the lessor from a common area where food and beverages are also sold.

Does your organization OR any other organization conduct gambling from a booth operation at this location? Yes No

- If you answered **yes** to the question above, rent limits are based on the following combinations of operation:
- Booth operation
 - Booth operation and pull-tab dispensing device
 - Booth operation and bar operation
 - Booth operation, bar operation, and pull-tab dispensing device

The maximum rent allowed may not exceed \$1,750 in total per month for all organizations at this premises.

COMPLETE ONE OPTION:

- Option A:** 0 to 10% of the gross profits per month. Percentage to be paid _____%
- Option B:** When gross profits are \$4,000 or less per month, \$0 to \$400 per month may be paid. Amount to be paid \$_____.
- Option C:** \$0 to \$400 per month on the first \$4,000 of gross profit. Amount to be paid \$_____. Plus, 0% to 10% of the gross profits may be paid per month on gross profits over \$4,000. Percentage to be paid _____%

- If you answered **no** to the question above, rent limits are based on the following combinations of operation:
- Bar operation
 - Bar operation with pull-tab dispensing device
 - Pull-tab dispensing device only

The maximum rent allowed may not exceed \$2,500 in total per month for all organizations at this premises.

COMPLETE ONE OPTION:

- Option A:** 0 to 20% of the gross profits per month. Percentage to be paid _____%
- Option B:** When gross profits are \$1,000 or less per month, \$0 to \$200 per month may be paid. Amount to be paid \$_____.
- Option C:** \$0 to \$200 per month on the first \$1,000 of gross profits. Amount to be paid \$ 200. Plus, 0% to 20% of the gross profits may be paid per month on gross profits over \$1,000. Percentage to be paid 20 %

Bingo Rent

Option D: 0 to 10% of the gross profits per month from all lawful gambling activities held during bingo occasions, excluding bar bingo. Percentage to be paid _____%

Option E: A rate based on a cost per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. No rent may be paid for bar bingo. Rate to be paid \$_____ per square foot. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.

Bar Bingo Rent

Option F: No rent may be paid for bingo conducted in a bar.

New Bingo Activity

For any new bingo activity not previously included in a Premises Permit Application, attach a separate sheet of paper listing the days and hours that bingo will be conducted.

LG215 Lease for Lawful Gambling Activity

Lease Term

The term of this lease agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management of Gambling Prohibited

The owner of the premises or the lessor will not manage the conduct of gambling at the premises.

Participation as Players Prohibited

The lessor, the lessor's immediate family, and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises.

Illegal Gambling

- The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3.

In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises and that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes 349.18, Subdivision 1(a).

- To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes 609.75.
- Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H or Minnesota Statutes 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.
- The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions

- The lessor will not impose restrictions on the organization with respect to providers (distributors) of gambling-related equipment and services or in the use of net profits for lawful purposes.
- The lessor, any person residing in the same household as the lessor, the lessor's immediate family, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Gambling Control Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to permitted premises

The Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel have access to the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the permitted premises during any time reasonable and when necessary for the conduct of lawful gambling on the premises.

Lessor records

The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent all-inclusive

Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to trash removal, janitorial and cleaning services, snow removal, lawn services, electricity, heat, security, security monitoring, storage, other utilities or services, and in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Gambling Control Board. Rent payments may not be made to an individual.

Changes in lease

If the lease is amended with no change in ownership, the organization will submit the amended lease to the Board at least 10 days before the effective date of the change. If a change in ownership occurs, the organization will submit an amended lease to the Board within 10 days after the new lessor has assumed ownership.

Acknowledgment of Lease Terms I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are **subject to the approval of the director of the Gambling Control Board.**

Other terms _____

Signature of lessor

Print name and title of lessor

Jay Ryan Moellenbrock

Date

10/16/07

Signature of organization official (lessee)

Print name and title of lessee

PEG WETZL, CEO

Lessee's business address

6415 Carmen Ave, Inver Grove Hts 55076

Questions? Contact the Licensing Section, Gambling Control Board, at 651-639-4000. This publication will be made available in alternative format (i.e. large print, Braille) upon request. The information requested on this form will become public information when received by the Board, and used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

COUNCIL LETTER 110507-VIB

ADMINISTRATION

RESOLUTION 50-07

DATE: October 31, 2007
FROM: Craig J. Wainio
City Administrator

Resolution Number 50-05 is approving a Premise Permit for American Legion to conduct Bingo at the Mountain Iron Senior Citizens Center. The City Council is required to approve all permits which are then sent to the State of Minnesota for final approval.

It is recommended that the City Council approve Resolution Number 50-05 Charitable Gambling.



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 50-07

CHARITABLE GAMBLING

WHEREAS, American Legion Post 220, has applied for a Charitable Gambling Operation Permit to conduct Charitable Gaming at the Mountain Iron Senior Citizens Center, and;

WHEREAS, American Legion Post 220, is requesting that a Charitable Gambling Permit be issued.

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

DULY ADOPTED BY THE CITY COUNCIL THIS 5th DAY OF NOVEMBER, 2007.

ATTEST:

Mayor Gary Skalko

City Administrator

**Minnesota Lawful Gambling
LG215 Lease for Lawful Gambling Activity**

Check applicable item:

1. Lease for new application. Submit with new premises permit application.

2. Renewed lease. Submit with premises permit renewal.

3. New owner. Submit new or amended lease within 10 days after new lessor assumes ownership. Date effective ___/___/___

4. Amended lease

- Check the change(s) in the lease: ___ Rent ___ Premises name ___ Booth/bar ___ Activity change ___ Other
- Date that changes will be effective ___/___/___
- Both parties must initial and date all changes.
- Submit changes at least 10 days prior to the change.

Organization name AMERICAN Legion Post 220	License number A-00751	Daytime phone 218 735-8514
Name of leased premises Senior center 8876 Main st.	Street address Mountain Iron MN	City State Zip Daytime phone 55768 218 748-7570
Name of legal owner of premises City Mountain Iron 8586 Enterprise south	Business/street address Mountain	City State Zip Daytime phone 218 748-7570
Name of lessor (if same as legal owner, write in "SAME") SAME	Business/street address	City State Zip Daytime phone

Check all activities that will be conducted:

Pull-tabs Pull-tabs with dispensing device Tipboards Paddlewheel Paddlewheel with table Bingo Bar bingo

Pull-tab, Tipboard, and Paddlewheel Rent (No lease required for raffles.)

Booth operation - sales of gambling equipment by an employee (or volunteer) of a licensed organization within a separate enclosure that is distinct from areas where food and beverages are sold.

Bar operation - sales of gambling equipment within a leased premises by an employee of the lessor from a common area where food and beverages are also sold.

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If you answered **yes** to the question above, rent limits are based on the following combinations of operation:

- Booth operation
- Booth operation and pull-tab dispensing device
- Booth operation and bar operation
- Booth operation, bar operation, and pull-tab dispensing device

The maximum rent allowed may not exceed \$1,750 in total per month for all organizations at this premises.

Complete one option:

Option A: 0 to 10% of the gross profits per month. Percentage to be paid _____%

Option B: When gross profits are \$4,000 or less per month, \$0 to \$400 per month may be paid. Amount to be paid \$_____.

Option C: \$0 to \$400 per month may be paid on the first \$4,000 of gross profit. Amount to be paid \$_____. Plus 0% to 10% of the gross profits may be paid per month on gross profits over \$4,000. Percentage to be paid _____%

If you answered **no** to the question above, rent limits are based on the following combinations of operation:

- Bar operation
- Bar operation with pull-tab dispensing device
- Pull-tab dispensing device only

The maximum rent allowed may not exceed \$2,500 in total per month for all organizations at this premises.

Complete one option:

Option A: 0 to 20% of the gross profits per month. Percentage to be paid _____%

Option B: When gross profits are \$1,000 or less per month, \$0 to \$200 per month may be paid. Amount to be paid ~~\$40~~ **\$40**

Option C: \$0 to \$200 per month may be paid on the first \$1,000 of gross profits. Amount to be paid \$_____. Plus 0% to 20% of the gross profits may be paid per month on gross profits over \$1,000. Percentage to be paid _____%

Bingo Rent

Option D: 0 to 10% of the gross profits per month from all lawful gambling activities held during bingo occasions, excluding bar bingo. Percentage to be paid _____%

Option E: A rate based on a cost per square foot not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. No rent may be paid for bar bingo. Rate to be paid \$_____ per square foot. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor. **we pay 10 a week**

Bar Bingo Rent

Option F: No rent may be paid for bingo conducted in a bar.

New Bingo Activity

For any new bingo activity not previously included in a Premises Permit Application, attach a separate sheet of paper listing the days and hours that bingo will be conducted.

LG215 Lease for Lawful Gambling Activity

Lease Term - The term of this lease agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management of Gambling Prohibited - The owner of the premises or the lessor will not manage the conduct of gambling at the premises.

Participation as Players Prohibited - The lessor, the lessor's immediate family, and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises.

Illegal Gambling

- The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7861.0050, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises and that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without the payment of rent during the time period determined by the Board for violations of this provision.
- To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7861.0050, Subpart 3.
- Notwithstanding Minnesota Rules 7861.0050, Subpart 3, an organization must continue making rent payments, pursuant to the terms of the lease, if the organization or its agents are found to be solely responsible for any illegal gambling conducted at that site that is prohibited by Minnesota Rules 7861.0050, Subpart 1, or Minnesota Statutes 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.
- The lessor shall not modify or terminate the lease in whole or in part because the organization reported to a state or local law enforcement authority or the Board the occurrence at the site of illegal gambling activity in which the organization did not participate.

Other Prohibitions

- The lessor will not impose restrictions on the organization with respect to providers (distributors) of gambling-related equipment and services or in the use of net profits for lawful purposes.
- The lessor, person residing in the same household as the lessor, the lessor's immediate family, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. If there is a dispute as to whether a violation of this provision occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Gambling Control Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.
- The lessor shall not modify or terminate this lease in whole or in part due to the lessor's violation of the provisions listed in this lease.

Access to permitted premises - The Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel have access to the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the permitted premises during any time reasonable and when necessary for the conduct of lawful gambling on the premises.

Lessor records - The lessor shall maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record shall be maintained for a period of 3-1/2 years.

Rent all-inclusive - Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to trash removal, janitorial and cleaning services, snow removal, lawn services, electricity, heat, security, security monitoring, storage, other utilities or services, and in the case of bar operations, cash shortages. Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Gambling Control Board. Rent payments may not be made to an individual.

Acknowledgment of Lease Terms All obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board. I affirm that the lease information is the total and only agreement between the lessor and the organization. There is no other agreement and no other consideration required between the parties as to the lawful gambling and other matters related to the lease. Any changes in this lease will be submitted to the Gambling Control Board at least 10 days prior to the effective date of the change. If a renegotiated lease is made due to a change in ownership, the new lease will be submitted within 10 days after the new lessor has assumed ownership.

List or attach other terms or conditions (must be approved by director of Gambling Control Board)

Signature of lessor _____ Date _____ Signature of organization official (lessee) *Barry D. Robie* Date *13 Oct 07*

Print name and title of lessor _____ Print name and title of lessee *Barry D. Robie Gambling Manager*

Questions on this form should be directed to the Licensing Section of the Gambling Control Board (Board) at 651-639-4000. This publication will be made available in alternative format (i.e. large print, Braille) upon request. If you use a TTY, you can call the Board by using the Minnesota Relay Service and ask to place a call to 651-639-4000. The information requested on this form will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

COUNCIL LETTER 110507-VIC

ADMINISTRATION

BUILDING USE POLICY

DATE: October 31, 2007
FROM: Craig J. Wainio
City Administrator

Based upon previous City Council action, Staff has been diligently reviewing and updating the City's Building Use Policy. Enclosed, please find the new and improved proposed Building Use Policy. Please review the proposed policy.

Staff recommends that the City Council adopt the proposed building use policy.

SYNOPSIS OF ITEMS CHANGED IN THE BUILDING RENTAL POLICY
October 2007

1. Included library club room as usable building.
2. No wholesale or retail enterprises or home-based businesses allowed for revenue generating.
3. No sub-contracting of building.
4. Rummage – flea - used - second hand sales only at Nichols Townhall.
5. The above sales are one per year – per applicant.
6. Take reservations up to 18 months.
7. Must be 21 years of age or older to use buildings.
8. Applicant is responsible for people (ie. caterers etc.) in & out of building.
9. Candles in drip proof containers.
10. City not responsible for losses/problems beyond our control.
11. Security deposit (instead of damage deposit) will be returned within 2-3 weeks.
12. Gave better definition of liquor rules and Council approval when needed.
13. Application procedure within one week of first contact.
14. Application due one month prior to event unless there is unforeseen circumstances ie. funeral.
15. Permission by City Council for sale of liquor – one month in advance.
16. Security deposit and fees required at time of application.
17. Three days rental required for weddings.
18. Cancellation made within two weeks or deposit will be forfeited.
19. New fees schedule – all fee doubled. See chart.
20. New security deposit – doubled. See chart.
21. Application form was revised as needed.
22. Will send out letters to all applicants informing them of new policy & new rates that will be due by a certain date. (See letter).

FACTS FOR THE FEE SCHEDULE

For Profit Businesses:

1. NO for profit businesses including wholesale, retail, home-based, etc. can sell out of any building.
2. They can have meetings and parties according to the fee schedule for profit businesses.
- 3.

Non- Profit Organizations or Fundraisers:

1. Allowed in any building per fee schedule.
2. Advertising must state a “fundraiser for –“
3. Must have Council authorization to waive the fees, the deposit can not be waived.
- 4.

Nichols Town Hall Building:

1. Rummage Sale, Bake Sale, and Used Goods Sale or other revenue generating sale may be done only once per year, per applicant.
2. Tupperware, Scrape Booking and other such “home parties” are allowed by the applicant but not by the dealer.
3. NO subcontracting of the building or rental space for profit is allowed.
4. Charges for “sales” will be charged per day (setup of rummage sales included).
5. Local residents can not rent for other non-residents/organizations to get a lesser rate.
6. No For-profit businesses can rent this building.
- 7.

POLICY ESTABLISHING GUIDELINES, FEE SCHEDULES, SECURITY DEPOSIT, & BUILDING USAGE PARAMETERS FOR CITY OF MOUNTAIN IRON RENTAL BUILDINGS

PURPOSE

The Mountain Iron Community Center, Senior Center, Library Club Room and Nichols Town Hall (hereafter referred to as City of Mountain Iron Rental Buildings) were all designed, constructed and financed principally with public funds to serve as multi-purpose activity centers for the general public. Since public funds made these facilities possible, the public is encouraged to use the City of Mountain Iron Rental Buildings. The following guidelines are official City Policy designed to promote orderly and harmonious use of these public facilities.

USAGE

The City of Mountain Iron Rental Buildings are available for public meeting purposes such as, but not limited to, municipally orientated groups such as City Councils, Boards/Commissions, Council sponsored committee/focus groups, or other municipal related activities. The City of Mountain Iron City Council, Boards and Commissions and City Events shall have first priority in using the City of Mountain Iron Rental Buildings. The City of Mountain Iron Rental Buildings will also be available for other public and private meetings across the broad spectrum of civic related activities including but not inclusive of, religious, service, social, fraternal, or other non-profit organizations whose membership provide service and support to the community at large. Additionally, the City of Mountain Iron Rental Buildings will be available for private parties, weddings, reunions, chamber business meetings, and certain other non-profit enterprises like benefits, banquets, fund raisers, sports shows, home shows, festivals, dances, etc. providing these functions do not interfere with City business. NO rummage sales, flea markets, "used goods" or "second hand" sales are allowed at the Community Center, Senior Center or Library Club Room. NO sub-contracting of any rented area of the building or renting space FOR PROFIT is allowed. NO Wholesale or Retail Enterprises or "Home-Based" Businesses are allowed to use the buildings for profit. The Nichols Town Hall is the only City building allowing sales for personal profit. Applicants are allowed to use the Nichols Town Hall only once during the year for profit. Use of the lobby area in the Community Center must be approved by City Staff and should be limited so as not to disturb City operations during business hours. Inquire at the office for specific details.

AVAILABILITY

The City of Mountain Iron Rental Buildings have been constructed to be multi use. Portions of, or the entire facility are generally available Sunday through Saturday from 7:30 a.m. until 12:00 a.m., Cleanup is allowed until 1:00 a.m. Permission may be granted by the City Administrator's Office for variation from this schedule. Reservations may be made up to 18 months in advance of the event.

RULES AND REGULATIONS

Any group or organization using the City of Mountain Iron Rental Buildings for the purpose of convening a public meeting must conform to the Open Meeting Law requirements pursuant to State of Minnesota Statutes. No group or individual(s) shall be discriminated against with respect to use of City of Mountain Iron Rental Buildings because of race, color, religion, sex, national origin, physical condition, or age; providing however, that in some cases residents of the City of Mountain Iron shall be given preference. The City of Mountain Iron reserves the right to refuse rental to any person or group. The facilities are available to any individual at the age of 21 or older at the time of the application.

The City of Mountain Iron assumes no liability for loss, theft, damage, injury or illness incurred by the users of the City of Mountain Iron Rental Buildings. Pursuant to the Minnesota Clean Indoor Air Act smoking is prohibited in any City of Mountain Iron building.

While use of decorations is allowed, use of tacks, nails, or staples for hanging any decoration is not allowed on any wall surface. Masking tape is the only acceptable means of securing decorations. Use of "scotch tape" is prohibited, along with other sticky substances that would mar or mark the surface. Decorations of any kind are prohibited from hanging from the ceiling or lights of the facility.

The applicant is responsible for providing access to decorators, caterers, musicians, or delivery people into the building. During business hours, these people must inform the City Administrator's office prior to any work being done in the building so they will understand the rules concerning City buildings usage. After business hours, the City is not responsible if these people are still in the building.

Candles must be contained in a drip-proof holder so the wax will not be able to fall onto the tables, chairs or floor.

The use of ladders, of any kind, is prohibited inside or outside of City buildings unless approved by the City Administrator. A copy of the Certificate of Insurance must be provided listing the City as additionally insured according to the Subcontractors Insurance Policy. The Subcontractors Policy will be provided upon request.

The City of Mountain Iron will not be responsible for any losses/problems due to unforeseen equipment failure or power outages that occur when the building is rented.

Any individual, group or organization shall utilize City supplied cleaning supplies and be responsible for cleanup and closure activities including:

- Applicants of the Community Center are to provide a diagram and discuss set-up requirements at least one week prior to the event. The other City rental buildings have standard set-ups that can be changed by the applicant, but must be returned to the standard position after use. The City requires that City Staff perform the set-up and take down of tables and chairs at the Community Center. The City will return them to the storage area.
- Outside entrance doors **MUST BE KEPT CLOSED** so the heating & cooling system will work properly and insects are kept out of the building. Failure to do so may result in forfeiture of your deposit.
- Interior doors to the rental rooms are to remain closed during business hours.
- Loading and unloading is to be done at the Main Entrance only. Caterer's may use the kitchen entrance but can not leave the door open. The Sheriff's entrance can not be used, per Sheriff's orders.
- The kitchen area must be cleaned thoroughly. Hot water, soap and cloths are provided to do a good job. Clean sinks, stoves, refrigerators and counter tops. Remove all personal items, including leftovers, before leaving.
- Sweeping of areas used is required. Mopping is not required and will be done by the City staff.
- Washing, with provided cleaning solution, all tables and any chairs that have spillage of any kind-on them.
- Wash and store all dishes, cups, glasses, silverware and cooking equipment in their appropriate place.
- Remove all decorations and dispose of all garbage in the dumpster located outside, near the building. All decoration, including contractor items, must be removed when you leave the building unless prior arrangements have been made with the City Administrator.
- Building users are required to empty all trash receptacles and place all bagged trash into the black dumpster located outside of the building.
- Driving on the patio or lawn at the Community Center is strictly prohibited.
- Use of building equipment (chairs, tables, etc.) off of City property is strictly prohibited. NO tables or chairs are allowed outside of the building.
- Close all windows that have been opened.

- Double check to see that all lights, ovens, and stoves are turned off and that all doors are locked.
- Return keys to the Administrator's Office located at the Mountain Iron City Hall during normal business hours or keys may be placed in the City's utility bill payment boxes.
- Report, repair, or replace any damage of facilities or loss of equipment within 24 hours of activity.
- All applicants using the Community Center kitchen must meet with the City's maintenance person prior to kitchen use.

A complete inspection of the City of Mountain Iron Rental Buildings will be done the next day or as soon as possible to determine if everything is in order. Any damage or repairs needed over and above the security deposit will be charged to the applicant at the actual cost of the repair. If everything is in its place and no damage occurred, your security deposit will be returned AFTER THE CITY COUNCIL HAS APPROVED THE REIMBURSEMENT usually within two or three weeks.

LIQUOR AND INSURANCE

Pursuant to Minnesota Liquor Law Statutes, use of alcoholic beverages is permitted under certain circumstances, providing all licenses, insurance and indemnification clauses are provided for by the user. Those seeking the use of intoxicating beverages are required to contact the City Administrator's Office at least one month prior to the event.

The City of Mountain Iron reserves the right to require the use of security, at the expense of the applicant, at any event where alcohol is served or at any event where the City Administrator feels it is appropriate.

The holder of a retail on-sale intoxicating liquor license may dispense intoxicating liquor at a social affair held in the City buildings ONLY with the City Council's permission. The applicant and license holder must request permission at least one month prior to the social affair scheduled and the license holder must provide the City Administrator's office with a copy of their liquor license and appropriate insurance.

Proof of liability insurance will be required for any event serving alcoholic beverages. A current copy of the applicant's Homeowners Policy or Rental Policy must be provided to the City at least two weeks prior to the event. A minimum amount of \$100,000.00 in general liability insurance is required.

NO proof of liability insurance is required if you DO NOT sell or serve any alcohol.

If holding a class reunion, or other group events, a general liability insurance policy of \$300,000.00 must be obtained.

The City of Mountain Iron reserves the right to require a City approved overseer; to oversee any event within a facility covered by this policy at the applicant's expense.

The City Administrator is authorized by the City Council to schedule and control the use of the City of Mountain Iron Rental Buildings in accordance with this policy, including rental charges to help defray operational expenses for non-governmental use at any time.

Any overtime required/incurred for a non-city related problem will be billed to the applicant at the actual cost.

The City of Mountain Iron shall deny the use of any of the facilities to any individual, group or organization that is not current with any payments due the City of Mountain Iron, including utility payments.

Failure to comply with guidelines or rules established by the City Council regulating the use of public facilities would be cause for the forfeiture of future use privileges.

APPLICATION PROCEDURE

1. Use of the City of Mountain Iron Rental Buildings will be handled so far as possible on a first come, first serve basis with preference given to City of Mountain Iron government entities.
2. Informal reservations will be accepted by telephone or email. In order to complete and guarantee the reservation, a completed application for use of a building must be received and the security deposit and fees paid within ONE WEEK of making the informal reservation. If a written application is not received, the reservation will be cancelled.
3. Application forms may be obtained from the Administrator's office staff during normal office hours, printed from the City's website – www.mtniron.com or be mailed to the applicant upon request.
4. The Applicants signing the hold harmless agreement is responsible for the building. Resident may not apply for a non-resident for the benefit of a lower rental rate. The applicant must be a part of the event being held.
5. Application blanks shall be fully completed by the requesting individual or organization and returned to the Administrator's office at least ONE MONTH **prior** to the scheduled use with the exception of unforeseen circumstances (i.e funerals etc.). Those seeking the use of intoxicating beverages are required to contact the City Administrator's Office at least ONE MONTH prior to the event.
6. The purpose of the sponsoring organization's, group's or individual's program shall be accurately described when a reservation is requested. Any advertising or publicity shall clearly state the purpose of the program. Non-profit organizations must provide their tax ID number on the application.
7. The applicant must contact the Administrator's office staff, to arrange entrance into the facility (pickup the key), during normal business hours the day of the reservation or by 2:00 P.M. on Friday if the use is on a Saturday or Sunday.
8. The City of Mountain Iron Rental Building policy for the Community Center requires a three day rental for wedding receptions to allow for set-up the day before and clean-up the day after the event.

The Administrator's Office Staff will advise the requesting applicant of the status of their application request as soon as possible by sending them an approved/not approved copy of the application.

A security deposit fee and current fees are required at the time of application by the applicant. The security deposit will be returned to the applicant only. All fees must be paid during regular business hours to the City Administrator's office staff, City Hall, Mountain Iron, Minnesota. Unless there are extenuating circumstances, decided by the City Administrator, cancellation must be made two weeks in advance of the event or your security deposit will be forfeited.

The security deposit will be held by the City and returned upon satisfactory inspection of the premises and inventory checklist. The security deposit covers any physical, structural, or other related damages to the facility itself; it does not cover theft of equipment (i.e. tables, chairs, kitchen inventory, memorabilia, etc.). The City of Mountain Iron does retain the right to file a claim beyond the security deposit in order to recover or replace these items.

FEE SCHEDULES

SENIOR CENTER					
	Resident No-Kitchen	Resident Kitchen	Non-Resident No-Kitchen	Non-Resident Kitchen	Security Deposit
Individuals/Groups	\$25.00	\$50.00	\$50.00	\$100.00	\$100.00
Non-Profit Organizations or Fundraiser	\$20.00	\$50.00	\$50.00	\$100.00	\$100.00
For-Profit Businesses	\$50.00	\$100.00	\$100.00	\$200.00	\$100.00
NICHOLS TOWN HALL					
	XXXXX	Resident Kitchen	XXXXX	Non-Resident Kitchen	Security Deposit
Individuals/Groups Non-revenue Generating	XXXXX	\$25.00	XXXXX	\$ 70.00	\$100.00
Individual/Group Revenue Generating	XXXXX	\$70.00	XXXXX	\$120.00	\$100.00
Non-Profit Organizations or Fundraiser	XXXXX	\$40.00	XXXXX	\$ 70.00	\$100.00
For-Profit Businesses	XXXXX	\$70.00	XXXXX	\$120.00	\$100.00
COMMUNITY CENTER WACOOTAH or IROQUOIS ROOM					
	Resident No-Kitchen	Resident Kitchen	Non-Resident No-Kitchen	Non-Resident Kitchen	Security Deposit
Individuals/Groups	\$25.00	\$50.00	\$50.00	\$100.00	\$200.00
Non-Profit Organizations or Fundraiser	\$20.00	\$50.00	\$50.00	\$100.00	\$200.00
For-Profit Businesses	\$50.00	\$100.00	\$100.00	\$200.00	\$200.00
COMMUNITY CENTER WACOOTAH & IROQUOIS (BOTH ROOMS)					
	Resident No-Kitchen	Resident Kitchen	Non-Resident No-Kitchen	Non-Resident Kitchen	Security Deposit
Individuals/Groups	\$50.00	\$100.00	\$100.00	\$200.00	\$200.00
Non-Profit Organizations or Fundraiser	\$50.00	\$100.00	\$100.00	\$200.00	\$200.00
For-Profit Businesses	\$150.00	\$250.00	\$250.00	\$300.00	\$200.00
COMMUNITY CENTER MOUNTAIN ROOM (C. C. CHAMBERS) OR MESABI ROOM					
	Resident	XXXXX	Non-Resident	XXXXX	Security Deposit
Individuals/Groups	\$25.00	XXXXX	\$50.00	XXXXX	\$200.00
Non-Profit Organizations or Fundraiser	\$20.00	XXXXX	\$50.00	XXXXX	\$200.00
For-Profit Businesses	\$50.00	XXXXX	\$100.00	XXXXX	\$200.00
LIBRARY CLUB ROOM					
	Resident	XXXXX	Non-Resident	XXXXX	Security Deposit
Individuals/Groups	\$10.00	XXXXX	\$25.00	XXXXX	\$100.00
Non-Profit Organizations or Fundraiser	\$10.00	XXXXX	\$25.00	XXXXX	\$100.00
For-Profit Businesses	\$25.00	XXXXX	\$50.00	XXXXX	\$100.00

APPLICATION

*Organizations desiring to use the City of Mountain Rental Building facilities must complete an application and submit it to the City Administrator's Office along with the security deposit and fees. **This application shall be submitted at least one month prior to the date for which reservation is requested with the exception of unforeseen circumstances.** Those seeking the use of intoxicating beverages are required to contact the City Administrator's Office at least one month prior to the event. The Administrator's Office staff will advise the requesting applicant of the status of their application request as soon as possible.*

Name of Applicant:			
(Responsible for Bldg.)			
Contact Person:			
(if different than applicant:)			
Mailing Address:			
City/ST/Zip Code			
Phone Number(s); Home, Work, or Cell			
Resident/Non-resident: (Circle One:)	Yes	No	
Facility : (Circle One)	Community Center	Library Club Room	Nichols Town Hall Senior Center
Community Center Room(s): (Circle One)	Wacootah Room	Iroquois Room	Wacootah & Iroquois Rooms Mountain Iron Room Mesabi Room
Purpose of Event: (Be Specific)			
Non-profit: (Circle One)	Yes	No	
Tax ID Number:			
Fundraiser: (Circle One)	Yes	No	
Deposit Amount & Fees:	Deposit:	Fee(s):	Date Paid:
Day & Date(s) of Use:			

APPLICATION – PAGE 2

Hours of Use: Be Specific – (Set-up & Clean-up)	
Kitchen Use: (Circle One)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Estimate Number In Attendance:	
Number of tables/chairs needed:	Rectangle Table <input type="checkbox"/> Round Table <input type="checkbox"/> Chairs <input type="checkbox"/>
For Community Center Set-up:	Complete attached diagram and return ASAP
Name of Caterer:	
License Provided:	
Name of Professional Decorator:	
Insurance Provided:	
Name of Music Provider	
Will Intoxicating Beverages Be Used?	(Circle One) Serving <input type="checkbox"/> or Selling <input type="checkbox"/>
Proof of Applicants Liability Insurance: (If serving liquor)	Attach Copy of Policy
Name of Business Provider for Liquor:	
Proof of Liquor License Permit of Business:	Attach Copy
City Council Approval of Selling Liquor:	Date:

HOLD HARMLESS AGREEMENT

I understand that my use of the City of Mountain Iron Rental Buildings is voluntary and that I am using it for my benefit only. I agree that my use of the City of Mountain Iron Rental Buildings is undertaken at my own risk and that the City of Mountain will not be liable for any claims, injuries, damages of whatever nature incurred by me or members of my organization due to the negligence of members of my organization, or the negligence of third parties. On behalf of myself and the organization that I represent, I expressly forever release and discharge the City, its agents or employees, from any such claims, injuries, or damages. I also agree to defend, indemnify and hold harmless the City from any claims, injuries, or damages of whatever nature arising out of or connected with my use of the City of Mountain Iron Rental Buildings. I also agree to reimburse the City for any damage, breakage, maintenance, and theft of equipment beyond the security deposit figure if so warranted. I have read and understand the terms of the building policy.

APPLICANT'S SIGNATURE:	
Today's Date:	
Approved by City Administrator:	Date:
City Council Liquor Approval Date:	Date:
Confirmation Sent By & Date Mailed:	
DEPOSIT REFUND: CHECK NO. & DATE MAILED:	Date:

Please return this form to:
 City Administrator's Office
 City of Mountain Iron
 8586 Enterprise Drive South
 Mountain Iron MN 55768

FAX (218)748-7573
 Email: cwainio@ci.mountain-iron.mn.us
www.mtniron.com

**FOR THE MOUNTAIN IRON COMMUNITY
CENTER KITCHEN USE ONLY**

**ST. LOUIS COUNTY DEPARTMENT OF HEALTH
REGULATIONS FOR MOUNTAIN IRON COMMUNITY CENTER
KITCHEN USE**

1. Food served out of the community center kitchen must be **completely prepared** in the kitchen.
2. Only a **licensed caterer(s)** is allowed to serve food out of the kitchen that has been prepared off site.
3. The general public may not bring in prepared food **and** serve it out of the kitchen.
4. The general public **may** bring in prepared food and serve it in the Wacootah or Iroquois rooms, however, this food cannot be prepared or stored in the kitchen service area.
5. Off site prepared food (ie. casseroles, jello salads, vegetable salads, etc.) cannot be brought into the Kitchen area, stored in the refrigerator, or heated using the ovens. Cutting/serving bars, cake or desserts not prepared in the kitchen is not allowed in the kitchen. Mixing of beverages (ie. punch) is not allowed; however, pop may be stored in the refrigerator.
6. When using the services of a licensed caterer, the City of Mountain Iron shall be provided with a copy of their St. Louis County Department of Health or State of Minnesota catering permit.
7. The City of Mountain Iron will not be liable for any health related problems due to food served in this facility.

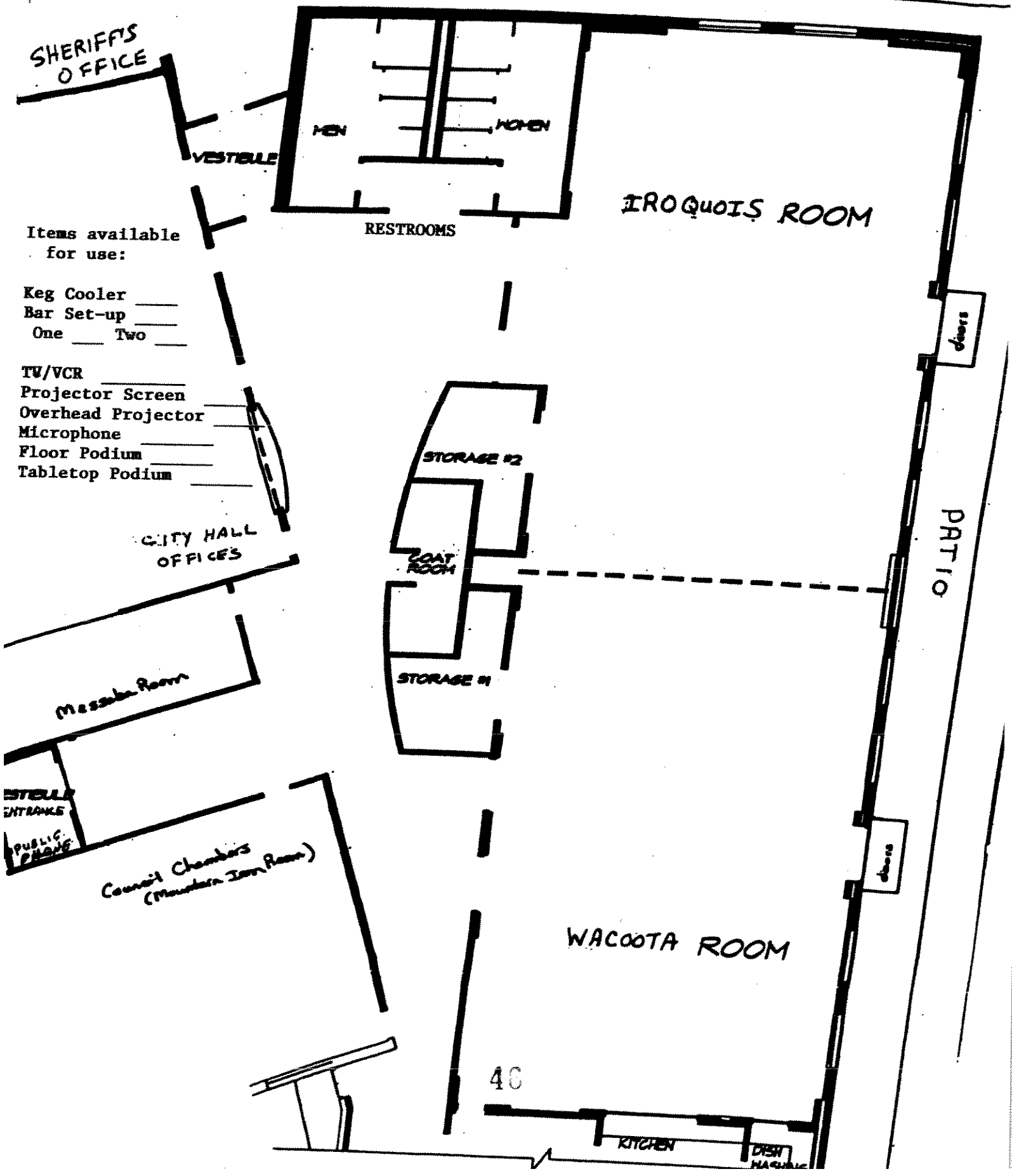
I hereby acknowledge the above restrictions.

Name and Date

(25) 60" round tables
(36) 8' rectangle tables

Diagram Table + Chairs Set-Up MOUNTAIN IRON COMMUNITY CENTER

Seating for 31



SHERIFFS OFFICE

VESTIBULE

MEN

WOMEN

RESTROOMS

IREQUOIS ROOM

Items available for use:

Keg Cooler _____
Bar Set-up _____
One _____ Two _____

TV/VCR _____
Projector Screen _____
Overhead Projector _____
Microphone _____
Floor Podium _____
Tabletop Podium _____

CITY HALL OFFICES

Mesaba Room

STELL ENTRANCE
PUBLIC PHONE

Council Chambers
(Mountain Iron Room)

STORAGE #2

COAT ROOM

STORAGE #1

WACOOKA ROOM

46

KITCHEN

DISH WASH

PATIO

steps

steps

COUNCIL LETTER 110507-VID

COUNCILOR ED ROSKOSKI

SEASONAL RESIDENT FEES

DATE: October 31, 2007
FROM: Councilor Ed Roskoski
Craig J. Wainio
City Administrator

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

Because of some concern out in the Community, the Director will review all fees/policies for residents who leave town for long periods of time and request that City services be put on hold during that time.

COUNCIL LETTER 110507-VIE

COUNCILOR ED ROSKOSKI

**SOUTH GROVE
NEIGHBORHOOD MEETING**

DATE: October 31, 2007

FROM: Councilor Ed Roskoski

Craig J. Wainio
City Administrator

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

We really should have a meeting with the South Grove residents to hear what they may have to say about connecting the Unity Addition area to South Grove with a street to the Garden Drive/Park Drive intersection area.

COUNCIL LETTER 110507-VIF

COUNCILOR ED ROSKOSKI

**WEST VIRGINIA/WEST GATE
NEIGHBORHOOD MEETING**

DATE: October 31, 2007

FROM: Councilor Ed Roskoski

Craig J. Wainio
City Administrator

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

We should have a meeting with the West Virginia/West Gate residents to get input into what they may want included with or what the proposed drainage project may look like.

COUNCIL LETTER 110507-VIG

COUNCILOR ED ROSKOSKI

**ADMINISTRATIVE NEGOTIATIONS
UPDATE AND STRATEGY**

DATE: October 31, 2007
FROM: Councilor Ed Roskoski
Craig J. Wainio
City Administrator

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

The Council should meet even if Mr. Russo is not available.

COMMUNICATIONS
NOVEMBER 5, 2007

1. Bakke Family, a thank you for the flowers for the funeral for Maggie Bakke.
2. Father John Doyle, a thank you for the two family swings recently installed at the Downtown Park.
3. Merritt Elementary PTA, a thank you for assisting with the installation of the two new tetherball games at Merritt Elementary and also for the use of the equipment to unload the new playground equipment.
4. League of Minnesota Cities, forwarding the 2008 draft legislative policies.

Gary Skalko, Joe Prebeg,
Ed Roskoski, Alan
Staraway & Tony Zupancich

Quiet like - some still day,
Going home, but not away.
Thank you for your kindness
at this time.

The family of

Maggie Bakke

Thanks for the
beautiful flowers -

Monday
10/22/07

Dear Mayor Boy,

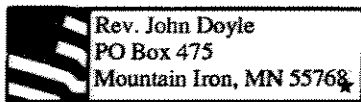
I took the enclosed pictures during the tree trimming "ceremony". Can you tell I am an amateur?

My primary reason in writing is to tell you that you put two new winness in the city park. On numerous occasions I have seen those "family" swings in use by young children as well as middle school children. There are usually three and four on a swing. They are having fun.

Thank you for your great leadership now in Mountain Iron. We are moving!

Much peace,

Father John



October 15, 2007

Dear Mayor and City Council Members:

This letter is to thank you for your in-kind service of the use of the auger truck and operator Craig Hultgren. We have successfully installed our 2 new tetherball games at Merritt Elementary and the students are enjoying them!

Also, thank you for the use of a skid steer and forks to unload our new playground equipment at Merritt. We would not be able to pay for these services ourselves and greatly appreciate your generosity!

We hope to attract new students and families to Merritt with our new playground equipment and provide a safe environment for our students and community children.

Thank you again.

Merritt Elementary PTA
Shari Christenson
President



MEMORANDUM

To: Administrators, Managers or Clerks (and) LMC Policy Committee Members
From: Jim Miller, Executive Director
Date: October 5, 2007
Re: 2008 Draft Legislative Policies

You and your city now have the opportunity to help shape and finalize the League's 2008 City Policies. Enclosed please find the *Draft 2008 League of Minnesota City Policies*, or view them on the League of Minnesota (LMC) website (www.lmc.org). This document includes the policies developed by more than 150 city officials participating in the League's four policy committees this summer.

The next steps in the policy development process will occur with the October meeting of the Board of Directors where the Board will receive and review, on a preliminary basis, the draft policies from the LMC's policy committees. The Board does not approve the policies until receiving input from the general membership. The Board will give final consideration to the draft policies at its November 29, 2007 Board meeting.

Please review the draft policies and share your comments with the Board of Directors by emailing comments to policycomments@lmc.org, or by directly contacting any member of the League's IGR staff with suggestions or questions. Each policy is followed by a set of initials indicating the staff member responsible for that policy. A directory of IGR staff is included in the front of the draft policy document and below.

Your feedback on these policy drafts is essential. For example, we have already received a letter from a member city raising concerns about modifications to the League's LGA reform policy, FF-4. The Fiscal Futures Committee streamlined and modified this standing policy by converting an existing list of specific formula concerns along with several newly identified concerns into a statement supporting LGA reform by generally acknowledging that numerous deficiencies exist with the existing system. The member suggested that the committee's revisions appeared to change our position on these previously identified formula deficiencies.

Based on the policy committee's discussions, LMC staff interpret the revised policy to continue to support modifications to the formula to address the points raised in the 2007 version of the policy as well as other deficiencies that have been recently identified. Staff will reflect the concerns raised in this letter in our summary of member comments to the Board of Directors and will recommend that the draft policy be modified to explicitly acknowledge identified formula deficiencies.

- OVER -

Administrators, Managers or Clerks (and) LMC Policy Committee Members
October 5, 2007
Page Two

If you have comments on any of the policies, please include your name, title, and city, as well as a reference to the appropriate policy number, in your E-mail message. To be considered by the Board of Directors, all comments are requested by November 19, 2007.

Thank you for taking the time to review the proposed *Draft 2008 League of Minnesota City Policies*.

If you have any questions about the draft policies or the process, please feel free to contact IGR Director Gary Carlson at gcarlson@lmc.org or call 651.281.1255.

League IGR staff information

Gary Carlson (GC) 651.281.1255 gcarlson@lmc.org
Anne Finn (AF) 651.281.1263 afinn@lmc.org
Ann Higgins (AH) 651.281.1257 ahiggins@lmc.org
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Laura Kushner (LK) 651.281.1203 lkushner@lmc.org