

CHISHOLM CITY COUNCIL  
REGULAR MEETING – AUGUST 11, 2015

CALL TO ORDER

Mayor Michael A. Jugovich called the City Council Meeting to order in the City Hall Council Chambers at 5:30 p.m.

ROLL CALL

Present: Council Members Campbell, Cook, Rahja, Kevin Scaia, and Mayor Jugovich

Absent: None

Also Present: Interim Administrator Susan Schweiss, City Attorney Bryan Lindsay, Building Official Steve Erickson, Consulting Engineer Jim Johnson, Emily Major of SEH, Police Chief Manner, Library Supervisor Christenson and Administrative Assistant Gornick

ADOPT THE AGENDA

Moved by Councilor Cook and supported by Councilor Rahja to adopt the Agenda with one deletion: 6 B.1) Zoning Issue, 21 NW 1<sup>st</sup> Street and one addition 6 B.1) Firewood Ordinance No. 4 discussion under Unfinished Business.

Voting Aye: All

Motion Carried

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC PARTICIPATION

Shaun Germolus & Barrett Ziemer with the Chisholm Hibbing Airport Authority (CHAA) gave a brief presentation and invited the council members to attend the CHAA joint meeting with the City of Hibbing council members and the airport authority members on Monday, August 17, 2015 at 6:00 p.m. at the Range Regional Airport to discuss and take action on the 2016 Airport Authority Levy.

Lyndon Hepokoski – Addressed the council with a request to submit a proposal for televising school programs and community events.

Steve Zalec – Addressed the Council with a request to allow Lyndon Hepokoski of Iron Trail Public Access to submit a quote and to contract with Iron Trail Public Access for televising community events. Also expressed his concerns for exterior firewood storage.

John P. Newbauer – Requested the council to repeal Firewood Ordinance 4, 3<sup>rd</sup> Series and voiced his concerns regarding this ordinance.

Ron Novak & Jim Benchina – Addressed the council with their concerns regarding the Firewood Ordinance 4, 3<sup>rd</sup> Series.

REPORTS

Building Official Steve Erickson addressed questions from the council regarding the Demolition Program. He also addressed questions regarding the property located at 114 W. Lake Street and the need to have this property up to grade for the sale of this property to a potential buyer. Mayor Jugovich will contact the potential buyer.

City Librarian Christenson handed out information to the Council members and reported on the success of the summer reading and story time programs.

Police Chief Manner reported the St. Louis County Fair will be held August 12<sup>th</sup> – 16<sup>th</sup>. He reported on the Doc Moonlight Graham (DMG) Days issues that were encountered during the DMG events. Officer William Purdy was appointed to the School Resource Officer (SRO) position and has completed the required National SRO training. His SRO duties will begin in September. Newly hired Police Officer, Zachary Lind will start on August 15, 2015. Chief Manner gave an update on an injured officer. Blight concerns were addressed. A property located at 319 3<sup>rd</sup> Ave NW is in need of lawn maintenance, the City Public Works staff mowed the boulevard and will mow the grass and invoice the owner of the property.

Fire Chief Brown reported on the Doc Moonlight Graham Days participation of the volunteer Firefighters. Training is being conducted on Wednesdays. It has been a busy year for the Fire Dept. They have had unscheduled repairs with unit E1, ladders have been inspected. Pump testing is coming up. The Fire Relief Association consists of 28 members. The annual budget for the Fire Department is \$80,000.

Other – Councilor Campbell attended the Police Commission meeting and gave an overview of the quarterly report. She also attended the Mining Impact Study meeting. Councilor Cook invited the Council and the public to the Kids Plus movie night in the park located at 2 E Lake Street in Chisholm on Thursday, August 20, 2015 at dusk.

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Councilor Rahja addressed the Council on behalf of the Chisholm Beautification Association (CBA) regarding an updated status for the Bruce Mine Head Frame Annex. (Councilor T. Scaia responded that he had been in touch with Ms. Carole Gornick and the IRRRB is waiting for their attorney to respond). She also attended the Planning & Zoning meeting.

Councilor K. Scaia thanked the residents that were in attendance at the Public Assessment Hearing for 5<sup>th</sup> Ave NW and at the Council meeting this evening. He reported the student government program was suspended for this meeting.

Councilor T. Scaia reported he attended the Fire Department meeting, they have had 80 calls year to date and are accepting applications to fill open fire fighter positions. He thanked the fire fighters for what they do. He asked the citizens, business owners & elected officials of Chisholm to lobby together to oppose the Saint Louis County proposal to by-pass the City of Chisholm when relocating County Road 5 by Ting Town.

Mayor Jugovich and Councilor T. Scaia met with St. Louis County today to discuss the proposed moving of Highway 169 and CR 5 near Ting Town. He attended the EDA meeting and they had a discussion with the IRRRB regarding the individual that is interested in the City Hall building. He reported the Doc Moonlight Graham Days had something for everyone. The City Council meetings can be viewed live on Public Access TV, Channel 13 the night of the meetings and the recorded version will be available for viewing on Channel 5 instead of Channel 7.

ACCEPT THE CONSENT AGENDA

Moved by Councilor Campbell and supported by Councilor T. Scaia to accept the Consent Agenda, including the List of Bills, Communications, Minutes of the previous City Council meeting of July 14, 2015 Public Hearing 4<sup>th</sup> St. SW, July 14, 2015 Regular Meeting , Payroll and Overtime.

Voting Aye: All

Motion Carried

Unfinished Business:

RESOLUTION NO. 0715-73 ACCEPTING PROPOSED ASSESSMENTS  
FOR 4<sup>TH</sup> ST SW

Moved by Councilor T. Scaia to table this item until the September 9, 2015 Council meeting.

Voting Aye: All

Motion Carried

FIREWOOD ORDINANCE NO. 4, 3<sup>RD</sup> SERIES

Moved by Councilor K. Scaia and supported by Councilor Rahja to authorize City Attorney Bryan Lindsay to review and make the recommended changes per the Planning & Zoning Commission to Firewood Ordinance No. 4, Series 3 and to bring the amended Ordinance back to the Council for the first reading on September 9, 2015.

Voting Aye: All

Motion Carried

New Business:

RESOLUTION NO. 0815-79 LIBRARY STEPS – FINAL PAYMENT

Moved by Councilor K. Scaia and supported by Councilor Campbell to table this item until the September 9, 2015 Council meeting. A crack in the steps needs to be repaired and inspected before the final payment is made to Max Gray Construction. The Council requested a meeting to be arranged with Max Gray Construction and Architectural Resources, Inc.

Voting Aye: All

Motion Carried

RESOLUTION NO. 0815-76 APPROVING PLANS/SPECIFICATIONS AND  
ADVERTISING FOR BIDS - BITUMINOUS CRUSHING

Moved by Councilor T. Scaia and supported by Councilor Campbell to adopt Resolution No. 0815-76 to approve plans and specifications and order advertisement for bids for 2015 Boulder, Concrete and Bituminous Material Crushing for Aggregate Stockpile.

Voting Aye: All

Motion Carried

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RESOLUTION NO. 0815-77 APPROVING PLANS/SPECIFICATIONS HERITAGE  
MANOR TRAIL EXTENSION

Moved by Councilor Cook and supported by Councilor K. Scaia to adopt Resolution No. 0815-77 to approve plans and specifications and order advertisement for bids for the Heritage Manor Trail Extension. The sidewalk and trail extension will allow access to the Longyear Lake Trail.

Voting Aye: All

Motion Carried

RESOLUTION NO. 0815-78 ACCEPT PROPOSED ASSESSMENTS 5<sup>TH</sup> AVE NW

No action taken. This was an informational item at this time and will be discussed at the September 9, 2015 council meeting.

SOIL BORINGS FOR POTENTIAL CITY HALL SITE

Moved by Councilor T. Scaia and supported by Councilor Campbell to award the low bid of \$11,602.00 to Twin Ports Testing, Inc. of Superior, WI. to provide soil boring and reporting services. The potential City Hall site is location is block 4 (including 5 lots plus Outlot D) of the 2<sup>nd</sup> addition to Chisholm Industrial Park, located in the Northwest quadrant of the trunk highway #169/CSAH #67 intersection.

Voting Aye: All

Motion Carried

TRAFFIC SAFETY COMMITTEE REQUEST

Consultant Engineer Jim Johnson requested the Public Works Department to order designated street signs and for the Traffic Safety Committee to revise the “stop sign” at the intersection of Rail Drive and East Iron Drive. This was an informational item.

CHANGE ORDER NO. 2 FOR 3<sup>RD</sup> AVENUE NE PROJECT

Moved by Councilor Cook and supported by Councilor T. Scaia approve change order request number two (2) from Short, Elliot & Hendrickson, Inc. (SEH) in the amount of \$1,740 for the 3<sup>rd</sup> Avenue NE infrastructure improvement project contingent upon the consulting engineers approval. The cost includes additional ledge rock excavation at \$100 per cubic yard and an additional boulder removed at a cost of \$28 per cubic yard. Discussion on the matter called for future contracts to include language to address ledge rock excavation.

Voting Aye: Councilors Campbell, Cook, Rahja, T. Scaia and Mayor Jugovich

Voting No: Councilor K. Scaia

Motion Carried

PAYMENT REQUEST NO. 2 FOR 3<sup>RD</sup> AVE NE

Moved by Councilor Cook and supported by Councilor T. Scaia to approve the payment request from Short, Elliot & Hendrickson, Inc. (SEH) for the 3<sup>rd</sup> Avenue NE project in the amount of \$89,463.94.

Voting Aye: Councilors Campbell, Cook, Rahja, T. Scaia and Mayor Jugovich

Voting No: Councilor K. Scaia

Motion Carried

CHANGE ORDER NO. 2 FOR 4<sup>TH</sup> STREET SW PROJECT

Moved by Councilor T. Scaia and supported by Councilor Campbell to approve the change order request from Short, Elliot & Hendrickson, Inc. (SEH) in the amount of \$20,223.60 for a concrete driveway pavement replacement on the 4<sup>th</sup> Street SW project.

Voting Aye: Councilors Campbell, Cook, Rahja, T. Scaia and Mayor Jugovich

Voting No: Councilor K. Scaia

Motion Carried

PAYMENT REQUEST NO. 2 FOR 4<sup>TH</sup> ST SW

Moved by Councilor T. Scaia and supported by Councilor Campbell to approve the payment request from Utility Systems of America for the 4<sup>th</sup> Street SW Project in the amount of \$307,591.47 contingent upon the consultant engineers’ approval.

Voting Aye: Councilors Campbell, Cook, Rahja, T. Scaia and Mayor Jugovich

Voting No: Councilor K. Scaia

Motion Carried

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CHANGE ORDER NO. 1 FOR 5<sup>TH</sup> AVE NW PROJECT

Moved by Councilor Campbell and supported by Councilor Rahja to approve the change order request from Short, Elliot & Hendrickson, Inc. (SEH) for the 5<sup>th</sup> Avenue NW project in the amount of \$8,610. The cost represents 82 cubic yards of ledge rock excavation at \$105 per cubic yard.

Voting Aye: Councilors Campbell, Cook, Rahja, T. Scaia and Mayor Jugovich

Voting No: Councilor K. Scaia

Motion Carried

PAYMENT REQUEST NO. 1 FOR 5<sup>TH</sup> AVE NW

Moved by Councilor Campbell and supported by Councilor Rahja to approve the payment request from Short, Elliot & Hendrickson, Inc. (SEH) in the amount of \$405,686.20 for the 5<sup>th</sup> Avenue NW project.

Voting Aye: Councilors Campbell, Cook, Rahja, T. Scaia and Mayor Jugovich

Voting No: Councilor K. Scaia

Motion Carried

JORDAN LOCATION – FIRE DEPARTMENT AGREEMENT

Moved by Councilor K. Scaia and supported by Councilor T. Scaia to authorize City Attorney Bryan Lindsay to draft an agreement for the Hibbing Fire Department to use the property at Jordan Location (the Twin Cities pit) in Chisholm, MN for training purposes. Councilors K. Scaia and T. Scaia amended the motion and support to include the City of Chisholm Fire Department in the agreement.

Voting Aye: All

Motion Carried

APPOINT INTERIM ADMINISTRATOR – JERRY BOHNSACK

Moved by Councilor T. Scaia and supported by Councilor Rahja to appoint Jerry Bohnsack of Placid Lake Advisors of Deerwood, MN to fill the Interim Administrator-Clerk/Treasurer position at the rate of sixty five dollars (\$65) per hour plus payment of hotel accommodations at the Chisholm Inn and Suites for two (2) nights per week effective August 12, 2015.

Voting Aye: All

Motion Carried

APPLICATION FOR DEFERRAL OF SPECIAL ASSESSMENT

Moved by Councilor T. Scaia and supported by Councilor Campbell to approve the request for deferral of the Special Assessment for Parcel #020-0040-02690.

Voting Aye: All

Motion Carried

JOINT MEETING WITH CHISHOLM-HIBBING AIRPORT AUTHORITY

Moved by Councilor Campbell and supported by Councilor K. Scaia to schedule a joint meeting date of Monday, August 17, 2015 at 6:00 p.m. to meet with the Chisholm Hibbing Airport Authority and the City of Hibbing City Council at the Range Regional Airport to take action on the proposed 2016 CHAA budget and tax levy.

Voting Aye: All

Motion Carried

SWOP COMMUNITY SERVICE HOURS

Moved by Councilor T. Scaia and supported by Councilor Cook to authorize payment of \$500.00 to Summer Work Outreach Project for services rendered in 2015.

Voting Aye: All

Motion Carried

CITY HALL BUILDING/MOVIE STUDIO PROJECT

This was an informational item at this time.

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CABLE TELEVISION QUOTES

Moved by Councilor K. Scaia to accept the contract with Independent Contractor Terry Hartikka of Mesabi Community Television for Public Access Televising. The motion failed due to lack of a second.

Moved by Councilor K. Scaia and supported by Councilor T. Scaia to discuss the cable television quotes. After discussion Councilor K. Scaia moved to accept the contract with Independent Contractor Terry Hartikka of Mesabi Community Television for Public Access Televising of Council and school board meetings for an annual fee of \$10,600.00 Roll call vote was taken.

Voting Aye: Councilors Campbell, Cook, K. Scaia, T. Scaia and Mayor Jugovich  
Voting No: Councilor Rahja Motion Carried

FIRE DEPARTMENT RELIEF ASSOCIATION / ACTUARIAL STUDY

Moved by Councilor T. Scaia and supported by Councilor Campbell to approve a revision to the Chisholm Fire Department relief association by-laws. The revision is to increase the annual benefit from \$2,800 to \$3,000 per year of service. The relief association will pay for the upcoming required actuarial study to be performed by Hilde, Inc. of Minneapolis, MN for an estimated cost of \$2,200. The city will have no required contribution to the relief association for the year 2016.

Voting Aye: All Motion Carried

CHANGE COUNCIL MEETING DATES

Moved by Councilor T. Scaia and supported by Councilor Campbell to change the Council meeting dates. The first meeting of the month which is held on the second Tuesday of each month is changed to the second Wednesday of each month until further notice. The second meeting of the month which is scheduled for the fourth Tuesday of each month will remain as scheduled. The September meeting dates will be Wednesday, September 9, 2015 & Tuesday, September 22, 2015.

Voting Aye: All Motion Carried

RECESS TO EXECUTIVE SESSION  
TO DISCUSS LABOR NEGOTIATIONS - MAPE

Moved by Councilor Cook and supported by Councilor K. Scaia to recess the regular Council meeting to Executive Session at 8:15 pm. The Executive Session was called to order at 8:19 p.m. to discuss the status of Minnesota Association of Professional Employees (MAPE) labor negotiations.

Voting Aye: All Motion Carried

ADJOURN EXECUTIVE SESSION

Moved by Councilor Cook and supported by Councilor K. Scaia to adjourn the Executive Session at 8:21 p.m.

Voting Aye: All Motion Carried

RECONVENE REGULAR COUNCIL MEETING

Moved by Councilor Cook and supported by Councilor Campbell to reconvene the regular Council meeting at 8:22 p.m.

Voting Aye: All Motion Carried

MINNESOTA ASSOCIATION OF PROFESSIONAL EMPLOYEES  
(MAPE) LABOR NEGOTIATIONS

Moved by Councilor Campbell and supported by Councilor K. Scaia to authorize the Personnel Committee to contact MAPE to schedule a date to meet to resume labor negotiations. Mayor Jugovich, a member of the Personnel committee was directed to contact Police Chief Manner to schedule the meeting with MAPE.

Voting Aye: All Motion Carried

