

**CHISHOLM CITY COUNCIL
REGULAR MEETING – OCTOBER 25, 2017**

CALL TO ORDER

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

ROLL CALL

Present: Council Members Campbell, Rahja, Varda, Halverson, and Mayor T. Scaia

Absent: Council Member Kevin Scaia

Also Present: Interim City Clerk-Treasurer/Administrator Susan Schweiss, Building Official Steve Erickson, City Attorney Bryan Lindsay, Consultant Engineer Jim Johnson, Mike Larson with SEH, Recreation Director Tammy Nevalainen, Police Chief Vern Manner, & Administrative Assistant Margaret Gornick

ADOPT THE AGENDA

Moved by Councilor Varda and supported by Councilor Rahja to adopt the Agenda with one addition: B2) Gambling Application for St. Joseph's Catholic Church

Voting Aye: All

Motion Carried

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC PARTICIPATION

Mr. Roger Johnson with the Chisholm Beautification Association (CBA) gave an update on the Bruce Mine Headframe. CBA representative Mr. Dave Pessenda was also in attendance. The CBA was given a verbal approval for the project and the MN Dept. of Transportation (MnDOT) has approved road access to this historical site (it has been on the National Historic Register since 1978). The CBA will meet with Architectural Resources, Inc. (ARI) to develop a plan for the road, parking, illumination, a viewing area, signage and repair of the Headframe. It is a privilege for Chisholm to have this historical site and will serve as a memory to the immigrant underground miners. Mr. Johnson thanked the Council for their support and the council thanked the CBA for their efforts in making this project a reality.

Eugene Beckman, a citizen that resides at 314 1st Ave NW reported a neighbor of his is chasing everyone out of their alley and yelling & swearing at them. This neighbor called the Police, Mr. Beckman felt the Police Officer that arrived at the scene was obnoxious as he told him to get out of the alley or he would arrest him. This incident was reported to Police Chief Manner who will discuss this with the officer. Per Chief Manner & Building & Zoning Official Steve Erickson, this is a public alley. Chief Manner or one of the Police Captains will visit with the neighbor. Mr. Beckman stated his wife and other neighbors have had encounters with this neighbor. He also reported someone tried to kick in his garage door, gas was stolen from lawn mowers & his neighbors also had issues with possible window peeping or vandalism to vehicles. Mr. Beckman was instructed to call 911 if there are any other incidents. He brought up the brush taking over the lakeshore around Longyear Lake. Public Works has and will continue to remove the brush.

Andy Enrico a citizen who resides at 330 6th Street NE, addressed the council with his concerns and questioned why Council Member Kevin Scaia was not in attendance. He would like him to resign from his position as a council member. Mayor T. Scaia responded by stating there is a Resolution on the agenda and this would be addressed at that time. Mr. Enrico also questioned what the City has done regarding former City Clerk-Treasurer/Administrator Katie Bobich's resignation. He stated he was embarrassed to be a citizen of Chisholm and was embarrassed about the way Mayor T. Scaia handled John Ramos (from the newspaper, the Reader in Duluth) at a recent council meeting. He feels the council is not transparent in their decisions and he stated he was not getting any answers and asked the citizens in attendance if they had the same question(s) regarding these issues. Some citizens in the audience raised their hands, he also stated this group will get bigger and bigger regarding the issues that he brought before the council. Council Member Tracy Campbell responded to his question regarding Ms. Bobich's resignation by stating the council received Ms. Bobich's resignation effective immediately (August 9, 2017) and she has not been made aware of the details or the circumstance in which Ms. Bobich's attorney eluded to in the resignation letter that was received. City Attorney Bryan Lindsay also explained the reason the City has not pursued the breach of contract (90 day advance notice to resign) is the benefit & expense of seeking enforcement of the breach of contract and what remedy (if any) would benefit the City if this was enforced versus the benefit of hiring a new person to fill this vacant position. Mr. Enrico addressed the innuendos about the newly hired City Clerk-Treasurer/Administrator (Ms. Jennifer A. Sterbenz). He feels the hiring process was rushed and would like to know what her qualifications are for this position. He would also like to see the qualifications of the other candidates that were rejected. City Attorney Bryan Lindsay informed him that some of this data is public and some is not public. He directed Mr. Enrico to submit a data request form (which is available at City Hall).

Blanche Pallin-Mlakar, a concerned citizen of Chisholm, addressed the council to request the resignation of Council Member Kevin Scaia. She stated he has a lot of personal issues ahead of him that will distract him from his ability to effectively represent and serve the citizens of Chisholm. She feels the latest scandal has negatively affected the business climate, personal lives and invited negative press throughout the state of Minnesota. With recent successes such as the Pocket Park, Slide the City, beautifications, broadband initiatives, walking trails, bocce ball courts, the schools, the gardens and all of the collaboration that it took to make these amenities available are overshadowed by the negativity of the alleged actions of some of our leaders. She feels we should be in the press for accolades, amenities, honoring our elders, grass roots efforts spear headed by young professionals and families that choose to call Chisholm home. She stated, the council as leaders must be held at the highest standard and work for the common good and not personal agendas. The City should be in the press for its accolades & efforts to make the community a "model city".

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REPORTS

Councilor Campbell attended the Police Commission on October 17, 2017. They discussed the speed of vehicles on Central Avenue and felt this was due to the reroute of traffic (during the building of the roundabout). They also discussed the blight on property located at 6th Street NW. They reviewed and approved the hiring policy and posted for two new police officer positions. They discussed the computer purchases (on tonight's agenda) and squad rotation. She also spent time doing Public Relations (PR) for the council.

Councilor Halverson reported he is continuing to work with Honeywell on scheduling and budgeting for a five (5) year building(s) improvement project. He is working on the Mountain Bike Trail (this is on tonight's agenda). He attended a Safety Committee meeting today. He is working with Recreation Director Tammy Nevalainen on measuring and looking at potential sites for youth soccer field(s).

Mayor T. Scaia reported the roundabout is open and he observed a fully loaded 18 wheeler make it through with no problem. He also reported a couple of businesses are looking at locating in Chisholm (one of which has an interest in the former Buchanan Nursing Home building to be used as assisted living or a Real Life concept for potential additional new housing). There are one or two openings at the newly constructed Housing & Redevelopment Authority townhomes.

Consultant Engineer Jim Johnson distributed maps to the council members for sidewalk replacement. The need for a sidewalk replacement plan and policy was discussed a few months ago after the Capital Improvement tour took place. He is waiting for the residents in Lakeview Addition to respond via email or phone calls to him regarding sidewalks and will bring the results back to the council. He may have a Public Information Meeting with the Lakeview citizens regarding sidewalks in that area.

Recreation Director Tammy Nevalainen reported the Youth Center is up & running & is being used a lot by younger kids. They are busy with the upcoming Halloween party which will be on Monday, October 30, 2017 from 5:30 p.m. to 8:30 p.m. She is accepting applications for the skating rink attendants, which are due by November 3, 2017 at 4:00 p.m. at City Hall. She is looking at areas for soccer fields with Councilor Halverson.

City Attorney Bryan Lindsay responded to Council Member Campbell's question on property located at 123 NW 6th Street. He reported they are continuing with the process, the next step will be to send notices to the property owner(s) which they should receive within the next week.

ACCEPT THE CONSENT AGENDA

Moved by Councilor Campbell and supported by Councilor Varda to accept the Consent Agenda, including the List of Bills, Communications, Minutes of the previous Special Meeting of October 11, 2017, the Regular Meeting of October 11, 2017, Payroll and Overtime.

Voting Aye: All

Motion Carried

**REQUEST FOR USE OF CITY OWNED LAND
(KRIS WALTERS OF SIDE LAKE SEPTIC SERVICE FOR SLUDGE DISPOSAL SITE)**

Building & Zoning Official Steve Erickson was directed to work with City Attorney Bryan Lindsay to draft an agreement for Kris Walters of Side Lake Septic Service to use City owned land located at Township 58, Range 19, Section 32 in Great Scott to be used as a sludge disposal site. The draft agreement will be brought before the council for approval.

**RECORD MANAGEMENT COMPUTER SYSTEM UPGRADE
FOR POLICE DEPARTMENT SQUAD CARS**

Moved by Councilor Campbell and supported by Councilor Rahja to authorize the purchase of three recertified Toughbook 31 computers and Microsoft Office Home Software for the Police Department squad cars from OC Rugged Laptops of Anaheim, CA for the amount of \$2,772.00

Voting Aye: All

Motion Carried

ST. JOSEPH'S CATHOLIC CHURCH GAMBLING PERMIT APPLICATION

Moved by Councilor Campbell and supported by Councilor Varda to approve the gambling permit application from St. Joseph's Catholic Church for a raffle to be held on January 26, 2018.

Voting Aye: All

Motion Carried

RECEIPT OF BIDS & AWARD CONTRACT FOR 2017 AGGREGATE STOCKPILING

Moved by Councilor Campbell and supported by Councilor Varda to accept the lowest responsible bid of \$74,200.00 and award the contract to KGM Construction, Inc. of Angora, MN for the 2017 boulder, concrete and bituminous materials for crushing for aggregate stockpiling.

Voting Aye: All

Motion Carried

**RECEIPT OF BIDS & AWARD CONTRACT
FOR 2017-2018 SEWER CLEANING, INSPECTION AND REPORTING**

Moved by Councilor Rahja and supported by Councilor Halverson to accept the lowest responsible bid of \$32,862.50 and award the contract to Hydro-Klean, LLC of Rogers, MN for the 2017-2018 Sewer Cleaning, Inspection and Reporting.

Voting Aye: All

Motion Carried

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RESOLUTION NO. 1017-98 MUNICIPAL STATE AID STREET FUNDS ADVANCE

Moved by Councilor Campbell and supported by Councilor Varda to adopt Resolution No. 1017-98 to apply for supplemental Municipal State Aid Street Funds in the amount of \$1,673,666.
Voting Aye: All Motion Carried

RESOLUTION NO. 1017-101 CODE OF CONDUCT

Moved by Councilor Campbell and supported by Councilor Rahja to adopt Resolution No. 1017-101 adopting the Statement of Values and Code of Conduct models from the League of MN Cities for the purpose of enhancing the ability of all agents of the City of Chisholm to discharge their duties in line with the City's expectations. The Code of Conduct is hereby adopted as an official policy of the City of Chisholm.
Voting Aye: All Motion Carried

**RESOLUTION NO. 1017-102 REQUEST FOR COUNCIL MEMBER
KEVIN SCAIA'S RESIGNATION**

Moved by Councilor Campbell and supported by Councilor Varda to adopt Resolution No. 1017-102 to request the resignation of Council Member Kevin Scaia.
Voting Aye: Council Members Halverson, Varda, Rahja and Campbell
Voting No: None
Abstain: Mayor T. Scaia Motion Carried

**BARR ENGINEERING PROPOSAL & AGREEMENT TO DESIGN
REDHEAD MOUNTAIN BIKE PARK FOR IRON RANGE OFF-ROAD CYCLES**

Moved by Councilor Halverson and supported by Councilor Campbell to accept the proposal and to enter into agreement with Barr Engineering of Hibbing, MN for the design of the Redhead Mountain Bike Park for Iron Range Off-Road Cycles for the amount of \$28,900.00. The City of Chisholm is the fiscal agent of the Iron Range Resources & Rehabilitation Board Grant in the amount of \$28,900.00, therefore there is no cost to the City at this time.
Voting Aye: All Motion Carried

**RESOLUTION NO. 1017-97 APPOINT JENNIFER A. STERBENZ
CITY CLERK-TREASURER/ADMINISTRATOR**

Moved by Councilor Campbell and supported by Councilor Rahja to adopt Resolution No. 1017-102 to appoint Jennifer A. Sterbenz as City Clerk-Treasurer/Administrator. City Attorney Bryan Lindsay negotiated the contract agreement with Ms. Sterbenz prior to this council meeting and copies were distributed to the Council members.
Voting Aye: Council Members Campbell, Halverson, Rahja & Varda
Voting No: None
Abstain: Mayor T. Scaia Motion Carried

**RESOLUTION NO. 1017-99 APPOINT LAWRENCE R. PERVENANZE
LEAD BUILDING & PARKS MAINTENANCE**

Moved by Councilor Varda and supported by Councilor Campbell to adopt Resolution No. 1017-99 to appoint Lawrence R. Pervenanze as Lead Building & Parks Maintenance, effective November 9, 2017.
Voting Aye: All Motion Carried

POST INTERNALLY FOR EQUIPMENT OPERATOR

Moved by Councilor Campbell and supported by Councilor Rahja to authorize the internal posting for Heavy Equipment Operator in the Public Works Department.
Voting Aye: All Motion Carried

**LETTER OF RETIREMENT
STEVEN D. ERICKSON - BUILDING/ZONING/SAFETY OFFICIAL**

Moved by Councilor Campbell and supported by Councilor Halverson to accept the letter of retirement from Building/Zoning & Safety Official, Steven D. Erickson effective December 31, 2017.
Voting Aye: All Motion Carried

ADVERTISE FOR BUILDING/ZONING/SAFETY OFFICIAL

Moved by Councilor Campbell and supported by Councilor Halverson to authorize advertising for the Building/Zoning/Safety Official position.
Voting Aye: All Motion Carried

**LETTER OF RESIGNATION
BRANDON SVOBODA – POLICE OFFICER**

Moved by Councilor Campbell and supported by Councilor Halverson to accept the letter of resignation from Police Officer Brandon Svoboda, effective November 5, 2017.
Voting Aye: All Motion Carried

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(Continued)**

**RESOLUTION NO. 1017-100 APPOINT RON NOVOSELAC
TO SERVE ON THE CENTRAL IRON RANGE SANITARY SEWER DISTRICT**

Moved by Councilor Rahja and supported by Councilor Halverson to adopt Resolution No. 1017-100 to appoint Ron Novoselac to serve on the Central Iron Range Sanitary Sewer District for a three year term commencing January 1, 2018 through December 31, 2020.

Voting Aye: All

Motion Carried

ADJOURN COUNCIL MEETING

Moved by Councilor Varda and supported by Councilor Rahja to adjourn the Council Meeting at 6:33 p.m.

Voting Aye: All

Motion Carried

/s/ Todd A. Scaia

Mayor

Attest: /s/ Susan Schweiss

Interim City Clerk-Treasurer/Administrator