

**THE MINUTES OF THE REGULAR MEETING OF THE
HIBBING CITY COUNCIL
Wednesday, October 6, 2021**

TIME AND PLACE: A Regular meeting of the Hibbing City Council was held on Wednesday, October 6, 2021 in the City Hall Council Chamber

CALL TO ORDER: Mayor Rick J. Cannata called the meeting to order at 5:00 p.m.

ATTENDANCE: Present at roll call Mayor Rick J. Cannata, Councilor James Bayliss, Councilor Tim Harkonen, Councilor Jennifer Hoffman Saccoman, Councilor Jay Hildenbrand and Councilor Justin Fosso. Also present were City Administrator Pete Hyduke, Executive Assistant Candie Seppala, City Attorney Andy Borland, City Clerk-Treasurer Sheena Mulner and Chief of Police Steve Estey. Councilor John Schweiberger, and City Engineer Jesse Story were absent.

**CLOSED SESSION: FOR THE PURPOSE OF LABOR NEGOTIATIONS STRATEGY
PURSUANT TO MN ST SECTION 13D.03SUB.1(b)**

Councilor Harkonen, supported by Councilor Bayliss, moved to go into closed session for the purpose of Labor Negotiations Strategy pursuant to MN St Section 13D.03SUB.1(b).

Motion CARRIED

Meeting reconvened at 5:01 p.m.

ADDs/DELETes:

- **ADD: DEPARTMENT & COMMITTEE REPORTS #3B and #5D**
- **ADD: BOARDS & COMMISSIONS – APPLICANTS' NAMES**
- **ADD: LICENSES & PERMITS #4 & #5**

APPROVAL OF MINUTES:

Councilor Harkonen, supported by Councilor Fosso, moved to approve the minutes of the Regular City Council Meeting of September 22, 2021.

Motion CARRIED

Councilor Bayliss, supported by Councilor Fosso, moved to approve the minutes of the Special City Council Meeting of September 30, 2021.

Motion CARRIED

CONSENT AGENDA:

Councilor Hoffman Saccoman, supported by Councilor Fosso, moved to approve the Consent Agenda #s 1-7.

Motion CARRIED

1. Approve Accounts Payable dated:
 - 10/01/2021, checks #170699-170795 in the amount of \$336,651.35
2. Approve City Payroll for pay period ending:
 - 09/24/2021, checks #168047-168054 in the amount of \$516,876.72
3. Authorize the Hibbing City Council to attend the Bonding Tour at the Hibbing Fire Hall on Thursday, October 7, 2021 at 10:30 a.m.
4. Approve the internal/external hire for a Waste Treatment Operator
5. Acknowledge October 15, 2021 as Pregnancy and Infant Loss Remembrance Day
6. Set the next Special Meeting for Public Utilities Commission Interviews for Wednesday, October 13, 2021 at 5:00 p.m. in the Hibbing City Hall Council Chamber
7. Set the next Regular Hibbing City Council Meeting for Wednesday, October 20, 2021 at 5:00 p.m. in the Hibbing City Hall Council Chamber

The following were approved at previous meetings:

Set the Working Session Meeting for Thursday, October 7, 2021 at 5:00 p.m. in the City Hall Council Chamber

Set the Public Hearing for the adoption of the final levy on Wednesday, December 1, 2021 at 6 p.m. in the City Hall Council Chamber

Authorize the Hibbing City Council to attend the City of Hibbing and the Hibbing Chamber of Commerce Trick, Treat, and Greet on the front lawn of City Hall on Saturday, October 30, 2021 from 12:00 p.m. to 2:00 p.m.

PUBLIC FORUM:

BIDS AND QUOTES:

Approve the quote from Motorola Solutions for the purchase of (4) body cameras and the accessories needed to operate them in the amount of \$5,000

Police Chief Steve Estey explained that this request is to purchase (4) body cameras and the accessories needed to operate them. These additional body cameras would up fit the remainder of the officers in the department.

Councilor Harkonen, supported by Councilor Hoffman Saccoman, moved to approve the quote from Motorola Solutions for the purchase of (4) body cameras and the accessories needed to operate them in the amount of \$5,000.

Motion CARRIED

Approve the change order to Bougalis Construction in the amount of \$4,500 for the North Hibbing Disc Golf Stairway Project

City Services Director Nick Arola explained that this request is for some stairway work that was done for an elevated tee box.

Councilor Bayliss, supported by Councilor Fosso, moved to approve the change order to Bougalis Construction in the amount of \$4,500 for the North Hibbing Disc Golf Stairway Project

Motion CARRIED

Approve the change order to Bougalis Construction in the amount of \$860 for the Bryan Lake Skating Rink Project

City Services Director Nick Arola explained that this request is for some additional gravel, fill and extra dirt work that was not planned for on the first quote.

Councilor Harkonen, supported by Councilor Hoffman Saccoman, moved to approve the change order to Bougalis Construction in the amount of \$860 for the Bryan Lake Skating Rink Project

Motion CARRIED

Approve the quote of Ziegler for grader cutting edges in the amount of \$25,704.76

City Administrator Pete Hyduke explained that this request is to purchase grader cutting edges for this winter.

Councilor Bayliss, supported by Councilor Harkonen, moved to approve the quote of Ziegler for grader cutting edges in the amount of \$25,704.76

Motion CARRIED

Approve web security from Compudyne in the amount of \$2.50 per user per month plus a \$550 installation fee

Sr. Executive Assistant Candie Seppala explained that she has been working with the City's Compudyne Rep and Salesperson regarding all of the City's web security. Back in February there was a Microsoft breach, and since then they have been working to update all of the City's security.

Councilor Hoffman Saccoman, supported by Councilor Bayliss, moved to approve web security from Compudyne in the amount of \$2.50 per user per month plus a \$550 installation fee

DEPARTMENT AND COMMITTEE REPORTS:

Offer RESOLUTION NO. 21-10-01 ACCEPTING DONATIONS FROM COMMUNITY MEMBERS AND BUSINESSES FOR THE NATIONAL NIGHT OUT EVENT

Chief of Police Steve Estey explained that this Resolution is to accept \$2,150 in donations from Community Organizations and Community Members for the National Night Out that was held, which was very successful.

Councilor Bayliss, supported by Councilor Fosso, moved to offer RESOLUTION NO. 21-10-01 ACCEPTING DONATIONS FROM COMMUNITY MEMBERS AND BUSINESSES FOR THE NATIONAL NIGHT OUT EVENT.

Motion CARRIED

Councilor Jennifer Hoffman Saccoman ABSTAINED

Approve the City of Hibbing to auction the 2008 Chevrolet Tahoe through Enforcement Auto Auctions with the funds from the auction being placed into the K9 Capital Fund

Chief of Police Steve Estey explained that this request is to auction the 2008 Chevy Tahoe. The Tahoe is at the end of its life with all the repairs that need to be done. It was a good life, as it went through two K9 Units.

Councilor Hildenbrand, supported by Councilor Fosso, moved to approve the City of Hibbing to auction the 2008 Chevrolet Tahoe through Enforcement Auto Auctions with the funds from the auction being placed into the K9 Capital Fund.

Motion CARRIED

Offer RESOLUTION NO. 21-10-02 APPROVING PLAT EXEMPTION FOR MICHAEL B DOUVILLE AND CASEY J DOUVILLE REGARDING THEIR PROPERTY AT 824 WEST 47TH STREET, HIBBING, MINNESOTA

Building Official Pat Green explained that The Planning Commission approved a Plat Exemption for Mr. Douville who requested the Plat Exemption so he could give his two children each a parcel of land to build a new home on; this Resolution is to approve a Plat Exemption for two of the three parcels that were approved by The Planning Commission. At this time Mr. Douville does not have a legal survey for the third parcel. Mr. Douville will have 6 months to provide a legal survey for the third parcel, or else he will have to apply for another Plat Exemption from the Planning Commission. City Attorney Andy Borland stated that a contingency of the Resolution is that Mr. Douville gives an Easement so that the new parcel does not become land locked.

Councilor Bayliss, supported by Councilor Harkonen, moved to offer RESOLUTION NO. 21-10-02 APPROVING PLAT EXEMPTION FOR MICHAEL B DOUVILLE AND CASEY J DOUVILLE REGARDING THEIR PROPERTY AT 824 WEST 47TH STREET, HIBBING, MINNESOTA.

Motion CARRIED

Authorize the transfer of \$9,314.52 in press box expenses to be moved from the Memorial Building Operating Funds to the Memorial Building Capital Funds

City Services Director Nick Arola explained that the remodel project of the press box at the Memorial Building is nearing completion. He is asking that the expenses in the amount of \$9,314.52 be transferred to the Memorial Building Capital Funds because the expenses exceed \$5,000.

Councilor Bayliss, supported by Councilor Hildenbrand, moved to authorize the transfer of \$9,314.52 in press box expenses to be moved from the Memorial Building Operating Funds to the Memorial Building Capital Funds.

Motion CARRIED

Authorize the Mayor and the City Clerk-Treasurer to sign the agreement between the City of Hibbing and Tom Sullivan and Mary Jo Sullivan to operate the concessions at the Hibbing Memorial Building for the period of October 1, 2021 through September 30, 2024

City Services Director Nick Arola explained that he had a chance to meet with Tom Sullivan and go over the agreement with him. Mr. Sullivan is looking for a 3 year commitment, compensation to the City would be 20% of gross sales. Mr. Sullivan has some ideas on how to generate more revenue and bring in some new products. City Services Director Arola recommends signing the agreement, barring any changes City Attorney Andy Borland has

to the agreement. City Attorney Borland explained that Mr. Sullivan submitted an agreement to the City; City Attorney Borland made some minor changes to the agreement from Mr. Sullivan and that is what the Councilors have now.

Councilor Harkonen, supported by Councilor Hildenbrand, moved to authorize the Mayor and the City Clerk-Treasurer to sign the agreement between the City of Hibbing and Tom Sullivan and Mary Jo Sullivan to operate the concessions at the Hibbing Memorial Building for the period of October 1, 2021 through September 30, 2024.

Motion CARRIED

Approve the 2021 Fall Yard Waste Clean-Up

City Administrator Pete Hyduke explained that he is looking for approval to have the 2021 Fall Yard Waste Clean Up occur between October 25, 2021 and November 5, 2021.

Councilor Fosso, supported by Councilor Bayliss, moved to approve the 2021 Fall Yard Waste Clean-Up.

Motion CARRIED

Approve the installation of stop signs on 3rd Avenue East at the 39th Street intersection

City Administrator Pete Hyduke explained this is a problem that City Engineer Jesse Story has been dealing with for quite a while, with the residents around 3rd Avenue East and 39th Street and the school. There is a long duration where people seem to pick up speed.

Councilor Hoffman Saccoman, supported by Councilor Bayliss, moved to approve the installation of stop signs on 3rd Avenue East at the 39th Street intersection.

DISCUSSION: Councilor Hoffman Saccoman stated that by looking to Chief of Police Steve Estey he appears to be in complete agreement. Chief of Police Estey stated that yes, the department has been in contact, and there is definitely a need for the 4 way stop.

Motion CARRIED

Offer RESOLUTION NO. 21-10-03 APPROVING THE COUNTY PROJECT RECONSTRUCTING CSAH 76 BETWEEN HIGHWAY 169 AND THE ITASCA COUNTY LINE DURING 2022 WITHIN THE CITY OF HIBBING

City Administrator Pete Hyduke explained that this Resolution is to approve the County project reconstruction between Highway 169 and the Itasca County line during 2022 within the City of Hibbing.

Councilor Harkonen, supported by Councilor Bayliss, moved to offer RESOLUTION NO. 21-10-03 APPROVING THE COUNTY PROJECT RECONSTRUCTING CSAH 76 BETWEEN HIGHWAY 169 AND THE ITASCA COUNTY LINE DURING 2022 WITHIN THE CITY OF HIBBING.

Motion CARRIED

Offer RESOLUTION NO. 21-10-04 SETTING A PUBLIC HEARING ON SPECIAL ASSESSMENTS

City Attorney Andy Borland stated that this Resolution is to set a hearing on Special Assessments. City Attorney Andy Borland explained that this is unique and new this year; it is to be sure the City is giving all the public the due process they are deserved before assessing properties. This is just a Resolution calling for the hearing. These assessments would be for unpaid services either from the City or from the Public Utilities. For timing and notification purposes, the hearing will be held November 17, 2021.

Councilor Bayliss, supported by Councilor Fosso, moved to offer RESOLUTION NO. 21-10-04 SETTING A PUBLIC HEARING ON SPECIAL ASSESSMENTS.

DISCUSSION: Mayor Rick J. Cannata asked if the Special Assessments were from the Public Utilities would the Council have to hear challenges etcetera from the public; City Attorney Borland stated yes, if the City is assessing the charges and someone is challenging the assessment, yes, the Council would have to hear them. Mayor Cannata asked if the Council could have someone from the Public Utilities at the hearing to deal with some of those issues. Councilor Bayliss stated that he felt HPU General Manager would be willing to attend the hearing, and he further stated that he does not believe the Public Utilities will have a large number of assessments.

Motion CARRIED

Offer RESOLUTION NO. 21-10-05 SETTING A PUBLIC HEARING ON SPECIAL SIDEWALK ASSESSMENTS

City Attorney Andy Borland explained this Resolution is to call for a hearing for Sidewalk Replacement Assessments. This hearing will also be held on November 17, 2021.

Councilor Hoffman Saccoman, supported by Councilor Fosso, moved to offer RESOLUTION NO. 21-10-05 SETTING A PUBLIC HEARING ON SPECIAL SIDEWALK ASSESSMENTS.

Motion CARRIED

APPROVE ORDINANCE NO. 432 AMENDING HIBBING CITY CODE CHAPTER 10 ENTITLED "PUBLIC PROTECTION, CRIMES & OFFENSES". BY AMENDING SECTIONS 10.42 ENTITLED "ABANDONED PROPERTY", 10.44 ENTITLED "MAINTENANCE OF PRIVATE PROPERTY", AND SECTION 10.46 ENTITLED "ABANDONED MOTOR VEHICLES". AND BY ADDING A NEW SECTION 10.98 ENTITLED "ENFORCEMENT PROCEDURES"; AND, BY ADOPTING BY REFERENCE, HIBBING CITY CODE CHAPTER 1 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

City Attorney Andy Borland explained that for Councils approval is Ordinance No. 432, which would amend portions of Chapter 10 of the City Codes that would address blight issues.

Councilor Harkonen, supported by Councilor Hildenbrand, moved to APPROVE ORDINANCE NO. 432 AMENDING HIBBING CITY CODE CHAPTER 10 ENTITLED "PUBLIC PROTECTION, CRIMES & OFFENSES", BY AMENDING SECTIONS 10.42 ENTITLED "ABANDONED PROPERTY", 10.44 ENTITLED "MAINTENANCE OF PRIVATE PROPERTY", AND SECTION 10.46 ENTITLED "ABANDONED MOTOR VEHICLES", AND BY ADDING A NEW SECTION 10.98 ENTITLED "ENFORCEMENT PROCEDURES"; AND, BY ADOPTING BY REFERENCE, HIBBING CITY CODE CHAPTER 1 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

Motion CARRIED

Authorize the Mayor and City Clerk-Treasurer to review and approve the updated Mineview – Management, Operation and Maintenance Agreement (previously approved – and it incorporates the latest changes)

City Attorney Andy Borland explained that because the City is receiving State money we have to follow the States requirements. The State has again made minor changes to this Agreement; the Tourist Center has already signed the Agreement.

Councilor Hoffman Saccoman, supported by Councilor Bayliss, moved to authorize the Mayor and City Clerk-Treasurer to review and approve the updated Mineview – Management, Operation and Maintenance Agreement (previously approved – and it incorporates the latest changes).

DISCUSSION: Councilor Hoffman Saccoman thanked City Attorney Borland for his work on this Agreement.

Motion CARRIED

BOARDS AND COMMISSIONS:

Human Rights Commission

- One Vacancy completing a 3-year term ending 12/31/2023
- One Vacancy completing a 3-year term ending 12/31/2024

Applicants:

- Brian Capanoli
- Philip Scalise

Mayor Rick J. Cannata stated that he will read what it is for, then he will ask for nominations. The first one is for one vacancy completing a 3-year term ending December 31, 2023 and then the next one will be for one vacancy completing a 3-year term ending December 31, 2024.

Councilor Harkonen, supported by Councilor Bayliss, moved to nominate Brian Capanoli to one vacancy completing a 3-year term ending December 31, 2023.

Roll Call Vote for Brian Capanoli:

Councilor Tim Harkonen	- Yes
Councilor Jay Hildenbrand	- Yes
Councilor Jennifer Hoffman Saccoman	- Yes
Councilor John Schweiberger	- Absent
Councilor Justin Fosso	- Yes
Councilor James Bayliss	- Yes
Mayor Rick J. Cannata	- Yes

Motion CARRIED

Councilor Bayliss, supported by Councilor Hildenbrand, moved to nominate Philip Scalise to one vacancy completing a 3-year term ending December 31, 2024.

Roll Call Vote for Philip Scalise:

Councilor Tim Harkonen	- Yes
Councilor Jay Hildenbrand	- Yes
Councilor Jennifer Hoffman Saccoman	- Yes
Councilor John Schweiberger	- Absent
Councilor Justin Fosso	- Yes
Councilor James Bayliss	- Yes
Mayor Rick J. Cannata	- Yes

Motion CARRIED

Heritage Preservation

- One Vacancy completing a 3-year term ending 12/31/2022
- One Vacancy completing a 3-year term ending 12/31/2023
- One Vacancy with a 3-year term ending 12/31/2024

Applicants:

- Kay Aho
- John Hendrickson
- Lenora Jensen
- Debbie Nehring Barker
- Philip M Scalise

Mayor Rick J. Cannata stated that he will read what it is for, then he will ask for nominations. The first one is for one vacancy completing a 3-year term ending December 31, 2022, the next one will be for one vacancy completing a 3-year term ending December 31, 2023 and then the next one will be for one vacancy with a 3-year term ending December 31, 2024.

Councilor Bayliss, supported by Councilor Fosso, moved to nominate Kay Aho to one vacancy completing a 3-year term ending December 31, 2022.

Roll Call Vote for Kay Aho:

Councilor Tim Harkonen	- Yes
Councilor Jay Hildenbrand	- Yes
Councilor Jennifer Hoffman Saccoman	- Yes
Councilor John Schweiberger	- Absent
Councilor Justin Fosso	- Yes
Councilor James Bayliss	- Yes
Mayor Rick J. Cannata	- Yes

Motion CARRIED

Councilor Fosso, supported by Councilor Hoffman Saccoman, moved to nominate John Hendrickson to one vacancy completing a 3-year term ending December 31, 2023.

Roll Call Vote for John Hendrickson:

Councilor Tim Harkonen	- Yes
Councilor Jay Hildenbrand	- Yes
Councilor Jennifer Hoffman Saccoman	- Yes
Councilor John Schweiberger	- Absent
Councilor Justin Fosso	- Yes
Councilor James Bayliss	- Yes
Mayor Rick J. Cannata	- Yes

Motion CARRIED

Councilor Hoffman Saccoman, supported by Councilor Bayliss, moved to nominate Debbie Nehring Barker to one vacancy with a 3-year term ending December 31, 2024.

Roll Call Vote for Debbie Nehring Barker:

Councilor Tim Harkonen	- Yes
Councilor Jay Hildenbrand	- Yes
Councilor Jennifer Hoffman Saccoman	- Yes
Councilor John Schweiberger	- Absent
Councilor Justin Fosso	- Yes
Councilor James Bayliss	- Yes
Mayor Rick J. Cannata	- Yes

Motion CARRIED

Mayor Cannata congratulated everyone that was placed on a Board, and he encouraged everyone that applied but were not chosen to apply for vacancies on other City Boards.

LICENSES AND PERMITS:

Councilor Harkonen, supported by Councilor Hoffman Saccoman, moved to approve the 2021 Massage Therapy License application of Shyann Destiny of Ohana Therapeutic Massage, 208 E. Howard Street, Hibbing.

Motion CARRIED

Councilor Hoffman Saccoman, supported by Councilor Bayliss, moved to approve the Raffle Permit Request Application of the Hibbing Historical Society to hold their raffle on Friday, October 22, 2021 at the Hibbing Elk's Lodge.

Motion CARRIED

Councilor Bayliss, supported by Councilor Fosso, moved to approve the Temporary On-Sale Liquor License Application of the Minnesota Deer Hunter's Association to have Valentini's Supper Club dispense alcohol at their event on Wednesday, October 6, 2021.

Motion CARRIED

Councilor Bayliss, supported by Councilor Harkonen, moved to approve the Temporary On-Sale Liquor License Application of Fairview Range Regional to have Palmer's Tavern to dispense alcohol at the Fairview Plaza, 1200 East 25th Street on Monday, October 25, 2021.

Motion CARRIED

Councilor Bayliss, supported by Councilor Hildenbrand, moved to approve the Special Event Permit Application of the Hibbing Dylan Project to hold the dedication on Saturday, October 16, 2021 at 1:00 p.m. at the Hibbing High School.

Motion CARRIED

ADJOURNMENT: There being no further business, the meeting was adjourned at 5:49 p.m. by Councilor Harkonen and supported by Councilor Bayliss.

Motion CARRIED

CITY OF HIBBING

ATTEST: Sheena Mulner
Sheena Mulner, Clerk-Treasurer

Rick J. Cannata
Rick J. Cannata, Mayor