

**THE MINUTES OF THE REGULAR MEETING OF THE
HIBBING CITY COUNCIL
Wednesday, February 10, 2021**

TIME AND PLACE: A Regular meeting (that was rescheduled from February 3, 2021) of the Hibbing City Council was held on Wednesday, February 10, 2021 in the City Hall Council Chamber and via ZOOM.

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, Councilor John Schweiberger, and Councilor Justin Fosso. Councilor Jay Hildenbrand was absent. Also present were City Administrator Tom Dicklich, City Clerk-Treasurer Mary Ann Kepler, City Attorney Andy Borland, Sr. Executive Assistant Candie Seppala, City Engineer Jesse Story and Deputy Chief of Police Tyler Schwerzler.

ADDS/DELETES:

- DELETE: CONSENT AGENDA #5 & #7
- MODIFY: CONSENT AGENDA #8
- ADD: CONSENT AGENDA #9
- DELETE: BIDS AND QUOTES #4c
- ADD: BIDS AND QUOTES #4d
- ADD: DEPARTMENT AND COMMITTEE REPORTS #5b & #6a
- ADD: LICENSES AND PERMITS #3 & #4

APPROVAL OF MINUTES:

Councilor Harkonen, supported by Councilor Fosso, moved to approve the Minutes of the January 20, 2021 Regular City Council Meeting.

Roll-Call Vote:

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

Motion CARRIED

Councilor Schweiberger, supported by Councilor Fosso, moved to approve the Minutes of the January 25 Special City Council Meeting.

Roll-Call Vote:

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

Motion CARRIED

CONSENT AGENDA:

Councilor Harkonen, supported by Councilor Schweiberger, moved to approve the Consent Agenda #s 1-9.

Roll-Call Vote:

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

Motion CARRIED

1. Approve Accounts Payable dated:
 - 01/28/2020, checks #168970-169072, in the amount of \$837,169.73
2. Approve City Payroll for pay period ending:
 - 01/15/2021, checks #167858-167871, in the amount of \$509,019.48
3. Accept liability coverage limits of \$1,500,000 from LMCIT and elect NOT to WAIVE the monetary limits on municipal tort liability established by Minnesota Statutes 466.04
4. Authorize the hire of Nicholas Brown for the position of Police Officer with the City of Hibbing pending successful completion of the pre-employment process
- ~~5. Authorize the hire of Sarah Blankenburg for the position of Police Officer with the City of Hibbing pending successful completion of the pre-employment process~~
6. Acknowledge the resignation of Jacob Beach as a Patrol Officer within the City of Hibbing Police Department effective February 9, 2021
- ~~7. Set the next Committee of the Whole Meeting for Wednesday, February 10, 2021 at 5:30 pm in the Hibbing City Hall Council Chamber (ZOOM optional)~~
8. Set the next regular meeting for Wednesday, February 24, 2021 at 5:00 p.m. in the Hibbing City Hall Council Chamber (ZOOM option)

9. Set the regular meetings for March as Wednesday, March 10 and Wednesday March 24, 2021 in the Hibbing City Hall Council Chamber (possible ZOOM option)

City Administrator Tom Dicklich stated that just to clear up #9 under the Consent Agenda to set those meetings on March 10th and March 24th because of how we were thrown off this month, this allows us to process bills with the two weeks. It goes back to the 2nd and 4th meetings in March – as there are 5 Wednesdays in March. Come April, the City Council will be back on the 1st and 3rd Wednesdays schedule.

PUBLIC FORUM:

BIDS AND QUOTES:

Approve the purchase of a Rotary Broom Attachment for the Hibbing Memorial Building from MTI in the amount of \$7,008.89

City Services Director Pete Hyduke explained that they were having some issues with their rotary broom that they were using at City Hall, Library, and the Memorial Building. The drive shaft has been going out steady and it is fairly spendy. It was a broom that we purchased through MTI a few years ago. It is not the style they use anymore. He would like to upgrade to the newer style. This is a State Bid. It would be paid out of Small Tools account, but it would be Capitalized. He will work with Mary Ann Kepler to make sure it is Capitalized. The old broom is still good for the ice rinks, they will part that broom out so it will give the life of that broom to the Parks Department. The new broom will be good for concrete.

Councilor Schweiberger, supported by Councilor Harkonen, moved to Approve the purchase of a Rotary Broom Attachment for the Hibbing Memorial Building from MTI in the amount of \$7,008.89

Roll-Call Vote:

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

Motion CARRIED

Approve the purchase of Protective Safety Equipment from Streicher's in the amount of \$26,998.05

Deputy Chief of Police Tyler Schwerzler explained that this was a single-source bid for these items and it was a budgeted item. This will equip all of the officers including new hires.

Councilor Hoffman Saccoman, supported by Councilor Harkonen, moved to Approve the purchase of Protective Safety Equipment from Streicher's in the amount of \$26,998.05

Motion CARRIED

Roll-Call Vote:

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

Motion CARRIED

Approve the purchase of a heater for the bar screen building at the WWTP to Hart Electric in the amount of \$5,940 (this includes installation labor)

City Engineer Jesse Story explained that the heater for the bar screen building at the Wastewater Treatment Plant needs to be replaced. There are two quotes:

Hart Electric	\$5,940
Ryan’s Independent Electric	\$7,575

Councilor Fosso, supported by Councilor Schweiberger, moved to approve the purchase of a heater for the bar screen building at the WWTP to Hart Electric in the amount of \$5,940 (this includes installation labor)

Roll-Call Vote:

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

Motion CARRIED

Approve the purchase of 100 – 95-gallon containers from MacQueen in the amount of \$8,067, which includes shipping

City Engineer Jesse Story explained that the Sanitation Department is in need of 95-gallon containers. He spoke with the City Administrator last week when the meeting was cancelled. We ordered them. They are a single-source vendor.

Councilor Harkonen, supported by Councilor Fosso moved to approve the purchase of 100 – 95-gallon containers from MacQueen in the amount of \$8,067, which includes shipping

Roll-Call Vote:

Mayor Rick Cannata	Yes
Councilor James Bayliss	Absent
Councilor Tim Harkonen	Yes
Councilor Jennifer Hoffman Saccoman	Yes

Councilor Jay Hildenbrand	Absent
Councilor Justin Fosso	Yes
Councilor John Schweiberger	Yes

Motion CARRIED

Approve the monthly fee of \$13.60 to have Minnesota Power install intersection lighting at Tamminen Road and Saari Road

City Engineer Jesse Story stated that he had a request from a resident to install a street light at the intersection of Tamminen Road and Saari Road. The resident said that the intersection is very dark when the kids are waiting for the bus. He went to look at it and it is very dark. Minnesota Power stated that they will cover the costs to install the LED intersection lighting, the City of Hibbing will be required to pay the monthly lighting fee of \$13.60.

Mayor Cannata asked if MN Power will be responsible for maintaining it. Mr. Story stated that yes, that is what the \$13.60 is for.

Councilor Hoffman Saccoman, supported by Councilor Fosso, moved to approve the monthly fee of \$13.60 to have Minnesota Power install intersection lighting at Tamminen Road and Saari Road

Roll-Call Vote:

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

Motion CARRIED

Approve the quote from Titan Machinery to repair the front end of the Cemetery's Backhoe in the amount of \$5,250.75

City Engineer Jesse Story stated that the seals on the front-end of the cemetery backhoe failed, causing the bearings, gearing, and axle shaft to fail. The quote from Titan Machinery in the amount of \$5,250.75 is for the cost of the parts. The Public Works Department crew will install the parts.

Councilor Schweiberger, supported by Councilor Fosso, moved to approve the quote from Titan Machinery to repair the front end of the Cemetery's Backhoe in the amount of \$5,250.75

Roll-Call Vote:

Mayor Rick Cannata	Yes
Councilor James Bayliss	Absent
Councilor Tim Harkonen	Yes
Councilor Jennifer Hoffman Saccoman	Yes

Councilor Jay Hildenbrand Absent
Councilor Justin Fosso Yes
Councilor John Schweiberger Yes

Motion CARRIED

DEPARTMENT AND COMMITTEE REPORTS:

Approve the 2021 appointments to the Northeast Minnesota Emergency Communications Board (ECB) and northeast Regional Advisory Committee (RAC)

City Administrator Tom Dicklich explained that this can be done in one motion:

- Regional Advisory Committee:
 - Fire Chief Erik Jankila - Primary
 - Police Chief Steve Estey- Alternate

- Emergency Communications Board (ECB)
 - Councilor Tim Harkonen - Primary
 - Mayor Rick Cannata - Alternate

- Radio Users Committee Appointment
 - Kristi McCormick - Primary
 - Malachi Moser - Alternate

- Owner & Operators Committee
 - Commander Jeff Ronchetti - Primary
 - Deputy Chief Tyler Schwerzler- Alternate

These appointments have been done every year. Councilor Harkonen has been doing this for a long time. The City of Hibbing is very active in this and the City does get money for this.

Councilor Harkonen, supported by Councilor Fosso, moved to Approve the 2021 appointments to the Northeast Minnesota Emergency Communications Board (ECB) and northeast Regional Advisory Committee (RAC)

- Regional Advisory Committee:
 - Fire Chief Erik Jankila - Primary
 - Police Chief Steve Estey- Alternate

- Emergency Communications Board (ECB)
 - Councilor Tim Harkonen - Primary
 - Mayor Rick Cannata - Alternate

- Radio Users Committee Appointment
 - Kristi McCormick - Primary
 - Malachi Moser - Alternate

- Owner & Operators Committee
 - Commander Jeff Ronchetti - Primary
 - Deputy Chief Tyler Schwerzler- Alternate

Roll-Call Vote:

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

Motion CARRIED

Approve the Hibbing Police Department Use of Body-Worn Cameras Policy

Deputy Chief of Police Tyler Schwerzler explained that the Police Department is looking to approve the Department’s use of Body-Worn Cameras Policy. It is a 10-page policy that covers the use of the body cameras. The Chief, the Deputy Chief, and the Commander met with the union representation and are all in agreement with this policy.

Councilor Harkonen, supported by Councilor Hoffman Saccoman, moved to approve the Hibbing Police Department Use of Body-Worn Cameras Policy.

Roll-Call Vote:

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

Motion CARRIED

Authorize the Mayor, City Clerk-Treasurer, and City Administrator to sign the Collective Bargaining Agreement between the City of Hibbing Police Federation to ratify the contract from January 1, 2021 – December 31, 2023

City Administrator Tom Dicklich explained that this is inserting the tentative agreement wording into the contract and then it gets ratified and signed off by all parties. It will then get filed.

Councilor Fosso, supported by Councilor Schweiberger, moved to authorize the Mayor, City Clerk-Treasurer, and City Administrator to sign the Collective Bargaining Agreement between the City of Hibbing Police Federation to ratify the contract from January 1, 2021 – December 31, 2023

Roll-Call Vote:

Mayor Rick Cannata	Yes
Councilor James Bayliss	Absent
Councilor Tim Harkonen	Yes
Councilor Jennifer Hoffman Saccoman	Yes

Councilor Jay Hildenbrand	Absent
Councilor Justin Fosso	Yes
Councilor John Schweiberger	Yes

Motion CARRIED

Approve the Cooperative Agreement between the City of Hibbing and MNDOT to accept the payment of \$48,305.51 for the use of North Leighton Road for the detour

City Engineer Jesse Story explained that during the fall of 2020, MNDOT began the bridge replacement on T.H. 73, south of Townline Road. The bridge replacement required MNDOT to detour traffic onto North Leighton Road. The bridge construction took much longer than MNDOT had anticipated. He had multiple conversations with MNDOT regarding the length of construction and the amount of traffic that has been detoured onto North Leighton.

He attached a cooperative construction agreement between the City of Hibbing and MNDOT. MNDOT is proposing a payment to the City of Hibbing for the use of North Leighton Road for their detour. The amount of the payment is \$48,305.51.

MNDOT will not be monitoring the funds as to where the City spends the money. North Leighton Road is scheduled to be paved in 2024. Mr. Story would like to move North Leighton Road up on the paving plan to 2022. He asked the City Council to earmark these funds specifically to help pave the North Leighton Road.

Councilor Hoffman Saccoman, supported by Councilor Harkonen, moved to approve the Cooperative Agreement between the City of Hibbing and MNDOT to accept the payment of \$48,305.51 for the use of North Leighton Road for the detour and to earmark the funds specifically to help pave the North Leighton Road.

Roll-Call Vote:

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

Motion CARRIED

Draft RESOLUTION NO. 21-02-01 REGARDING REPLACEMENT OF THE RAINEY ROAD BRIDGE #89787

City Engineer Jesse Story explained that working with MNDOT and LHB on the future bridge plans, the City had Dixon Road scheduled for replacement. We didn't get the funds in time, so the access was built off highway 37. We are able to move those funds to the Rainey Road Bridge, which is our next bridge that needs to be replaced. Talking with the bridge bond people through MNDOT, they would like the City to come up with a schedule (wish list) of what we want done for bridges by priority. In the RESOLUTION, we have the Rainey Road Bridge first, the removal of the Dixon Road Bridge (it can be funded 100% bridge bond funds to remove this.) The Zim and Swinnerton Road bridges round out the next five years of bridge replacements. On Rainey Road, we are looking at 2022. We can't get the permit and plans in get this built before freeze-up of next year, so this would

be 2021 and building and constructing in the spring of 2022. In the next month or so, we should see a contract for this bridge between the City of Hibbing and LHB.

Councilor Fosso, supported by Councilor Schweiberger, moved to Draft RESOLUTION NO. 21-02-01 REGARDING REPLACEMENT OF THE RAINEY ROAD BRIDGE #89787

Roll-Call Vote:

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

Motion CARRIED

Proposed Ordinance regarding reduction of Clear Water in the Sanitary Sewer System

City Attorney Andy Borland explained that this proposed ordinance was discussed previously at a Committee of the Whole Meeting and Mr. Borland has done some tweeking on it since that meeting. This is with regard to the sump pump clear water ordinance. He has made some additions to it. Mr. Story saw it. It isn't for approval tonight, but to get more feedback the City Council might have. In order for the Ordinance to be enacted, we need to post it 10 days before it can be enacted. His plan is if the Council doesn't have any other concerns with it, we can post it and then it can be approved the meeting of February 24, 2021. This meets Mr. Story's timeframe in trying to placate the MPCA.

Councilor Hoffman Saccoman stated that she and Mr. Borland had a discussion regarding this and she asked what was determined about the new construction. Does this go with new construction as well as existing construction?

Mr. Borland stated that the Ordinance specifically states that if in fact you are hooked to the sanitary sewer system, you need to comply with this Ordinance under Subd. 4. It wouldn't apply if you are not tied to the sanitary sewer system.

Councilor Hoffman Saccoman asked Jesse Story if we are going to make sure contractors are going to be aware of this.

Mr. Story stated that yes, we can bring this up at a meeting and then put it on our website for everyone to see. He also will try to meet with the local realtors in town to let them know what is going on. This would be the first step as they will be listing these homes and talking with the buyers and the sellers.

Mayor Cannata stated that this is coming down from the State and the MPCA and they are forcing our hands.

Councilor Hoffman Saccoman asked City Clerk-Treasurer Mary Ann Kepler what happens when people are noncompliant. What processes are in place so that we make sure the money that goes to the Public Utilities on their bill goes back to the City of Hibbing.

City Clerk-Treasurer Mary Ann Kepler explained that the finance department could set up a service code on the utility bill for any surcharges. The fees would come to the City along with the sewer payments that we already collect.

No action is necessary at this time except to post the ordinance on the City’s website for 10 days

Proposed Ordinance regarding the Ice and Snow Removal

City Attorney Andy Borland stated as a late add to the agenda packet, this is on here and it is a modification of what 7.04 looked like before. A lot of this has changed. The only part that really has remained the same is Subd. 6. The new sections Subd. 1, 2, & 3 are all new. This is the discussion we had about essentially coming up with a substantial assessment within the commercial area as he defined it here taking you from 27th Street to 19th Street down Howard Street from Howard Street to 8th Avenue East and then on 19th Street from there to 5th Avenue East, and then on 21st Street within the same area and the streets running in between. Private land owners who have sidewalks there would be obligated to remove that snow. He realized the Councilor haven’t had much time to process this, but he tried to carry out the spirit of what the Council had discussed at the Committee of the Whole Meeting. There is the fine amount for each time that they fail to clear the snow, there is a fee of \$500. With the concept that if in fact, they don’t pay those fines, it would be turned over to the Clerk’s Office to seek an assessment against the property for those fine amounts to get people in compliance. This isn’t for the Council’s approval, it is for consideration. If you want to contact Andy in the next day or two, we could get it posted 10 days before the next Council meeting.

No action is necessary at this time except to post the ordinance on the City’s website for 10 days

Authorize the transfer of Mine View services and sign the contract between the City of Hibbing and SEH Engineering in the amount of \$35,000

City Services Director Pete Hyduke explained that with the bonding that came through for the Mine View, he has been working closely with Andy Lucia from Lucito to expedite this Mine View project. Mr. Lucia reached out to Mr. Hyduke with the change he would like to see and how the construction management is handled. The first two phases of this project at the Mine View are Lucito was the lead designer and SEH performed the engineering project management, bidding, contracting it, and construction administration. He just feels it will be best to bring in SEH in the same capacity on these buildings because of locale and said they have been a partner since day 1. What Andy would like to do (Mr. Hyduke met with both Andy from Lucito and Matt Bolf from SEH) is at no extra cost, as it is basically a transfer of funds, instead of the \$35,000 that SEH would use for those components then would be removed from Andy’s responsibilities. He feels this is the best way to expedite this project and speed it up and keep it on time. Mr. Hyduke asked SHE to get him a contract specifically stating what their duties would be and what Lucito wouldn’t be doing.

Councilor Harkonen, supported by Councilor Schweiberger moved to authorize the transfer of Mineview services and sign the contract between the City of Hibbing and SEH Engineering in the amount of \$35,000

Roll-Call Vote:

Mayor Rick Cannata	Yes
Councilor James Bayliss	Absent
Councilor Tim Harkonen	Yes
Councilor Jennifer Hoffman Saccoman	Yes

Councilor Jay Hildenbrand	Absent
Councilor Justin Fosso	Yes
Councilor John Schweiberger	Yes

Motion CARRIED

LICENSES AND PERMITS:

Councilor Harkonen, supported by Councilor Fosso, moved to approve the 2021 Massage Therapy License of Paul VanBaalen, Ohana Therapeutic Massage, 208 East Howard Street.

Roll Call Vote:

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

Motion CARRIED

Councilor Schweiberger, supported by Councilor Fosso, moved to approve the Raffle Permit Request Application of Hibbing Little League Incorporated to hold their raffle at the Championship Game in August 2021 (information to follow) at the Little League Field

Raffle Permit #21-02-01

Roll-Call Vote:

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

Motion CARRIED

Councilor Harkonen, supported by Councilor Fosso, moved to approve the Raffle Permit for the Red Rock Riders ATV Club to hold BINGO at the Elks Lodge March 3, 10, 17, 24, 2021.

Raffle Permit #21-02-02

Roll-Call Vote:

Mayor Rick Cannata	Yes
Councilor James Bayliss	Absent
Councilor Tim Harkonen	Yes
Councilor Jennifer Hoffman Saccoman	Yes
Councilor Jay Hildenbrand	Absent

Councilor Justin Fosso Yes
Councilor John Schweiberger Yes

Motion CARRIED

Councilor Harkonen, supported by Councilor Schweiberger, moved to Approve the Raffle Permit Application of the United Way of Northeastern Minnesota to hold their raffle on Thursday, May 13, 2021 at the Hibbing Elk's Lodge.

Raffle Permit #21-02-03

Roll-Call Vote:

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

Motion CARRIED

ADJOURNMENT: There being no further business, the meeting was adjourned at 5:37 p.m. by Councilor Harkonen and supported by Councilor Schweiberger.

Roll-Call Vote:

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

Motion CARRIED

CITY OF HIBBING

ATTEST: 
Mary Ann Kepler, City Clerk-Treasurer


Rick J. Cannata, Mayor