

**THE MINUTES OF THE REGULAR MEETING OF THE
HIBBING CITY COUNCIL
Wednesday March 15, 2023**

TIME AND PLACE: A Regular meeting of the Hibbing City Council was held on Wednesday, March 15, 2023 in the City Hall Council Chamber.

CALL TO ORDER: Acting Mayor Justin Fosso called the meeting to order at 5:00 p.m.

ATTENDANCE: Present at roll call Acting Mayor Justin Fosso, Councilor James Bayliss, Councilor Jay Hildenbrand, Councilor Jennifer Hoffman Saccoman, Councilor John Schweiberger and Councilor Chris Whitney. Also present were City Administrator Greg Pruszinske, City Clerk/Deputy Administrator Candie Seppala, Treasurer/Finance Director Sheena Mulner, City Attorney Andy Borland, City Engineer Jesse Story and Chief of Police Steve Estey. Mayor Pete Hyduke was absent.

ADDs/DELETES:

- **DELETE: CONSENT AGENDA #5**
- **ADD: CONSENT AGENDA #13**
- **ADD: DEPARTMENT AND COMMITTEE REPORTS #5c, #5d & #6b**
- **ADD: BIDS AND QUOTES #1b & #2a**

APPROVAL OF THE AGENDA:

Councilor Bayliss, supported by Councilor Whitney, moved to approve the Agenda.

Motion CARRIED

APPROVAL OF MINUTES:

Councilor Schweiberger, supported by Councilor Bayliss, moved to approve the minutes of the Regular Hibbing City Council Meeting of February 15, 2023.

Motion CARRIED

Councilor Whitney, supported by Councilor Hildenbrand, moved to approve the minutes of the Hibbing City Council Workshop Meeting of February 15, 2023.

Motion CARRIED

CONSENT AGENDA:

Councilor Hoffman Saccoman, supported by Councilor Bayliss, moved to approve the Consent Agenda #s 1-12.

Motion CARRIED

1. Approve Accounts Payable dated:
 - 03/10/2023, checks #174220-174313, in the amount of \$703,174.39
2. Approve City Payroll for the pay period ending:
 - 02/24/2023, checks #168683-168688, in the amount of \$540,389.66
3. Authorize the hire of Sarah Voss for the Full-Time Firefighter/EMT position with the Hibbing Fire Department pending successful completion of pre-employment conditions
4. Authorize the posting of a temporary full-time Equipment Operator I position in the Public Works Department due to a temporary vacancy
5. Authorize the hire of Sydney Haugan for the position of Patrol Officer pending successful completion of pre-employment conditions
6. Authorize the Mayor to sign a letter of support for the Downtown Speaker Project
7. Authorize the hire of Kristi McCormick for the Full-Time Captain/EMS Director with the Hibbing Fire Department. Effective date will be determined by the Fire Chief dependent on scheduling
8. Authorize the promotion of Alan Slatten to Full-Time Captain/Paramedic with the Hibbing Fire Department. Effective date will be determined by the Fire Chief dependent on scheduling
9. Authorize the promotion of Jerry Martin to Full-Time Driver/Paramedic with the Hibbing Fire Department. Effective date will be determined by the Fire Chief dependent on scheduling
10. Set the next Regular City Council Meeting for Wednesday, April 5, 2023 at 5:00 p.m. in the Hibbing City Hall Council Chamber
11. Set the next City Council Workshop Meeting for Wednesday, April 5, 2023 following the Regular City Council Meeting in the Hibbing City Hall Council Chamber
12. Authorize the updated safety boot allowance form, which increases the safety boot/shoe allowance from \$130 to \$175 annually

PUBLIC FORUM:

Acting Mayor Justin Fosso stated let it be known that you have five minutes to present your issue and no formal action will be taken at this time.

Terry Pogorels 11297 Spudville Rd., Hibbing, MN 55746 was present and wished to speak about some issues there are on Spudville Rd. Mr. Pogorels stated the issues are: 1) The only internet access they have is very slow; 2) Does the City Council have any oversight over the Assessors Office, taxes continue to increase; 3) The condition of Spudville Rd., the last time the road was repaired was in 1995.

DEPARTMENT AND COMMITTEE REPORTS:**Offer RESOLUTION NO. 23-03-05 AUTHORIZING THE CITY TO MAKE APPLICATION TO AND ACCEPT FUNDS FROM THE IRRRB RESIDENTIAL REDEVELOPMENT GRANT PROGRAM IN THE AMOUNT OF \$57,036**

Building Official Pat Green explained that there are three separate grants, and he will need three separate Resolutions; these grants are for a total of 23 structures and \$110,430.00 in funds for these residential demolitions.

Councilor Hoffman Saccoman, supported by Councilor Schweiberger, moved to offer RESOLUTION NO. 23-03-05 AUTHORIZING THE CITY TO MAKE APPLICATION TO AND ACCEPT FUNDS FROM THE IRRRB RESIDENTIAL REDEVELOPMENT GRANT PROGRAM IN THE AMOUNT OF \$57,036.

Motion CARRIED

Offer RESOLUTION NO. 23-03-06 AUTHORIZING THE CITY TO MAKE APPLICATION TO AND ACCEPT FUNDS FROM THE IRRRB RESIDENTIAL DEVELOPMENT GRANT PROGRAM IN THE AMOUNT OF \$36,414

Councilor Bayliss, supported by Councilor Hildenbrand, moved to offer RESOLUTION NO. 23-03-06 AUTHORIZING THE CITY TO MAKE APPLICATION TO AND ACCEPT FUNDS FROM THE IRRRB RESIDENTIAL DEVELOPMENT GRANT PROGRAM IN THE AMOUNT OF \$36,414.

Motion CARRIED

Offer RESOLUTION NO. 23-03-07 AUTHORIZING THE CITY TO MAKE APPLICATION TO AND ACCEPT FUNDS FROM THE IRRRB RESIDENTIAL REDEVELOPMENT GRANT PROGRAM IN THE AMOUNT OF \$16,980

Councilor Whitney, supported by Councilor Bayliss, moved to offer RESOLUTION NO. 23-03-07 AUTHORIZING THE CITY TO MAKE APPLICATION TO AND ACCEPT FUNDS FROM THE IRRRB RESIDENTIAL REDEVELOPMENT GRANT PROGRAM IN THE AMOUNT OF \$16,980.

Motion CARRIED

Discussion: Building Official Green explained that he brings these Resolutions to the Council for approval, Tina Glad does a lot of the work inputting information etc.

Offer RESOLUTION NO. 23-03-08 AUTHORIZING THE CITY TO MAKE APPLICATION TO AND ACCEPT FUNDS FROM THE IRRRB COMMERCIAL REDEVELOPMENT FUNDING

Community Development Director Betsy Olivanti explained that Ms. Winchester is working to purchase 2125 1st Ave. and plans to renovate the commercial space and operate her salon out of this location; she is looking for Council to approve the Resolution to apply for the grant, pending Ms. Winchesters signed purchase agreement.

Councilor Hoffman Saccoman, supported by Councilor Bayliss, moved to offer RESOLUTION NO. 23-03-08 AUTHORIZING THE CITY TO MAKE APPLICATION TO AND ACCEPT FUNDS FROM THE IRRRB COMMERCIAL REDEVELOPMENT FUNDING.

Motion CARRIED

Offer RESOLUTION NO. 23-03-09 AUTHORIZING THE CITY TO MAKE APPLICATION TO AND ACCEPT FUNDS FROM THE IRRRB COMMERCIAL REDEVELOPMENT FUNDING

Community Development Director Olivanti explained that Ms. Baratto and her business partners have purchased the building adjacent to their current Sammy's Pizza operations and plan to renovate this space and expand their current business into this space.

Councilor Bayliss, supported by Councilor Hoffman Saccoman, moved to offer RESOLUTION NO. 23-03-09 AUTHORIZING THE CITY TO MAKE APPLICATION TO AND ACCEPT FUNDS FROM THE IRRRB COMMERCIAL REDEVELOPMENT FUNDING.

Motion CARRIED

Authorize the Mayor and City Clerk to sign the development agreement with Lees Holdings 2 LLC

Community Development Director Olivanti explained that the second phase of site development includes constructing parking, a fenced in area, and a truck load out area with loading docks; water, sewer, gas and power will be brought into the building and a road extension to Diane Lane.

Councilor Bayliss, supported by Councilor Whitney, moved to authorize the Mayor and City Clerk to sign the development agreement with Lees Holdings 2 LLC.

Discussion: Councilor Schweiberger asked what the size of trucks will be utilizing the new road and Diane Lane; City Engineer Jesse Story stated that it does not sound like there will be semi-trucks passing through using Diane Lane. Councilor Hoffman Saccoman asked if these trucks will still not be going behind the childcare facility; City Engineer Story stated they will go straight on to Diane Lane, they will not take the right past the childcare facility.

Motion CARRIED

Offer RESOLUTION NO. 23-03-10 ACCEPTING THE STATE OF MINNESOTA ASSESSING DIGITAL INCLUSION MINI-GRANT IN THE AMOUNT OF \$3,846

Library Manager Laura Koeneman explained that this is to form a Digital Connections Committee to assess the needs of the community, and where it might be lacking with broadband in the area.

Councilor Hoffman Saccoman, supported by Councilor Bayliss, moved to offer RESOLUTION NO. 23-03-10 ACCEPTING THE STATE OF MINNESOTA ASSESSING DIGITAL INCLUSION MINI-GRANT IN THE AMOUNT OF \$3,846.

Motion CARRIED

Approve the Law Enforcement Emergency Vehicle Operations Policy #42

Chief of Police Steve Estey explained that this policy gives the Officers a guideline when to respond Code 3 (lights and sirens) to an incident; he drafted this policy with the help of the League of MN Cities.

Councilor Schweiberger, supported by Councilor Hoffman Saccoman, moved to approve the Law Enforcement Emergency Vehicle Operations Policy #42.

Motion CARRIED

Approve the Recruitment Policy #43

Chief of Police Estey explained that himself along with the Human Resources Director and the City Administrator created a Recruitment Policy. Chief of Police Estey stated that their hope is that Officers within the Hibbing Police Department will go out and promote the agency, and with that they can get a recruitment bonus.

Councilor Whitney, supported by Councilor Bayliss, moved to approve the Recruitment Policy #43.

Motion CARRIED

Offer RESOLUTION NO. 23-03-11 AUTHORIZING THE CITY OF HIBBING TO SEEK PROPOSALS FOR HIBBING AREA TRANSIT SERVICE

Treasurer/Finance Director Sheena Mulner explained that it was discussed at the last Workshop Meeting that Shubat issued a termination letter giving the City a 120-day notice as their 3rd party operator. Treasurer/Finance Director Mulner stated that this Resolution would authorize the City to request proposals for a new 3rd party operator.

Councilor Schweiberger, supported by Councilor Bayliss, moved to offer RESOLUTION NO. 23-03-11 AUTHORIZING THE CITY OF HIBBING TO SEEK PROPOSALS FOR HIBBING AREA TRANSIT SERVICE.

Motion CARRIED

Offer RESOLUTION NO. 23-03-12 MAKING DECLARATION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM AN ISSUE OF TAX EXEMPT BONDS

Treasurer/Finance Director Mulner explained that the City budgeted to pay for capital items with bonding in 2023, this Resolution authorizes the reimbursement of the expenditure with bond proceeds should delivery occur before the bond issuance.

Councilor Hoffman Saccoman, supported by Councilor Schweiberger, moved to offer RESOLUTION NO. 23-03-12 MAKING DECLARATION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM AN ISSUE OF TAX EXEMPT BONDS.

Motion CARRIED

Offer RESOLUTION NO. 23-03-13 AUTHORIZING THE CITY OF HIBBING TO APPLY TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY DRINKING WATER REVOLVING FUND

Treasurer/Finance Director Mulner explained that this would be for a pre-application that the City would be submitting on behalf of the PUC and the pre-application is due March 31st. Treasurer/Finance Director Mulner stated that this is one phase of the Water Infrastructure Capital Improvement Plan they have developed; the PUC cannot apply for the PFA funds as a Commission themselves because it involves the issuance of general obligation debt, so the City has to be the Applicant on their behalf.

Councilor Bayliss, supported by Councilor Hoffman Saccoman, moved to offer RESOLUTION NO. 23-03-13 AUTHORIZING THE CITY OF HIBBING TO APPLY TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY DRINKING WATER REVOLVING FUND.

Motion CARRIED

Authorize the City Clerk to sign the worker's compensation quote selecting the deductible premium option with a \$1,000 deductible

Treasurer/Finance Director Mulner explained that USI the City's newly appointed insurance agent reviewed the City's claims history and trends, and they are recommending the \$1,000 deductible option.

Councilor Bayliss, supported by Councilor Schweiberger, moved to authorize the City Clerk to sign the worker's compensation quote selecting the deductible premium option with a \$1,000 deductible.

Motion CARRIED

City Administrator's Report

City Administrator Greg Pruszinske explained that he is bringing to the Council a letter of support for a trail connection between the City of Hibbing and the Alborn ATV Trail; this is a link that he thinks would be beneficial for this community, to start tapping into the tourist dollars.

Authorize the Mayor to sign the letter of support for the trail connection between the City of Hibbing and the Alborn ATV Trail

Councilor Hoffman Saccoman, supported by Councilor Schweiberger, moved to authorize the Mayor to sign the letter of support for the trail connection between the City of Hibbing and the Alborn ATV Trail.

Discussion: Councilor Hoffman Saccoman asked City Administrator Pruszinske where the proposed access to this trail would be; City Administrator Pruszinske stated there is a map attached, he thinks the concept is where there is a trail that crosses Hwy. 169 and then dead-ends. Councilor Hoffman Saccoman stated that the reason she asks is because of the complaints the Council receives about 4 wheeler traffic in town, and if this will increase that traffic; City Administrator Pruszinske stated that his hope is this would decrease that traffic.

Motion CARRIED

City Administrator Greg Pruszinske gave a quick report from the Legislature, over the past two weeks City Staff have been down to the Capital once in person and once remotely; City Staff has testified twice in front of the Tax Committee about the City's Local Option Sales Tax.

Offer RESOLUTION NO. 23-03-14 APPROVING LABOR AGREEMENT, AND MEMORNDUM OF UNDERSTANDING BETWEEN THE CITY OF HIBBING AND LOCAL 791, AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES

City Administrator Pruszinske explained that the City has a signed agreement with AFSCME Bargaining Unit, it is a three-year contract.

Councilor Schweiberger, supported by Councilor Hoffman Saccoman, moved to offer RESOLUTION NO. 23-03-14 APPROVING LABOR AGREEMENT, AND MEMORNDUM OF UNDERSTANDING BETWEEN THE CITY OF HIBBING AND LOCAL 791, AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES.

Motion CARRIED

Discussion: Councilor Hoffman Saccoman thanked everyone involved.

BIDS AND QUOTES:

Approve the quote for the Curling Club dehumidifier motor replacement from Range Cornice Heating & Sheet Metal in the amount of \$4,550

City Services Director Nick Arola explained that this was an emergency fix a couple of weeks ago; it is the main dehumidifier in the Curling Club area, a critical component to keep the moisture and humidity levels down.

Councilor Bayliss, supported by Councilor Hildenbrand, moved to approve the quote for the Curling Club dehumidifier motor replacement from Range Cornice Heating & Sheet Metal in the amount of \$4,550.

Motion CARRIED

Award the Hibbing Mine View Project Phase II to Max Gray Construction in the amount of \$2,492,000.00

City Services Director Arola explained that bids were opened last week, the lone bidder was Max Gray Construction with a bid of \$2,492,000.00, that is about \$300,000.00 more than the Engineers estimate. City Services Director Arola went over the sources and uses for the Council. There was an in depth discussion between the Councilors and City Staff regarding accepting this bid for the Mine View Project.

Councilor Schweiberger, supported by Councilor Bayliss, moved to award the Hibbing Mine View Project Phase II to Max Gray Construction in the amount of \$2,492,000.00.

Motion CARRIED

Approve the 2023 St. Louis County Class 5 Crushing Program in the amount of \$16,300

City Engineer Story explained that last fall the Council passed a Resolution to participate in the County wide Class 5 Crushing Program, this will take place in the Riley Pit off Bunker Rd.; he is looking for Council approval to participate in this program.

Councilor Schweiberger, supported by Councilor Bayliss, moved to approve the 2023 St. Louis County Class 5 Crushing Program in the amount of \$16,300.

Motion CARRIED

BOARDS AND COMMISSIONS:

LICENSES AND PERMITS:

Councilor Bayliss, supported by Councilor Schweiberger, moved to approve the 2023 Taxicab License Application of Randy Murray Randycam including Uber and Lyft, 3013 3rd Ave West, Hibbing.

Discussion: Councilor Hildenbrand asked if the Uber and Lyft could be explained; City Clerk/Deputy Administrator Candie Seppala explained that herself and City Attorney Andy Borland have discussed this at length and they both feel that the language in the City Ordinance included Uber and Lyft and Mr. Murray has met all of the minimum qualifications that the City requests.

Motion CARRIED

Councilor Hoffman Saccoman, supported by Councilor Bayliss, moved to approve the Raffle Permit Application Request of the Hibbing/Chisholm Breakfast Rotary to hold their raffle on Thursday, May 11, 2023 at The Do You.

Motion CARRIED

Councilor Whitney, supported by Councilor Bayliss, moved to approve the Raffle Permit Application Request PEO Chapter DE – Hibbing to hold their raffle on Tuesday, April 25, 2023 at St. James Episcopal Church.

Motion CARRIED

Councilor Bayliss, supported by Councilor Schweiberger, moved to approve the Raffle Permit Application Request of the Iron Range Motorcycle Club to hold their raffle at the Homer Bar Saturday, April 29, 2023.

Motion CARRIED

Councilor Hildenbrand, supported by Councilor Bayliss, moved to approve the Special Event Permit Application Request of Iron Range Motorcycle Club to hold the Northern MN MC Swap Meet at the Hibbing Memorial Building Saturday, April 22 and Sunday, April 23, 2023.

Motion CARRIED

Councilor Hoffman Saccoman, supported by Councilor Schweiberger, moved to approve the Special Event Permit Application Request of Our Savior's Lutheran Church to hold their White Elephant Sale From Monday, May 1st through Saturday, May 6, 2023 at the Hibbing Memorial Arena.

Motion CARRIED

Councilor Hoffman Saccoman, supported by Councilor Bayliss, moved to approve the 2023 Transient Merchant License Application of Trent and Janelle Janezich/The Ice Cream Truck LLC.

Motion CARRIED

Councilor Whitney, supported by Councilor Schweiberger, moved to approve the Special Event Permit Application Request of the Hibbing Bluejackets Wrestling Fans Club to hold their annual banquet at the Hibbing Memorial Arena on Saturday, April 29, 2023.

Motion CARRIED

Councilor Bayliss, supported by Councilor Hildenbrand, moved to approve the Temporary On-Sale Liquor License of the Hibbing Bluejackets Wrestling Fans Club to have Palmer's dispense alcohol at their annual banquet at the Hibbing Memorial Arena on Saturday April 29, 2023.

Motion CARRIED

CLOSED SESSION: PURSUANT TO ATTORNEY/CLIENT PRIVILEGE FOR POTENTIAL LITIGATION PURSUANT TO MN 13D.05SUB.3(b)

City Attorney Borland explained that the HEDA Board has received a claim or a demand for payment, to advise the Council and discuss strategy and options, he feels it is better done in a closed session.

Councilor Bayliss, supported by Councilor Hoffman Saccoman, moved to go into closed session pursuant to attorney/client privilege for potential litigation pursuant to MN 13D.05sub.3(b).

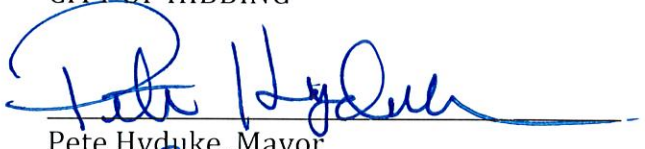
Motion CARRIED

Acting Mayor Fosso read a letter from Mayor Pete Hyduke to the City of Hibbing. In the letter, Mayor Hyduke thanked the entire AFSCME negotiations team and City Staff involved, for finding common ground for a 3 year contract agreement.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:05 p.m. by Councilor Schweiberger and supported by Councilor Bayliss.

Motion CARRIED

CITY OF HIBBING

A handwritten signature in blue ink, appearing to read "Pete Hyduke", written over a horizontal line.

Pete Hyduke, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Candie Seppala", written over a horizontal line.

Candie Seppala, City Clerk/Deputy Administrator