

**AGENDA**  
**OCTOBER 12, 2010 – 6:30 P.M.**

1. **CALL MEETING TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC FORUM (Limited to 5 minutes per Council protocol)**
5. **CONSENT AGENDA** (Note: Motion will be to approve the Consent Agenda as listed.)  
The following items will be enacted by one motion unless a Councillor or Citizen of the City of Virginia requests that the item be considered separately:
  - 5.1 Approval/correction of minutes of Regular Meeting held September 28, 2010.
  - 5.2 Adoption of Finance Resolution No. 10019 – Schedule of Bills.
  - 5.3 Adopt Resolution approving amendment to Iron Range Resources Grant No. B43-2100 to include the installation of infrastructure to two new developments and the expansion of Iron Trail Motors, plus the extension of grant deadline to December 31, 2012.
6. **APPEARANCES (Limited to 10 minutes)**
  - 6.1 John Ditzler.
7. **UNFINISHED BUSINESS**
  - 7.1 Resolution to transfer the ownership of land in the SW ¼ of the SW ¼ of Section 15, Township 58 N, Range 17 W of the 4<sup>th</sup> Principal Meridian, St. Louis County, Minnesota, owned by the former East Mesaba Sanitary Disposal Authority to the Minnesota Pollution Control Agency. (If approved, adopt Resolution.)
8. **DISCUSSION ITEMS**
  - 8.1 Communication from Mesabi Range College requesting letter of support for the accreditation of a self-study Paramedic Program.
  - 8.2 Memorandum of Understanding with AFSCME Local Union 454 regarding volunteers at the Greenhouse. (If approved, adopt Resolution.)
  - 8.3 Communication from Benchmark Engineering, Inc., submitting Change Order No. 1 to increase the contract of Hibbing Excavating, Inc., for C.P. 6-09, Demolition of Former Seppi/Virginia Ready Mix Site. (If approved, adopt Resolution.)
  - 8.4 Transfer of On-Sale Liquor License from Office Bar & Lounge, 218 Chestnut Street, to 218, Inc., d/b/a The 218.
9. **COMMITTEE REPORTS**
  - 9.1 Buildings/Grounds Committee (October 5, 2010)
    - A. Acquisition of property adjacent to Eveleth-Virginia Airport
    - B. Quote for materials for Mercury Reduction Filtration Pilot Study. (If approved, adopt Resolution.)
    - C. Marketing plan for City vacant sites.
    - D. Additional signage and street designation for Veteran’s Memorial Park.
    - E. Signage for “Adopt a Shore” Program.
    - F. Request to hold bonfire on October 14, 2010.
10. **COMMISSION LIAISON/DEPARTMENT HEAD REPORTS**
11. **ADJOURN TO TUESDAY, OCTOBER 26, 2010, AT 6:30 P.M., COUNCIL CHAMBERS**

COUNCIL CHAMBERS

5.3

Resolution No.

City of Virginia, Minnesota, October 12, 2010

**Resolution approving amendment to Iron Range Resources Grant No. B43-2100 to include the installation of infrastructure to two new developments and the expansion of Iron Trail Motors**

Resolved by the City Council of the City of Virginia, that

**WHEREAS, the Iron Range Resources has submitted an amendment to Grant No. B43-2100, which was approved to provide infrastructure to a housing development in the Fairview area; and**

**WHEREAS, the Iron Range Resources has approved the City's request to utilize \$150,000 of the \$300,000 grant to provide for infrastructure and site work for two new developments (Menard's and Culver's) and for the expansion of Iron Trail Motors; and**

**WHEREAS, the Iron Range Resources has approved the City's request to extend the grant through December 31, 2012,**

**NOW, THEREFORE, BE IT RESOLVED to authorize the Mayor and City Operations Director to execute the amendment to Grant No. B43-2100.**

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

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## STATE OF MINNESOTA

AMENDMENT TO  
GRANT AGREEMENT

Document RQ # B43 2100	Date 12-21-07	Document PO# B43 2542	Date 2-25-08
Budget FY 08	Vendor Code 036851001-00	Document Total No Change	Fund 240
Agency B43	Org/Sub 5721	Appropriation TAC	Object/Sub 5B20

Amendment Number - 2 - to Grant Agreement Number **B43-2100**.

WHEREAS: The State of Minnesota, Iron Range Resources and Rehabilitation Board has an Agreement identified as Agreement number **B43-2100** with, **City of Virginia, Attn: John Tourville, 327 1<sup>st</sup> Street South, Virginia, MN 55792**

And, WHEREAS: paragraph I. provides that:

Use the Office of the Commissioner of the Iron Range Resources and Rehabilitation monies provided for infrastructure for housing development in the Fairview area.

Expenses eligible for reimbursement under the terms of this Agreement will be those incurred since Iron Range Resources Board approval on December 13, 2007, for water, sewer, road, electrical, gas, professional services and other costs associated with the completion of the project.

Iron Range Resources monies will not be released until the agency has received a copy of a list of people who are interested in the lots and commitment letter(s) for the matching funds.

Prevailing wages must be paid on the project according to the attached IRR Board resolution No. 96-005. This language should be included in the bid spec documents.

The applicant will submit a final report to Iron Range Resources and a site visit will be conducted upon completion of the project.

Architectural and engineering fees in excess of 10% of the total project costs are ineligible for reimbursement.

And, WHEREAS: paragraph IV. provides that:

This Agreement shall be effective on **February 25, 2008**, or upon such date as it is executed as to encumbrance by the Iron Range Resources Fiscal Agent, whichever occurs later, and shall remain in effect until **December 31, 2010**, or until all obligations set forth in this Grant Agreement have been satisfactorily fulfilled, whichever occurs first.

Now, therefore, it is agreed by and between the parties hereto:

**That the GRANTEE'S duties shall be amended to include the following tasks related to the Agreement:**

That paragraph I. shall be amended to read: **The Iron Range Resources board met on August 19, 2010 and on September 8, 2010, the Governor approved the city's request to amend the grant and approved the amendment to reallocate \$150,000 of its \$300,000 FY08 Public Works grant to:**

**Use the Office of the Commissioner of the Iron Range Resources and Rehabilitation monies provided for infrastructure and site work for two new developments (Menard's and Culver's) and expansion of Iron Trail Motors.**

COUNCIL CHAMBERS

7-1

Resolution No.

City of Virginia, Minnesota, October 12, 2010

Resolution to transfer ownership of land in the SW ¼ of the SW ¼ of Section 15, T58N, R17W of the 4<sup>th</sup> Principal Meridian, St. Louis County, Minnesota owned by the former East Mesaba Sanitary Disposal Authority to the Minnesota Pollution Control Agency

Resolved by the City Council of the City of Virginia, that

WHEREAS, in 1996, the East Mesaba Sanitary Disposal Authority had entered into a "Landfill Cleanup Agreement between the East Mesaba Sanitary Disposal Authority, Saint Louis County and the Minnesota Pollution Control Agency (MPCA)"; and

WHEREAS, the Landfill Cleanup Agreement is a binding agreement that dictates that the ownership of the land that was used as a former East Mesaba Landfill will be transferred to the MPCA; and

WHEREAS, when the deed to transfer ownership of the property identified in the Landfill Cleanup Agreement was prepared in April of 1996, a portion of land in the SW ¼ of the SW ¼ of Section 15, T58N, R17W of the 4<sup>th</sup> Principal Meridian, St. Louis County, Minnesota was inadvertently not included in the deed; and

WHEREAS, in May of 1996, the East Mesaba Sanitary Disposal Authority was disbanded and all monies were distributed to all entities involved in the East Mesaba Sanitary Disposal Authority on a per capita basis; and

WHEREAS, each entity that received monetary assets from the East Mesaba Sanitary Disposal Authority dissolution will have their governing body pass a similar resolution to convey the land identified above to the MPCA as per the Binding Agreement;

NOW, THEREFORE, BE IT RESOLVED that the City of Virginia does hereby agree to transfer ownership of land in the SW ¼ of the SW ¼ of Section 15, T58N, R17W of the 4<sup>th</sup> Principal Meridian, St. Louis County, Minnesota owned by the former East Mesaba Sanitary Disposal Authority to the Minnesota Pollution Control Agency

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:

**Virginia Campus:**  
1001 Chestnut Street West  
Virginia, MN 55792-3401  
800-657-3860 • 218-741-3095  
218-749-7783 (V/TTY)  
Fax: 218-748-2419  
[www.mesabirange.edu](http://www.mesabirange.edu)



**Eveleth Campus:** 8.1  
1100 Industrial Park Drive • P.O. Box 648  
Eveleth, MN 55734-0648  
800-657-3860 • 218-741-3095  
218-744-7455 (V/TTY)  
Fax: 218-744-7466  
[www.mesabirange.edu](http://www.mesabirange.edu)

September 30, 2010

John Tourville  
City Hall  
327 1st Street  
Virginia, MN 55792

Dear Mr. Tourville:

The Mesabi Range Community & Technical College is seeking accreditation for our Paramedic Program. In 2002 a self-study was submitted as a collaboration of three colleges – Mesabi Range Community & Technical College, Hibbing Community College, and Lake Superior College. Since the original self-study was submitted, it has proven to be in the best interest of the students to proceed with a unified approach providing a strong A.A.S. Paramedic Degree program offered from one college. Past practices, population, occupational forecasting, placement, and, above all, student needs have been considered in this revised plan.

Mesabi Range Community & Technical College is requesting a letter of support from you as we proceed with submission of the CoAEMSP self-study accreditation. The study will be submitted on November 1, so we appreciate receiving your letter by October 15 to complete the processing and organizing the files.

Thank you for your interest and support for Mesabi Range Community & Technical College's Paramedic program.

Sincerely,

Becky Sherek  
Program Coordinator  
Paramedic Program

Carol Helland  
Senior Academic Officer

COUNCIL CHAMBERS

8.2

Resolution No.

City of Virginia, Minnesota, October 12, 2010

**Resolution approving Memorandum of Understanding with AFSCME Local Union No. 454 regarding volunteers at the Greenhouse**

Resolved by the City Council of the City of Virginia, that

**WHEREAS, AFSCME Local No. 454 has developed a Memorandum of Understanding to allow four volunteers from the Conservation Corps of America to work forty hours each in the greenhouse for a total 160-hour period to assist in plant maintenance; and**

**WHEREAS, Memorandum of Understanding allows the volunteers to work from approximately from November 15, 2010, through November 18, 2010; and**

**WHEREAS, the Memorandum of Understanding will be non-precedent setting and can be grieved by either party,**

**NOW, THEREFORE, BE IT RESOLVED to authorize the Mayor and City Operations Director to enter into a Memorandum of Understanding with AFSCME Local No. 454.**

Moved by Councillor      supported by Councillor      that the above resolution be adopted.

Ayes:

Nays:

Memorandum of Understanding

City of Virginia  
And  
AFSCME Local 454

The Parties agree to four (4) volunteers working forty (40) hours each in the Greenhouse for a total 160-hour period starting approximately on November 15, 2010 through November 18, 2010. These "volunteers" are from the Conservation Corps of America, a division of Americorps, to assist in plant maintenance of the Greenhouse. The 160-hours will consist of four (4) volunteers working forty (40) hours in the Greenhouse only. This is a non-precedent setting agreement and can be grieved if either party feels that this has been followed incorrectly.

Agreed:

\_\_\_\_\_  
City of Virginia

\_\_\_\_\_  
AFSCME

\_\_\_\_\_  
City of Virginia

*John L. Rukawina*  
\_\_\_\_\_  
AFSCME

Date \_\_\_\_\_

Date 9/23/10

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota, October 12, 2010

Resolution approving Change Order No. 1 to increase the contract of Hibbing Excavating, Inc., for C.P. 6-09, Demolition of Former Seppi/Virginia Ready Mix Site

Resolved by the City Council of the City of Virginia, that

WHEREAS, Benchmark Engineering, Inc., has submitted Change Order No. 1, which increases the contract of Hibbing Excavating, Inc., by the amount of \$60,910.00, for C.P. 6-09, Demolition of Former Seppi/Virginia Ready Mix; and

WHEREAS, said change order is required for additional work that was required in order to properly complete the slope grading and additional concrete crushing,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk be authorized to execute Change Order No. 1, which increases the contract of Hibbing Excavating, Inc., by the amount of \$60,910.00, for C.P. 6-09, Demolition of Former Seppi/Virginia Ready Mix.

Moved by Councillor supported by Councillor that the above resolution be adopted.

Ayes:

Nays:



**CHANGE ORDER**

Order No. 1

Date: 9/28/10

NAME OF PROJECT/PROJECT NO: Former Seppi/Virginia Ready Mix Site Demolition / VA10-02

OWNER: City of Virginia C.P. 6-09

CONTRACTOR: Hibbing Excavating, Inc.  
3402 15<sup>th</sup> Avenue East, Hibbing, MN 55746

ENGINEER: Benchmark Engineering, Inc.

**Reason for Change Order:**


At the request of the City of Virginia, this change of scope and additional work was required in order to properly complete the slope grading and additional concrete crushing. The contract scope of crushing was only able to complete the concrete washout areas to reestablish the drainage ditch, and additional slope grading & concrete crushing was needed to establish a suitable site and final finished grades.

**The following changes are hereby made to the CONTRACT DOCUMENTS:**

The contract amount is increased by **\$60,910.00**. Please refer to attached estimated summary.

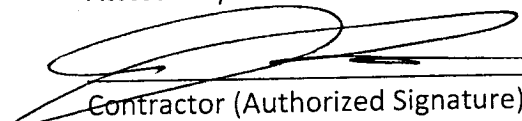
Change to CONTRACT PRICE:

Original CONTRACT PRICE	\$ <u>138,092.00</u>
Current CONTRACT PRICE adjusted by previous CHANGE ORDERS	\$ <u>138,092.00</u>
The CONTRACT PRICE due to this CHANGE ORDER will be <u>increased</u> by:	\$ <u>60,910.00</u>
The new CONTRACT PRICE including this CHANGE ORDER will be:	\$ <u>199,002.00</u>

Recommended by:  9-28-2010  
Engineer (Authorized Signature) Date:

Approved by: \_\_\_\_\_ Date:  
Owner: City of Virginia - Mayor

Attest: City Clerk Date:

Accepted by:  9-28-2010  
Contractor (Authorized Signature) Date:



## CITY OF VIRGINIA

CHANGE ORDER #1 - SUMMARY  
 FORMER SEPP/VIRGINIA READY MIX SITE DEMOLITION  
 VIRGINIA, MINNESOTA  
 PROJECT NO. : VA10-02; C.P. 6-09

ITEM NO.	ITEM	UNITS	ADDTL PROJECT QUANTITIES	UNIT COST	ADDTL TOTAL AMOUNT
1	SLOPE GRADING, EXCAVATION & SHAPING	LUMP SUM	1.0	\$19,200.00	\$19,200.00
2	TOPSOIL BORROW (LV)	CU. YD.	280.0	\$18.00	\$5,040.00
3	EROSION CONTROL BLANKET (CAT. 4)	SQ. YD.	2,600.0	\$2.75	\$7,150.00
4	CRUSH & STOCKPILE CONCRETE (1" MINUS)	TON	4,100.0	\$7.20	\$29,520.00

CHANGE ORDER #1 TOTAL: **\$60,910.00**

BENCHMARK ENGINEERING, INC.

**BUILDINGS AND GROUNDS COMMITTEE**

**October 5, 2010 – 9:00 A.M**

**Council Chambers, City Hall**

Present: Councillors Ralston, Littlewolf, Sipola - 3

Absent: None

Also Present: Councillor Cuffe; Bill Hennis, Lead Engineer; John Bachman, Park/Recreation Director; Cheryl Weappa, Children’s Memorial Park; Lois Roskoski, City Clerk

Cheryl Weappa gave an update on the proposed Children’s Memorial Park and stated \$7,600 has been received through fundraisers and memorials for the project.

Ms. Weappa stated Benchmark Engineering provided a sketch of the topography of land and John Damberg prepared a conceptual drawing. The goal of the Children’s Memorial Park Committee is to break ground next year and to purchase an “Angel of Hope” statue, at an approximate cost of \$25,000. The total cost of the project is estimated between \$50,000 to \$75,000 and the plan is to develop the park in stages. Ms. Weappa requested that the City consider being the fiscal agent for the Children’s Memorial Park Committee, in order to qualify for grants and other funding that is available. Councillor Ralston stated he will bring the request to the Finance Committee.

Discussion was held on the extension of the walking trail around Silver Lake. Councillor Sipola stated the Lakes Beautification Committee is in favor of the trail extension. Park/Recreation Director Bachman will add the item to the next Park/Recreation Commission meeting and propose that the commission work jointly with the Lakes Beautification Committee. Lead Engineer Hennis stated conceptual drawings on a walking trail around Silver Lake were presented during previous town meetings and he will try to locate the drawings.

Councillor Sipola reviewed the letter from Kadrmas, Lee and Jackson Engineers requesting comments from the City of Virginia regarding the acquisition of property for the purpose of removing incompatible land uses in the Runway Protection Zone of Runway 14-32.

**A. Moved by Sipola and supported to authorize the City Operations Director to notify Kadrmas, Lee & Jackson, Engineers, that the City of Virginia is not aware of any environmental concerns and does not have any interest in property that is adjacent to the proposed land being acquired by the Eveleth-Virginia Airport. Motion carried.**

Councillor Ralston reviewed the request from Northeast Technical Service to purchase materials for a Mercury Reduction Filtration Pilot Study, at a cost of \$6,006.50. Lead Engineer Hennis stated additional labor costs are estimated at \$10,000 for the pilot study, which is currently being funded through the PFA loan for the Wastewater Treatment Plant renovations.

**B. Moved by Sipola and supported to adopt a Resolution to accept the quote from Red Flint Sand and Gravel, in the amount of \$6,006.50, for granular filter materials to be used in a Mercury Reduction Filtration Pilot Study and to request reimbursement from the Iron Range Resources for the Pilot Study, plus the additional labor costs. Motion carried.**

Lead Engineer Hennis stated Northeast Technical Service is working on developing a written checklist for hazardous materials for City projects.

Lead Engineer Hennis stated two businesses have inquired about the former Troy Laundry site, but no proposals have been received. Discussion was held on marketing the vacant City sites for commercial use.

Lead Engineer Hennis stated City staff is waiting for a directive from the Council on the future use of the former Seppi property and the vacant City property on Bailey's Lake, prior to developing a marketing plan. The current zoning for both locations is B1 Commercial. Councillor Ralston stated the City needs to either support the current zoning or change the zoning. Councillor Sipola stated the City's comprehensive plan recommends that the City acquire property around the lakes as it becomes available, in order to protect the lake view from the streets. Councillor Sipola further stated that several town meetings were held and the public sentiment was to not build commercial structures on the lake property.

It was the consensus of the committee that the portion of the comprehensive plan that refers to lake property be reviewed at a future Buildings/Grounds Committee meeting. If the plan is still viable, a marketing plan will be formatted for the lakes properties and, if the Council wants to make changes to the comprehensive plan, public input would be obtained that time.

Councillor Ralston stated he would be willing to meet with the City Operations Director to discuss a plan to market the other City vacant sites, prior to the next Buildings/Grounds Committee meeting.

**C. Moved by Littlewolf and supported to direct the City Operations Director to develop a marketing plan for all vacant City sites, excluding the lake properties. Motion carried.**

Councillor Cuffe recommended that signage be added to City Center Park to identify the "Veterans Memorial Park" and to designate one of the streets within City Center Park as "Veteran's Memorial Drive".

Lead Engineer Hennis will review the options and costs to add signage to the current "City Center Park" and to designate a street to honor the veterans. Councillor Cuffe will check with the veterans group to determine the wording and color scheme of the signage.

**D. Moved by Sipola and supported to authorize the Engineering Department to review the options and costs to add signage to the current "City Center Park" sign to recognize "Veteran's Memorial Park" and to make a recommendation on the dedication of a street within City Center Park as "Veteran's Memorial Drive", with the veteran's group to submit a recommendation on the wording and color scheme. Motion carried.**

**E. Moved by Sipola and supported to authorize the Public Works and Engineering Departments to redo five signs for the "Adopt a Shore" Program. Motion carried.**

Councillor Littlewolf gave an update on the greenhouse project and stated Damberg Architects have been requested to prepare a drawing for a new greenhouse structure. The "Friends of the Greenhouse" will be submitting a letter to the City Council stating they are in favor of renovating the current greenhouse with renewable energy sources, as recommended in the study that was prepared by the University of Minnesota. Councillor Littlewolf stated the \$500,000 in grants that have been obtained are specific to utilizing renewable energy sources and further stated the community was never in favor of building a new greenhouse.

It was the consensus of the committee that it is the City's intent to renovate the current greenhouse to reduce the cost of the utilities and not to increase the cost of the greenhouse with a new structure. Councillors Littlewolf and Ralston will meet with the City Operations Director and architect to determine what direction they are going with the greenhouse. Park/Recreation Director Bachman stated Damberg Architects will have the cost estimate available next week for a new greenhouse.

Councillor Littlewolf hoped that the City employees could move forward with the installation of the insulation at the greenhouse before winter. Park/Recreation Bachman replied that the insulation cannot be installed at this time because of the weather and temperatures.

Park/Recreation Director Bachman stated the steam valve for the hot water has been shut off and the plan is to install a new electric water heater.

Councillor Ralston reviewed the request from the Virginia Student Council to hold a bon fire on the Silver Lake beach on October 14, 2010, as part of the homecoming activities. Councillor Ralston telephoned Dawn Savela, Student Council Advisor, and she assured the committee that wood without nails would be used and the area would be cleaned up after the bonfire.

**F. Moved by Littlewolf and supported to authorize the Virginia High School Student Council and Advisory Board to hold a bon fire from 5 PM to 8 PM on Thursday, October 14, 2010, in conjunction with the homecoming activities, contingent upon approval by the Fire Marshall, the school being responsible for clean up of the area and chaperones in attendance attending the bonfire. Motion carried.**

Meeting adjourned at 10:40 A.M.

COUNCIL CHAMBERS

9.1 B.

Resolution No.

City of Virginia, Minnesota, **October 12, 2010**

**Resolution accepting proposal from Red Flint Sand and Gravel for granular filter materials for Mercury Reduction Filtration Pilot Study**

Resolved by the City Council of the City of Virginia, that

**WHEREAS, Northeast Technical Service requested a proposal from Red Flint Sand and Gravel for granular filter materials for Mercury Reduction Filtration Pilot Study; and**

**WHEREAS, Red Flint Sand and Gravel submitted a proposal, in the amount of \$6,006.50, for granular filter materials to be used in a Mercury Reduction Filtration Pilot Study using one cell of the existing filtration units,**

**NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk be authorized to enter into an agreement with Red Flint Sand and Gravel for the granular filter materials for the Mercury Reduction Filtration Pilot Study,**

**BE IT FURTHER RESOLVED that a request be submitted to the Iron Range Resources Board to reimburse the City of Virginia for the cost of the materials for the Mercury Reduction Filtration Pilot Study, plus additional labor that will be incurred to perform the study.**

Moved by Councillor      supported by Councillor      that the above resolution be adopted.

Ayes:

Nays: