

**VIRGINIA CITY COUNCIL**

**COUNCIL PROCEEDINGS**

**CITY OF VIRGINIA, MINNESOTA, NOVEMBER 22, 2011**

Regular meeting of the City Council of the City of Virginia, Minnesota, was called to order by Mayor Peterson at 6:30 P.M. in the Council Chambers, City Hall.

Roll Call:

Present: Councillors Cuffe, Littlewolf, Ralston, Baribeau, Sipola, Russo, Mayor Peterson - 7

Absent: None

Mayor Peterson led the Pledge of Allegiance.

Tom Egan, TNC Industries, requested that the City Council treat his company fairly regarding the bids for the Fire Hall Vehicle Exhaust System and stated the City has received a letter from an attorney regarding the matter. Mr. Egan stated he worked with FEMA to get the funds for Virginia and was then told by the City that they did not meet the bid specifications. Mr. Egan felt they were the lowest responsible bidder and the other bidder submitted a non-responsible bid. Mr. Egan stated the City does not have the right to compare the project after the fact. Mr. Egan requested the City Council to accept the lowest responsible bidder, as required by State law and FEMA.

Councillor Ralston removed Item 2 from the Consent Agenda.

Moved by Russo and supported to approve the Consent Agenda, with the exception of

Item 2:

1. Approval/correction of minutes of Regular Meeting held November 9, 2011.
2. Adoption of Finance Resolution No. 11-021 – Schedule of Bills.

Moved by Littlewolf and supported to approve Item 2, Finance Resolution No. 11-021 - Schedule of Bills. Motion carried, with Councillor Ralston abstaining.

Moved by Sipola and supported to adopt Resolution No. 11186, authorizing the sale of Lot 7, Block 1, Northern Heights Addition, to Duane Arvola. Resolution adopted unanimously.

Councillor Baribeau reported on the Finance Committee-of-the-Whole meeting held on November 15, 2011.

Moved by Baribeau and supported to authorize City staff to negotiate with Ken Waschke on the purchase and funding of the hazardous waste clean up on the parking lot currently owned by Essentia, which is located adjacent to the Waschke Auto Plaza on 9<sup>th</sup> Street North, and to submit a recommendation to the Buildings/Grounds Committee. Motion carried.

Moved by Baribeau and supported to request Paul Steinman of Springsted to prepare a proposal to assist the City in developing a formal fund balance policy. Motion carried.

Moved by Russo and supported to reject all the bids for the Fire Hall Vehicle Exhaust Removal System and rebid the project. Motion carried.

Councillor Baribeau requested the City Council to provide any recommendations on changes to the City's current purchasing policy to the City Operations Director, prior to the December 6<sup>th</sup> Finance Committee meeting.

Moved by Baribeau and supported to authorize the City Operations Director to submit grant applications for the Children's Memorial Park project. Motion carried.

Moved by Baribeau and supported to require liquor establishment to have a minimum of a Small Establishment Health Department License to hold a Sunday on-sale liquor license, with the establishment given one year to comply with the Health Department requirements. Motion carried.

City Attorney Butorac stated he will prepare a change to the Virginia City Code to clarify the Health Department requirements that are required to hold a Sunday On-Sale Liquor License.

Moved by Baribeau and supported to approve the renewal of the liquor licenses for the year 2012, contingent upon meeting the licensing requirements. Motion carried.

Councillor Ralston reported on the Buildings/Grounds Committee meeting held on November 15, 2011.

Moved by Ralston and supported to request the City Attorney to send a letter to the owner of the property located at 519 South 2<sup>nd</sup> Avenue and request removal of the graffiti and tattered canopy within ten days, or the City will bill for the services. Motion carried.

Moved by Ralston and supported to request the City Attorney to draft a letter to Joe and Dani Leoni and any other Northern Heights residents that would be affected by the site lines if Lots 8 and 9 were sold to one party, and invite them to attend the next Buildings/Grounds Committee meeting to address their concerns. Motion carried.

Moved by Ralston and supported to approve donating the gift box holiday light displays to the Friends of the Greenhouse. Motion carried.

Moved by Ralston and supported to authorize the Park/Recreation Director to turn the remainder of the City's holiday lighting display during the first week of December to Do-Bid to sell through their on-line auction. Motion carried.

Moved by Ralston and supported to refer the Olcott Park fountain repair to the Finance Committee to set as a priority to obtain funding for the year 2012. Motion carried.

Moved by Ralston and supported to deny the request from the Virginia Amateur Hockey Association to utilize the City's concession areas at the Miners Memorial Building for the 2011-2012 hockey season. Motion carried.

Mayor Peterson reported on the Finance Committee-of-the-Whole meeting held on November 22, 2011.

Jim Paske, Housing and Redevelopment Authority, was present to explain the need to replace the sprinkler heads in the Washington Manor, which have been recalled. After researching the issue, it was determined that a lawsuit was done, but the last date to submit a reimbursement for labor was in August of 1999. City Operations Director Tourville stated he would meet with the Fire Chief to review the City's policy to inspect sprinkler heads in City owned buildings. The City Attorney will send a letter to the contractor that installed the sprinkler heads and question why the City was never notified about the recall of the sprinkler heads.

Moved by Russo and supported to authorize the Housing and Redevelopment Authority to purchase and replace the recalled sprinkler heads at the Washington Manor, at a cost of \$17,100.

Motion carried.

Moved by Russo and supported to move forward with a final tax levy of \$3,731,081 for 2011, collectible in 2012, which is a total increase of 2.9% over last year's levy. Motion carried.

Moved by Sipola and supported to adopt Resolution No. 11187, approving the purchase of a five acre parcel of property by the Eveleth-Virginia Airport Authority to meet buffer zone requirements, legally described as: Parcel No. 340-0010-03023; Easterly 165 feet of Westerly 825 feet of the Northeast ¼ of the Southeast ¼ of Section 16. Resolution adopted unanimously.

Moved by Cuffe and supported to request the Finance Director to prepare a resolution to write-off enterprise fund balances, as necessary, for the December 13, 2011, City Council meeting.

Motion carried.

Councillor Ralston reported on the Buildings/Grounds Committee meeting that was held on November 22, 2011, to review the preliminary plans for the extension of the walking trail around Silver Lake and the construction of the Children's Memorial Park. Mr. Shoberg will present a revised scope of services for the Children's Memorial Park and stated their fee will not change. Mr. Shoberg will present the plans for the total project at the next Buildings/Grounds Committee meeting.

Councillor Russo reported on the Personnel Committee-of-the-Whole meeting held on November 22, 2011, to review a Step 4 grievance from the MAPE Union and stated the grievance was denied at said meeting.

Moved by Baribeau and supported to authorize Krystina Nickila to retain her Police Department badges. Motion carried.

Moved by Sipola and supported to refer the request from the Senior Citizens Center for additional handicapped parking spaces to the Street/Alley Committee. Motion carried.

Mayor Peterson reviewed a Pilot Program through the Minnesota Housing Finance Agency for rental rehabilitation and stated applications are due by November 28, 2011.

Moved by Ralston and supported to adopt Resolution No. 11188, supporting the funding application for the Rental Rehabilitation Deferred Loan Pilot Program through the Minnesota Housing Finance Agency. Resolution adopted unanimously.

Mayor Peterson reported on the following items:

- Annual day of remembrance for the Children's Memorial Park will be held on December 6, 2011, with a candlelight vigil held at the United Methodist Church.
- Range Mental Health Center will be accepting blankets and games to donate to people in need through their ADAPT Program.

Mayor Peterson set a Special Joint City Council/Hospital Commission meeting for 6:00 P.M. on Tuesday, December 6, 2012, in the McMillan Auditorium to discuss the recommendation from the Steering Committee.

Meeting was adjourned at 7:50 P.M., with the next regular City Council meeting to be held at 6:30 P.M. on Tuesday, December 13, 2011.

(CORPORATE SEAL)

STEVE PETERSON  
Mayor

LOIS ROSKOSKI  
City Clerk