

**VIRGINIA CITY COUNCIL
AGENDA
JANUARY 13, 2015 – 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:

- a. Regular Meeting held December 16, 2014.
- b. Reorganizational Meeting held January 2, 2015.

5.2 Adoption of Finance Resolution No. 15-00– Schedule of Bills:

- a. Report dates: 12/17/2014 – 12/31/2014.
- b. Report dates: 1/1/2015 – 1/8/2015.

5.3 Approve 2015 Tobacco Licenses:

- a. Jarve Brothers, Inc., d/b/a Falkowski's Market.
- b. DG Retail, LLC, d/b/a Dollar General Store #13970.

5.4 Approve 2015 Secondhand Goods Dealers Licenses:

- a. Power Play Sports, 1012 8th Street South.
- b. Virginia Charity Thrift, 329 Chestnut Street.
- c. Virginia Thrift Outlet, 118 Chestnut Street.
- d. Goodwill Industries, 522 Chestnut Street.

5.5 Approve the variance for Rockstep, Virginia, LLC, d/b/a Thunderbird Mall, 1401 South 12th Avenue West, for an additional 75 sq. ft. of signage to the 1,680 sq. ft. approved variance in October, 2014, for a total of 1,755 sq. ft. of signage to the exterior of the building.

6. APPEARANCES (Limited to 10 minutes)

7. UNFINISHED BUSINESS

7.1 Adopt Resolution approving the transfer of City property to Ulland Brothers, Inc. (If approved, adopt Resolution.)

7.2 Policy for Naming City Buildings, Properties, Park and Recreational Facilities.

8. DISCUSSION ITEMS

8.1 Resolution making a declaration of official intent under U.S. Treasury Regulations – HRA Bond. (If approved, adopt Resolution.)

8.2 Communication from Zella Ellshoff resigning from the Library Commission.

8.3 Agreement with St. Louis County for collection of residential and commercial recyclable materials for the period January 1, 2015, through December 31, 2020. (If approved, adopt Resolution.)

8.4 Approve signatories for the City of Virginia. (If approved, adopt Resolution.)

8.5 Designation of depositories for 2015. (If approved, adopt Resolution.)

8.6 Newly Elected Officials: League of Minnesota 2015 Leadership Conference.

8.7 Coalition of Greater Minnesota Cities, Legislative Action Day 2015 - January 28, 2015.

9. COMMITTEE REPORTS

9.1 FINANCE COMMITTEE OF THE WHOLE (JANUARY 13, 2015)

- A. WASHINGTON MANOR RENT.
- B. SALE OF SURPLUS EQUIPMENT.
- C. AGREEMENT FOR SERVICES FOR MINERS MEMORIAL ARENA, LOCKER RENOVATION PROJECT. (IF APPROVED, ADOPT RESOLUTION.)
- D. CHANGE ORDER NO. 1, ALLIANCE STEEL CONSTRUCTION, CANINE CENTER DEMOLITION PROJECT. (IF APPROVED, ADOPT RESOLUTION.)
- E. CHANGE ORDER NO. 2, ALLIANCE STEEL CONSTRUCTION, CANINE CENTER DEMOLITION PROJECT. (IF APPROVED, ADOPT RESOLUTION.)
- F. CHANGE ORDER NO. 4, HAMMERLUND CONSTRUCTION, FOURTH STREET NORTH IMPROVEMENT PROJECT. (IF APPROVED, ADOPT RESOLUTION.)
- G. CHANGE ORDER NO. 5, HAMMERLUND CONSTRUCTION, FOURTH STREET NORTH IMPROVEMENT PROJECT. (IF APPROVED, ADOPT RESOLUTION.)
- H. CHANGE ORDER NO. 2, RACHEL CONTRACTING, INC., FORMER EAST RANGE CLINIC PROJECT. (IF APPROVED, ADOPT RESOLUTION.)
- I. CONTRACT FOR CITY ENGINEERING SERVICES FOR YEAR 2015.
- J. COUNTY STATE-AID HIGHWAY 103. (IF APPROVED, ADOPT RESOLUTION.)
- K. DESIGNATING OFFICIAL NEWSPAPER FOR 2015. (IF APPROVED, ADOPT RESOLUTION.)
- L. SALE OF NORTHLAND PARKING LOT.
- M. SALE OF PORTION OF CITY PARKING LOT AND ADJACENT CITY PROPERTY.
- N. IRRRB RESIDENTIAL REDEVELOPMENT GRANT PROGRAM. (IF APPROVED, ADOPT RESOLUTION.)
- O. ST. LOUIS COUNTY GRANT, ECONOMIC DEVELOPMENT FUND. (IF APPROVED, ADOPT RESOLUTION.)
- P. TRANSFER OF FOUR CITY PARCELS, KNOWN AS FORMER STAVER FOUNDRY PROPERTY.
- Q. DEDICATED FUND FOR CABLE ACCESS EXPENDITURES.
- R. RELEASE OF CONDITION TO THE DEED FOR FORMER CITY PROPERTY SOLD TO JACK WILLIAMS JR. (IF APPROVED, ADOPT RESOLUTION.)

9.2 PERSONNEL COMMITTEE OF THE WHOLE (JANUARY 13, 2015)

- A. CONTRACT WITH IAFF, LOCAL 390, FOR PERIOD JANUARY 1, 2014 TO DECEMBER 31, 2016. (IF APPROVED, ADOPT RESOLUTION.)
- B. SETTLEMENT AGREEMENT AND RELEASE REGARDING FAIR LABOR STANDARDS ACT.
- C. PROMOTION TO CAPTAIN POSITION.
- D. FIRE MARSHAL POSITION.
- E. APPOINTMENT TO VACANT CITY COUNCIL POSITION. (IF APPROVED, ADOPT RESOLUTION.)

10. COMMISSION LIAISON/DEPARTMENT HEAD REPORTS

11. ADJOURN TO TUESDAY, JANUARY 27, 2015, AT 6:30 P.M., COUNCIL CHAMBERS

9.1

FINANCE COMMITTEE-OF-THE-WHOLE
Tuesday, January 13, 2015 – 9:00 A.M.
Council Chambers, City Hall

Present: Councillors Baribeau, Littlewolf, Jorgensen, Sipola, Mayor Cuffe – 5
Absent: Councillor Baranzelli - 1

Also Present: SEH Engineering, Mike Larson, Matt Reid; John Bachman, Park/Recreation Director; HRA – Dana Hiltunen, Jesse White, Cindy Haugen; Ed Alto, Public Works Team Coordinator; Scott Fredrickson, Fire Department; Sherry Erickson, Finance/HR Director; Tom Butorac, City Attorney; Dennis Benz, Police Chief; John Tourville, City Administrator; Bill Hanna, Mesabi Daily News

Councillor Baribeau called the meeting to order at 9:01 A.M.

Dana Hiltunen, Housing and Redevelopment Authority, was present to review the budget and rent for the Washington Manor.

Jesse White, HRA, reviewed the Washington Manor budget for the fiscal year that will end on March 31, 2015. As of November 30, 2014, the total operating expenses were under budget at 64% of the budget and the net operating income was at 71%, which is higher than anticipated.

Jesse White reviewed the projected budget for the Washington Manor for the period April 1, 2015, through March 31, 2016, with the net income estimated at various increases in rent. Ms. Hiltunen reviewed the vacancy report for the Washington Manor and stated the HRA approved a one percent increase in rent for the Laurentian Manor. Ms. Hiltunen recommended a one percent increase in rent for the Washington Manor, effective April 1, 2015, in order to maintain the \$40,000 capital budget to address improvements. A twelve percent vacancy rate was used when calculating the proposed budget. Ms. Hiltunen stated she will work on a capital improvement plan for the Washington Manor this year.

Moved by Sipola and supported by Baribeau to approve a two percent increase in the Washington Manor rent, effective April 1, 2015, with one percent utilized for capital improvements.

Ayes: Councillors Baribeau, Jorgensen, Sipola, Mayor Cuffe – 4

Nays: Councillor Littlewolf - 1

Motion carried.

Public Works Team Coordinator Alto recommending selling the surplus equipment to the highest bidders.

Moved by Jorgensen and supported by Cuffe to accept the bids for the surplus equipment, as follows:

1. **Dave Dincau, in the amount of \$4,200.00, to purchase the 1988 International 6 yard Dump Truck.**
2. **Cory Winger, in the amount of \$2,345.67, to purchase the 1988 Ford F600 Flatbed-Dump Body.**
3. **Tom Nemanich, in the amount of \$6,550.55, to purchase the 2004 Chevrolet 3500 Silverado Extended Cab with service body.**

Motion carried.

Park/Recreation Director Bachman stated \$233,000 remains in the budget for the Miners Memorial renovations and recommended accepting the proposal from DSGW Architects for the locker room renovation project.

C. **Moved by Cuffe and supported by Jorgensen to adopt a Resolution approving an agreement with DSGW Architects, in the amount of \$29,768, to provide services for the Miners Memorial Arena, Locker Renovation Project. Motion carried.**

City Administrator Tourville stated he will work with the Park/Recreation Director on a proposal to submit for State bonding funds in 2016.

Matt Reid, SEH Engineering, reviewed the change orders for the Canine Center Demolition Project, Fourth Street North Improvements and East Range Clinic Demolition Project.

D. **Moved by Sipola and supported by Littlewolf to adopt a Resolution approving Change Order No. 1, to decrease the contract with Alliance Steel Construction, by the amount of \$2,398.00, for the Canine Center Demolition Project. Motion carried.**

E. **Moved by Jorgensen and supported by Cuffe to adopt a Resolution approving Change Order No. 2, to decrease the contract with Alliance Steel Construction, by the amount of \$1,079.60, for the Canine Center Demolition Project. Motion carried.**

F. **Moved by Cuffe and supported by Littlewolf to adopt a Resolution approving Change Order No. 4, increasing the contract with Hammerlund Construction, Inc., by the amount of \$137,000.00, for the Fourth Street North Improvement Project. Motion carried.**

G. **Moved by Sipola and supported by Cuffe to adopt a Resolution approving Change Order No. 5, increasing the contract with Hammerlund Construction, Inc., by the amount of \$4,684.24, for the Fourth Street North Improvement Project. Motion carried.**

H. **Moved by Cuffe and supported by Jorgensen to adopt a Resolution approving Change Order No. 2, increasing the contract with Rachel Contracting, Inc., by the amount of \$9,783.00, for the demolition of the former East Range Clinic Project. Motion carried.**

Matt Reid reviewed the proposal from Short, Elliott, and Hendrickson for City Engineering services for a three year period (2015, 2016 and 2017). The cost for the registered professional engineer increased from \$80/hour to \$85/hour for the three years. City Attorney Butorac recommended including an out clause in the contract.

I. **Moved by Sipola and supported by Jorgensen to table the contract with Short, Elliott, Hendrickson Engineering until the January 20th Finance Committee meeting. Motion carried.**

J. **Moved by Littlewolf and supported by Cuffe to adopt a Resolution approving the construction, reconstruction or improvement of County State-Aid Highway 103 within the limits of the City of Virginia as a State Aid Project. Motion carried.**

K. **Moved by Cuffe and supported by Littlewolf to adopt a Resolution designating the Mesabi Daily News as the Official Newspaper for 2015. Motion carried.**

Councillor Baribeau recessed the Finance Committee meeting at 10:09 A.M. to allow the Personnel Committee to meet.

The Finance Committee meeting reconvened at 10:44 A.M.

City Attorney Butorac reviewed the proposal to sell the Northland parking lot to St. Louis County, at a price of \$200,000, and noted the sale requires two readings by the City Council.

I. **Moved by Cuffe and supported by Littlewolf to approve the sale and transfer of City property, known as the Northland Parking Lot, to St. Louis County, for a price of \$200,000, with the final resolution considered at the January 27th City Council meeting. Motion carried.**

M. **Moved by Sipola and supported by Cuffe to authorize the City Administrator and City Attorney to negotiate with St. Louis County on the sale of a portion of the City parking lot located at the corner of Fourth Avenue and First Street South, plus the adjacent City owned property. Motion carried.**

N. **Moved by Cuffe and supported by Littlewolf to adopt a Resolution authorizing the City of Virginia to make application and accept funds from the IRRRB Residential Redevelopment Grant Program, for the following properties:**

1. 113 8th Street South
2. 1108 17th Street South
3. 906 4th Avenue South

Motion carried.

O. **Moved by Cuffe and supported by Littlewolf to adopt a Resolution authorizing the acceptance of a St. Louis County Grant from the Economic Development Fund, in the amount of \$114,173.97, for the demolition and site preparation at the former East Range Clinic site. Motion carried.**

Discussion was held on the conveyance of four City parcels, known as the former Staver Foundry site. Mayor Cuffe stated the expansion project could create up to 25 additional jobs.

City Attorney Butorac stated the parcels will be conveyed, once Tritec identifies the property that is needed for their expansion project. The City should know in the near future if any soil corrections are necessary for any of the parcels. City Attorney Butorac stated the conveyance of the land also requires two readings by the City Council.

City Administrator Tourville will provide a map with the parcels identified for the next Finance Committee meeting.

P. **Moved by Sipola and supported by Littlewolf to approve the transfer of four City parcels, known as the former Staver Foundry property, to Tritec, with the final resolution considered at a future City Council meeting. Motion carried.**

Q. **Moved by Sipola and supported by Cuffe to authorize the Finance Department to formulate a dedicated fund for cable access expenditures. Motion carried.**

R. City Attorney Butorac stated a resolution will be included in the City Council packet for tonight's meeting to release a condition that was required when City property was sold to Jack Williams Jr. in 1999.

Meeting adjourned at 11:05 A.M.

COUNCIL CHAMBERS

9.10.

Resolution No.

City of Virginia, Minnesota, **January 13, 2015**

Resolution accepting agreement with DSGW Architects, Inc., for services for the Miners Memorial Arena, Locker Renovations

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

WHEREAS, DSGW Architects has the submitted a proposal, in the total amount of \$29,768.00, to provide the following services for the Miners Memorial Arena, Locker Renovation Project:

- **Schematic design**
- **Design Development**
- **Construction Documents**
- **Bidding or Negotiations**
- **Construction Phase**

WHEREAS, funds are included in the Park/Recreation Department budget for these renovations for the Miners Memorial Building,

NOW, THEREFORE, BE IT RESOLVED to authorize the Mayor and City Administrator to execute the agreement with DSGW Architects, Inc., for services, as listed above, in the amount of \$29,768.00, for the Miners Memorial Arena, Locker Renovation Project.

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

Ayes:

Nays:

COUNCIL CHAMBERS

9.1 d.

Resolution No.

City of Virginia, Minnesota, **January 13, 2015**

Resolution approving Change Order No. 1 to decrease the contract with Alliance Steel Construction for the Canine Center Demolition Project

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

WHEREAS, Short Elliott Hendrickson Engineering, Inc., has submitted Change Order No. 1, which addresses the asbestos inspection and removal and decreases the contract with Alliance Steel Construction, by the amount of \$2,398.00; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Administrator be authorized to execute Change Order No. 1, which decreases the contract with Alliance Steel Construction for the Canine Center Demolition Project.

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

Ayes:

Nays:

COUNCIL CHAMBERS

9.1e

Resolution No.

City of Virginia, Minnesota, January 13, 2015

Resolution approving Change Order No. 2 to decrease the contract with Alliance Steel Construction for the Canine Center Demolition Project

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

WHEREAS, Short Elliott Hendrickson Engineering, Inc., has submitted Change Order No. 2, which addresses the removal the underground sanitary piping and manhole and decreases the contract with Alliance Steel Construction, by the amount of \$1,079.60; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Administrator be authorized to execute Change Order No. 2, which decreases the contract with Alliance Steel Construction for the Canine Center Demolition Project.

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

Ayes:

Nays:

P. 1 f.

COUNCIL CHAMBERS

Resolution No. _____

City of Virginia, Minnesota,

Resolution, approving Change Order No. 4 to increase the contract with Hammerlund Construction, Inc., for the 4th Street North Improvements, by the amount of \$137,000.00.

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

WHEREAS, Short Elliott Hendrickson Inc., has submitted Change Order No. 4, which increases the contract with Hammerlund Construction, Inc., for the 4th Street North Improvements by the amount of \$137,000.00; and

WHEREAS, Change Order No. 4 addresses the following:

- Item 121: Mobilization**
- Item 122: Remove and Replace Fence**
- Item 123: 6'' Force Main & Fittings – Directional Drill**
- Item 124: Air Release Valve**
- Item 125: Sanitary Manhole with Casting**
- Item 126: Pumps**

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Operations Director be authorized to execute Change Order No. 4, which increases the contract with Hammerlund Construction, Inc., for 4th Street North Improvements, by the amount of \$137,000.00.

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

Ayes:

Nays:

9.1g.

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota,

Resolution, approving Change Order No. 5 to increase the contract with Hammerlund Construction, Inc., for the 4th Street North Improvements, by the amount of \$4,684.24.

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

WHEREAS, Short Elliott Hendrickson Inc., has submitted Change Order No. 5, which increases the contract with Hammerlund Construction, Inc., for the 4th Street North Improvements by the amount of \$4,684.24; and

WHEREAS, Change Order No. 5 addresses item # 127: concrete foundation removal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Operations Director be authorized to execute Change Order No. 5, which increases the contract with Hammerlund Construction, Inc., for 4th Street North Improvements, by the amount of \$4,684.24.

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

Ayes:

Nays:

9.1 h.c.

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota,

Resolution, approving Change Order No. 2 to decrease the contract with Rachel Contracting Inc., for the demolition of the former East Range Clinic Project.

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

WHEREAS, Rachel Contracting Inc., has submitted Change Order No. 2, which addresses providing credit for the removal of topsoil borrow material from project scope; and

WHEREAS, Change Order No. 2 will decrease the contract with Rachel Contracting Inc., in the amount of \$9,783.00;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Operations Director be authorized to execute Change Order No. 2, which decreases the contract with Rachel Contracting Inc., for the demolition of the former East Range Clinic Project, by the amount of \$9,783.00.

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

Ayes:

Nays:

9. U.

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota, **January 13, 2015**

Resolution **approving County Project within Municipal Corporate Limits**

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

WHEREAS, plans for Project No. SA 069-703-013 showing proposed alignment, profile grades and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway 103 within the limits of the City of Virginia as a State Aid Project have been prepared and presented to the City of Virginia,

NOW, THEREFORE, BE IT RESOLVED that said plans for Project No. SA 069-703-013 are hereby approved.

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

Ayes:

Nays:

COUNCIL CHAMBERS

9.1 K.

Resolution No.

City of Virginia, Minnesota, **January 13, 2015**

Resolution designating the Mesabi Daily News as the Official Newspaper for 2015

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

the proposal of the Mesabi Daily News for all legal publications for the City Council of the City of Virginia is hereby accepted as follows:

- **Rate for legal publications, based on a nine column format** **\$ 1.00/PCI**
- **Rate for City Council minutes, based on a six column format** **\$ 1.00/PCI**
- **Discount for rerunning advertisements** **25% discount**
- **Display advertising, based on six column format**
 - ✓ **Weekday rate** **\$10.25/PCI**
 - ✓ **Sunday rate** **\$11.87/PCI**
- **Additional charge for extra composition** **None**

RESOLVED FURTHER, that the Mesabi Daily News be and is hereby designated at the Official Newspaper for the City of Virginia for the Year 2015.

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

Ayes:

Nays:

9.11.

COUNCIL CHAMBERS

Resolution No. _____

City of Virginia, Minnesota, January , 2015

Resolution approving the sale and transfer of City property, known as the Northland Parking Lot to St. Louis County

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

WHEREAS, St. Louis County has agreed to purchase City owned property known as the Northland Parking Lot, legally described as follows:

Parcel 1:

Lot Three (3), EXCEPT the Easterly Four Inches (E'ly 4") thereof, and all of Lots Four (4) and Five (5), all in Block Thirty (30), VIRGINIA, St. Louis County, Minnesota.

Parcel 2:

Lots Six (6) and Seven (7), Block Thirty (30), Original Plat of the City of Virginia, according to the recorded plat thereof on file in the office of the County Recorder in and for St. Louis County, Minnesota.

Parcel 3:

Lots Eight (8) and Nine (9) and the Easterly one (1) foot of the Southerly thirty (30) feet of Lot Ten (10), Block Thirty (30), all in VIRGINIA, according to the recorded plat thereof on file and of record in the office of the County Recorder in and for St. Louis County, Minnesota.

Parcel 4:

Lot Ten (10), EXCEPT the East 1 foot of the South 30 feet, and all of Lot Eleven (11), Block Thirty (30), VIRGINIA, according to the plat thereof on file and of record in the Office of the County Recorder in and for St. Louis County, Minnesota.

Parcel 5:

Lot Twelve (12), Block Thirty (30), VIRGINIA, according to the original plat thereof, on file and of record in the office of the County Recorder, St. Louis County, Minnesota.

Parcel 6:

Lot Thirteen (13), Block Thirty (30), VIRGINIA, according to the original plat thereof, on file and of record in the office of the County Recorder, St. Louis County, Minnesota.

SUBJECT to minerals and mining reservations of record.

SUBJECT to easements, restrictions and reservations of record.

WHEREAS, the City Council has reviewed the proposal by St. Louis County and determined that the sale is the best interest of the City; and

WHEREAS, St. Louis County agrees to pay \$200,000 (TWO HUNDRED THOUSAND DOLLARS AND NO/100) to purchase said property and will pay all fees associated with transferring said property; and

WHERE AS, the City of Virginia will provide St. Louis County a Title Commitment Report; and

WHERE AS, St. Louis County agrees to purchase said property "As is" and agrees to hold the City of Virginia harmless.

NOW, THEREFORE, BE IT RESOLVED to authorize the Mayor and City Administrator to enter into an agreement with St. Louis County to purchase said property, as described above, and to execute a Warranty Deed necessary to transfer the City owned property to St. Louis County.

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

Ayes:-

Nays:-

9.1 N

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota,

Resolution authorizing the City of Virginia to make application to and accept funds from the IRRRB Residential Redevelopment Grant Program

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

WHEREAS, the City of Virginia approves the attached application for the demolition of the properties located at 113 8th Street South, 1108 17th Street South and 906 4th Avenue South; and

WHEREAS, the City of Virginia hereby agrees to accept funding from the IRRRB Residential Redevelopment Grant Program for the project, if approved by the IRRRB,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Virginia does hereby adopt this resolution to submit an application to and accept funds from the IRRRB Residential Grant Program for the demolition project at 113 8th Street South, 1108 17th Street South and 906 4th Avenue South.

BE IT FURTHER RESOLVED that the Mayor and City Administrator are authorized to execute any documents necessary to obtain the funding through the IRRRB Residential Redevelopment Grant Program.

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

Ayes:

Nays:

COUNCIL CHAMBERS

9. / 0.

Resolution No.

City of Virginia, Minnesota **January 13, 2015**

Resolution authorizing acceptance of a St. Louis County Grant from the Economic Development Fund for the demolition and site preparation at the former East Range Clinic site

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

WHEREAS, the City of Virginia has requested funding for demolition, clearance and site preparation activities at the former East Range Clinic site in Virginia to assist the development of a new business entity on the prepared site; and

WHEREAS, St. Louis County has agreed to grant \$114,173.97 from the St. Louis County Economic Development Fund for the project; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Administrator are authorized to enter into an agreement with St. Louis County to accept the grant, in the amount of \$114,173.97, to be used for the demolition and site preparation of the former East Range Clinic site.

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

Ayes:

Nays:

9.1 P

COUNCIL CHAMBERS

Resolution No. _____

City of Virginia, Minnesota, **January** , 2015

Resolution **approving the transfer of City property to TRITEC**

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

WHEREAS, the City of Virginia will convey four parcels of land to TRITEC, legally described as follows:

Part of the Southwest Quarter of the Southeast Quarter of Section 8, Township 58 North, Range 17 West of the Fourth Principal Meridian, lying in the City of Virginia, St. Louis County, Minnesota, described as follows. Commencing at the southwest corner and thence North 87 degrees 38 minutes 02 seconds East assigned bearing along the south line of said Southwest Quarter of the Southeast Quarter for a distance of 124.67 feet to the point of beginning of the parcel to be described; thence continue North 87 degrees 38 minutes 02 seconds East along said south line 319.80 feet; thence North 02 degrees 21 minutes 58 seconds West 500.0 feet; thence South 87 degrees 38 minutes 02 seconds West 100.00 feet; thence South 02 degrees 21 minutes 58 seconds East 415.00 feet; thence South 87 degrees 38 minutes 02 seconds West, parallel to the south line of said Southwest Quarter of the Southeast Quarter for a distance of 252.76 feet; thence South 23 degrees 30 minutes 20 seconds East 91.12 feet to the point of beginning; and

Part of the Southwest Quarter of the Southeast Quarter of Section 8, Township 58 North, Range 17 West of the Fourth Principal Meridian, lying in the City of Virginia, St. Louis County, Minnesota, described as follows. Beginning at the southwest corner, thence North 01 degree 57 minutes 18 seconds West assigned bearing along the west line of said Southwest Quarter of the Southeast Quarter for a distance of 62.18 feet; thence North 43 degrees 46 minutes 48 seconds East 101.29 feet; thence south 23 degrees 30 minutes 20 seconds East 141.89 feet to the south line of said Southwest Quarter of the Southeast Quarter; thence South 87 degrees 38 minutes 02 seconds West along said south line 124.67 feet to the point of beginning; and

Part of the Northwest Quarter of the Northeast Quarter of Section 17, Township 58 North, Range 17 West of the Fourth Principal Meridian, lying in the City of Virginia, St. Louis County, Minnesota, described as follows. Beginning at the northwest corner, thence North 87 degrees 38 minutes 02 seconds East assigned bearing along the north line of said Northwest Quarter of the Northeast Quarter for a distance of 124.67 feet; thence South 23 degrees 30 minutes 20 seconds East 157.66 feet; thence North 66 degrees 29 minutes 40 seconds East 15.00 feet; thence South 23 degrees 30 minutes 20 seconds East 89.63 feet; thence southeasterly 57.88 feet along a tangential curve concave to the southwest with a radius of 757.02 feet and a central angle of 04 degrees 21 minutes 22 seconds; thence South 70 degrees 52 minutes 12 seconds West on a radial to the center of circle for the previously described curve for a distance of 15.00 feet; thence southeasterly 101.90 feet along a curve the center of circle for which is the previously described radial line, with a radius of 742.02 feet, and a central angle of 07 degrees 52 minutes 06 seconds; thence South 88 degrees 32 minutes 16 seconds West along the easterly extension of the north right of way of Tenth Street South, dedicated as Larch Street in the plat of ANDERSONS THIRD ADDITION TO VIRGINIA, for a distance of 270.82 feet; thence North 00 degrees 02 minutes 12 seconds East along the west line of said Northwest Quarter of the Northeast Quarter for a distance of 379.65 feet to the point of beginning; and

Part of the Northwest Quarter of the Northeast Quarter of Section 17, Township 58 North, Range 17 West of the Fourth Principal Meridian, lying in the City of Virginia, St. Louis County, Minnesota, described as follows. Commencing at the northwest corner, thence North 87 degrees 38 minutes 02 seconds East assigned bearing along the north line of said Northwest Quarter of the Northeast Quarter for a distance of 124.67 feet to the point of beginning of the parcel to be described; thence South 23 degrees 30 minutes 20 seconds East 157.66 feet; thence North 66 degrees 29 minutes 40 seconds East 15.00 feet; thence South 23 degrees 30 minutes 20 seconds East 89.63 feet; thence southeasterly 57.88 feet along a tangential curve concave to the southwest with a radius of 757.02 feet and a central angle of 04 degrees 21 minutes 22 seconds; thence South 70 degrees 52 minutes 12 seconds West on a radial to the center of circle for the previously described curve for a distance of 15.00 feet; thence southeasterly 101.90 feet along a curve the center of circle for which is the previously described radial line, with a radius of 742.02 feet, and a central angle of 07 degrees 52 minutes 06 seconds; thence North 88 degrees 32 minutes 16 seconds East along the easterly extension of the north right of way of Tenth Street South, dedicated as Larch Street in the plat of ANDERSON'S THIRD ADDITION TO VIRGINIA, for a distance of 118.28 feet; thence North 23 degrees 50 minutes 20 seconds East 429.61 feet; thence South 87 degrees 38 minutes 02 seconds West along the north line of said Northwest Quarter of the Northeast Quarter for a distance of 438.20 feet to the point of beginning.

WHEREAS, the City Council has reviewed the four subject parcels of land and has determined that the transfer of said parcels to TRITEC is in the best interest of the City and its residents; and

WHEREAS, TRITEC will pay all fees associated with transferring said property,

NOW, THEREFORE, BE IT RESOLVED to authorize the Mayor and City Administrator to enter into an agreement with TRITEC to convey the parcels of land, as legally described above, and to execute the Warranty Deed necessary to transfer the City owned property to TRITEC.

Moved by Councillor
adopted.

supported by Councillor

that the above resolution be

Ayes:-

P. I. r.

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota January 2015

Resolution releasing the condition to the deed against property that was sold to Jack W. Williams Jr. , requiring buyer to commence work on a residential structure within three years of the deed. Jack W. Williams Jr. did build on said property within three years; therefore the City of Virginia no longer has any reversionary rights to the property.

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

WHEREAS, a Warranty Deed from the City of Virginia to Jack W. Williams Jr. was dated May 26, 1999 and filed July 2, 1999 as Document No. 668122 for property legally described as:

That part of the NE1/4 of the NE1/4 of Section 29, Township 58 North, Range 17 West of the Fourth Principal Meridian, in the City of Virginia, St. Louis County, Minnesota, lying in the N of Bourgin Road right-of-way, described as follows: Commencing at the NW corner and assigning a bearing of South 02 degrees 21 minutes 18 seconds East to the West line of said NE1/4 of the NE1/4; thence South 02 degrees 21 minutes 18 seconds East along said West line 525.18 feet to the North right-of-way of Bourgin Road; thence North 69 degrees 05 minutes 14 seconds East along said right-of-way 1071.93 feet; thence North 01 degrees 12 minutes 48 seconds West parallel with the East line of said NE1/4 of the NE1/4 192.76 feet to the North line of said NE1/4 of the NE1/4; thence South 87 degrees 09 minutes 22 seconds West along said North line 1020.07 feet to the point of beginning, containing 8.38 acres, more or less, EXCEPT that part described as follows: Commencing at the NW corner and assigning a bearing of North 87 degrees 09 minutes 22 seconds East to the north line of said NE1/4 of the NE1/4; thence North 87 degrees 09 minutes 22 seconds East along said north line 745.18 feet to the point of beginning; thence South 01 degrees 12 minutes 48 seconds East 283.12 feet; thence North 69 degrees 05 minutes 14 seconds East along the North right of way of Bourgin Road 291.86 feet; thence North 01 degrees 12 minutes 48 seconds West parallel with the East line of said NE1/4 of the NE1/4 192.56 feet to the North line of said NE1/4 of the NE1/4; thence South 87 degrees 09 minutes 22 seconds West along said North line 274.89 feet to the point of beginning. FURTHER EXCEPT that part of the NE1/4 of the NE1/4 of Section 29, Township 58 North, Range 17 West of the Fourth Principal Meridian, in the city of Virginia, lying N of Bourgin Rd right-of-way, described as follows: Beginning at the NW corner and assigning a bearing of S 02 degrees 21 minutes 18 seconds E to the W line of said NE1/4 of the NE1/4; thence S 02 degrees 21 minutes 18 seconds E along the W line 525.18 ft to the N right-of-way of Bourgin Rd; thence N 69 degrees 05 minutes 14 seconds E along said right-of-way 448.81 ft; thence N 21 degrees 50 minutes 41 seconds W 408.59 ft to the N line of said NE1/4 of the NE1/4; thence S 87 degrees 09 minutes 22 seconds W along said N line 289.30 ft to the point of beginning. EXCEPT minerals. SUBJECT to an easement in favor of the public for roadway through said property, as such easement was created by an agreement with the City of Eveleth bearing date of January 2, 1920, and filed in the office of the Register of Deeds on March 8th, 1920 in Book 27 of Miscellaneous, on page 195. SUBJECT to mineral rights reserved by the State of Minnesota in Deed recorded as Microfilm Document No. 205, in the office of the Register of Deeds.

WHEREAS, this shall serve as a release of the stipulation that Jack W. Williams Jr. was required to commence a residential structure within three years of the deed dated May 26, 1999.

WHEREAS, the City of Virginia no longer has a reversionary right in the property to reenter in and or upon the property to take possession of the property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Virginia hereby fully releases interest in the property deeded to Jack W. Williams Jr. as described above.

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

Ayes:-

Nays:-

9.2

PERSONNEL COMMITTEE-OF-THE-WHOLE
Tuesday, January 13, 2015
Council Chambers, City Hall

Present: Councillors Baribeau, Littlewolf, Jorgensen, Sipola, Mayor Cuffe – 5
Absent: Councillor Baranzelli – 1

Also Present: Tom Butorac, City Attorney; John Tourville, City Administrator; Scott Frederickson, Fire Department; Sherry Erickson, Finance/HR Director; Lois Roskoski, City Clerk; Louis Russo

Councillor Sipola called to order at 10:09 AM.

Louis Russo reviewed the proposed changes to the contract with the Fire Union for the period January 11, 2014, through December 31, 2016

- 2.75% - Retroactive from 7/1/14; 0% first six months.
- 2.5% increase in 2015.
- 2.5% increase in 2016.
- Anyone not on the payroll when the contract is ratified would not receive back pay.
- Employee cannot change sick leave to vacation or comp time when they call in sick.
- Any unused vacation time at year end would be placed into a health care savings account. No vacation will be carried over.
- Clothing allowance would be prorated for new employees.
- Compensatory time will be maxed at 120 hours per contract year.

a. **Moved by Baribeau and supported by Jorgensen to adopt a Resolution approving the contract with Local 390, International Association of Firefighters for the period January 1, 2014, through December 31, 2016. Motion carried.**

Louis Russo reviewed the settlement with the Fire Department employees regarding the Fair Labor Standards Act and Federal leave hours. Mr. Russo stated the Fire Department employees are entitled to twelve hours of federal leave every 24 days and cannot be scheduled to work on that day. The federal leave day must be recorded on their time card. Mr. Russo reviewed the settlement that will be paid to eighteen Fire Department employees, which totals \$24,922.19. Mr. Russo recommended that each employee receiving a settlement for compensation, sign a waiver prior to receiving the pay. Finance/HR Director Erickson stated, as long as the City is tracking the federal leave day, it should not be an issue in the future.

b. **Moved by Baribeau and supported by Jorgensen to approve the “Settlement Agreement and Release” regarding the Fair Labor Standards Act that affects eighteen Fire Department employees and to release the compensation to the employees, contingent upon signing a waiver. Motion carried.**

Councillor Sipola recessed the Personnel Committee meeting at 10:33 A.M. and reconvene after the Finance Committee meeting.

Councillor Sipola reconvened the meeting at 11:05 AM

a. **Moved by Cuffe and supported by Baribeau to approve the promotion of Scott Fredrickson to the Captain position, as recommended. Motion carried.**

Mayor Cuffe noted he is working on a plan to acknowledge new employees, promotions and retirements.

Councillor Sipola reviewed the grievance that was received regarding the pay for the Fire Marshal position. Chris Clark was promoted to the Fire Marshal position and the City Council approved a blended rate for the position, as the Fire Marshal duties are performed on a part time basis. The Fire Union filed a grievance because the contract does not allow a blended rate for the Fire Marshal position. To settle the grievance, Councillor Sipola recommended making Chris Clark whole for the Fire Marshal duties, with back pay to the date he was promoted to the position. The difference in salary is \$.81 per hour.

d. **Moved by Cuffe and supported by Baribeau to authorize Chris Clark to receive the Fire Marshal salary, as listed in the Fire Union contract, with back pay to the date of the promotion. Motion carried.**

Regarding the process to fill the vacant City Council position, Councillor Sipola reviewed the Virginia City Charter, Section 1.04 – Power of the City, and Section 2.06 – Vacancies. The City Council declared the City Council position vacancy on January 2, 2015, and has thirty days to fill the position. Councillor Sipola reviewed the following list of suggestions to appoint a person to the vacant position:

1. Obtain recommendations from an elected official.
2. Advertise for public applications and hold an interview process.
3. Appoint a previous unsuccessful candidate.
4. Other ideas.

City Attorney Butorac stated it is the intent of the City Charter to fill the vacant position within the thirty day period.

A lengthy discussion took place, followed by the following motions.

Moved by Baribeau and supported by Cuffe to advertise, accept applications from the public and interview for the vacant City Council position.

Ayes: Councillor Baribeau, Mayor Cuffe – 2

Nays: Councillors Littlewolf, Jorgensen, Sipola - 3

Motion failed.

Moved by Cuffe and supported by Baribeau to extend Mike Ralston's City Council position for two additional years.

Ayes: Councillor Baribeau, Mayor Cuffe – 2

Nays: Councillors Littlewolf, Jorgensen, Sipola – 3

Motion failed.

e. **Moved by Littlewolf and supported by Jorgensen to adopt a Resolution appointing Mary McReynolds-Pellinen, the fourth highest vote getter from the General Election held on November 4, 2014, to the vacant City Council position.**

Ayes: Councillor Littlewolf, Jorgensen, Sipola – 3

Nays: Councillor Baribeau, Mayor Cuffe - 2

Motion carried.

Meeting adjourned at 12:00 Noon.

COUNCIL CHAMBERS

9.2 a.

Resolution No. _____

City of Virginia, Minnesota, **January 13, 2015**

Resolution approving contract with Local 390, International Association of Firefighters

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

WHEREAS, the contract for the Local 390, International Association of Firefighters, has been negotiated between the Local 390 and the City of Virginia for the period January 1, 2014, through December 31, 2016; and

WHEREAS, after numerous negotiation sessions, an agreement has been reached with the Local 390,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Virginia approves the Local 390, International Association of Firefighters Agreement for the period from January 1, 2014 through December 31, 2016.

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

Ayes:

Nays:

COUNCIL CHAMBERS

9.2 e.

Resolution No.

City of Virginia, Minnesota, **January 13, 2015**

Resolution **appointing a new Council Member for the vacant position**

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

WHEREAS, pursuant to Resolution No. 15026, a vacancy exists on the City Council, with an unexpired term ending December 31, 2016,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Virginia to appoint Mary McReynolds-Pellinen to fill the vacant position on the City Council for the unexpired term ending December 31, 2016.

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

Ayes:

Nays: