AGENDA NOVEMBER 23, 2010 – 6:30 P.M.

1. CALL MEETING TO ORDER

- 2. ROLL CALL
- 3. PLEDGE OF ALLEGIANCE

3A. PUBLIC HEARINGS

- 1. Excess Police Pension Fund.
 - a. Rescind Resolution No. 99212 to establish a plan for expenditures of the residual asset amount of the overfunded PERA Consolidated Virginia Police Pension Fund, adopted on November 9, 1999.
 - b. Adopt Resolution to establish a plan for repayment of the expenditures from the overfunded PERA Consolidated Virginia Police Pension Fund.
- 2. Community Development Block Grant for the proposed reconstruction of 4th Street North from 6th Avenue West to 9th Avenue West.
 - a. Adopt Resolution authorizing submission of a CDBG application for the proposed reconstruction project.
- 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 November 9, 2010.
- 5.2 Adoption of Finance Resolution No. 010-022 Schedule of Bills.
- 6. APPEARANCES (Limited to 10 minutes)
- 6.1 Paul Steinman, Springsted, regarding capital equipment certificates.
- 7. UNFINISHED BUSINESS

8. DISCUSSION ITEMS

7.1

- 8.1 Transfer of 2011 On-Sale and Sunday Liquor License from Regner Hotel Group, Inc., d/b/a Coates Plaza Hotel, to Brian Vilbrandt, d/b/a Brantz Roadhouse, 502 Chestnut Street.
- 8.2 Transfer of 2010 On-Sale and Sunday Liquor License from Enrique Banales and Sofia Ayala, d/b/a Cazadores, to Catarino Lozova, Thunderbird Mall, contingent upon Landlord/Owner approval of the lease assignment.
- 8.3 Re-evaluation of sewer rates.
- 8.4 Set dates for December committee meetings and City Council meeting.

9. COMMITTEE REPORTS

- 9.1 Finance Committee as a Committee-of-the-Whole (November 16, 2010)
 - A. Contract with Mesabi Humane Society. (If approved, adopt Resolution.)
 - B. 2011 budget appropriation Laurentian Chamber of Commerce/Mineview in the Sky.
 - C. Travel request Karin Krueger, Police Department.
 - D. 2011 membership dues League of Minnesota Cities.
 - E. 2011 budget appropriation Senior Citizens Center.
 - F. Legislative protocol for City employees.
 - G. 2011 budget appropriation Tennis for All Facility.
 - H. 2011 budget appropriation Fund 499 VEEDA appropriation and taxes.
 - I. Proposed final tax levy for 2010, collectible in 2011.
 - J. Renewal of liquor licenses for period January 1, 2011, through December 31, 2011.
- 9.2 Personnel Committee (November 16, 2010)
 - A. Reappointment to Cable Commission for three year term ending December 1, 2013.
 - B. Housing and Redevelopment Authority five year term ending November 22, 2015.
 - C. Job description Public Safety Director position.
 - D. Establish list for Firefighter/Paramedic position.

10. COMMISSION LIAISON/DEPARTMENT HEAD REPORTS

11. ADJOURN TO TUESDAY, DECEMBER 14, 2010, AT 6:30 P.M., COUNCIL CHAMBERS

PUBLIC HEARING

Pursuant to the omnibus pension bill (SF 319, Article 4, Section 10), the City of Virginia adopted a plan in 1999 for the expenditure of the residual asset amount of the overfunded PERA consolidated Virginia Police Pension Fund. An Excess Police Pension Fund was created and the plan designated specific expenditures for use of the fund, pursuant to State law.

The City Council will hold a public hearing in the Council Chambers, City Hall, Virginia, Minnesota, at 6:30 P.M., on Tuesday, November 23, 2010, to discuss options to change the current plan for the use of the Excess Police Pension Fund.

Any and all persons desiring to be heard with reference to the Excess Police Pension Fund will be heard at this meeting.

LOIS ROSKOSKI City Clerk

MDN 11/12/10 2 x 4 Display Ad

City of Virginia, Minnesota, November 9, 1999

Resolution to establish a plan for expenditure of the residual asset amount of the overfunded PERA consolidated Virginia Police Pension Fund

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

WHEREAS, the Office of the State Auditor (hereinafter "OSA") has been informed by the Public Employees Retirement Association (hereinafter "PERA") that the Virginia Police pension fund has been identified as being an overfunded plan of the Police and Fire Consolidation Fund (hereinafter "P & FF"); and

WHEREAS, a new law passed in 1999 required the executive director of PERA to pay this overfunded or "residual asset amount" to the municipality upon completion of the statutory requirements noted below; and

WHEREAS, pursuant to the omnibus pension bill (SF 319, article 4, section 10), before the "residual asset amount" payment is made by PERA to the municipality of the overfunded plan, the governing body of the applicable municipality must hold a public hearing and adopt a plan for the expenditure of the residual amount; and

WHEREAS, the City of Virginia held a public hearing on July 27, 1999, to review options for use of the residual amounts from this overfunded plan; and

WHEREAS, a plan adopted in the form of an adopted municipal resolution must be filed with the Office of the State Auditor,

NOW, THEREFORE, BE IT RESOLVED that the City of Virginia formally adopts the following plan for expenditure of the residual asset amount of the overfunded PERA Virginia Police Pension Consolidation Fund:

- I. The City of Virginia will create a special fund and invest the residual asset amount and any investment earnings will also be credited to this fund.
- II. The City will file a statement of revenues and expenditures for the previous calendar year by April 1st of the following year with the Office of the State Auditor.

- III. The City of Virginia hereby designates the following items as properly designated expenditures for this fund.
 - 1. A new public safety facility.
 - 2. Additional possible retirement funding for Police officers hired prior to 7/1/80. These officers had to complete a six-month probation period before being eligible for a pension and their eligibility started on the first day of the seventh month. There are eight current officers affected and the City will have PERA determine the additional funding required to reflect their actual date of hire. All current officers are eligible as of their date of hire.
 - 3. Capital improvements for the Police Department. The Police Department has a need to upgrade facilities, office equipment and other equipment.
 - 4. Some funds could be used to defray the annual cost of Police Department operations.
 - 5. Additional funding to provide training and training materials for Police Department personnel.
 - 6. Funding of early retirements and/or medical insurance for Police Department retirees.
 - 7. Only interest earnings can be withdrawn annually for the purposes listed above, so that these funds can be utilized for a number of years. The only exception to this policy would be to fund a new public safety facility or capital improvements for the Police Department.
 - 8. Any proposed changes to this plan will be by Council Resolution and must be submitted to the State of Minnesota Office of the State Auditor.
- IV. The Mayor and City Clerk/Finance Director are authorized to execute the necessary documentation to establish and carry out this plan.

Moved by Councillor **Henderson** supported by Councillor **Isaacson** that the above resolution be adopted.

Ayes: Councillors Isaacson, Russo, Baribeau, Thornton, Henderson, Cuffe, Mayor Gentilini - 7

Nays: None

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota, November 23, 2010

Resolution to establish a Plan for Repayment of the expenditure from the overfunded PERA consolidated Virginia Police Pension Fund

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

WHEREAS, an audit of the overfunded PERA Virginia Police Pension Consolidation Fund was completed by the Office of the State Auditor (hereinafter "OSA"); and

WHEREAS, monies from this fund were expended by the City of Virginia (hereinafter "City")to fund other various projects and items within the City General Fund; and

WHEREAS, the City of Virginia is desirous of following the recommendations from the OSA to repay the funds used by the City, with interest, to the overfunded PERA Virginia Police Pension Consolidation Fund; and

WHEREAS, the Virginia Police Department has an average operating budget of \$1.8 million annually; and

WHEREAS, the City is desirous of offsetting the annual Police Department budget with the overfunded PERA Virginia Police Pension Consolidation Fund;

NOW, THEREFORE, BE IT RESOLVED in order to re-pay the \$3.4 million that was expended by the City from the overfunded PERA Virginia Police Pension Consolidation Fund, the City will offset the Police Department Budget with the overfunded PERA Virginia Police Pension Consolidation Fund for the period January 1, 2010, through December 31, 2011, and to utilize any residual assets towards the 2012 Police Department budget or for capital items for the Police Department.

BE IT FURTHER RESOLVED, a Public Hearing was held on this date to advise the Public of the Repayment Plan and a copy of this Council Resolution will be provided to the OSA.

Moved by Councillor

supported by Councillor

that the above resolution be adopted.

Ayes:

Nays:

CITY OF VIRGINIA PUBLIC HEARING

Proposed reconstruction of 4th Street North from 6th Avenue West to 9th Avenue West

November 23, 2010-6:30 P.M. Virginia Council Chambers, City Hall

The proposed project includes the reconstruction of 4th Street North from 6th Avenue West to 9th Avenue West. The reconstruction will include widening the street surface from 24' to 44' and adding new boulevards, sidewalks, curbs, sanitary sewers, storm sewers, and trees. The widening of the street will allow for two cars to pass side-by-side and a parking lane. Currently, the street is only wide enough for two lanes of traffic and no parking lane.

The proposed project will cost approximately \$334,000 per block, or a total of \$1,000,000, of which the City is applying for \$350,000 in Community Development Block Grant (CDBG) funds to offset any possible assessments against the low and moderate income property owners in this area for the sanitary sewer improvements. It is has been determined that this project meets the low and moderate Federal income objectives for the CDBG program and is prioritized as a high priority need.

Other information on the project indicates that the sanitary sewer and storm sewer lines will be replaced and a sanitary sewer equalization pipe will be installed to help alleviate sanitary sewer problems for the residents on the north side of Virginia. The City will be working with the Mesabi Trail to either relocate or rebuild the bike/snowmobile trail that is located on the north side of 4th Street North. The City water main was recently replaced using City funds.

If this project meets the approval of the community and City Council, it will be submitted in a Community Development Block Grant request for the next fiscal year.

City of Virginia, Minnesota, November 23, 2010

Resolution authorizing submission of a CDBG application for the proposed reconstruction of 4th Street North from 6th Avenue West to 9th Avenue West

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

WHEREAS, St. Louis County is preparing a Consolidated Plan/Action Plan application to the U.S. Department of Housing and Urban Development for funding under its Urban County Entitlement status for the Community Development Block Grant (CDBG) Program; and

WHEREAS, St. Louis County has requested CDBG-eligible projects from local jurisdictions for inclusion in said application; and

WHEREAS, the City of Virginia has conducted a public hearing on this date, relative to this project and the City of Virginia's CDBG application for said project; and

WHEREAS, the City of Virginia believes this project meets the planning grant guidelines of the CDBG project and is prioritized by the community as a high priority need,

NOW, THEREFORE, BE IT RESOLVED that the City of Virginia's CDBG application is hereby authorized to be submitted to St. Louis County for inclusion in the St. Louis County Consolidated Plan/Action Plan application to the U.S. Department of Housing and Urban Development, and that the Mayor and City Operations Director are hereby authorized to execute all documents, agreements, or contracts which result from this application to St. Louis County.

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

Nays:

City of Virginia, Minnesota, March 23, 2010

Resolution authorizing increase in sewer rates, effective April 1, 2010

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

WHEREAS, the current sewer rate is \$2.95/unit and has not been increased since 1994; and

WHEREAS, it is necessary to increase the sewer rate to generate additional revenue to meet current expenditures for the Sewer Fund; and

WHEREAS, Springsted, Inc., the City's financial advisor, has recommended that a portion of the sewer rate be placed in a trust fund to offset the OPEB liability (other post employment benefits),

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Virginia approves increasing the sewer rate to \$3.50 per unit, effective April 1, 2010,

BE IT FURTHER RESOLVED that 3 % (or approximately \$.12/unit) of the sewer rate increase be placed in a trust fund to offset the retiree insurance for the Sewer Fund.

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

Ayes:

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

Nays:

None

Projected Sewer Charges

•	
per unit (100cf)	
per 1,000 gallon	S

	2009							
Γ	\$ 2.95 3.94	\$ 4.28	\$ 5.35	\$ 5.61	\$	5.61	\$ 5.61	\$ 5.61
L	\$ 3.94	\$ 5.71	\$ 7.14	\$ 7.50	\$.	7.50	\$ 7.50	\$ 7. 50

per unit (100cf) per 1,000 gallons

	2016	ik i s	2017	W	2018	7.3	2019	1.7	2020	2021	(Ac)	2022
Ì	\$ 5.61	\$	5.61	\$	5.61	\$	5.61	\$	5.61	\$ 5.61	\$	5.61
İ	\$ 7.50	\$.	7.50	\$	7.50	\$	7.50	\$	7.50	\$ 7.50	\$	7.50

per unit (100cf) per 1,000 gallons

	2023	2024	# %	2025	2026	2027	€ ±,	2028	2029
Ī	\$ 5.61	\$ 5.61			5.61				
l	\$ 7.50	\$ 7.50	\$	7.50	\$ 7.50	\$ 7.50	\$ -	7.50	\$ 7.50

Projected Average Monthly Residential Sewer Bills

Average Monthly Use

÷5,000

Projected Bill

ı	2009	2010	2011	2012	Ç.	2013	4	2014	2015
	\$ 19.70	\$ 28.57	\$ 35.71	\$ 37.49	\$	37.49	\$	37.49	\$ 37.49

Projected Bill

2016	33.5	2017	2018	2019	2020	*:	2021	2022	
\$ 37.49	\$	37.49	\$ 37.49	\$ 37.49	\$ 37.49	\$	37.49	\$ 37.49	l

Projected Bill

1	2023	2024	2025	2026	2027	8.45	2028	J	2029
	\$ 37.49	\$ 37.49	\$ 37.49	\$ 37.49	\$ 37.49	\$	37.49	\$	37.49

FINANCE COMMITTEE AS A COMMITTEE-OF-THE-WHOLE Tuesday, November 16, 2010 - 9:00 A.M.

Council Chambers, City Hall

Present:

Councillors Cuffe, Ralston, Baribeau, Russo, Mayor Peterson - 5

Absent:

Councillors Littlewolf, Sipola – 2

Also Present: Tom Butorac, City Attorney; Ed Alto, Public Works Team Coordinator; Mesabi Humane Society - Claire Bell, Tania Perpich; Jim Currie, Chamber of Commerce; Rick Puhek, City Assessor; Lois Roskoski, City Clerk; John Tourville, City Operations Director; Sherry Erickson, Finance/Human Resources Director, Dana Waldron, Police Chief, Bill Hanna,

Mesabi Daily News: Greg Knutson, Walker, Giroux and Hahne

Claire Bell, representing the Mesabi Humane Society, stated the City of Virginia received 52 ½ hours in additional patrol hours from June through September in 2010 to help enforce and educate the public on the dog debris ordinance, which is not done in other cities. Ms. Bell stated the Mesabi Humane Society patrol officers are willing to issue tickets, but they have not been authorized to do so. The Humane Society is also willing to sell animal licenses at the shelter. Ms. Bell provided statistical information regarding routine patrol hours and contracts amounts for the cities under contract with the Humane Society, based on the per capita rate, and noted that Virginia has the lowest rate.

Councillor Russo recommended the contract with the Mesabi Humane Society be increased by \$900 for the first six months of 2011 and that they be authorized to sell animal licenses and issue violations, with the process reviewed after a six month period. If the new process is increasing revenue, the Council would consider an additional \$900 in their contract for the second half of 2011.

Police Chief Waldron stated the Mesabi Humane Society would look successful if they write a lot of tickets, but once the public education is done, the number of violations will decrease and they could potentially lose the increase they are requesting. Councillor Russo stated the Council will review the number of tickets and warnings that are issued, number of licenses sold and amount of educational information that was distributed.



Moved by Russo and supported to adopt a Resolution approving an increase in the contract with the Mesabi Humane Society by \$900 for the first six months of 2011 and to authorize them to animal licenses and issue tickets for ordinance violations, with the process to be reviewed in six months to determine the funding for the second half of 2011.

Ayes:

Councillors Cuffe, Littlewolf, Russo, Mayor Peterson - 4

Navs:

Councillors Ralston, Baribeau - 2

Motion carried.

Discussion was held on the 2011 budget appropriation for the Chamber of Commerce/Mineview in the Sky. City Assessor Puhek estimated an increase in taxes of \$4,500 for the Mineview in the Sky, due to the change in tax status for the property that is leased through RGGS Lands & Minerals for the Mineview. Per the lease agreement, the City of Virginia is responsible for the taxes. It was recommended that Jim Currie reapproach the cities of Gilbert and Mt. Iron and request that they join the Laurentian Chamber of Commerce.

It was recommended that the 2011 appropriation for the Chamber of Commerce remain at \$23,605, which will include a maximum of \$4,500 for the increased taxes for the Mineview in the Sky. The City would assume any tax increase above \$4,500 for the Mineview.

Moved by Ralston and supported to set the 2011 budget appropriation for the Laurentian Chamber of Commerce at \$23,605, which includes a maximum tax increase of \$4,500 for the Mineview-in-the Sky, and to pay the appropriation biannually in June and December. Motion carried.

City Operations Director Tourville stated Paul Steinman of Springsted will review a capital equipment certificate at the November 23rd City Council meeting.

Moved by Baribeau and supported to approve the travel request for Karin Krueger, Police Department, to attend the Criminal Justice Reporting System seminar, which will be held January 10-12, 2011, in St. Paul, Minnesota. Motion carried.

Moved by Ralston and supported to approve the membership dues with the League of Minnesota Cities, in the amount of \$7,116.00, for the year 2011. Motion carried.

Finance Director Erickson stated all the accounts for the Senior Citizen Center and Teen Center will be separated. The Public Utilities has not provided a breakdown for the utilities for the Senior Citizens Center for 2010.

Moved by Russo and supported to set the 2011 budget appropriation for the Senior Citizens Center at \$22,000. Motion carried.

Mayor Peterson stated he no longer supports the proposal that was made at the November 9th City Council meeting regarding the Excess Police Pension Fund and proposed that the entire budget for the Police Department for the years 2010 and 2011 be funded by the Excess Police Pension Fund. Mayor Peterson also proposed that any remaining funds be utilized for the 2012 Police Department budget or for capital items for the Police Department, in order to deplete the entire fund. A public hearing to discuss options to change the current plan for the use of the fund will be held at the November 23rd City Council meeting.

Greg Knutson, Walker, Giroux and Hahne, stated the original resolution only allows the use of the interest from the Excess Police Pension Fund and the City must hold a public hearing and notify the State Auditor if any changes are made to the plan.

Finance Director Erickson stated she will obtain an opinion from the State Auditor's Office on the proposed concept.

Moved by Russo and supported to rescind Resolution No. 99212, to establish a plan for expenditures of the residual asset amount of the overfunded PERA Consolidated Virginia Police Pension Fund, which was adopted on November 9, 1999. Motion carried.

City Attorney will prepare new resolution for review at the public hearing, which will be held at 6:30 P.M. on Tuesday, November 23, 2010.

Moved by Mayor Peterson and supported to approve the concept of a plan to offset the Police Department budget with the Excess Police Pension Fund for the period January 1, 2010, through December 31, 2011, and to utilize any residual assets towards the 2012 Police Department budget or for capital items for the Police Department. Motion carried.

Councillor Baribeau stated he has concerns regarding the protocol for City employees being involved in the legislative process during work hours and distributed a copy of the Legislative Protocol Policy for St. Louis County for further review by the City Council.

Moved by Baribeau and supported to refer the Legislative Protocol for City employees to the Personnel Committee. Motion carried.

Finance Director Erickson stated the 2011 budget for the Tennis for All Facility has been reduced to \$58,300.

Moved by Baribeau and supported to approve a 2011 budget appropriation of \$58,300 for the Tennis for All Facility. Motion carried.

Finance Director Erickson stated a motion was made previously to eliminate Fund 499 – VEDA Appropriation and Taxes and requested that the motion be corrected to set a budget of \$25,000 for 2011 for Fund 499.

Moved by Baribeau and supported to approve a budget of \$25,000 for Fund 499 - VEEDA Appropriation and Taxes for the year 2011. Motion carried.

Finance Director Erickson stated the Truth in Taxation Hearing will be held on Tuesday, December 7th.

Mayor Peterson recommended that the 2011 levy be set as follows:

- Set the General Fund Levy at \$2,875,153, which is a 5.6% percent increase from 2010.
- Set a Special Levy for the Market Value Credit at \$243,796.
- Set the Debt Service Levy at \$660,462, which is a 1.9% increase from 2010.
- Remove the Special Levy for the Local Government Aid.
- Finance Director Erickson stated this reflects a 12.16% increase, or \$409,897, over the 2010 total levy.

Moved by Russo and supported to move ahead with a final tax levy of \$3,779,411, for 2010, collectible in 2011, which is a total increase of 12.16% over last year's levy. Motion carried.

The committee reviewed the information regarding the renewal of the 2011 liquor licenses.

Moved by Russo and supported to authorize the City Clerk to renew the liquor licenses for period January 1, 2011, through December 31, 2011, contingent upon meeting the licensing requirements. Motion carried.

Finance Director Erickson reviewed the budget for the period ending October 31, 2010, and stated a few departments are over budget.

Finance Director Erickson reviewed the investments for the period ending October 31, 2010.

Finance Director Erickson reviewed the Revolving Loan Fund for the period ending October 31, 2010, and stated \$21,000 is available in the loan fund.

Meeting adjourned at 10:55 A.M.

City of Virginia, Minnesota, November 23, 2010

Resolution entering into renewal contract with Mesabi Humane Society for animal control services

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

WHEREAS, the contract with the Mesabi Humane Society for animal control services will expire on December 31, 2010; and

WHEREAS, the Mesabi Humane Society has proposed a yearly contract amount of \$31,800 for the years 2011 and 2012, which is an increase of \$1,800 per year; and

WHEREAS, the City Council has proposed an increase of \$900 for the period January 1, 2011, through June 30, 2011, if the Mesabi Humane Society is willing to issue animal licenses at the shelter and issue tickets for ordinance violations, with the process to be reviewed in July of 2011 to determine if an additional \$900 will be added to the contract for the remainder of 2011,

NOW, THEREFORE, BE IT RESOLVED to approve a contract with the Mesabi Humane Society for the year 2011, in the amount of \$30,900, with the contract reviewed in July of 2011 to determine the contract amount for the remainder of 2011 and the year 2012,

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to enter into a contract with the Mesabi Humane Society.

Moved by Councillor

supported by Councillor

that the above resolution be adopted.

Ayes:

Nays:

PERSONNEL COMMITTEE Tuesday, November 16, 2010 - 11:00 A.M. Council Chambers, City Hall

Present:

Councillors Russo, Littlewolf, Cuffe – 3

Absent:

None

Also Present: Councillor Baribeau, Mayor Peterson; John Tourville, City Operations Director; Dana

Waldron, Police Chief; Sherry Erickson, Finance/Human Resources Director; Bill Hanna, Mesabi Daily News: Lois Roskoski, City Clerk; Tom Butorac, City Attorney

Councillor Russo called the meeting to order at 11:00 A.M.

Moved by Cuffe and supported to reappoint Bob Cohn to the Municipal Cable Commission for a three year term ending December 1, 2013. Motion carried.

Mayor Peterson will make a recommendation on the appointment to the Housing and Redevelopment Authority for a five year term ending November 22, 2015.

Mayor Peterson stated he would to explore to the Public Safety Director position. Councillor Russo suggested that a job description be developed for the Public Safety Director position and recommended that the League of Minnesota Cities be contacted for a sample.

Councillor Cuffe stated, effective 1/1/11, professional licensure requirements will be imposed by the State for licensure of fire personnel and questioned if this would impede the Public Safety Director position.

Moved by Cuffe and supported to request the Finance/Human Resources Director to obtain a sample job description for a Public Safety Director. Motion carried.

Moved by Cuffe and supported to start the process to establish a list for the Firefighter/Paramedic position. Motion carried.

Meeting adjourned at 11:12 A.M.