

# VIRGINIA CITY COUNCIL

## COUNCIL PROCEEDINGS

**VIRGINIA, MINNESOTA, JUNE 12, 2012**

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.

Pastor Don Norr gave an opening prayer.

Moved by Councillor Russo and supported by Cuffe to remove Invoice 4718 from Darwin Alar, from the Finance Resolution.

Moved by Sipola and supported by Russo to approve the Consent Agenda, as follows:

1. Approval of Minutes of Regular Meeting Held May 22, 2012.
2. Adoption of Finance Resolution No. 12-011 – Schedule of Bills.
3. Approve Transient Merchant/Solicitor License For Ofelia Jonas, D/B/A First Philipina Food Stand.
4. Approve Transient Merchant/Solicitor License For Gerald Breyer, D/B/A Generous Jerry's Fireworks, Inc.
5. Approve Transient Merchant/Solicitor License For Steven Elliott, D/B/A Becky's Oriental Foods.
6. Approve Variances As Recommended By The Planning And Zoning Commission:
  - A. Helen Aubol – 720 13<sup>th</sup> Street North.
    - i. A 3.5 Foot Variance To The Required 5 Foot Setback On The East Property Line In Order To Construct A Garage 1.5 Feet From The East Property Line With The Condition Of Placing Rain Gutters On And Limiting The Overhang To 6 Inches On The East Side Of The Garage.
  - B. Chad Filson (C/O Donna Filson) – 702 11th Street North.
    - i. 17 Foot Variance To The Required 20 Foot Setback, In Order To Construct A Garage 3 Feet From The East Side Yard (7 Ave. R/W) Property Line.
    - ii. A 4 Foot Variance To The Required 2 Foot Maximum Height, In Order To Build A 6 Foot High Fence On The East Side Yard (7 Ave. R/W) Property Line.
  - C. Amy Bozicevich – 819 12<sup>th</sup> Street North.
    - i. A 2.5 Foot Variance To The Required 5 Foot Setback On The West Property Line, In Order To Construct A 20' X 22' Garage, 2.5 Feet From The West Property Line With The Conditions Of Placing Rain Gutters On The Garage.

- ii. A 2.5 Foot Variance To The Required 5 Foot Setback On The East Property Line, In Order To Construct A 20' X 22' Garage, 2.5 Feet From The East Property Line.
  - b. Approve Transient Merchants License For Ryan Gulbranson D/B/A Quad City Cab And Vending (Contingent Upon Applicant Meeting All Requirements)
  - c. Approve Transient Merchants License For Bonnie Lou Maciewski D/B/A Big Daddy Chicken (Contingent Upon Applicant Meeting All Requirements)
- Motions carried and Resolutions adopted, with Councillor Ralston abstaining from Item 2.

Moved by Sipola and supported by Littlewolf to table the payment on Invoice 4718 from Darwin Alar, from the Finance Resolution. Motion carried.

Mike Appelwick, Northeast Technical Services presented to the City Council an award from the Minnesota Pollution Control Agency (MPCA ) that was awarded to the Virginia Wastewater Treatment Plant for the year 2011 in recognition of our compliance with Minnesota Pollution Control's programs.

The Virginia Wastewater Treatment Plant was also presented with a Water Environmental Federation Award which is given to one entity in each State. This award was presented to the City of Virginia, Northeast Technical Staff and Wastewater Treatment staff for the year 2012 to honor the operators and the operations of the facility. Appelwick stated that the new facility should be operational in March 2013.

Moved by Russo and supported by Cuffe to adopt Resolution No. 12125, approving the hiring of Maegen Hunt for the Data Entry/HR Generalist position for the Finance Department, effective on or after June 12, 2012 and contingent upon passing the pre-employment physical and background check. Resolution adopted unanimously.

Moved by Sipola and supported by Russo to adopt Resolution No. 12126, approving the hiring of Suzanne Lien for the Administrative Assistant position for the Police Department, effective on or after June 12, 2012 and contingent upon passing the pre-employment physical and background check. Resolution adopted unanimously.

Moved by Russo and supported by Baribeau to adopt Resolution No. 12127, approving the hiring of Joseph Dincau for the Heavy Equipment Operator position for the Public Works Department effective on or after June 12, 2012 and contingent upon passing the pre-employment physical and background check. Resolution adopted unanimously.

Moved by Sipola and supported by Russo to approve the first reading of an Ordinance amending Chapter 11, Section 11.41 of the City Code entitled “Blighting Factors Prohibited”, which will decrease the amount of time for appeal from ten days to three days. Motion carried.

Moved by Sipola and supported by Baribeau to approve request from the Land of the Loon Festival Committee to hold a parade beginning at 9:00 A.M. on Saturday, June 16, 2012. Motion carried

Moved by Cuffe and supported by Russo to approve request from Gary Flaim, Flaimer’s Bar, to serve beer at the Southside Park softball fields on June 15, 16 and 17, 2012, for the Land of the Loon Softball Tournament. Motion carried

Moved by Russo and supported by Cuffe to approve the first reading of an Resolution Approving A First Amendment To Contract For Private Development And Revised Ground Lease Agreement By And Between The City Of Virginia And P&H Mining Equipment Inc., D/B/A P&H Minepro Services. Motion carried.

Moved by Sipola and supported by Littlewolf to set the City Council Committee meetings for July 17, 2012, City Council meetings for July 24, 2012 and the first City Council Meeting in August to be held on August 16, 2012 due to the Primary Election. Motion carried

Moved by Ralston and supported by Baribeau to approve the request from Fraternal Order of Police, Iron Range Lodge 25, to place a dunk tank at the Land of the Loon street dance. Motion carried.

Moved by Baribeau and supported by Cuffe to approve the Engineering Department to advertise for bids for C.P. 4-11, P & H Sanitary Sewer and Watermain Extensions project. Motion carried

Councillor Littlewolf stated that after a recommendation at Committee Level, she and Councillor Sipola have met with Ann Carter, Paul Monacelli, Jeff Cope and Marlyn Swanson regarding the Bess Metsa Memorial

Garden on Bailey's Lake. Natural Harvest has agreed to manage the garden with support of City for the first year until they can determine who will manage the garden in the future. They are requesting \$2000 to pay for a volunteer stipend for the first year and \$500 for supplies. This will be a one-time expenditure of \$2500, payable to the Natural Harvest, as a start-up fund for 2012 for Bess Metsa garden, with them seeking funding for future years.

Moved by Littlewolf and supported by Sipola to approve a payment to Natural Harvest in the amount of \$2500.00 to be used as for the Bess Metsa Garden for the year 2012, with the funds to be taken from the Lakes Beautification Fund. Motion Carried

Councillor Russo reported on the Personnel Committee meeting held on May 29, 2012.

Moved by Russo and supported by Littlewolf to adopt Resolution No. 12128, approving the purchase of the property located at 813 North 16<sup>th</sup> Street, legally described as Lot 23, Block 1, Rooney's Addition. Resolution adopted unanimously.

Moved by Russo and supported by Cuffe to authorize City staff to retest for the patrolman position.

Motion carried

Moved by Russo and supported by Cuffe to adopt Resolution No. 12129, appointing Dennis Benz as Interim Police Chief. Motion carried.

Moved by Baribeau and supported by Sipola to conduct a Personnel Committee- of-the-Whole meeting within 90 days to discuss the job description of Police Chief. Motion carried.

Councillor Cuffe reported on the Finance Committee-of-the-Whole meeting that was held on June 5, 2012.

Moved by Cuffe and supported by Ralston to adopt Resolution No. 12130, approving the Professional Services Agreement with Mr. Robert Skenzich for the Tennis Professional position for August 2012 through May 2013. Motion carried

Moved by Cuffe and supported by Ralston to accept the Proposal from ARI for the Silver Lake Trail – Area A project in the amount of \$750.00. Motion carried.

Moved by Cuffe and supported by Sipola to adopt Resolution No. 12131, authorizing Parks and Recreation Director Bachman to submit a Minnesota Department of Natural Resources Parks and Trails Legacy Grant for the Olcott Park Fountain. Motion carried

Moved by Cuffe and supported by Sipola to adopt Resolution No. 12132, authorizing Parks and Recreation Director Bachman to submit a Minnesota Department of Natural Resources Parks and Trails Legacy Grant for the Silver Lake Trail System. Motion carried

Moved by Cuffe and supported by Russo to adopt Resolution No. 12133, approving a Mutual Aid Agreement with the Biwabik Ambulance Service. Motion carried

Moved by Cuffe and supported by Russo to adopt Resolution No. 12134, approving an Intercept Agreement with the Biwabik Ambulance Service. Motion carried

Moved by Cuffe and supported by Russo to adopt Resolution No. 12135, approving a Paramedic Usage Agreement with the Ely Ambulance Service. Motion carried

Moved by Cuffe and supported by Sipola to approve a Memorandum Of Understanding Between IAFF 390 And City Allowing For One Forty Hour Week Of Training For All New Hires. Motion carried

Moved by Cuffe and supported by Russo to return the grant monies that were received for the Fire Hall Sprinkler System. Motion carried

Moved by Cuffe and supported by Russo to approve the issuance of a City Credit Card under Chief L'Allier's name, for the purpose of buying medical supplies and emergency purchases. Motion carried

Moved by Cuffe and supported by Russo to adopt Resolution No. 12136, authorizing submission of an application to the Department of Employment and Economic Development for a Business Development Capital Projects Grant for the Former Staver Foundry Site. Motion carried

Moved by Cuffe and supported by Russo to approve payment to PERA for the Virginia Fire Relief Association consolidation into PERA, estimated at \$100,000.00, but will be adjusted due to actuarial figures. Motion carried

Moved by Cuffe and supported by Russo directing HR/Finance Director Erickson send a letter to the Quad Cities Tennis For All Board, asking for a meeting with QCTFA Board to discuss budget and funding. Motion carried

Councillor Ralston reported on the Buildings/Grounds Committee meeting held on June 5, 2012.

Moved by Ralston and supported by Littlewolf to approve City Engineering Staff to create a feasibility report regarding elimination of City owned parking on 1<sup>st</sup> Street South and 4<sup>th</sup> Avenue and empty lot on 2<sup>nd</sup> Street South and City Assessor Staff to formulate a cost for such sale. Motion carried

Moved by Ralston and supported by Littlewolf to authorize City staff to work with St. Louis County on transferring property located at 602 15<sup>th</sup> Street North to the City, in order to demolish and to allow City Staff to

begin negotiation with neighbors on sale to seek possible reimbursement of acquisition and demolition cost. Motion carried

Moved by Ralston and supported by Sipola to approve the demolition of the unsafe structure at 813 N 16th Street by City Crews as soon as time permits. Motion carried

Moved by Ralston and supported by Littlewolf to waive the written resolution for the land exchange between the City of Virginia and Joseph and Kathy Caulfield. Motion carried.

Moved by Ralston and supported by Littlewolf to adopt Resolution No. 12137, to approve an exchange of property between Joseph and Kathy Caulfield and the City of Virginia for the property in T58N, R 17W, adjacent to lake near 3<sup>rd</sup> Street South, with the City of Virginia agreeing to obtain a registered land survey of the parcel the Caulfield's would be obtaining, prorating the taxes for 2012 to be paid by the Caulfield's, and exchanging the lands without exchange of funds. Motion carried

Moved by Ralston and supported by Baribeau to approve use of City Crews to demolish the building known as the former Bartoletti Beverage Warehouse on Railroad Avenue, when Public Works schedule permits, with the current property owner to be responsible for all hard costs to the city associated with the demolition. Motion carried

Councillor Sipola reported on the Insurance Advisory Committee held on June 5, 2012.

Moved by Sipola and supported by Baribeau to approve City Operations Director Tourville and MAPE President Rick Puhek to reinvest the low return invested cash in the Insurance Trust Fund. Motion carried

Councillor Sipola reported that due to great volunteers, they have made the Silver Lake Beach sand area is now 2.5 times bigger, they have gotten the water prepared with buoys and roped off areas, and the weeds cut. The Beach will be open the morning of June 18, 2012 through August 15, 2012.

Mayor Peterson read communication from Interim Police Chief Dennis Benz Regarding Alcohol Compliance Checks and commended the liquor establishments for 100% compliance with the underage drinking compliance checks.

City Operations Director Tourville stated that he will be attending the Iron Range Resources meeting in Eveleth this week as Virginia has four items on the agenda.

HR/Finance Director Erickson sought council approval to transfer \$25,000 from General Fund 101 - Economic Development into a new fund account to be used for the USDA revolving loan funds. This move is necessary as we need to show USDA the accounting for the money.

Moved by Baribeau and supported by Sipola to approve the transfer of \$25,000 from General Fund 101 - Economic Development into a newly created Fund 233 – USDA Revolving Loans. Motion carried

Mayor Peterson commended City Crew on all the work being done to prepare for the Land of the Loon weekend, and wished everyone a safe and happy Land of the Loon.

Meeting adjourned at 7:21 P.M., with the next regular City Council meeting to be held at 6:30 P.M. on Tuesday, June 26, 2012.

(CORPORATE SEAL)

STEVE PETERSON  
Mayor

BRITT SEE-BENES  
Administrative Assistant