

**VIRGINIA CITY COUNCIL
AGENDA
SEPTEMBER 25, 2012 – 6:30 P.M.**

1. CALL MEETING TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. PUBLIC FORUM (Limited to 5 minutes per Council protocol)

5. CONSENT AGENDA (Note: Motion will be to approve the Consent Agenda as listed.)
The following items will be enacted by one motion unless a Councillor or Citizen of the City of Virginia requests that the item be considered separately:

5.1 Approval/correction of minutes of Regular Meeting held September 11, 2012.

5.2 Adoption of Finance Resolution No. 12-018 – Schedule of Bills.

5.3 Application of MN Lawful Gambling Application for Exempt Permit for Quad Cities Rotary Club to hold raffle on October 25, 2012.

6. APPEARANCES (Limited to 10 minutes)

6.1 Paul Steinman, Springsted, regarding refunding of Washington Manor 2004A Bonds.

7. UNFINISHED BUSINESS

8. DISCUSSION ITEMS

9. COMMITTEE REPORTS

9.1 Finance Committee-of-the-Whole (September 18, 2012)

- a. Invoice from SEH Engineering for additional costs to complete the Alta survey for the P & H site. (If approved, adopt Resolution.)
- b. Proposal from Newport Partners for three solar power projects. (If approved, adopt Resolution.)
- c. Preparation of blueprints for the remainder of the Miners Memorial Improvement Project.
- d. Travel request, Bruce Hedstrom and Nicole Young-Mattson, Police Department, Missing and Unidentified Persons Conference, October 9 & 10, 2012, Brainerd, MN.
- e. Rental of bulldozer to clean up the demolition recycling area.
- f. Payment to Northeast Technical Services for the Phase I and II soil testing for the Ken Waschke Auto Plaza site. (If approved, adopt Resolution.)
- g. Development Agreement with Sundell Eye Properties, LLC. (If approved, adopt Resolution.)
- h. Review of proposed 2013 budgets by department.
- i. Accept grant funds to update the airport master plan study and rehabilitate Runway 9/27:
 - i. Grant Agreement with the State of Minnesota, Commissioner of Transportation. (If approved, adopt Resolution.)
 - ii. Grant Agreement with the Federal Aviation Administration. (If approved, adopt Resolution.)
- j. Mesabi Family YMCA Capital Campaign. (If approved, adopt Resolution.)
- k. Request from Public Utilities to obtain \$450,000 in bond financing through the Minnesota Municipal Utility Association's bond financing program. (If approved, adopt Resolution.)

- 9.2 Personnel Committee (September 18, 2012)
 - a. Approval of contracts with International Association of Firefighters, Local 390:
 - i. January 1, 2010, to December 31, 2010. (If approved, adopt Resolution.)
 - ii. January 1, 2011, to December 31, 2013. (If approved, adopt Resolution.)
 - b. Approval of contracts with MN Association of Professional Employees:
 - i. January 1, 2011, to December 31, 2011. (If approved, adopt Resolution.)
 - ii. January 1, 2012, to December 31, 2014. (If approved, adopt Resolution.)
10. **COMMISSION LIAISON/DEPARTMENT HEAD REPORTS**
11. **ADJOURN TO TUESDAY, OCTOBER 9, 2012, AT 6:30 P.M., COUNCIL CHAMBERS**

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that: - conducts lawful gambling on five or fewer days, and - awards less than \$50,000 in prizes during a calendar year. If total prize value for the year will be \$1,500 or less, contact the licensing specialist assigned to your county.	Application fee If application posted or received: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border-right: 1px solid black; padding: 2px;">less than 30 days before the event</td> <td style="width: 50%; padding: 2px;">more than 30 days before the event</td> </tr> <tr> <td style="border-right: 1px solid black; text-align: center; padding: 2px;">\$100</td> <td style="text-align: center; padding: 2px;">\$50</td> </tr> </table>	less than 30 days before the event	more than 30 days before the event	\$100	\$50
less than 30 days before the event	more than 30 days before the event				
\$100	\$50				

ORGANIZATION INFORMATION

Organization name Quad Cities Rotary Club	Previous gambling permit number X-33547
Minnesota tax ID number, if any	Federal employer ID number (FEIN), if any

Type of nonprofit organization. Check one.

Fraternal
 Religious
 Veterans
 Other nonprofit organization

Mailing address	City	State	Zip code	County
PO Box 695	Virginia	MN	55792	St Louis

Name of chief executive officer [CEO]	Daytime phone number	E-mail address
Angela Sipila	2187415000	ange@sipilaw.com

NONPROFIT STATUS

Attach a copy of ONE of the following for proof of nonprofit status.

Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.
 Don't have a copy? This certificate must be obtained each year from:
 Secretary of State, Business Services Div., 60 Empire Drive, Suite 100, St. Paul, MN 55103
 Phone: 651-296-2803

IRS income tax exemption [501(c)] letter in your organization's name.
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization [charter]
 If your organization falls under a parent organization, attach copies of **both** of the following:
 a. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
 b. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted. For raffles, list the site where the drawing will take place.
Coates Plaza Hotel

Address [do not use PO box]	City or township	Zip code	County
502 Chestnut Street	Virginia	55792	St Louis

Date[s] of activity. For raffles, indicate the date of the drawing.
October 25, 2012

Check each type of gambling activity that your organization will conduct.

Bingo*
 Raffle
 Paddlewheels*
 Pull-tabs*
 Tipboards*

***Gambling equipment** for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

To find a licensed distributor, go to www.gcb.state.mn.us and click on **Distributors** under the **WHO'S WHO? LIST OF LICENSEES**, or call 651-639-4000.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

CITY APPROVAL for a gambling premises located within city limits

- The application is acknowledged with no waiting period.
The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days [60 days for a 1st class city].
The application is denied.

Print city name

Signature of city personnel

Title Date

Local unit of government must sign

COUNTY APPROVAL for a gambling premises located in a township

- The application is acknowledged with no waiting period.
The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.
The application is denied.

Print county name

Signature of county personnel

Title Date

TOWNSHIP -If required by county. On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits.

[A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.166.]

Print township name

Signature of township officer

Title Date

CHIEF EXECUTIVE OFFICER'S SIGNATURE

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief executive officer's signature

Date 9-11-12

Print name Angela Sipita

Print form and have CEO sign

REQUIREMENTS

Reset form

Complete a separate application for:

- all gambling conducted on two or more consecutive days, or
- all gambling conducted on one day.
Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report and recordkeeping required

A financial report form and instructions will be sent with your permit, or use the online fill-in form available at www.gcb.state.mn.us.

Within 30 days of the event date, complete and return the financial report form to the Gambling Control Board.

Send application with:

- a copy of your proof of nonprofit status, and
application fee. Make check payable to "State of Minnesota."

Questions?

Call the Licensing Section of the Gambling Control Board at 651-639-4000.

This form will be made available in alternative format (i.e. large print, Braille) upon request.

To: Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board.

All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney

General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

9. 1

FINANCE COMMITTEE-OF-THE-WHOLE
Tuesday, September 18, 2012 – 9:00 A.M.
Council Chambers, City Hall

Present: Councillors Cuffe, Littlewolf, Ralston, Baribeau, Sipola, Russo - 6
Absent: Mayor Peterson - 1

Also Present: John Tourville, City Operations Director; Tom Butorac, City Attorney; Ed Alto, Public Works Team Coordinator; Nancy Maxwell, Library Director; Kris Johnson, Administrative Assistant; Jim Johnson, SEH Engineering; IRRRB - Mary Somnis, Jim Plummer; Lois Roskoski, City Clerk; Bill Hafdahl, Public Utilities Finance Director; Sherry Erickson, Finance/HR Director; Dennis Benz, Police Chief; John Bachman, Park/Recreation Director; Silicon Energy – Erin Shea, Bill Richmond, Gary Cerkvnik; John Carroll, Newport Partners; Rick Puhek, City Assessor; Quentin Bloomquist

Jim Johnson, SEH Engineering, stated additional surveys and changes to the title commitment were required to complete the Alta Survey for the P & H Site, which increased the project budget from \$7,500 to \$32,075.50. The balance of the current invoice due SEH Engineering is \$26,335.50, as the City previously paid \$5,740.00.

The committee members felt the City Council should have been notified of the additional work that was required, since the project began in 2007 and original scope of work was estimated at \$7,500.

City Attorney Butorac stated the property was originally acquired from US Steel and a railroad grade was found during the survey, which created numerous issues and made it difficult to partition the property.

City Operations Director Tourville stated the entire P & H project will be funded with grants and the survey costs will be eligible for grant reimbursement.

A. **Moved by Russo and supported by Sipola to adopt a Resolution approving payment of the invoice to SEH Engineering, in the amount of \$26,336.50, for the additional costs that were required to complete the Alta survey for the P & H site, contingent upon SEH Engineering submitting an itemized billing. Motion carried.**

Erin Shea, Silicon Energy, reviewed the proposal from Newport Partners (Silicon Energy's parent company) to utilize the \$250,000 IRRRB grant that was originally approved for a renewable energy project for the Olcott Park Greenhouse. The proposal includes the creation of three solar projects, as follows:

- 1) Build a new pergola in Olcott Park behind the Greenhouse to create a shaded covering and produce renewable electricity for the Greenhouse.
- 2) Create a dual purpose awning on the south side of the Tennis for All Building to shed snow and rain and produce renewable energy for the tennis facility.
- 3) Install a roof array on the upper golf cart storage building to provide a renewable energy system at the Golf Course.

Ms. Shea stated Newport Partners can provide a lease/financing structure to tap into federal tax credits, which would infuse an additional \$92,000 into the project and increase the total project cost from \$250,000 to \$342,000.

John Carroll, Newport Partners, reviewed the federal subsidy that is available for solar projects, which would add an additional 36 percent of capital to the project. Mr. Carroll stated the proposed project would produce over 1.4 million kilowatts of solar energy and provide the City with \$307,000 in energy savings over a forty year period.

Mr. Carroll stated that, under the lease/financing agreement, Newport Partners must own the solar system for a five year period to satisfy the IRS requirements. The City of Virginia would enter into the following agreements with Newport Partners for the solar project:

- Power Purchase Agreement – City to pay eight percent of the electric rate to Newport for five years and buy the system back after year six.
- Lease Agreement - A lease agreement would allow Newport to lease space on the rooftops for a twenty year period, with a payment of one dollar per year for the first five years. The payment would increase to \$2,700 per year after year five.
- Call Agreement – After year six, Newport would exit the lease agreement and the solar projects would become City-owned.

Mr. Carroll stated the maintenance costs would be borne by the owner.

Ms. Shea stated the solar panels have a thirty year warranty for power and five year warranty for materials.

Park/Recreation Director Bachman stated he will be attending the IRRRB meeting on October 11th to request approval to change the use of the original grant which was to provide renewable energy at the greenhouse.

City Attorney Butorac stated it is not necessary to obtain competitive bids, as it is a professional service.

Mary Somnis, IRRRB, stated the Governor must approve the project, once it is approved by IRRRB.

b. **Moved by Littlewolf and supported by Baribeau to adopt a Resolution to move forward with the proposal from Newport Partners for the three solar power projects (Pergola near Olcott Park Greenhouse; dual purpose awning on the Tennis for All Building; Golf Course Cart Roof), contingent upon approval by the Iron Range Resources and Rehabilitation Board to change the scope of work and a one year extension to the current IRRRB grant contract. Motion carried.**

Park/Recreation Director Bachman stated there is currently a budget of \$233,977 for the Miners Memorial Improvement Project and requested permission to utilize the funds to obtain blueprints from DSGW Architects for the remainder of project (estimated at \$7.5 million).

c. **Moved by Russo and supported by Baribeau to authorize the Park/Recreation Director to obtain a cost estimate from DSGW Architects to prepare blueprints for the remainder of the Miners Memorial Improvement Project. Motion carried.**

d. **Moved by Russo and supported by Ralston to approve the travel request for Bruce Hedstrom and Nicole Young-Mattson, Police Department, to attend the Missing and Unidentified Persons Conference, which will be held October 9 & 10, 2012, in Brainerd, MN. Motion carried.**

City Operations Director Tourville removed the quotes for the control panel for the lift stations until further discussions are held on upgrading the lift stations.

Public Works Team Coordinator Alto requested permission to rent a bulldozer to clean up the demolition recycling area located near the County Garage, at a cost of \$2,000 per week. Mr. Alto estimated the project to take one week and stated the Public Utilities agreed to pay for half of the cost.

e. **Moved by Russo and supported by Baribeau to authorize the Public Works Department to rent a bulldozer to clean up the demolition recycling area, with the Public Utilities billed for one-half of the cost. Motion carried.**

City Operations Director Tourville stated that he met with Northeast Technical Services regarding the invoices for the soil testing for the Waschke site, which total \$161,785.07. The City has paid \$29,557.12, which leaves an amount due of \$132,227.95. Councillor Baribeau reported that the City has an agreement with Ken Waschke from 1989 on file that requires the City to bear the cleanup costs for the lands that adjoin the Waschke Auto Plaza, in exchange for the expansion of the Waschke facility. In the future, Northeast Technical Services has agreed to provide the City Council with an estimate of costs prior to any further testing. Northeast Technical Services also agreed to allow the City to pay the invoice in twelve monthly payments in the year 2013, without interest, and to research grants that may be available to the City to pay for the soil clean up.

City Operations Director Tourville noted that Ken Waschke ordered the testing and submitted the bills to the City of Virginia for payment, per the 1988 agreement. The committee members felt the City Council should have been notified of the billings in a reasonable time frame, instead of receiving a billing that covered a one year period that began June 30, 2011. City Attorney Butorac stated Mr. Waschke should be required to have a project in mind, prior to moving forward with additional soil testing on the site. The soil testing was initiated due to the transfer of ownership to the next generation and a clear environmental assessment was required.

City Attorney Butorac agreed to add language to all the professional service contracts that states approval must be obtained from the City Council if the expenses exceed the original scope of work for a project.

J. **Moved by Sipola and supported by Baribeau to adopt a Resolution authorizing the payment to Northeast Technical Services for the Phase I and II soil testing for the Ken Waschke Auto Plaza site, with the City Operations Director to request a ten percent reduction on the invoices, and contingent upon paying the invoice in twelve equal payment over a one year period, without interest, in the year 2013.**

Ayes: Councillors Cuffe, Ralston, Baribeau, Sipola, Russo – 5

Nays: Councillor Littlewolf - 1

Motion carried.

City Operations Director Tourville distributed the Development Agreement with Sundell Eye Properties, LLC. City Attorney Butorac recommended moving forward with the Development Agreement.

Kate Gribble, Sundell Eye Properties, LLC, stated once the Development Agreement is approved, the infrastructure work and site improvements should begin this fall.

J. **Moved by Russo and supported by Baribeau to adopt a Resolution approving the Development Agreement with Sundell Eye Properties, LLC. Motion carried.**

Finance Director Erickson reviewed the budget report for the period ending August 31, 2012, and reported that the second half of tax appropriation was received, in the amount of \$692,000. Several grant reimbursements have been submitted for monies that have been expended.

Discussion was held on requesting each department head to attend the Finance Committee meeting on October 2nd to review their proposed 2013 budget. Finance Director Erickson stated the department heads were notified to reduce their budget by four percent. Itemized budgets for all departments will be distributed to the City Councillors prior to the Finance Committee meeting. Department heads should provide written justification for items (other than fixed costs) that are being requested, as well as any potential cost savings for their department.

h. **Moved by Littlewolf and supported by Russo to direct the department heads to review their proposed 2013 budget at the October 2nd Finance Committee meeting, with another meeting set for October 9th, if necessary. Motion carried.**

Councillor Sipola left meeting at 10:30 A.M.

Jim Johnson, Eveleth-Virginia Airport Authority, reviewed the grant agreements with the State of Minnesota and Federal Aviation Administration, which must be executed by both Virginia and Eveleth. The grants will provide funding to update the master plan and rehabilitate Runway 9/27.

Moved by Russo and supported by Baribeau to accept the Grant Agreement with the State of Minnesota, Commission of Transportation, for funds to update the airport master plan study and rehabilitate Runway 9/27, with the appropriate signatures obtained immediately to meet the deadlines. Motion carried.

Moved by Russo and supported by Baribeau to accept the Grant Agreement with the Federal Aviation Administration for funds to update the airport master plan study and rehabilitate Runway 9/27, with the appropriate signature obtained immediately to meet the deadlines. Motion carried.

i. **Moved by Ralston and supported by Russo to adopt resolutions at the September 25th City Council to accept grant funds to update the airport master plan study and rehabilitate Runway 9/27, as follows:**

- u.* • **Resolution accepting the Grant Agreement with the State of Minnesota, Commissioner of Transportation.**
 - ii.* • **Resolution accepting the Grant Agreement with the Federal Aviation Administration.**
- Motion carried.

j. **Moved by Russo and supported by Littlewolf to adopt a Resolution in support of the Mesabi Family YMCA Capital Campaign. Motion carried.**

Councillor Cuffe stated a decision will be made at the next Finance Committee regarding the process to fill the Mayoral vacancy.

Bill Hafdahl, Finance Director, Public Utilities, requested permission to obtain bond financing to fund the boiler replacement for \$275,000, and purchase a bucket truck for \$175,000. Mr. Hafdahl recommending the financing over a five year period through the MN Municipal Utility Association, as revenues were down by \$600,000 due to last year's mild winter. Mr. Hafdahl stated the Public Utilities Commission will be considering increases in the utility rates.

k. **Moved by Littlewolf and supported by Baribeau to adopt a Resolution authorizing the City of Virginia Department of Public Utilities to obtain \$450,000 in bond financing through the Minnesota Municipal Utility Association's bond financing program. Motion carried.**

City Operations Director Tourville will provide an electronic copy of the Scoping Document for the Highway 53 Project to the City Council.

Meeting adjourned at 10:55 P.M.

9.1a.

COUNCIL CHAMBERS

Resolution No.

City of Virginia, Minnesota, **September 25, 2012**

Resolution approving payment to Short Elliott Hendrickson, Inc., for services to prepare and complete an Alta Survey for the P & H Site

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

WHEREAS, Short Elliott Hendrickson, Inc., was hired in 2007 to complete the Alta Survey for the P & H Site, for an amount not exceed \$7,500; and

WHEREAS, additional work was performed to complete the survey, due to numerous complexities that occurred, including additional surveys, changes to the title commitment and creation of roadway easement; and

WHEREAS, Short Elliott Hendrickson, Inc., submitted an invoice, in the total amount of \$32,075.50, to prepare and complete the Alta Survey for the P & H Site; and

WHEREAS, the City previously paid \$5,740 for the survey services, resulting in a current balance due of \$26,335.50,

NOW, THEREFORE, BE IT RESOLVED to accept the invoice from Short, Elliott, Hendrickson, Inc., in the total amount of \$32,075.50, for the preparation of the Alta Survey for the P & H Site,

BE IT FURTHER to authorize the payment of the remaining balance of \$26,335.50 to Short, Elliott, Hendrickson, Inc., for said services.

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

Ayes:

Nays:

COUNCIL CHAMBERS

9.15.

Resolution No.

City of Virginia, Minnesota, September 25, 2012

Resolution accepting proposal from Newport Partner to provide for three solar power projects in the City of Virginia

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

WHEREAS, Newport Partners submitted a proposal to utilize the \$250,000 IRRRB grant that was originally approved for a renewable energy project for the Olcott Park Greenhouse; and

WHEREAS, the proposal includes the creation of three solar power projects, as follows:

- 1) Build a new pergola in Olcott Park behind the Greenhouse to create a shaded covering and produce renewable electricity for the Greenhouse.
- 2) Create a dual purpose awning on the south side of the Tennis for All Building to shed snow and rain and produce renewable energy for the tennis facility.
- 3) Install a roof array on the upper golf cart storage building to provide a renewable energy system at the Golf Course; and

WHEREAS, Newport Partners will provide a lease/financing structure to tap into federal tax credits, which would infuse an additional \$92,000 into the project and increase the total project cost from \$250,000 to \$342,000; and

WHEREAS, it will be necessary for the City of Virginia to enter into the following agreements with Newport Partners for the solar projects:

- Power Purchase Agreement
- Lease Agreement
- Call Agreement

WHEREAS, this proposal is contingent upon approval from the Iron Range Resources and Rehabilitation Board to change the scope of work from Grant No. B43 2500, in the amount of \$250,000, that was originally awarded to provide renewable energy at the Olcott Park greenhouse,

NOW, THEREFORE, BE IT RESOLVED to authorize the Mayor and City Operations Director to execute the necessary documents with Newport Partners to create the three solar projects for the City of Virginia, contingent upon final approval from the Iron Range Resources and Rehabilitation Board.

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

Ayes:

Nays:

COUNCIL CHAMBERS

9.18.

Resolution No.

City of Virginia, Minnesota, September 25, 2012

Resolution approving payment of invoices to Northeast Technical Services for soil testing on the property owned by the Ken Waschke Auto Plaza on 9th Street North

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

WHEREAS, Northeast Technical Services submitted invoices, in the total amount of \$161,785.07, for Phase I and II soil testing that was performed on property owned by Ken Waschke that is located in the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 5, Range 17, Township 58 and adjoins the Ken Waschke Auto Plaza on 9th Street North; and

WHEREAS, the City of Virginia has paid \$29,557.12 to date; and

WHEREAS, pursuant to a Hazardous Waste Indemnification and Waiver Agreement between the City of Virginia and Kenneth and Mary Waschke, dated October 6, 1989, the City will indemnify the Waschke's from all costs to remove or remediate the waste located on the property; and

WHEREAS, Northeast Technical Services has agreed to reduce the invoices by ten percent, or \$16,178.50, which reduces the remaining amount due to \$116,049.45; and

WHEREAS, Northeast Technical Services has agreed to allow the City of Virginia to pay the remaining amount due of \$116,049.45, in twelve equal monthly payments, without interest, beginning January 1, 2013; and

WHEREAS, in the future, Northeast Technical Services has agreed to provide the City Council with an estimate of costs, prior to proceeding with any further soil testing on the property,

NOW, THEREFORE, BE IT RESOLVED to authorize payment of the remaining invoices due Northeast Technical Services, in the amount of \$116,049.45, in twelve equal monthly payments, without interest, beginning January 1, 2013.

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

Ayes:

Nays:

COUNCIL CHAMBERS

9.19.

Resolution No.

City of Virginia, Minnesota, September 25, 2012

RESOLUTION approving a Development Agreement with Sundell Eye Properties, LLC

BE IT RESOLVED By the City Council (the "Council") of the City of Virginia, Minnesota (the "City") as follows:

WHEREAS, the City has determined that the development of an office and surgery center by Sundell Eye Properties, LLC, (hereinafter referred to as the "Developer") is consistent with the goals of the City of Virginia; and

WHEREAS, the Developer is proposing to construct a medical office and specialty day surgery center on the property described in Exhibit A that is attached to the Development Agreement and located in the City of Virginia, County of St. Louis, State of Minnesota; and

WHEREAS, the Developer has requested City assistance in several respects, including:

- A site for the project within the corporate limits of the City of Virginia.
- Public works infrastructure through a grant application and grant from Iron Range Resources Rehabilitation Board dated December 21, 2011, Grant Number B43-35340, in the amount of \$150,000,
- An additional IRRRB public works grant for \$150,000.

WHEREAS, the City believes that minimum improvements, defined herein as construction of an office and surgery center of no less than 7,500 square feet, are in the best interest of the City and are in accordance with grant awards from the IRRRB in order to pay for such site work and utility costs in connection with the Developer's project, as well as other grants that might be provided; and

WHEREAS, subject to the City's assistance, inclusive of the grants referenced herein, the Developer represents that it has obtained all additional financing necessary to complete the project and operate the facility,

WHEREAS, the responsibilities and obligations of the City of Virginia and Developer are outlined in the Development Agreement,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Operations Director are hereby authorized to execute the Development Agreement with Sundell Eye Properties, LLC.

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

Ayes:

Nays:

COUNCIL CHAMBERS

P. I. i.

Resolution No.

City of Virginia, Minnesota, September 25, 2012

Resolution **authorizing the execution of the Grant Agreement between the Minnesota Department of Transportation, Commissioner of Transportation, and the City of Virginia for updating the airport master plan study and rehabilitating Runway 9/27**

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

WHEREAS, the Eveleth-Virginia Airport Authority has accepted a grant from the State of Minnesota, Commissioner of Transportation, to update the airport master plan study and rehabilitate Runway 9/27; and

WHEREAS, the cities of Virginia and Eveleth must approve said grant agreement,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Attorney are authorized to execute the grant agreement and any amendments, on behalf of the Eveleth-Virginia Airport Authority, contingent upon approval by the City of Eveleth.

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

Ayes:

Nays:

COUNCIL CHAMBERS

9.11.11

Resolution No.

City of Virginia, Minnesota, September 25, 2012

Resolution authorizing the execution of the Grant Agreement between the Federal Aviation Administration and the City of Virginia for updating the airport master plan study and rehabilitating Runway 9/27

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

WHEREAS, the Eveleth-Virginia Airport Authority has accepted a grant from the Federal Aviation Administration to update the airport master plan study and rehabilitate Runway 9/27; and

WHEREAS, the cities of Virginia and Eveleth must approve said grant agreement,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Attorney are authorized to execute the grant agreement and any amendments, on behalf of the Eveleth-Virginia Airport Authority, contingent upon approval by the City of Eveleth.

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

Ayes:

Nays:

9.1 j.

**RESOLUTION
TO SUPPORT THE MESABI FAMILY YMCA
CAPITAL CAMPAIGN**

WHEREAS, the Mesabi Family YMCA has taken a lead role in responding to and serving the needs of our community's families and children for more than 28 years;

WHEREAS, the Y is dedicated to providing healthy living, youth development, and socially responsible programming to all, ensuring that no person is turned away for an inability to pay;

WHEREAS, YMCA facilities are no longer adequate in meeting the growing needs of the community today, as membership and program participation grows and the infrastructure ages;

WHEREAS, the Mesabi YMCA Board of Directors has authorized a \$1.9 million capital campaign to renovate and expand the facility to ensure that the Y will continue to positively impact the community well in to the future;

THEREFORE, BE IT RESOLVED that the City of Virginia Minnesota considers the Mesabi Family YMCA an important asset to our community and supports the Y's capital campaign efforts.

COUNCIL CHAMBERS

9. / K.

Resolution No.

City of Virginia, Minnesota, September 25, 2012

Resolution authorizing the City of Virginia Department of Public Utilities to obtain \$450,000 in bond financing through the Minnesota Municipal Utility Association's bond financing program

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

WHEREAS, the City of Virginia Department of Public Utilities is requesting permission to obtain \$450,000 of bond financing through Minnesota Municipal Utility Association's bond financing program to fund the cost of tube replacement in the #9 coal boiler (\$275,000) and to finance the cost of a new bucket truck for the electric distribution department (\$175,000); and

WHEREAS, it is in the best interest of the City of Virginia and Virginia Public Utility to have this bond financing; and

WHEREAS, the City of Virginia Department of Public Utilities Commission, on the 27th of August, 2012, gave approval of same, and

WHEREAS, the Virginia Public Utility must obtain approval from the City Council to borrow funds,

NOW, THEREFORE, BE IT RESOLVED to authorize the City of Virginia Department of Public Utilities to obtain \$450,000 of bond financing through Minnesota Municipal Utility Association's bond financing program.

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

Ayes:

Nays:

PERSONNEL COMMITTEE
September 18, 2012 – 11:00 A.M.
Council Chambers, City Hall

Present: Councillors Russo, Littlewolf, Cuffe - 3
Absent: None

Also Present: Councillor Baribeau; John Tourville, City Operations Director; Nancy Maxwell, Library Director; Rick Puhek, City Assessor; Sherry Erickson, Finance/HR Director; Lois Roskoski, City Clerk

Councillor Russo called to order at 11:00 AM

Nancy Maxwell, Library Director, stated the vacant Library Clerk position was posted internally and no applicants were received. Library Director Maxwell requested that the Library Clerk vacancy be posted externally and stated the position is a necessary position. Currently, there is a total of ten employees at the Library, including the Library Director and maintenance position.

Finance/HR Director Erickson stated the former Library Clerk transferred to the Police Department and is halfway through the thirty-day trial period.

Library Director Maxwell informed the committee that the Library is currently open to the public from 10 AM until 6 PM, Monday through Friday.

Moved by Littlewolf to post the vacant Library Clerk position after the former Library Clerk's thirty day probation period is up at the Police Department. Motion died for lack of support.

Councillor Russo recommended that the Library Director review the request for the Library Clerk position during the presentation of the 2013 Library budget. Library Director Maxwell stated she is unavailable to present the budget at the October 2nd Finance Committee meeting and requested that she be placed on the agenda for the October 9th Finance Committee meeting. Ms. Maxwell was directed to justify the use of the employees at the Library during the budget presentation.

a. **Moved by Littlewolf and supported by Cuffe to adopt Resolutions accepting the contracts with the International Association of Firefighters, Local 390:**

- i.* • **January 1, 2010, to December 31, 2010**
- ii.* • **January 1, 2011, to December 31, 2013**

Motion carried.

b. **Moved by Cuffe and supported by Littlewolf to adopt Resolutions accepting the contracts with the Minnesota Association of Professional Employees representing the City of Virginia Supervisory Employees, contingent upon changing the title on the signature page for Jim Monroe, MAPE Executive Director:**

- i.* • **January 1, 2011, to December 31, 2011**
- ii.* • **January 1, 2012, to December 31, 2014**

Motion carried.

Meeting adjourned at 11:25 A.M.

COUNCIL CHAMBERS

9-2a-i.

Resolution No.

City of Virginia, Minnesota, September 25, 2012

Resolution **approving contract with International Association of Firefighters, Local 390, for the period January 1, 2010, through December 31, 2010**

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

WHEREAS, the contract with the International Association of Firefighters, Local 390, expired on December 31, 2009; and

WHEREAS, after negotiation sessions, IAFF, Local 390, and City administration have reached an agreement,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Virginia approves the agreement with the International Association of Firefighters, Local 390, for the period January 1, 2010 through December 31, 2010.

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

Ayes:

Nays:

COUNCIL CHAMBERS

9.2 a. ii

Resolution No.

City of Virginia, Minnesota, September 25, 2012

Resolution **approving contract with International Association of Firefighters, Local 390, for the period January 1, 2011, through December 31, 2013**

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

WHEREAS, the contract with the International Association of Firefighters, Local 390, expired on December 31, 2010; and

WHEREAS, after negotiation sessions, IAFF, Local 390, and City administration have reached an agreement,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Virginia approves the agreement with the International Association of Firefighters, Local 390, for the period January 1, 2011 through December 31, 2013.

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

Ayes:

Nays:

COUNCIL CHAMBERS

926.i

Resolution No.

City of Virginia, Minnesota, September 25, 2012

Resolution approving contract with Minnesota Association of Professional Employees (MAPE) representing the City Supervisory Employees for the period January 1, 2011, through December 31, 2011

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

WHEREAS, the contract with the Minnesota Association of Professional Employees (MAPE) for the City Supervisory Employees expired on December 31, 2010; and

WHEREAS, after negotiation sessions, MAPE and City administration have reached an agreement,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Virginia approves the agreement with the Minnesota Association of Professional Employees (MAPE) representing the City Supervisory Employees for the period January 1, 2011 through December 31, 2011.

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

Ayes:

Nays:

COUNCIL CHAMBERS

926.ii

Resolution No.

City of Virginia, Minnesota, September 25, 2012

Resolution approving contract with Minnesota Association of Professional Employees (MAPE) representing the City Supervisory Employees for the period January 1, 2012, through December 31, 2014

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

WHEREAS, the contract with the Minnesota Association of Professional Employees (MAPE) for the City Supervisory Employees expired on December 31, 2011; and

WHEREAS, after negotiation sessions, MAPE and City administration have reached an agreement,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Virginia approves the agreement with the Minnesota Association of Professional Employees (MAPE) representing the City Supervisory Employees for the period January 1, 2012 through December 31, 2014.

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

Ayes:

Nays: