

VIRGINIA CITY COUNCIL

COUNCIL PROCEEDINGS

CITY OF VIRGINIA, MINNESOTA, APRIL 14, 2015

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

Roll Call:

Present: Councillors Baribeau, Littlewolf, McReynolds, Jorgensen, Sipola, Baranzelli,

Mayor Cuffe - 7

Absent: None

Mayor Cuffe led the Pledge of Allegiance.

Moved by Jorgensen and supported by Baribeau to approve the Consent Agenda, as

follows:

1. Approval/correction of minutes of Regular Meeting held March 24, 2015.
2. Adoption of Finance Resolution No. 15-007 – Schedule of Bills.
3. Adopted Resolution No. 15072, authorizing amendment to Access/Use License Agreement 13398 with RGGGS Land & Minerals, Ltd., for storm sewer.
4. Approved Transient Merchant/Solicitor License for Lawrence Meglen, d/b/a World-O-Weenies.
5. Approved Application and Permit for Temporary On-Sale Liquor License for Holy Spirit Church for Saturday, May 2, 2015.

Motions carried and Resolutions adopted unanimously.

Bruce Kingsley, resident, stated he moved to Virginia eight years ago and purchased a historic home off Fifth Avenue. Mr. Kingsley expressed numerous concerns regarding the neighboring rental property that has become blighted and dangerous, as follows: 1) Animals are living in the rafters. 2) There are no egress windows for the basement apartment. 3) The second floor apartment

has an egress that is unsafe. 4) The home has no soffits or fascia. Mr. Kingsley stated he has contacted the blight department numerous times regarding the blighted rental property. He further stated that his family has put up with vandalism and harassment by the renters. Mr. Kingsley expressed support of the proposed International Property Maintenance Code, which would require private and rental properties to be maintained at a minimum level. Mr. Kingsley stated he has been involved in the new neighborhood watch group, along with Steve and Jim Makowski, to help the overwhelmed police department. Mr. Kingsley stated he will start looking to move out of Virginia if the proposed International Property Maintenance Code is not passed.

Craig Maki stated he disagrees that the International Property Maintenance Code would be a solution and stated there are plenty of building and commercial codes currently in effect that could be enforced by the building inspector. He felt the IPMC is an Agenda 21 power that will get control of personal property and place burdens on the taxpayers.

Councillor Sipola stated the language in the current codes allow the building official to inspect properties and stated the IPMC would be amended to the Virginia Property Maintenance Code and be less stringent than the current out-of-date codes.

Councillor Jorgensen stated the Buildings and Grounds Committee is considering language in the proposed property maintenance code that would require inspections for specific reasons, such as drug activity, abandoned building, fire, etc. He wants to continue the dialogue to amend the draft property maintenance code to make it a workable document. Councillor Jorgensen felt the current City code is cumbersome and needs to be better organized and enforced.

Councillor Baribeau stated the IPMC becomes a restrictive document once it is adopted. He recommended reorganizing our current building codes and incorporating some of the rental code language into our City Code.

Councillor Sipola stated Chapter 2 of the current Uniform Housing Code authorizes the building official the right of entry to inspect a property, so no additional staff would be required to enforce the IPMC.

Councillor Littlewolf stated the IPMC addresses all properties and would be amended to be specific to Virginia. Existing staff would be utilized more efficiency with the streamlined property maintenance code. The current system is not working and she is trying to achieve a safer community. The City Council will provide the City Attorney with amendments to make sure the final document fits our community. A process will be developed by the City Council and staff to enforce the codes.

Mayor Cuffe stated we need to update and enforce our current codes, by using the IPMC as a guideline, to provide citizens with a safe environment. Mayor Cuffe has concerns about how the code official will operate and feels the Council needs to set those guidelines.

Councillor Baranzelli stated he is not in favor of the first reading of the IPMC ordinance and stated we need to enforce the ordinances that are currently in place.

Councillor McReynolds stated the IPMC will be easier for property owners and staff to understand, therefore, improving their pride in our community.

Councillor Baribeau suggested that public hearings be held to explain the building codes to the public before the Council moves forward with changing the ordinance.

Councillor Littlewolf stated the Buildings and Grounds Committee could host a public information session, once is the property maintenance code is amended specifically for our community.

Craig Maki expressed concern that if the IPMC is adopted, the building official can perform an inspection for any infraction and cite and force the owner to make changes.

Steve Johnson stated he trusts the City Council to make the decision for the residents on the building code and asked them to do their due diligence.

Betty Manseau requested that the blighted apartment building located at the southeast corner of 5th Street South and 6th Avenue be addressed and stated the basement appears to be caving in.

Dean Lindberg stated the City should be addressing the crime and drug issues in Virginia. Mr. Kingsley responded that the City previously reported that 75 to 80 percent of crime happens in rental properties and stated the City is addressing crime when they address who is living in the rental units.

Councillor Littlewolf stated the Buildings and Grounds Committee will discuss talking about the process to enforce the current building codes at their meeting scheduled for 9 AM on April 21st. A Buildings and Grounds Committee-of-the-Whole meeting will be scheduled in approximately two months, once the City Attorney has a draft ordinance that includes the amendments to the property maintenance code.

Moved by Sipola and supported by McReynolds to introduce an “Ordinance for the Adoption of the International Property Maintenance Code”.

Ayes: Councillors Littlewolf, McReynolds, Jorgensen, Sipola – 4

Nays: Councillors Baribeau, Baranzelli, Mayor Cuffe – 3

Motion carried.

Moved by Sipola and supported by Baribeau to adopt Resolution No. 15073, approving the transfer of City property to Range Landscape, at a fee of \$500.00 plus all fees associated with said transfer. Resolution adopted unanimously.

Moved by Sipola and supported by Littlewolf to place the 1991 Uniform Building Code on the City of Virginia website and make copies of the 1991 Uniform Housing Code and the 2012 International Property Maintenance Code available for public review at the Library and City Hall.

Motion carried.

Moved by Baribeau and supported by Sipola to adopt Resolution No. 15074, instructing the District Judge to reappoint Rocci Lucarelli to the Charter Commission for an additional four year term. Resolution adopted unanimously.

Moved by Baribeau and supported by Baranzelli to adopt Resolution No. 15075, approving transfers to Special Revenue, Debt Service, Capital Projects, Enterprise and General Funds, effective for year ending December 31, 2014. Resolution adopted unanimously.

Councillor Baribeau reported on the Finance Committee-of-the-Whole meeting held on April 7, 2015.

Moved by Baribeau and supported by McReynolds to request staff to provide information on previous sewer rates for the Finance Committee to review, prior to making a decision on the increased sewer rates. Motion carried.

Moved by Baribeau and supported by McReynolds to adopt Resolution No. 15076, accepting the quote from Atlas Outfitters, in the amount of \$3,576, to purchase four ice rescue suits and additional equipment accepting quote. Resolution adopted unanimously.

Moved by Baribeau and supported by Jorgensen to adopt Resolution No. 15077, accepting the quote from M & T Fire and Safety, in the total amount of \$5,500, to purchase four types of replacement fire hose. Resolution adopted unanimously.

Moved by Baribeau and supported by McReynolds to approve the travel request for Dan Cerise and Dustin Erickson, Fire Department, to attend ERT live shooting and scenario training on April 13, 2015, at Camp Ripley, Minnesota. Motion carried.

Moved by Baribeau and supported by Jorgensen to adopt Resolution No. 15078, approving Change Order No. 1 to increase the contract with Alliance Steel Construction, Inc., by the amount of \$25,515.38, for the former Staver Foundry Demolition Project. Resolution adopted unanimously.

Moved by Baribeau and supported by Jorgensen to approve the final payment due Alliance Steel Construction, Inc., in the amount of \$45,670.53, for the former Staver Foundry Demolition Project. Motion carried.

Moved by Baribeau and supported by Baranzelli to adopt Resolution No. 15079, approving Change Order No. 1 to decrease the contract with Ulland Brothers, Inc., by the amount of \$30,704.78, for the TH 135 Utility Extension Project. Resolution adopted unanimously.

Moved by Baribeau and supported by Littlewolf to adopt Resolution No. 15080, accepting the proposal from Short Elliott Hendrickson, Inc., in an amount not to exceed \$488,000, for professional engineering services for the TH 53 Utility Relocation Project. Resolution adopted unanimously.

Moved by Baribeau and supported by Baranzelli to adopt Resolution No. 15081, authorizing submission and acceptance of a Business Development Infrastructure Grant through the Department of Employment and Economic Development for site improvements for Joy Global. Resolution adopted unanimously.

Moved by Baribeau and supported by Jorgensen to adopt Resolution No. 15082, approving the Lease Agreement with St. Louis County to lease 24 parking spaces in a City-owned lot for the period April 1, 2015, to March 31, 2016

Moved by Baribeau and supported by Sipola to table the Virginia Credit Union development project for further discussion at a Finance Committee meeting. Motion carried.

Moved by Baribeau and supported by Baranzelli to authorize the Finance/HR Director to post externally for the Library Maintenance/Clerk position, including the CDL requirement. Motion carried.

Moved by Baribeau and supported McReynolds to approve the transfer of the City property at 218 12th Street South to Habitat for Humanity for the cost of the filing fees, with the final resolution considered at the April 28, 2015. Motion carried.

Councillor Baribeau reported on the Street/Alley/Public Safety Committee-of-the Whole meeting held on April 7, 2015.

Moved by Baribeau and supported by Littlewolf to adopt Resolution No. 15083, approving the final design layout for the Trunk Highway 53 Relocation Project, State Project 6918-80, contingent upon making the following changes to the design:

- Eliminate the new south full access at Midway Drive between Merritt Drive and More Drive.
 - Install a southbound left turn lane off Highway 53 onto Vermillion Drive, as shown on Exhibit A.
 - Eliminate the right in/right out design at Cuyuna Drive and continue to maintain the access as currently constructed, in order to allow traffic to travel both north and south from this location.
- Resolution adopted unanimously.

Moved by Baribeau and supported by Baranzelli to oppose the construction of a noise barrier along the west side of the new US 53 alignment, from approximately 10th Street South to 12th Street South.

Ayes: Councillors Baribeau, McReynolds, Jorgensen, Sipola, Baranzelli, Mayor Cuffe - 6

Nays: Councillor Littlewolf -1

Motion carried.

Councillor Littlewolf stated she is against opposing the noise barrier as residential areas are impacted by the highway noise.

Moved by Baribeau and supported by Jorgensen to change the 500 block of 4th Street South to one-way traffic after completion of current school year. Motion carried.

Moved by Baribeau and supported by McReynolds to refer the complaint received from Kristy Johnson regarding the traffic problem at the intersection of 20th Street South and 12th Avenue to the Police Department and request increased enforcement. Motion carried.

Moved by Baribeau and supported by Sipola to deny the request from Mary Lei Barclay to amend the City Code to increase the number of animals that are allowed in a dwelling. Motion carried.

Moved by Baribeau and supported by Baranzelli to approve the requests from the Dream Machines Motor Club for the 2015 Fuzzy Dice Cruise Night and 23rd Annual Summer Celebration Car Show on August 14 and 15, 2015. Motion carried.

Moved by Baribeau and supported by Baranzelli to reserve four parking spaces for Dental Associates in the parking area adjacent to their dental practice and authorize the Public Works Department to relocate the fence on the west side and remove the additional parking spaces. Motion carried.

Moved by Baribeau and supported by Sipola to authorize the Public Works Department to place signage relating to the “24 hour video surveillance” along the Sixth Avenue bridge trestle and near the fountain in Olcott Park. Motion carried.

Councillor Littlewolf reported on the Buildings/Grounds Committee meeting held today regarding the 2012 International Property Maintenance Code and the 1991 Uniform Housing Code. Another meeting was scheduled for 1:00 P.M. on April 21, 2015, to discuss the process to address current building code violations.

Councillor Littlewolf reported on the Partners Board meeting held on April 2, 2015, and gave an update on the activities that the Iron Range Youth in Action has been involved in.

Meeting adjourned at 9:05 P.M., with the next regular City Council meeting to be held at 6:30 P.M. on Tuesday, April 28, 2015.

(CORPORATE SEAL)

LARRY CUFFE JR.
Mayor

LOIS ROSKOSKI
City Clerk